



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3659

Introduced 5/13/2014, by Sen. Dan Kotowski

SYNOPSIS AS INTRODUCED:

430 ILCS 65/3

from Ch. 38, par. 83-3

720 ILCS 5/24-1.9 new

720 ILCS 5/24-1.10 new

Provides the Act may be known as the Illinois Public Safety Act. Amends the Firearm Owners Identification Card Act to require background checks for the transfer of firearms, except to a family member, by operation of law, or at a gun show. Amends the Criminal Code of 2012. Bans possession, delivery, sale, and purchase of assault weapons, attachments, and .50 caliber rifles and cartridges, except possession of weapons registered in time provided. Provides exemptions. Makes it unlawful for any person to knowingly deliver, sell, or transfer, or cause to be delivered, sold, or transferred, a large capacity ammunition feeding device. Defines "large capacity ammunition feeding device". Establishes penalties. Exempts sales and transfers to an heir, an individual residing in another state, or a licensed federal firearms dealer. Provides other exemptions. Provides that a retired peace officer may possess a large capacity ammunition feeding device, if lawfully acquired and possessed prior to retirement and a registration affidavit is filed.

LRB098 21264 MRW 59366 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law, which may be known as the
2 Illinois Public Safety Act.

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

5 Section 5. The Firearm Owners Identification Card Act is
6 amended by changing Section 3 as follows:

7 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

8 Sec. 3. (a) Except as provided in Section 3a, no person may
9 knowingly transfer, or cause to be transferred, any firearm,
10 firearm ammunition, stun gun, or taser to any person within
11 this State unless the transferee with whom he deals displays a
12 currently valid Firearm Owner's Identification Card which has
13 previously been issued in his name by the Department of State
14 Police under the provisions of this Act. In addition, all
15 firearm, stun gun, and taser transfers by federally licensed
16 firearm dealers are subject to Section 3.1.

17 (a-5) Any person who is not a federally licensed firearm
18 dealer and who desires to transfer or sell a firearm while that
19 person is on the grounds of a gun show must, before selling or
20 transferring the firearm, request the Department of State
21 Police to conduct a background check on the prospective
22 recipient of the firearm in accordance with Section 3.1.

23 (a-10) Any person who is not a federally licensed firearm

1 dealer and who desires to transfer or sell a firearm or
2 firearms to any person who is not a federally licensed firearm
3 dealer shall, before selling or transferring the firearms,
4 contact the Department of State Police with the transferee's or
5 purchaser's Firearm Owner's Identification Card number to
6 determine the validity of the transferee's or purchaser's
7 Firearm Owner's Identification Card. This subsection shall not
8 be effective until January 1, 2014. The Department of State
9 Police may adopt rules concerning the implementation of this
10 subsection. The Department of State Police shall provide the
11 seller or transferor an approval number if the purchaser's
12 Firearm Owner's Identification Card is valid. Approvals issued
13 by the Department for the purchase of a firearm pursuant to
14 this subsection are valid for 30 days from the date of issue.

15 (a-11) Any person who is not a federally licensed importer,
16 manufacturer, or dealer and who desires to sell or transfer a
17 firearm to another person, who is not a federally licensed
18 importer, manufacturer, or dealer, shall do so only at the
19 place of business of a federally licensed firearm dealer. The
20 federally licensed firearm dealer shall conduct a background
21 check on the prospective recipient of the firearm in accordance
22 with Section 3.1 of this Act and follow all other applicable
23 federal, State, and local laws as if he or she were the seller
24 of the firearm. The purchaser or transferee may be required by
25 the federally licensed firearm dealer to pay a fee not to
26 exceed \$10 per firearm, which the dealer may retain as

1 compensation for performing the functions required under this
2 subsection, plus the applicable fees authorized by Section 3.1.

3 The provisions of this subsection (a-11) do not apply to:

4 (1) transfers to the transferor's husband, wife, son,
5 daughter, stepson, stepdaughter, father, mother,
6 stepfather, stepmother, brother, sister, nephew, niece,
7 uncle, aunt, grandfather, grandmother, grandson,
8 granddaughter, father-in-law, mother-in-law, son-in-law,
9 or daughter-in-law;

10 (2) transfers by persons acting pursuant to operation
11 of law or a court order; or

12 (3) transfers on the grounds of a gun show.

13 (a-15) The provisions of subsection (a-10) of this Section
14 do not apply to:

15 (1) transfers that occur at the place of business of a
16 federally licensed firearm dealer, if the federally
17 licensed firearm dealer conducts a background check on the
18 prospective recipient of the firearm in accordance with
19 Section 3.1 of this Act and follows all other applicable
20 federal, State, and local laws as if he or she were the
21 seller or transferor of the firearm, although the dealer is
22 not required to accept the firearm into his or her
23 inventory. The purchaser or transferee may be required by
24 the federally licensed firearm dealer to pay a fee not to
25 exceed \$10 per firearm, which the dealer may retain as
26 compensation for performing the functions required under

1 this paragraph, plus the applicable fees authorized by
2 Section 3.1;

3 (2) transfers as a bona fide gift to the transferor's
4 husband, wife, son, daughter, stepson, stepdaughter,
5 father, mother, stepfather, stepmother, brother, sister,
6 nephew, niece, uncle, aunt, grandfather, grandmother,
7 grandson, granddaughter, father-in-law, mother-in-law,
8 son-in-law, or daughter-in-law;

9 (3) transfers by persons acting pursuant to operation
10 of law or a court order;

11 (4) transfers on the grounds of a gun show under
12 subsection (a-5) of this Section;

13 (5) the delivery of a firearm by its owner to a
14 gunsmith for service or repair, the return of the firearm
15 to its owner by the gunsmith, or the delivery of a firearm
16 by a gunsmith to a federally licensed firearms dealer for
17 service or repair and the return of the firearm to the
18 gunsmith;

19 (6) temporary transfers that occur while in the home of
20 the unlicensed transferee, if the unlicensed transferee is
21 not otherwise prohibited from possessing firearms and the
22 unlicensed transferee reasonably believes that possession
23 of the firearm is necessary to prevent imminent death or
24 great bodily harm to the unlicensed transferee;

25 (7) transfers to a law enforcement or corrections
26 agency or a law enforcement or corrections officer acting

1 within the course and scope of his or her official duties;

2 (8) transfers of firearms that have been rendered
3 permanently inoperable to a nonprofit historical society,
4 museum, or institutional collection; and

5 (9) transfers to a person who is exempt from the
6 requirement of possessing a Firearm Owner's Identification
7 Card under Section 2 of this Act.

8 (a-20) The Department of State Police shall develop an
9 Internet-based system for individuals to determine the
10 validity of a Firearm Owner's Identification Card prior to the
11 sale or transfer of a firearm. The Department shall have the
12 Internet-based system completed and available for use by July
13 1, 2015. The Department shall adopt rules not inconsistent with
14 this Section to implement this system.

15 (b) Any person within this State who transfers or causes to
16 be transferred any firearm, stun gun, or taser shall keep a
17 record of such transfer for a period of 10 years from the date
18 of transfer. Such record shall contain the date of the
19 transfer; the description, serial number or other information
20 identifying the firearm, stun gun, or taser if no serial number
21 is available; and, if the transfer was completed within this
22 State, the transferee's Firearm Owner's Identification Card
23 number and any approval number or documentation provided by the
24 Department of State Police pursuant to subsection (a-10) of
25 this Section. On or after January 1, 2006, the record shall
26 contain the date of application for transfer of the firearm. On

1 demand of a peace officer such transferor shall produce for
2 inspection such record of transfer. If the transfer or sale
3 took place at a gun show, the record shall include the unique
4 identification number. Failure to record the unique
5 identification number or approval number is a petty offense.

6 (b-5) Any resident may purchase ammunition from a person
7 within or outside of Illinois if shipment is by United States
8 mail or by a private express carrier authorized by federal law
9 to ship ammunition. Any resident purchasing ammunition within
10 or outside the State of Illinois must provide the seller with a
11 copy of his or her valid Firearm Owner's Identification Card
12 and either his or her Illinois driver's license or Illinois
13 State Identification Card prior to the shipment of the
14 ammunition. The ammunition may be shipped only to an address on
15 either of those 2 documents.

16 (c) The provisions of this Section regarding the transfer
17 of firearm ammunition shall not apply to those persons
18 specified in paragraph (b) of Section 2 of this Act.

19 (Source: P.A. 97-1135, eff. 12-4-12; 98-508, eff. 8-19-13.)

20 Section 10. The Criminal Code of 2012 is amended by adding
21 Sections 24-1.9 and 24-1.10 as follows:

22 (720 ILCS 5/24-1.9 new)

23 Sec. 24-1.9. Possession, delivery, sale, and purchase of
24 assault weapons, .50 caliber rifles, and .50 caliber

1 cartridges.

2 (a) Definitions. As used in this Section:

3 (1) "Assault weapon" means:

4 (A) any rifle which has a belt fed ammunition
5 system or which has a detachable magazine capable of
6 holding more than 15 rounds of ammunition;

7 (B) a semi-automatic rifle that has the ability to
8 accept a detachable magazine and has any of the
9 following:

10 (i) a folding or telescoping stock; or

11 (ii) a shroud that is attached to, or partially
12 or completely encircles the barrel, and that
13 permits the shooter to hold the firearm with the
14 non-trigger hand without being burned;

15 (C) a semi-automatic pistol that has the ability to
16 accept a detachable magazine and has any of the
17 following:

18 (i) a folding or telescoping stock;

19 (ii) a shroud that is attached to, or partially
20 or completely encircles the barrel, and that
21 permits the shooter to hold the firearm with the
22 non-trigger hand without being burned; or

23 (iii) a manufactured weight of 50 ounces or
24 more when the pistol is unloaded;

25 (D) a semi-automatic rifle with a fixed magazine
26 that has the capacity to accept more than 15 rounds of

1 ammunition;

2 (E) a semi-automatic shotgun that has:

3 (i) a folding or telescoping stock; and

4 (ii) contains its ammunition in a revolving
5 cylinder; or

6 (iii) a fixed magazine capacity in excess of 5
7 rounds of ammunition, except as may be authorized
8 under the Wildlife Code and excluding magazine
9 extensions during the snow geese conservation
10 order season; or

11 (iv) an ability to accept a detachable
12 magazine of more than 5 rounds of ammunition.

13 "Assault weapon" does not include:

14 (A) any firearm that:

15 (i) is manually operated by bolt, pump, lever,
16 or slide action;

17 (ii) is an unserviceable firearm or has been
18 made permanently inoperable;

19 (iii) is an antique firearm;

20 (iv) uses rimfire ammunition or cartridges; or

21 (iv) has been excluded as an assault weapon in
22 a Department of Natural Resources rule. The
23 Department of Natural Resources shall have the
24 authority to adopt rules to further define
25 exclusions of assault weapon types under this
26 Section, provided the make, model, and caliber of

1 the firearm excluded has a viable application to
2 hunting game and conforms to accepted hunting
3 principles of fair chase;

4 (B) any air rifle as defined in Section 24.8-0.1 of
5 this Code.

6 For the purposes of this Section, a firearm is considered
7 to have the ability to accept a detachable magazine unless the
8 magazine or ammunition feeding device can only be removed
9 through disassembly of the firearm action.

10 (2) "Assault weapon attachment" means any device
11 capable of being attached to a firearm that is specifically
12 designed for making or converting a firearm into any of the
13 firearms listed in paragraph (1) of this subsection (a).

14 (3) "Antique firearm" has the meaning ascribed to it in
15 18 U.S.C. 921 (a) (16).

16 (4) ".50 caliber rifle" means a centerfire rifle
17 capable of firing a .50 caliber cartridge. The term does
18 not include any antique firearm, any shotgun including a
19 shotgun that has a rifle barrel, or any muzzle-loader which
20 uses black powder for hunting or historical re-enactments.

21 (5) ".50 caliber cartridge" means a cartridge in .50
22 BMG caliber, either by designation or actual measurement,
23 that is capable of being fired from a centerfire rifle. The
24 term ".50 caliber cartridge" does not include any
25 memorabilia or display item that is filled with a permanent
26 inert substance or that is otherwise permanently altered in

1 a manner that prevents ready modification for use as live
2 ammunition or shotgun ammunition with a caliber
3 measurement that is equal to or greater than .50 caliber.

4 (6) "Locking mechanism" means secured by a device or
5 mechanism, other than the firearm safety, designed to
6 render a firearm temporarily inoperable; or a box or
7 container capable of containing the firearm and that can be
8 securely locked.

9 (b) The Department of State Police shall take all steps
10 necessary to carry out the requirements of this Section within
11 180 days after the effective date of this amendatory Act of the
12 98th General Assembly.

13 (c) Except as provided in subsections (d), (e), (f), and
14 (h) of this Section, on or after the effective date of this
15 amendatory Act of the 98th General Assembly, it is unlawful for
16 any person within this State to knowingly deliver, sell, or
17 purchase or cause to be delivered, sold, or purchased or cause
18 to be possessed by another, an assault weapon, assault weapon
19 attachment, .50 caliber rifle, or .50 caliber cartridge.

20 (d) Except as otherwise provided in subsections (e), (f),
21 and (h) of this Section, 300 days after the effective date of
22 this amendatory Act of the 98th General Assembly, it is
23 unlawful for any person within this State to knowingly possess
24 an assault weapon, assault weapon attachment, .50 caliber
25 rifle, or .50 caliber cartridge.

26 (e) This Section does not apply to a person who possessed

1 an assault weapon or .50 caliber rifle prohibited by subsection
2 (d) of this Section before the effective date of this
3 amendatory Act of the 98th General Assembly, provided the
4 person has provided in a registration affidavit, under oath or
5 affirmation and in the form and manner prescribed by the
6 Department of State Police on or after 180 days after the
7 effective date of this amendatory Act of the 98th General
8 Assembly but within 300 days after the effective date of this
9 amendatory Act of the 98th General Assembly:

10 (1) his or her name;

11 (2) date of birth;

12 (3) Firearm Owner's Identification Card number;

13 (4) the make, model, caliber, and serial number of the
14 weapon; and

15 (5) proof of a locking mechanism that properly fits the
16 weapon. The affidavit shall include a statement that the
17 weapon is owned by the person submitting the affidavit and
18 that he or she owns a locking mechanism for the weapon.

19 The affidavit form shall include the following statement
20 printed in bold type: "Warning: Entering false information on
21 this form is punishable as perjury under Section 32-2 of the
22 Criminal Code of 2012."

23 Beginning 300 days after the effective date of this
24 amendatory Act of the 98th General Assembly, the person may
25 transfer the assault weapon or .50 caliber rifle only to an
26 heir, an individual residing in another state maintaining it in

1 another state, or a dealer licensed as a federal firearms
2 dealer under Section 923 of the federal Gun Control Act of
3 1968. Within 10 days after transfer of the weapon except to an
4 heir, the person shall notify the Department of State Police of
5 the name and address of the transferee and comply with the
6 requirements of subsection (b) of Section 3 of the Firearm
7 Owners Identification Card Act. The person to whom the weapon
8 is transferred shall, within 60 days of the transfer, complete
9 an affidavit and pay the required registration fee under this
10 Section. A person to whom the weapon is transferred may
11 transfer it only as provided in this subsection.

12 (f) This Section does not apply to a peace officer who has
13 retired in good standing from a law enforcement agency of this
14 State and who possesses an assault weapon or .50 caliber rifle
15 prohibited by subsection (d) of this Section, if the weapon was
16 lawfully possessed and acquired by the peace officer prior to
17 retirement and the retired peace officer within 30 days of
18 retirement registers the weapon with the Department of State
19 Police and pays the required registration fee under this
20 Section. The retired peace officer shall comply with the
21 transfer and notification requirements in subsection (e) of
22 this Section.

23 (g) For the purpose of registration required under
24 subsections (e) and (f) of this Section, the Department of
25 State Police shall assess a registration fee of \$25 per person
26 to the owner of an assault weapon and \$25 per person to the

1 owner of a .50 caliber rifle. The fees shall be deposited into
2 the State Police Firearm Services Fund.

3 (h) This Section does not apply to or affect any of the
4 following:

5 (1) Peace officers as defined in Section 2-13 of this
6 Code.

7 (2) Acquisition and possession by a local law
8 enforcement agency for the purpose of equipping the
9 agency's peace officers as defined in paragraph (1) of this
10 subsection.

11 (3) Wardens, superintendents, and keepers of prisons,
12 penitentiaries, jails, and other institutions for the
13 detention of persons accused or convicted of an offense.

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

18 (5) Any company that employs armed security officers in
19 this State at a nuclear energy, storage, weapons, or
20 development site or facility regulated by the federal
21 Nuclear Regulatory Commission and persons employed as an
22 armed security force member at a nuclear energy, storage,
23 weapons, or development site or facility regulated by the
24 federal Nuclear Regulatory Commission who have completed
25 the background screening and training mandated by the rules
26 and regulations of the federal Nuclear Regulatory

1 Commission and while in the performance of their official
2 duties.

3 (6) Manufacture, transportation, or sale of weapons,
4 attachments, or ammunition to persons authorized under
5 subdivisions (1) through (5) of this subsection (h) to
6 possess those items.

7 (7) Manufacture, transportation, or sale of weapons,
8 attachments, or ammunition solely for sale or transfer in
9 another state.

10 (8) Possession of any firearm if that firearm is
11 sanctioned by the International Olympic Committee and by
12 USA Shooting, the national governing body for
13 international shooting competition in the United States,
14 but only when the firearm is in the actual possession of an
15 Olympic target shooting competitor or target shooting
16 coach for the purpose of storage, transporting to and from
17 Olympic target shooting practice or events if the firearm
18 is broken down in a non-functioning state, is not
19 immediately accessible, or is unloaded and enclosed in a
20 firearm case, carrying box, shipping box, or other similar
21 portable container designed for the safe transportation of
22 firearms, and when the Olympic target shooting competitor
23 or target shooting coach is engaging in those practices or
24 events. For the purposes of this paragraph (8), "firearm"
25 is as defined in Section 1.1 of the Firearm Owners
26 Identification Card Act.

1 (9) Any non-resident who transports, within 24 hours, a
2 weapon for any lawful purpose from any place where he or
3 she may lawfully possess and carry that weapon to any other
4 place where he or she may lawfully possess and carry that
5 weapon if, during the transportation the weapon is
6 unloaded, and neither the weapon nor any ammunition being
7 transported is readily accessible or is directly
8 accessible from the passenger compartment of the
9 transporting vehicle. Provided that, in the case of a
10 vehicle without a compartment separate from the driver's
11 compartment the weapon or ammunition shall be contained in
12 a locked container other than the glove compartment or
13 console.

14 (10) Possession of a weapon at events taking place at
15 the World Shooting and Recreational Complex at Sparta, only
16 while engaged in the legal use of this weapon, or while
17 traveling to or from this location if the weapon is broken
18 down in a non-functioning state, or is not immediately
19 accessible, or is unloaded and enclosed in a firearm case,
20 carrying box, shipping box, or other similar portable
21 container designed for the safe transportation of
22 firearms.

23 (11) Possession of a weapon only for hunting use
24 expressly permitted under the Wildlife Code, or while
25 traveling to or from a location authorized for this hunting
26 use under the Wildlife Code if the weapon is broken down in

1 a non-functioning state, or is not immediately accessible,
2 or is unloaded and enclosed in a firearm case, carrying
3 box, shipping box, or other similar portable container
4 designed for the safe transportation of firearms.

5 (12) Transfers subject to a written lease for a period
6 not to exceed 10 months, if the lessor of the assault
7 weapon, assault weapon attachment, .50 caliber rifle, or
8 .50 caliber cartridge is the holder of a valid federal
9 firearms license and the lessee is the holder of a permit
10 issued by a unit of local government for an activity
11 involving the possession and use of the weapon, attachment,
12 or cartridge, without live ammunition.

13 (i) Sentence.

14 (1) A person who knowingly delivers, sells, purchases,
15 or possesses or causes to be delivered, sold, purchased, or
16 possessed an assault weapon in violation of this Section
17 commits a Class 3 felony for a first violation and a Class
18 2 felony for a second or subsequent violation or for the
19 possession or delivery of 2 or more of these weapons at the
20 same time.

21 (2) A person who knowingly delivers, sells, purchases,
22 or possesses or causes to be delivered, sold, purchased, or
23 possessed in violation of this Section an assault weapon
24 attachment commits a Class 4 felony for a first violation
25 and a Class 3 felony for a second or subsequent violation.

26 (3) A person who knowingly delivers, sells, purchases,

1 or possesses or causes to be delivered, sold, purchased, or
2 possessed in violation of this Section a .50 caliber rifle
3 commits a Class 3 felony for a first violation and a Class
4 2 felony for a second or subsequent violation or for the
5 possession or delivery of 2 or more of these weapons at the
6 same time.

7 (4) A person who knowingly delivers, sells, purchases,
8 or possesses or causes to be delivered, sold, purchased, or
9 possessed in violation of this Section a .50 caliber
10 cartridge commits a Class A misdemeanor.

11 (5) Any other violation of this Section is a Class A
12 misdemeanor.

13 (720 ILCS 5/24-1.10 new)

14 Sec. 24-1.10. Delivery, sale, or transfer of large capacity
15 ammunition feeding devices.

16 (a) As used in this Section:

17 "Large capacity ammunition feeding device" means:

18 (1) a detachable magazine, belt, drum, feed strip, or
19 similar device that has a capacity of, or that can be
20 readily restored or converted to accept, more than 15
21 rounds of ammunition; or

22 (2) any combination of parts from which a device
23 described in paragraph (1) can be assembled.

24 "Large capacity ammunition feeding device" does not
25 include a permanently attached tubular device or any device

1 that has been made permanently inoperable.

2 (b) Except as provided in subsection (c) or (d), it is
3 unlawful for any person to knowingly deliver, sell, or
4 transfer, or cause to be delivered, sold, or transferred, a
5 large capacity ammunition feeding device. This subsection (b)
6 shall not apply to transfers to an heir, an individual residing
7 in another state maintaining that device in another state, or a
8 dealer licensed as a federal firearms dealer under Section 923
9 of the Federal Gun Control Act of 1968.

10 (c) This Section does not apply to a peace officer who has
11 retired in good standing from a law enforcement agency of this
12 State and who possesses a large capacity ammunition feeding
13 device prohibited by subsection (b) of this Section, if the
14 device was lawfully possessed and acquired by the peace officer
15 prior to retirement and the retired peace officer within 30
16 days of retirement, provides in a registration affidavit, under
17 oath or affirmation and in the form and manner prescribed by
18 the Department of State Police, his or her name, date of birth,
19 Firearm Owners Identification Card Number, the device's make,
20 model, and caliber. The affidavit shall include a statement
21 that the large capacity ammunition feeding device is owned by
22 the person submitting the affidavit. Each affidavit form shall
23 include the following statement printed in bold type: "Warning:
24 Entering false information on this form is punishable as
25 perjury under Section 32-2 of the Criminal Code of 2012.". The
26 retired officer may transfer the device only to an heir, an

1 individual residing in another state maintaining that device in
2 another state, or a dealer licensed as a federal firearms
3 dealer under Section 923 of the federal Gun Control Act of
4 1968. Within 10 days after transfer of the device, the person
5 shall notify the Department of State Police of the name and
6 address of the transferee and comply with the requirements of
7 subsection (b) of Section 3 of the Firearm Owners
8 Identification Card Act.

9 (d) This Section does not apply to or affect any of the
10 following:

11 (1) Peace officers as defined in Section 2-13 of this
12 Code.

13 (2) Acquisition and possession by a local law
14 enforcement agency for the purpose of equipping the
15 agency's peace officers as defined in paragraph (1) of this
16 subsection.

17 (3) Wardens, superintendents, and keepers of prisons,
18 penitentiaries, jails, and other institutions for the
19 detention of persons accused or convicted of an offense.

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

24 (5) Any company that employs armed security officers in
25 this State at a nuclear energy, storage, weapons, or
26 development site or facility regulated by the federal

1 Nuclear Regulatory Commission and persons employed as an
2 armed security force member at a nuclear energy, storage,
3 weapons, or development site or facility regulated by the
4 federal Nuclear Regulatory Commission who have completed
5 the background screening and training mandated by the rules
6 and regulations of the federal Nuclear Regulatory
7 Commission and while in the performance of their official
8 duties.

9 (6) Manufacture, transportation, or sale of large
10 capacity ammunition feeding devices to persons authorized
11 under subdivisions (1) through (5) of this subsection (c)
12 to possess those items.

13 (7) Manufacture, transportation, or sale of large
14 capacity ammunition feeding devices solely for sale or
15 transfer in another state.

16 (8) Possession of any large capacity ammunition
17 feeding device if that large capacity ammunition feeding
18 device is sanctioned by the International Olympic
19 Committee and by USA Shooting, the national governing body
20 for international shooting competition in the United
21 States, but only when the large capacity ammunition feeding
22 device is in the actual possession of an Olympic target
23 shooting competitor or target shooting coach for the
24 purpose of storage, transporting to and from Olympic target
25 shooting practice or events if the device is broken down in
26 a non-functioning state, is not immediately accessible, or

1 is unloaded and enclosed in a case, firearm carrying box,
2 shipping box, or other container, and when the Olympic
3 target shooting competitor or target shooting coach is
4 engaging in those practices or events.

5 (9) Any non-resident who transports, within 24 hours, a
6 large ammunition feeding device for any lawful purpose from
7 any place where he or she may lawfully possess and carry
8 that device to any other place where he or she may lawfully
9 possess and carry that device if, during the transportation
10 the device is unloaded, and neither the device nor any
11 ammunition being transported is readily accessible or is
12 directly accessible from the passenger compartment of the
13 transporting vehicle. Provided that, in the case of a
14 vehicle without a compartment separate from the driver's
15 compartment the device or ammunition shall be contained in
16 a locked container other than the glove compartment or
17 console.

18 (10) Possession of a large capacity ammunition feeding
19 device at events taking place at the World Shooting and
20 Recreational Complex at Sparta, only while engaged in the
21 legal use of the device, or while traveling to or from this
22 location if the items are broken down in a non-functioning
23 state, or are not immediately accessible, or are unloaded
24 and enclosed in a case, firearm carrying box, shipping box,
25 or other container.

26 (11) Possession of a large capacity ammunition feeding

1 device only for hunting use expressly permitted under the
2 Wildlife Code, or while traveling to or from a location
3 authorized for this hunting use under the Wildlife Code if
4 the device is broken down in a non-functioning state, or is
5 not immediately accessible, or is unloaded and enclosed in
6 a firearm case, carrying box, shipping box, or other
7 similar portable container designed for the safe
8 transportation of firearms.

9 (12) Transfers subject to a written lease for a period
10 not to exceed 10 months, if the lessor of the large
11 capacity ammunition feeding device is the holder of a valid
12 federal firearms license and the lessee is the holder of a
13 permit issued by a unit of local government for an activity
14 involving the possession and use of the transferred device
15 without live ammunition.

16 (e) Sentence. A person who knowingly delivers, sells, or
17 transfers, or causes to be delivered, sold, or transferred, in
18 violation of this Section a large capacity ammunition feeding
19 device capable of holding more than 17 rounds of ammunition
20 commits a Class 3 felony for a first violation and a Class 2
21 felony for a second or subsequent violation or for delivery,
22 sale, or transfer of 2 or more of these devices at the same
23 time. A person who knowingly delivers, sells, or transfers, or
24 causes to be delivered, sold, or transferred, in violation of
25 this Section a large capacity ammunition feeding device capable
26 of holding more than 15 rounds but not more than 17 rounds of

1 ammunition commits a Class 4 felony for a first violation and a
2 Class 3 felony for a second or subsequent violation or for
3 delivery, sale, or transfer, of more than one of these devices
4 at the same time.