



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB1428

Introduced 2/6/2013, by Sen. Kyle McCarter

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-11 new

Amends the Criminal Code of 2012. Provides that it is unlawful for any officer or employee of the State, or any political subdivision, or any federal firearms dealer licensed under 18 U.S.C. 923 to enforce any act, law, statute, rule, or regulation of the federal government relating to a personal firearm, firearm accessory, or ammunition that is owned or manufactured commercially or privately in the State and that remains exclusively within the boundaries of the State. Provides that any official, agent, or employee of the federal government who enforces any act, order, law, statute, rule, or regulation of the federal government upon a personal firearm, a firearm accessory, or ammunition that is owned or manufactured commercially or privately in the State and that remains exclusively within the borders of the State is guilty of a Class 4 felony. Provides that any federal law, rule, regulation, or order created or effective on or after January 1, 2013 is unenforceable in the State if the law, rule, regulation, or order attempts to: (1) ban or restrict ownership of a semi-automatic firearm or any magazine of a firearm; or (2) require any firearm, magazine, or other firearm accessory to be registered in any manner. Effective immediately.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by adding
5 Section 24-11 as follows:

6 (720 ILCS 5/24-11 new)

7 Sec. 24-11. Unenforceability of federal firearms laws and
8 regulations.

9 (a) It is unlawful for any officer or employee of this
10 State, or any political subdivision, or any federal firearms
11 dealer licensed under 18 U.S.C. 923 to enforce any act, law,
12 statute, rule, or regulation of the federal government relating
13 to a personal firearm, firearm accessory, or ammunition that is
14 owned or manufactured commercially or privately in this State
15 and that remains exclusively within the boundaries of this
16 State.

17 (b) Any official, agent, or employee of the federal
18 government who enforces any act, order, law, statute, rule, or
19 regulation of the federal government upon a personal firearm, a
20 firearm accessory, or ammunition that is owned or manufactured
21 commercially or privately in this State and that remains
22 exclusively within the borders of this State is guilty of a
23 Class 4 felony.

1 (c) Any person in violation of a federal law relating to
2 the manufacture, sale, transfer, or possession of a firearm, a
3 firearm accessory, or ammunition owned or manufactured and
4 retained exclusively within the boundaries of this State may
5 request the Attorney General to defend him or her for the
6 violation.

7 (d) Any federal law, rule, regulation, or order created or
8 effective on or after January 1, 2013 shall be unenforceable in
9 this State if the law, rule, regulation, or order attempts to:

10 (1) ban or restrict ownership of a semi-automatic
11 firearm or any magazine of a firearm; or

12 (2) require any firearm, magazine, or other firearm
13 accessory to be registered in any manner.

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.