



Sen. Dan Kotowski

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1 AMENDMENT TO SENATE BILL 1471

2 AMENDMENT NO. _____. Amend Senate Bill 1471 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by adding
5 Section 24-1.8 as follows:

6 (720 ILCS 5/24-1.8 new)

7 Sec. 24-1.8. Manufacture, possession, delivery, sale, and
8 purchase of .50 caliber rifles and .50 caliber cartridges.

9 (a) Definitions. In this Section:

10 (1) ".50 caliber rifle" means a centerfire rifle
11 capable of firing a .50 caliber cartridge. The term does
12 not include any antique firearm as defined in 18 U.S.C.
13 Section 921 (a)(16), any shotgun including a shotgun that
14 has a rifle barrel, or a muzzle-loader used for "black
15 powder" hunting or battle re-enactments.

16 (2) ".50 caliber cartridge" means a cartridge in .50

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

9 (b) Except as provided in subsections (c) and (d), 90 days
10 after the effective date of this amendatory Act of the 95th
11 General Assembly, it is unlawful for any person within this
12 State to knowingly manufacture, deliver, sell, purchase, or
13 possess or cause to be manufactured, delivered, sold,
14 purchased, or possessed, any .50 caliber rifle or .50 caliber
15 cartridge.

16 (c) This Section does not apply to a person who possessed a
17 weapon prohibited by subsection (b) before the effective date
18 of this amendatory Act of the 95th General Assembly, provided
19 that the person has provided proof of ownership to the
20 Department of State Police within 90 days after the effective
21 date of this amendatory Act of the 95th General Assembly as
22 required by law. On or after the effective date of this
23 amendatory Act of the 95th General Assembly, such person may
24 transfer such weapon only to an heir, an individual residing in
25 another state maintaining that weapon in another state, or a
26 dealer licensed as a federal firearms dealer under Section 923

1 of the federal Gun Control Act of 1968.

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

4 (1) Peace officers as defined in Section 2-13 of this
5 Code and retired peace officers not otherwise prohibited
6 from receiving a firearm, in possession of a .50 caliber
7 rifle transferred to the retired peace officer by his or
8 her law enforcement agency upon retirement.

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

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

16 (4) Manufacture, transportation, or sale of weapons or
17 ammunition to persons authorized under subdivisions (1)
18 through (3) of this subsection to possess those items.

19 (5) Possession of a .50 caliber rifle or .50 caliber
20 cartridge at events taking place at the World Shooting and
21 Recreational Complex at Sparta, only while engaged in the
22 legal use of the firearm, or while traveling to or from
23 this location if the items are broken down in a
24 non-functioning state, or are not immediately accessible,
25 or are unloaded and enclosed in a case, firearm carrying
26 box, shipping box, or other container.

1 (6) Possession of any firearm if that firearm is
2 sanctioned by the International Olympic Committee and by
3 USA Shooting, the national governing body for
4 international shooting competition in the United States,
5 but only when the firearm is in the actual possession of an
6 Olympic target shooting competitor or target shooting
7 coach for the purpose of storage, transporting to and from
8 Olympic target shooting practice or events if the firearm
9 is broken down in a non-functioning state, is not
10 immediately accessible, or is unloaded and enclosed in a
11 case, firearm carrying box, shipping box, or other
12 container, and when the Olympic target shooting competitor
13 or target shooting coach is engaging in those practices or
14 events. For the purposes of this paragraph (6), "firearm"
15 is defined in Section 1.1 of the Firearm Owners
16 Identification Card Act.

17 (7) Possession of a .50 caliber rifle or a .50 caliber
18 cartridge only for a hunting use expressly permitted under
19 the Wildlife Code, or while traveling to or from a location
20 authorized for such hunting use under the Wildlife Code if
21 the items are broken down in a non-functioning state, or
22 are not immediately accessible, or are unloaded and
23 enclosed in a case, firearm carrying box, shipping box, or
24 other container.

25 (8) Manufacture, transportation, possession, sale, or
26 rental of blank-firing .50 caliber rifles to persons

1 authorized or permitted, or both authorized and permitted
2 to acquire and possess such weapons for the purposes of
3 rental for use solely as props for a motion picture,
4 television, or video production or entertainment event.

5 (e) Sentence.

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

13 (2) A person who knowingly manufactures, delivers,
14 sells, purchases, or possesses or causes to be
15 manufactured, delivered, sold, purchased, or possessed in
16 violation of this Section a .50 caliber cartridge commits a
17 Class A misdemeanor.

18 Section 97. Severability. The provisions of this Act are
19 severable under Section 1.31 of the Statute on Statutes.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law."