



Rep. Barbara Flynn Currie

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1 AMENDMENT TO HOUSE BILL 1156

2 AMENDMENT NO. _____. Amend House Bill 1156, AS AMENDED, by
3 inserting the following in its proper numeric sequence:

4 "Section 15. Possession, delivery, sale, receipt,
5 transfer, and purchase of semi-automatic assault weapons and
6 assault weapon attachments.

7 (a) As used in this Section:

8 "Semi-automatic assault weapon" means any of the firearms
9 or types, replicas, models, duplicates, or similar models, in
10 any caliber, of the firearms, known as:

11 (1) Manufacture Nationale d'Armes de St. Etienne (MAS)
12 .223;

13 (2) SWD M-10, M-11, M-11/9, and M-12;

14 (3) Steyr AUG;

15 (4) INTRATEC TEC-9, TEC-DC9, and TEC-22; or

16 (5) any semi-automatic shotgun that has any of the
17 following:

- 1 (A) a folding or telescoping stock;
- 2 (B) a pistol grip or thumbhole stock;
- 3 (C) a fixed magazine capacity in excess of 5
- 4 rounds; or
- 5 (D) an ability to accept a detachable magazine.

6 "Semi-automatic assault weapon attachment" means any

7 device capable of being attached to a firearm that is

8 specifically designed for making or converting a firearm into

9 any of the firearms listed in this subsection (a).

10 "Semi-automatic assault weapon" does not include:

11 (1) any firearm that:

12 (A) is manually operated by bolt, pump, lever, or

13 slide action;

14 (B) is an unserviceable firearm or has been made

15 permanently inoperable;

16 (C) is an antique firearm;

17 (D) any air rifle as defined in Section 24.8-0.1 of

18 the Criminal Code of 2012; or

19 (E) has been excluded as a semi-automatic assault

20 weapon in a Department of Natural Resources rule. The

21 Department of Natural Resources shall have the

22 authority to adopt rules to further define exclusions

23 of semi-automatic assault weapon types, replicas,

24 models, duplicates, or similar models under this

25 Section, provided the make, model, and caliber of the

26 firearm excluded has a viable application to hunting

1 game and conforms to accepted hunting principles of
2 fair chase.

3 (b) It is unlawful for any person within this State to
4 knowingly deliver, sell, receive, transfer, or purchase or
5 cause to be delivered, sold, received, transferred, or
6 purchased a semi-automatic assault weapon or semi-automatic
7 assault weapon attachment.

8 (c) Beginning 300 days after the effective date of this
9 Act, it is unlawful for any person within this State to
10 knowingly possess a semi-automatic assault weapon or
11 semi-automatic assault weapon attachment.

12 (d) A person who knowingly delivers, transfers, sells,
13 receives, or purchases in violation of this Act a weapon,
14 attachment, or device commits a Class 2 felony for a first
15 violation and a Class 1 felony for a second or subsequent
16 violation. A person who knowingly possesses in violation of
17 this Act a weapon, attachment, or device commits a Class 3
18 felony for a first violation and a Class 2 felony for a second
19 or subsequent violation.

20 Section 16. Possession, delivery, sale, receipt, transfer,
21 and purchase of a semi-automatic assault weapon attachment, .50
22 caliber rifle, .50 caliber cartridge, or a semi-automatic rifle
23 or pistol with a fixed magazine that has the capacity to accept
24 more than 10 rounds of ammunition.

25 (a) As used in this Section:

1 "Antique firearm" has the meaning ascribed to it in 18
2 U.S.C. Section 921 (a) (16).

3 ".50 caliber rifle" means a centerfire rifle capable of
4 firing a .50 caliber cartridge. The term does not include any
5 antique firearm, any shotgun including a shotgun that has a
6 rifle barrel, or any muzzle-loader which uses black powder for
7 hunting or historical re-enactments.

8 ".50 caliber cartridge" means a fixed cartridge in .50 BMG
9 caliber, either by designation or actual measurement, that is
10 capable of being fired from a centerfire rifle. The term ".50
11 caliber cartridge" does not include any memorabilia or display
12 item that is filled with a permanent inert substance or that is
13 otherwise permanently altered in a manner that prevents ready
14 modification for use as live ammunition or shotgun ammunition
15 with a caliber measurement that is equal to or greater than .50
16 caliber.

17 "Semi-automatic assault weapon" means any of the firearms
18 or types, replicas, models, duplicates, or similar models, in
19 any caliber, of the firearms which are prohibited under
20 Sections 5, 10, and 15 of this Act, plus any semi-automatic
21 rifle or pistol with a fixed magazine that has the capacity to
22 accept more than 10 rounds of ammunition.

23 "Semi-automatic assault weapon" does not include:

24 (1) any firearm that:

25 (A) is manually operated by bolt, pump, lever, or
26 slide action;

1 (B) is an unserviceable firearm or has been made
2 permanently inoperable;

3 (C) is an antique firearm;

4 (D) any air rifle as defined in Section 24.8-0.1 of
5 the Criminal Code of 2012; or

6 (E) has been excluded as a semi-automatic assault
7 weapon or .50 caliber rifle in a Department of Natural
8 Resources rule. The Department of Natural Resources
9 shall have the authority to adopt rules to further
10 define exclusions of semi-automatic assault weapon and
11 .50 caliber rifle types, replicas, models, duplicates,
12 or similar models under this Section, provided the
13 make, model, and caliber of the firearm excluded has a
14 viable application to hunting game and conforms to
15 accepted hunting principles of fair chase.

16 "Semi-automatic assault weapon attachment" means any
17 device capable of being attached to a firearm that is
18 specifically designed for making or converting a firearm into
19 any of the firearms defined as a "semi-automatic assault
20 weapon" in this subsection (a).

21 (b) It is unlawful for any person within this State to
22 knowingly deliver, sell, receive, transfer, or purchase or
23 cause to be delivered, sold, received, transferred, or
24 purchased a semi-automatic assault weapon attachment, .50
25 caliber rifle, .50 caliber cartridge, or semi-automatic rifle
26 or pistol with a fixed magazine that has the capacity to accept

1 more than 10 rounds of ammunition.

2 (c) Beginning 300 days after the effective date of this
3 Act, it is unlawful for any person within this State to
4 knowingly possess a semi-automatic assault weapon attachment,
5 .50 caliber rifle, .50 caliber cartridge, or semi-automatic
6 rifle or pistol with a fixed magazine that has the capacity to
7 accept more than 10 rounds of ammunition.

8 (d) A person who knowingly delivers, transfers, sells,
9 receives, or purchases in violation of this Act a weapon,
10 attachment, or device commits a Class 2 felony for a first
11 violation and a Class 1 felony for a second or subsequent
12 violation. A person who knowingly possesses in violation of
13 this Act a weapon, attachment, or device commits a Class 3
14 felony for a first violation and a Class 2 felony for a second
15 or subsequent violation.

16 Section 17. Exemptions.

17 (a) Sections 15 and 16 do not apply to or affect any of the
18 following:

19 (1) Peace officers as defined in Section 2-13 of the
20 Criminal Code of 2012.

21 (2) Acquisition and possession by a local law
22 enforcement agency for the purpose of equipping the
23 agency's peace officers as defined in paragraph (1) of this
24 subsection.

25 (3) Wardens, superintendents, and keepers of prisons,

1 penitentiaries, jails, and other institutions for the
2 detention of persons accused or convicted of an offense.

3 (4) Members of the Armed Services or Reserve Forces of
4 the United States or the Illinois National Guard, while in
5 the performance of their official duties or while traveling
6 to or from their place of duty.

7 (5) Any company that employs armed security officers in
8 this State at a nuclear energy, storage, weapons, or
9 development site or facility regulated by the federal
10 Nuclear Regulatory Commission and persons employed as an
11 armed security force member at a nuclear energy, storage,
12 weapons, or development site or facility regulated by the
13 federal Nuclear Regulatory Commission who have completed
14 the background screening and training mandated by the rules
15 and regulations of the federal Nuclear Regulatory
16 Commission and while in the performance of their official
17 duties.

18 (6) Manufacture, transportation, or sale of weapons,
19 attachments, or ammunition to persons authorized under
20 subdivisions (1) through (5) of this subsection (a) to
21 possess those items.

22 (7) Manufacture, transportation, or sale of weapons,
23 attachments, or ammunition for sale or transfer in another
24 state.

25 (8) Possession of any firearm if that firearm is
26 sanctioned by the International Olympic Committee and by

1 USA Shooting, the national governing body for
2 international shooting competition in the United States,
3 but only when the firearm is in the actual possession of an
4 Olympic target shooting competitor or target shooting
5 coach for the purpose of storage, transporting to and from
6 Olympic target shooting practice or events if the firearm
7 is broken down in a non-functioning state, is not
8 immediately accessible, or is unloaded and enclosed in a
9 firearm case, carrying box, shipping box, or other similar
10 portable container designed for the safe transportation of
11 firearms, and when the Olympic target shooting competitor
12 or target shooting coach is engaging in those practices or
13 events. For the purposes of this paragraph (8), "firearm"
14 is as defined in Section 1.1 of the Firearm Owners
15 Identification Card Act.

16 (9) Any non-resident who transports, within 24 hours, a
17 weapon for any lawful purpose from any place where he or
18 she may lawfully possess and carry that weapon to any other
19 place where he or she may lawfully possess and carry that
20 weapon if, during the transportation the weapon is
21 unloaded, and neither the weapon nor any ammunition being
22 transported is readily accessible or is directly
23 accessible from the passenger compartment of the
24 transporting vehicle. Provided that, in the case of a
25 vehicle without a compartment separate from the driver's
26 compartment the weapon or ammunition shall be contained in

1 a locked container other than the glove compartment or
2 console.

3 (10) Possession of a weapon at events taking place at
4 the World Shooting and Recreational Complex at Sparta, only
5 while engaged in the legal use of this weapon, or while
6 traveling to or from this location if the weapon is broken
7 down in a non-functioning state, or is not immediately
8 accessible, or is unloaded and enclosed in a firearm case,
9 carrying box, shipping box, or other similar portable
10 container designed for the safe transportation of
11 firearms.

12 (11) Possession of a weapon only for hunting use
13 expressly permitted under the Wildlife Code, or while
14 traveling to or from a location authorized for this hunting
15 use under the Wildlife Code if the weapon is broken down in
16 a non-functioning state, or is not immediately accessible,
17 or is unloaded and enclosed in a firearm case, carrying
18 box, shipping box, or other similar portable container
19 designed for the safe transportation of firearms.

20 (12) The manufacture, transportation, possession,
21 sale, or rental of blank-firing assault weapons or the
22 weapon's respective attachments, to persons authorized or
23 permitted, or both authorized and permitted to acquire and
24 possess these weapons or attachments for the purpose of
25 rental for use solely as props for a motion picture,
26 television, or video production or entertainment event.

1 (b) Sections 15 and 16 do not apply to a peace officer who
2 has retired in good standing from a law enforcement agency of
3 this State and who possesses a prohibited weapon or attachment,
4 if the weapon or attachment was lawfully possessed and acquired
5 by the peace officer prior to retirement and the retired peace
6 officer within 30 days of retirement registers the weapon or
7 attachment with the Department of State Police as provided for
8 possession under this Act. The retired peace officer shall
9 comply with the transfer and notification requirements as
10 provided for possession under this Act."