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LRB094 09205 RLC 43280 a

1 AMENDMENT TO HOUSE BILL 1098

2 AMENDMENT NO. _____. Amend House Bill 1098 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by
5 changing Sections 24-1 and 24-2 and by adding Section 24-0.5 as
6 follows:

7 (720 ILCS 5/24-0.5 new)

8 Sec. 24-0.5. Definitions. For purposes of this Article:

9 "50 caliber rifle" means a centerfire rifle capable of
10 firing a 50 caliber cartridge. The term "50 caliber rifle" does
11 not include any antique firearm as defined in 18 U.S.C. Section
12 921(a)(16).

13 "50 caliber cartridge" means a cartridge in 50 caliber,
14 either by designation or actual measurement, including, but not
15 limited to, a .50 BMG cartridge. "50 caliber cartridge" does
16 not include any memorabilia or display item that is filled with
17 a permanent inert substance or that is otherwise permanently
18 altered in a manner that prevents ready modification for use as
19 live ammunition.

20 ".50 BMG cartridge" means a cartridge that is designed and
21 intended to be fired from a centerfire rifle and that meets all
22 of the following criteria:

23 (1) It has an overall length of 5.45 inches from the
24 base to the tip of the bullet.

1 (2) The bullet diameter for the cartridge is from .510
2 to, and including, .511 inch.

3 (3) The case base diameter for the cartridge is from
4 .800 inch to, and including, .804 inch.

5 (4) The cartridge case length is 3.91 inches.

6 A ".50 BMG rifle" does not include any "antique firearm"
7 nor any curio or relic as defined in Section 178.11 of Title 27
8 of the Code of Federal Regulations.

9 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

10 Sec. 24-1. Unlawful Use of Weapons.

11 (a) A person commits the offense of unlawful use of weapons
12 when he knowingly:

13 (1) Sells, manufactures, purchases, possesses or
14 carries any bludgeon, black-jack, slung-shot, sand-club,
15 sand-bag, metal knuckles, throwing star, or any knife,
16 commonly referred to as a switchblade knife, which has a
17 blade that opens automatically by hand pressure applied to
18 a button, spring or other device in the handle of the
19 knife, or a ballistic knife, which is a device that propels
20 a knifelike blade as a projectile by means of a coil
21 spring, elastic material or compressed gas; or

22 (2) Carries or possesses with intent to use the same
23 unlawfully against another, a dagger, dirk, billy,
24 dangerous knife, razor, stiletto, broken bottle or other
25 piece of glass, stun gun or taser or any other dangerous or
26 deadly weapon or instrument of like character; or

27 (3) Carries on or about his person or in any vehicle, a
28 tear gas gun projector or bomb or any object containing
29 noxious liquid gas or substance, other than an object
30 containing a non-lethal noxious liquid gas or substance
31 designed solely for personal defense carried by a person 18
32 years of age or older; or

33 (4) Carries or possesses in any vehicle or concealed on

1 or about his person except when on his land or in his own
2 abode or fixed place of business any pistol, revolver, stun
3 gun or taser or other firearm, except that this subsection
4 (a) (4) does not apply to or affect transportation of
5 weapons that meet one of the following conditions:

6 (i) are broken down in a non-functioning state; or

7 (ii) are not immediately accessible; or

8 (iii) are unloaded and enclosed in a case, firearm
9 carrying box, shipping box, or other container by a
10 person who has been issued a currently valid Firearm
11 Owner's Identification Card; or

12 (5) Sets a spring gun; or

13 (6) Possesses any device or attachment of any kind
14 designed, used or intended for use in silencing the report
15 of any firearm; or

16 (7) Sells, manufactures, purchases, possesses or
17 carries:

18 (i) a machine gun, which shall be defined for the
19 purposes of this subsection as any weapon, which
20 shoots, is designed to shoot, or can be readily
21 restored to shoot, automatically more than one shot
22 without manually reloading by a single function of the
23 trigger, including the frame or receiver of any such
24 weapon, or sells, manufactures, purchases, possesses,
25 or carries any combination of parts designed or
26 intended for use in converting any weapon into a
27 machine gun, or any combination or parts from which a
28 machine gun can be assembled if such parts are in the
29 possession or under the control of a person;

30 (ii) any rifle having one or more barrels less than
31 16 inches in length or a shotgun having one or more
32 barrels less than 18 inches in length or any weapon
33 made from a rifle or shotgun, whether by alteration,
34 modification, or otherwise, if such a weapon as

1 modified has an overall length of less than 26 inches;

2 or

3 (iii) any bomb, bomb-shell, grenade, bottle or
4 other container containing an explosive substance of
5 over one-quarter ounce for like purposes, such as, but
6 not limited to, black powder bombs and Molotov
7 cocktails or artillery projectiles; or

8 (iv) any 50 caliber rifle or 50 caliber ammunition;

9 or

10 (8) Carries or possesses any firearm, stun gun or taser
11 or other deadly weapon in any place which is licensed to
12 sell intoxicating beverages, or at any public gathering
13 held pursuant to a license issued by any governmental body
14 or any public gathering at which an admission is charged,
15 excluding a place where a showing, demonstration or lecture
16 involving the exhibition of unloaded firearms is
17 conducted.

18 This subsection (a) (8) does not apply to any auction or
19 raffle of a firearm held pursuant to a license or permit
20 issued by a governmental body, nor does it apply to persons
21 engaged in firearm safety training courses; or

22 (9) Carries or possesses in a vehicle or on or about
23 his person any pistol, revolver, stun gun or taser or
24 firearm or ballistic knife, when he is hooded, robed or
25 masked in such manner as to conceal his identity; or

26 (10) Carries or possesses on or about his person, upon
27 any public street, alley, or other public lands within the
28 corporate limits of a city, village or incorporated town,
29 except when an invitee thereon or therein, for the purpose
30 of the display of such weapon or the lawful commerce in
31 weapons, or except when on his land or in his own abode or
32 fixed place of business, any pistol, revolver, stun gun or
33 taser or other firearm, except that this subsection (a)
34 (10) does not apply to or affect transportation of weapons

1 that meet one of the following conditions:

2 (i) are broken down in a non-functioning state; or

3 (ii) are not immediately accessible; or

4 (iii) are unloaded and enclosed in a case, firearm
5 carrying box, shipping box, or other container by a
6 person who has been issued a currently valid Firearm
7 Owner's Identification Card.

8 A "stun gun or taser", as used in this paragraph (a)
9 means (i) any device which is powered by electrical
10 charging units, such as, batteries, and which fires one or
11 several barbs attached to a length of wire and which, upon
12 hitting a human, can send out a current capable of
13 disrupting the person's nervous system in such a manner as
14 to render him incapable of normal functioning or (ii) any
15 device which is powered by electrical charging units, such
16 as batteries, and which, upon contact with a human or
17 clothing worn by a human, can send out current capable of
18 disrupting the person's nervous system in such a manner as
19 to render him incapable of normal functioning; or

20 (11) Sells, manufactures or purchases any explosive
21 bullet. For purposes of this paragraph (a) "explosive
22 bullet" means the projectile portion of an ammunition
23 cartridge which contains or carries an explosive charge
24 which will explode upon contact with the flesh of a human
25 or an animal. "Cartridge" means a tubular metal case having
26 a projectile affixed at the front thereof and a cap or
27 primer at the rear end thereof, with the propellant
28 contained in such tube between the projectile and the cap;
29 or

30 (12) (Blank).

31 (b) Sentence. A person convicted of a violation of
32 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10), or
33 subsection 24-1(a)(11) commits a Class A misdemeanor. A person
34 convicted of a violation of subsection 24-1(a)(8) or 24-1(a)(9)

1 commits a Class 4 felony; a person convicted of a violation of
2 subsection 24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a
3 Class 3 felony. A person convicted of a violation of subsection
4 24-1(a)(7)(i) or subsection 24-1(a)(7)(iv) commits a Class 2
5 felony, unless the weapon is possessed in the passenger
6 compartment of a motor vehicle as defined in Section 1-146 of
7 the Illinois Vehicle Code, or on the person, while the weapon
8 is loaded, in which case it shall be a Class X felony. A person
9 convicted of a second or subsequent violation of subsection
10 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a
11 Class 3 felony.

12 (c) Violations in specific places.

13 (1) A person who violates subsection 24-1(a)(6) or
14 24-1(a)(7) in any school, regardless of the time of day or
15 the time of year, in residential property owned, operated
16 or managed by a public housing agency or leased by a public
17 housing agency as part of a scattered site or mixed-income
18 development, in a public park, in a courthouse, on the real
19 property comprising any school, regardless of the time of
20 day or the time of year, on residential property owned,
21 operated or managed by a public housing agency or leased by
22 a public housing agency as part of a scattered site or
23 mixed-income development, on the real property comprising
24 any public park, on the real property comprising any
25 courthouse, in any conveyance owned, leased or contracted
26 by a school to transport students to or from school or a
27 school related activity, or on any public way within 1,000
28 feet of the real property comprising any school, public
29 park, courthouse, or residential property owned, operated,
30 or managed by a public housing agency or leased by a public
31 housing agency as part of a scattered site or mixed-income
32 development commits a Class 2 felony.

33 (1.5) A person who violates subsection 24-1(a)(4),
34 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the

1 time of day or the time of year, in residential property
2 owned, operated, or managed by a public housing agency or
3 leased by a public housing agency as part of a scattered
4 site or mixed-income development, in a public park, in a
5 courthouse, on the real property comprising any school,
6 regardless of the time of day or the time of year, on
7 residential property owned, operated, or managed by a
8 public housing agency or leased by a public housing agency
9 as part of a scattered site or mixed-income development, on
10 the real property comprising any public park, on the real
11 property comprising any courthouse, in any conveyance
12 owned, leased, or contracted by a school to transport
13 students to or from school or a school related activity, or
14 on any public way within 1,000 feet of the real property
15 comprising any school, public park, courthouse, or
16 residential property owned, operated, or managed by a
17 public housing agency or leased by a public housing agency
18 as part of a scattered site or mixed-income development
19 commits a Class 3 felony.

20 (2) A person who violates subsection 24-1(a)(1),
21 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
22 time of day or the time of year, in residential property
23 owned, operated or managed by a public housing agency or
24 leased by a public housing agency as part of a scattered
25 site or mixed-income development, in a public park, in a
26 courthouse, on the real property comprising any school,
27 regardless of the time of day or the time of year, on
28 residential property owned, operated or managed by a public
29 housing agency or leased by a public housing agency as part
30 of a scattered site or mixed-income development, on the
31 real property comprising any public park, on the real
32 property comprising any courthouse, in any conveyance
33 owned, leased or contracted by a school to transport
34 students to or from school or a school related activity, or

1 on any public way within 1,000 feet of the real property
2 comprising any school, public park, courthouse, or
3 residential property owned, operated, or managed by a
4 public housing agency or leased by a public housing agency
5 as part of a scattered site or mixed-income development
6 commits a Class 4 felony. "Courthouse" means any building
7 that is used by the Circuit, Appellate, or Supreme Court of
8 this State for the conduct of official business.

9 (3) Paragraphs (1), (1.5), and (2) of this subsection
10 (c) shall not apply to law enforcement officers or security
11 officers of such school, college, or university or to
12 students carrying or possessing firearms for use in
13 training courses, parades, hunting, target shooting on
14 school ranges, or otherwise with the consent of school
15 authorities and which firearms are transported unloaded
16 enclosed in a suitable case, box, or transportation
17 package.

18 (4) For the purposes of this subsection (c), "school"
19 means any public or private elementary or secondary school,
20 community college, college, or university.

21 (d) The presence in an automobile other than a public
22 omnibus of any weapon, instrument or substance referred to in
23 subsection (a)(7) is prima facie evidence that it is in the
24 possession of, and is being carried by, all persons occupying
25 such automobile at the time such weapon, instrument or
26 substance is found, except under the following circumstances:
27 (i) if such weapon, instrument or instrumentality is found upon
28 the person of one of the occupants therein; or (ii) if such
29 weapon, instrument or substance is found in an automobile
30 operated for hire by a duly licensed driver in the due, lawful
31 and proper pursuit of his trade, then such presumption shall
32 not apply to the driver.

33 (e) Exemptions. Crossbows, Common or Compound bows and
34 Underwater Spearguns are exempted from the definition of

1 ballistic knife as defined in paragraph (1) of subsection (a)
2 of this Section.

3 (Source: P.A. 90-686, eff. 1-1-99; 91-673, eff. 12-22-99;
4 91-690, eff. 4-13-00.)

5 (720 ILCS 5/24-2) (from Ch. 38, par. 24-2)
6 Sec. 24-2. Exemptions.

7 (a) Subsections 24-1(a)(3), 24-1(a)(4) and 24-1(a)(10) and
8 Section 24-1.6 do not apply to or affect any of the following:

9 (1) Peace officers, and any person summoned by a peace
10 officer to assist in making arrests or preserving the
11 peace, while actually engaged in assisting such officer.

12 (2) Wardens, superintendents and keepers of prisons,
13 penitentiaries, jails and other institutions for the
14 detention of persons accused or convicted of an offense,
15 while in the performance of their official duty, or while
16 commuting between their homes and places of employment.

17 (3) Members of the Armed Services or Reserve Forces of
18 the United States or the Illinois National Guard or the
19 Reserve Officers Training Corps, while in the performance
20 of their official duty.

21 (4) Special agents employed by a railroad or a public
22 utility to perform police functions, and guards of armored
23 car companies, while actually engaged in the performance of
24 the duties of their employment or commuting between their
25 homes and places of employment; and watchmen while actually
26 engaged in the performance of the duties of their
27 employment.

28 (5) Persons licensed as private security contractors,
29 private detectives, or private alarm contractors, or
30 employed by an agency certified by the Department of
31 Professional Regulation, if their duties include the
32 carrying of a weapon under the provisions of the Private
33 Detective, Private Alarm, Private Security, and Locksmith

1 Act of 2004, while actually engaged in the performance of
2 the duties of their employment or commuting between their
3 homes and places of employment, provided that such
4 commuting is accomplished within one hour from departure
5 from home or place of employment, as the case may be.
6 Persons exempted under this subdivision (a)(5) shall be
7 required to have completed a course of study in firearms
8 handling and training approved and supervised by the
9 Department of Professional Regulation as prescribed by
10 Section 28 of the Private Detective, Private Alarm, Private
11 Security, and Locksmith Act of 2004, prior to becoming
12 eligible for this exemption. The Department of
13 Professional Regulation shall provide suitable
14 documentation demonstrating the successful completion of
15 the prescribed firearms training. Such documentation shall
16 be carried at all times when such persons are in possession
17 of a concealable weapon.

18 (6) Any person regularly employed in a commercial or
19 industrial operation as a security guard for the protection
20 of persons employed and private property related to such
21 commercial or industrial operation, while actually engaged
22 in the performance of his or her duty or traveling between
23 sites or properties belonging to the employer, and who, as
24 a security guard, is a member of a security force of at
25 least 5 persons registered with the Department of
26 Professional Regulation; provided that such security guard
27 has successfully completed a course of study, approved by
28 and supervised by the Department of Professional
29 Regulation, consisting of not less than 40 hours of
30 training that includes the theory of law enforcement,
31 liability for acts, and the handling of weapons. A person
32 shall be considered eligible for this exemption if he or
33 she has completed the required 20 hours of training for a
34 security officer and 20 hours of required firearm training,

1 and has been issued a firearm authorization card by the
2 Department of Professional Regulation. Conditions for the
3 renewal of firearm authorization cards issued under the
4 provisions of this Section shall be the same as for those
5 cards issued under the provisions of the Private Detective,
6 Private Alarm, Private Security, and Locksmith Act of 2004.
7 Such firearm authorization card shall be carried by the
8 security guard at all times when he or she is in possession
9 of a concealable weapon.

10 (7) Agents and investigators of the Illinois
11 Legislative Investigating Commission authorized by the
12 Commission to carry the weapons specified in subsections
13 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
14 any investigation for the Commission.

15 (8) Persons employed by a financial institution for the
16 protection of other employees and property related to such
17 financial institution, while actually engaged in the
18 performance of their duties, commuting between their homes
19 and places of employment, or traveling between sites or
20 properties owned or operated by such financial
21 institution, provided that any person so employed has
22 successfully completed a course of study, approved by and
23 supervised by the Department of Professional Regulation,
24 consisting of not less than 40 hours of training which
25 includes theory of law enforcement, liability for acts, and
26 the handling of weapons. A person shall be considered to be
27 eligible for this exemption if he or she has completed the
28 required 20 hours of training for a security officer and 20
29 hours of required firearm training, and has been issued a
30 firearm authorization card by the Department of
31 Professional Regulation. Conditions for renewal of firearm
32 authorization cards issued under the provisions of this
33 Section shall be the same as for those issued under the
34 provisions of the Private Detective, Private Alarm,

1 Private Security, and Locksmith Act of 2004. Such firearm
2 authorization card shall be carried by the person so
3 trained at all times when such person is in possession of a
4 concealable weapon. For purposes of this subsection,
5 "financial institution" means a bank, savings and loan
6 association, credit union or company providing armored car
7 services.

8 (9) Any person employed by an armored car company to
9 drive an armored car, while actually engaged in the
10 performance of his duties.

11 (10) Persons who have been classified as peace officers
12 pursuant to the Peace Officer Fire Investigation Act.

13 (11) Investigators of the Office of the State's
14 Attorneys Appellate Prosecutor authorized by the board of
15 governors of the Office of the State's Attorneys Appellate
16 Prosecutor to carry weapons pursuant to Section 7.06 of the
17 State's Attorneys Appellate Prosecutor's Act.

18 (12) Special investigators appointed by a State's
19 Attorney under Section 3-9005 of the Counties Code.

20 (12.5) Probation officers while in the performance of
21 their duties, or while commuting between their homes,
22 places of employment or specific locations that are part of
23 their assigned duties, with the consent of the chief judge
24 of the circuit for which they are employed.

25 (13) Court Security Officers while in the performance
26 of their official duties, or while commuting between their
27 homes and places of employment, with the consent of the
28 Sheriff.

29 (13.5) A person employed as an armed security guard at
30 a nuclear energy, storage, weapons or development site or
31 facility regulated by the Nuclear Regulatory Commission
32 who has completed the background screening and training
33 mandated by the rules and regulations of the Nuclear
34 Regulatory Commission.

1 (14) Manufacture, transportation, or sale of weapons
2 to persons authorized under subdivisions (1) through
3 (13.5) of this subsection to possess those weapons.

4 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
5 24-1.6 do not apply to or affect any of the following:

6 (1) Members of any club or organization organized for
7 the purpose of practicing shooting at targets upon
8 established target ranges, whether public or private, and
9 patrons of such ranges, while such members or patrons are
10 using their firearms on those target ranges.

11 (2) Duly authorized military or civil organizations
12 while parading, with the special permission of the
13 Governor.

14 (3) Hunters, trappers or fishermen with a license or
15 permit while engaged in hunting, trapping or fishing.

16 (4) Transportation of weapons that are broken down in a
17 non-functioning state or are not immediately accessible.

18 (c) Subsection 24-1(a)(7) does not apply to or affect any
19 of the following:

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

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

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

28 (4) Manufacture, transportation, or sale of machine
29 guns, 50 caliber rifles, or 50 caliber ammunition to
30 persons authorized under subdivisions (1) through (3) of
31 this subsection to possess machine guns, 50 caliber rifles,
32 or 50 caliber ammunition, if the machine guns or 50 caliber
33 rifles are broken down in a non-functioning state or are
34 not immediately accessible.

1 (5) Persons licensed under federal law to manufacture
2 any weapon from which 8 or more shots or bullets can be
3 discharged by a single function of the firing device, 50
4 caliber rifles, or ammunition for such weapons, and
5 actually engaged in the business of manufacturing such
6 weapons or ammunition, but only with respect to activities
7 which are within the lawful scope of such business, such as
8 the manufacture, transportation, or testing of such
9 weapons or ammunition. This exemption does not authorize
10 the general private possession of any weapon from which 8
11 or more shots or bullets can be discharged by a single
12 function of the firing device or 50 caliber rifle, but only
13 such possession and activities as are within the lawful
14 scope of a licensed manufacturing business described in
15 this paragraph.

16 During transportation, such weapons shall be broken
17 down in a non-functioning state or not immediately
18 accessible.

19 (6) The manufacture, transport, testing, delivery,
20 transfer or sale, and all lawful commercial or experimental
21 activities necessary thereto, of rifles, shotguns, and
22 weapons made from rifles or shotguns, or ammunition for
23 such rifles, shotguns or weapons, where engaged in by a
24 person operating as a contractor or subcontractor pursuant
25 to a contract or subcontract for the development and supply
26 of such rifles, shotguns, weapons or ammunition to the
27 United States government or any branch of the Armed Forces
28 of the United States, when such activities are necessary
29 and incident to fulfilling the terms of such contract.

30 The exemption granted under this subdivision (c)(6)
31 shall also apply to any authorized agent of any such
32 contractor or subcontractor who is operating within the
33 scope of his employment, where such activities involving
34 such weapon, weapons or ammunition are necessary and

1 incident to fulfilling the terms of such contract.

2 During transportation, any such weapon shall be broken
3 down in a non-functioning state, or not immediately
4 accessible.

5 Subsection 24-1(a)(7) dealing with 50 caliber rifles and 50
6 caliber ammunition does not apply to a person that possesses a
7 50 caliber rifle or 50 caliber ammunition before the effective
8 date of this amendatory Act of the 94th General Assembly.
9 However, on or after the effective date of this amendatory Act
10 of the 94th General Assembly, such person shall only be allowed
11 to transfer a 50 caliber rifle or 50 caliber ammunition to a
12 dealer licensed as a federal firearms dealer under Section 923
13 of the federal Gun Control Act of 1968 (18 U.S.C. 923).

14 (d) Subsection 24-1(a)(1) does not apply to the purchase,
15 possession or carrying of a black-jack or slung-shot by a peace
16 officer.

17 (e) Subsection 24-1(a)(8) does not apply to any owner,
18 manager or authorized employee of any place specified in that
19 subsection nor to any law enforcement officer.

20 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
21 Section 24-1.6 do not apply to members of any club or
22 organization organized for the purpose of practicing shooting
23 at targets upon established target ranges, whether public or
24 private, while using their firearms on those target ranges.

25 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply
26 to:

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

30 (2) Bonafide collectors of antique or surplus military
31 ordinance.

32 (3) Laboratories having a department of forensic
33 ballistics, or specializing in the development of
34 ammunition or explosive ordinance.

1 (4) Commerce, preparation, assembly or possession of
2 explosive bullets by manufacturers of ammunition licensed
3 by the federal government, in connection with the supply of
4 those organizations and persons exempted by subdivision
5 (g)(1) of this Section, or like organizations and persons
6 outside this State, or the transportation of explosive
7 bullets to any organization or person exempted in this
8 Section by a common carrier or by a vehicle owned or leased
9 by an exempted manufacturer.

10 (g-5) Subsection 24-1(a)(6) does not apply to or affect
11 persons licensed under federal law to manufacture any device or
12 attachment of any kind designed, used, or intended for use in
13 silencing the report of any firearm, firearms, or ammunition
14 for those firearms equipped with those devices, and actually
15 engaged in the business of manufacturing those devices,
16 firearms, or ammunition, but only with respect to activities
17 that are within the lawful scope of that business, such as the
18 manufacture, transportation, or testing of those devices,
19 firearms, or ammunition. This exemption does not authorize the
20 general private possession of any device or attachment of any
21 kind designed, used, or intended for use in silencing the
22 report of any firearm, but only such possession and activities
23 as are within the lawful scope of a licensed manufacturing
24 business described in this subsection (g-5). During
25 transportation, those devices shall be detached from any weapon
26 or not immediately accessible.

27 (h) An information or indictment based upon a violation of
28 any subsection of this Article need not negative any exemptions
29 contained in this Article. The defendant shall have the burden
30 of proving such an exemption.

31 (i) Nothing in this Article shall prohibit, apply to, or
32 affect the transportation, carrying, or possession, of any
33 pistol or revolver, stun gun, taser, or other firearm consigned
34 to a common carrier operating under license of the State of

1 Illinois or the federal government, where such transportation,
2 carrying, or possession is incident to the lawful
3 transportation in which such common carrier is engaged; and
4 nothing in this Article shall prohibit, apply to, or affect the
5 transportation, carrying, or possession of any pistol,
6 revolver, stun gun, taser, or other firearm, not the subject of
7 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
8 this Article, which is unloaded and enclosed in a case, firearm
9 carrying box, shipping box, or other container, by the
10 possessor of a valid Firearm Owners Identification Card.

11 (Source: P.A. 92-325, eff. 8-9-01; 93-438, eff. 8-5-03; 93-439,
12 eff. 8-5-03; 93-576, eff. 1-1-04; revised 9-15-03.)".