



**93RD GENERAL ASSEMBLY**

**State of Illinois**

**2003 and 2004**

**HB4599**

Introduced 02/04/04, by Karen May

**SYNOPSIS AS INTRODUCED:**

720 ILCS 5/24-3.7 new

Amends the Criminal Code of 1961. Prohibits the distribution, transportation, importation into this State, sale, offer for sale or possession of 50 caliber sniper weapons. Establishes penalties and exemptions. Effective immediately.

LRB093 16518 RLC 42161 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

**A BILL FOR**

1 AN ACT in relation to 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 1961 is amended by adding  
5 Section 24-3.7 as follows:

6 (720 ILCS 5/24-3.7 new)

7 Sec. 24-3.7. Certain sniper weapons.

8 (a) In this Section, "50 caliber sniper weapon" means a  
9 rifle capable of firing a center-fire cartridge in 50 caliber,  
10 .50 BMG caliber, any other variant of 50 caliber, or any metric  
11 equivalent of that caliber.

12 (b) It is unlawful for a person, within this State, to  
13 distribute, transport, or import into this State or possess  
14 with intent to sell or to offer for sale or to give a 50 caliber  
15 sniper weapon.

16 (c) It is unlawful for a person to transfer, sell, or give  
17 any 50 caliber sniper weapon to a person under 18 years of age.

18 (d) It is unlawful to possess a 50 caliber sniper weapon.

19 (e) This Section does not apply to or affect any of the  
20 following:

21 (1) Peace officers while in performance of their  
22 official duties.

23 (2) Wardens, superintendents, and keepers of prisons,  
24 penitentiaries, jails, and other institutions for the  
25 detention of persons accused or convicted of an offense.

26 (3) Members of the Armed Services or Reserve Forces of  
27 the United States or the Illinois National Guard, while in  
28 the performance of their official duty.

29 (4) The transfer or passing of a 50 caliber sniper  
30 weapon upon the death of the owner to his or her heir or  
31 legatee until 60 days after the transfer or passing.

32 (5) The possession of a 50 caliber sniper weapon by an

1 executor or administrator of an estate during the  
2 administration of an estate until transferred in  
3 accordance with the Probate Act of 1975 to a person  
4 authorized under this Section to possess that weapon.

5 (6) Manufacture, transportation, or sale of 50 caliber  
6 sniper weapons to persons authorized under paragraphs (1)  
7 through (3) of this subsection (e) to possess 50 caliber  
8 sniper weapons, if the 50 caliber sniper weapons are broken  
9 down in a non-functioning state or are not immediately  
10 accessible.

11 (f) Sentence.

12 (1) A person convicted of a violation of this Section  
13 commits a Class 2 felony.

14 (2) A person who violates this Section by possessing a  
15 50 caliber sniper weapon in the passenger compartment of a  
16 motor vehicle as defined in Section 1-146 of the Illinois  
17 Vehicle Code, or on his or her person while the weapon is  
18 loaded, is guilty of a Class X felony.

19 (3) A person who violates this Section in any school,  
20 regardless of the time of day or the time of year, in  
21 residential property owned, operated or managed by a public  
22 housing agency or leased by a public housing agency as part  
23 of a scattered site or mixed-income development, in a  
24 public park, in a courthouse, on the real property  
25 comprising any school, regardless of the time of day or the  
26 time of year, on residential property owned, operated or  
27 managed by a public housing agency or leased by a public  
28 housing agency as part of a scattered site or mixed-income  
29 development, on the real property comprising any public  
30 park, on the real property comprising any courthouse, in  
31 any conveyance owned, leased or contracted by a school to  
32 transport students to or from school or a school related  
33 activity, or on any public way within 1,000 feet of the  
34 real property comprising any school, public park,  
35 courthouse, or residential property owned, operated, or  
36 managed by a public housing agency or leased by a public

1       housing agency as part of a scattered site or mixed-income  
2       development commits a Class 2 felony.

3           (4) A person who violates subsection (c) is guilty of a  
4       Class 1 felony.

5           (5) A person who violates this Section by possessing a  
6       50 caliber sniper weapon that he or she acquired before the  
7       effective date of this amendatory Act of the 93rd General  
8       Assembly and does not use that weapon in the commission of  
9       an offense nor possess that weapon in a place described in  
10       paragraph (2) or (3) is guilty of a Class A misdemeanor.

11       Section 99. Effective date. This Act takes effect upon  
12       becoming law.