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1 AMENDMENT TO HOUSE BILL 2414

2 AMENDMENT NO. _____. Amend House Bill 2414, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Criminal Code of 1961 is amended by adding
6 Sections 24-1.8 and 24-1.9 as follows:

7 (720 ILCS 5/24-1.8 new)

8 Sec. 24-1.8. Manufacture, possession, and delivery of
9 semiautomatic assault weapons, assault weapon attachments, and
10 .50 caliber rifles.

11 (a) Definitions. In this Section:

12 (1) "Semi-automatic assault weapon" means:

13 (A) any of the firearms or types, replicas, or
14 duplicates in any caliber of the firearms, known as:

15 (i) Norinco, Mitchell, and Poly Technologies
16 Avtomat Kalashnikovs (all models);

17 (ii) Action Arms Israeli Military Industries
18 UZI and Galil;

19 (iii) Beretta AR-70 (SC-70);

20 (iv) Colt AR-15;

21 (v) Fabrique Nationale FN/FAL, FN/LAR, and
22 FNC;

23 (vi) SWD M-10, M-11, M-11/9, and M-12;

24 (vii) Steyr AUG;

1 (viii) INTRATEC TEC-9, TEC-DC9, and TEC-22;

2 and

3 (ix) any shotgun which contains its ammunition
4 in a revolving cylinder, such as (but not limited
5 to) the Street Sweeper and Striker 12;

6 (B) a semiautomatic rifle that has an ability to
7 accept a detachable magazine and has any of the
8 following:

9 (i) a folding or telescoping stock;

10 (ii) a pistol grip that protrudes
11 conspicuously beneath the action of the weapon; or

12 (iii) a flash suppressor or barrel having a
13 threaded muzzle;

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

17 (i) an ammunition magazine that attaches to
18 the pistol outside of the pistol grip;

19 (ii) a barrel having a threaded muzzle;

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

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

26 (v) a semiautomatic version of an automatic
27 firearm;

28 (D) a semiautomatic shotgun that has any of the
29 following:

30 (i) a folding or telescoping stock;

31 (ii) a pistol grip that protrudes
32 conspicuously beneath the action of the weapon,
33 except for a grip that is part of or mounted on a
34 weapon with a butt stock;

1 (iii) a fixed magazine capacity in excess of 5
2 rounds; or

3 (iv) an ability to accept a detachable
4 magazine.

5 "Semiautomatic assault weapon" does not include:

6 (A) any firearm that:

7 (i) is manually operated by bolt, pump, lever
8 or slide action;

9 (ii) is an "unserviceable firearm" or has been
10 made permanently inoperable;

11 (iii) is an antique firearm; or

12 (iv) is lawful for any hunting use permitted
13 under the Wildlife Code;

14 (B) any semiautomatic rifle that cannot accept a
15 detachable magazine that holds more than 5 rounds of
16 ammunition;

17 (C) any semiautomatic shotgun that cannot hold
18 more than 5 rounds of ammunition in a detachable
19 magazine; or

20 (D) any air rifle as defined in Section 1 of the
21 Air Rifle Act.

22 (2) "Assault weapon attachment" means any device
23 capable of being attached to a firearm that is specifically
24 designed for making or converting a firearm into any of the
25 firearms listed in paragraph (1) of subsection (a) of this
26 Section.

27 (3) "Antique firearm" has the meaning ascribed to it in
28 18 U.S.C. Section 921(a)(16).

29 (4) ".50 caliber rifle" means a centerfire rifle
30 capable of firing a .50 caliber cartridge. The term does
31 not include any antique firearm as defined in 18 U.S.C.
32 Section 921(a)(16), any shotgun including a shotgun that
33 has a rifled barrel, or a muzzle-loader used for "black
34 powder" hunting or battle re-enactments.

1 (5) ".50 caliber cartridge" means a cartridge in .50
2 caliber, either by designation or actual measurement,
3 including but not limited to a .50 BMG cartridge, that is
4 capable of being fired from a centerfire rifle. The term
5 ".50 caliber cartridge" does not include any memorabilia or
6 display item that is filled with a permanent inert
7 substance or that is otherwise permanently altered in a
8 manner that prevents ready modification for use as live
9 ammunition or shotgun ammunition with a caliber
10 measurement that is equal to or greater than .50 caliber.

11 (b) Except as provided in subsections (c) and (d), 90 days
12 after the effective date of this amendatory Act of the 94th
13 General Assembly, it is unlawful for any person within this
14 State, to knowingly manufacture, deliver, sell, purchase, or
15 possess or cause to be manufactured, delivered, sold,
16 purchased, or possessed, a semiautomatic assault weapon, an
17 assault weapon attachment, or any .50 caliber rifle.

18 (c) This Section does not apply to a person who possessed a
19 weapon or attachment prohibited by subsection (b) before the
20 effective date of this amendatory Act of the 94th General
21 Assembly. On or after the effective date of this amendatory Act
22 of the 94th General Assembly, such person may transfer such
23 weapon or attachment only to an heir, an individual residing in
24 another state maintaining that weapon in another state, or a
25 dealer licensed as a federal firearms dealer under Section 923
26 of the federal Gun Control Act of 1968.

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

29 (1) Peace officers as defined in Section 2-13 of this
30 Code and retired peace officers not otherwise prohibited
31 from receiving a firearm, in possession of a semiautomatic
32 assault weapon, assault weapon attachment, or .50 caliber
33 rifle transferred to the retired peace officer by his or
34 her law enforcement agency upon retirement.

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

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

8 (4) Manufacture, transportation, or sale of weapons or
9 attachments to persons authorized under subdivisions (1)
10 through (3) of this subsection to possess those items, if
11 the items are broken down in a non-functioning state or are
12 not immediately accessible.

13 (5) Possession of a semi-automatic assault weapon, an
14 assault weapon attachment, or a .50 caliber rifle at events
15 taking place at the World Shooting and Recreational Complex
16 at Sparta, only while engaged in the legal use of the
17 firearm, or while traveling to or from this location.

18 (6) Possession of any firearm if that firearm is
19 sanctioned by the International Olympic Committee and by
20 USA Shooting, the national governing body for
21 international shooting competition in the United States,
22 but only when the firearm is in the actual possession of an
23 Olympic target shooting competitor or target shooting
24 coach for the purpose of storage, transporting to and from
25 Olympic target shooting practice or events, and engaging in
26 those practices or events. "Firearm" is defined in Section
27 1.1 of the Firearm Owners Identification Card Act.

28 (e) Sentence.

29 (1) A person who knowingly manufactures, delivers,
30 sells, purchases, or possesses or causes to be
31 manufactured, delivered, sold, purchased, or possessed a
32 semiautomatic assault weapon in violation of this Section
33 commits a Class 3 felony for a first violation and a Class
34 2 felony for a second or subsequent violation or for the

1 possession or delivery of 2 or more of these weapons at the
2 same time.

3 (2) A person who knowingly manufactures, delivers,
4 sells, purchases, or possesses or causes to be
5 manufactured, delivered, sold, purchased, or possessed in
6 violation of this Section an assault weapon attachment
7 commits a Class 4 felony for a first violation and a Class
8 3 felony for a second or subsequent violation.

9 (3) A person who knowingly manufactures, delivers,
10 sells, purchases, or possesses or causes to be
11 manufactured, delivered, sold, purchased, or possessed in
12 violation of this Section a .50 caliber rifle commits a
13 Class 3 felony for a first violation and a Class 2 felony
14 for a second or subsequent violation or for the possession
15 or delivery of 2 or more of these weapons at the same time.

16 (720 ILCS 5/24-1.9 new)

17 Sec. 24-1.9. Manufacture, possession, and delivery of
18 large capacity ammunition feeding devices.

19 (a) As used in this Section:

20 "Large capacity ammunition feeding device" means:

21 (1) a magazine, belt, drum, feed strip, or similar
22 device that has a capacity of, or that can be readily
23 restored or converted to accept, more than 10 rounds of
24 ammunition; or

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

27 "Large capacity ammunition feeding device" does not
28 include an attached tubular device designed to accept, and
29 capable of operating only with, .22 caliber rimfire ammunition
30 or any device that has been made permanently inoperable.

31 (b) Except as provided in subsections (c) and (d), it is
32 unlawful for any person within this State, beginning 90 days
33 after the effective date of this amendatory Act of the 94th

1 General Assembly, to knowingly manufacture, deliver, sell,
2 purchase, or possess or cause to be manufactured, delivered,
3 sold, purchased, or possessed, a large capacity ammunition
4 feeding device.

5 (c) This Section does not apply to a person who possessed a
6 device prohibited by subsection (b) before the effective date
7 of this amendatory Act of the 94th General Assembly. On or
8 after the effective date of this amendatory Act of the 94th
9 General Assembly, such person may transfer such device only to
10 an heir, an individual residing in another state maintaining
11 that weapon in another state, or a dealer licensed as a federal
12 firearms dealer under Section 923 of the federal Gun Control
13 Act of 1968.

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

16 (1) Peace officers as defined in Section 2-13 of this
17 Code and retired peace officers not otherwise prohibited
18 from receiving a firearm, in possession of a large capacity
19 ammunition feeding device transferred to the retired peace
20 officer by his or her law enforcement agency upon
21 retirement.

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 duties or while traveling
28 to or from their place of duty.

29 (4) Manufacture, transportation, or sale of large
30 capacity ammunition feeding devices to persons authorized
31 under subdivisions (1) through (3) of this subsection to
32 possess those devices, if the devices are broken down in a
33 non-functioning state or are not immediately accessible.

34 (5) Possession of a large capacity ammunition feeding

1 device at events taking place at the World Shooting and
2 Recreational Complex at Sparta, only while engaged in the
3 legal use of the firearm, or while traveling to or from
4 this location.

5 (e) Sentence. A person who knowingly manufactures,
6 delivers, sells, purchases, or possesses or causes to be
7 manufactured, delivered, sold, purchased, or possessed in
8 violation of this Section a large capacity ammunition feeding
9 device capable of holding more than 17 rounds of ammunition
10 commits a Class 3 felony for a first violation and a Class 2
11 felony for a second or subsequent violation or for possession
12 or delivery of 2 or more of these devices at the same time. A
13 person who knowingly manufactures, delivers, sells, purchases,
14 or possesses or causes to be manufactured, delivered, sold,
15 purchased, or possessed in violation of this Section a large
16 capacity ammunition feeding device capable of holding more than
17 10 rounds but not more than 17 rounds of ammunition commits a
18 Class 4 felony for a first violation and a Class 3 felony for a
19 second or subsequent violation or for possession or delivery of
20 more than one of these devices at the same time.

21 Section 95. Severability. The provisions of this Act are
22 severable under Section 1.31 of the Statute on Statutes.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."