

1 AN ACT concerning 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 changing  
5 Sections 24-1, 24-1.6, and 24-2 as follows:

6 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

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

20 (2) Carries or possesses with intent to use the same  
21 unlawfully against another, a dagger, dirk, billy,  
22 dangerous knife, razor, stiletto, broken bottle or other  
23 piece of glass, stun gun or taser or any other dangerous or

1 deadly weapon or instrument of like character; or

2 (3) Carries on or about his person or in any vehicle, a  
3 tear gas gun projector or bomb or any object containing  
4 noxious liquid gas or substance, other than an object  
5 containing a non-lethal noxious liquid gas or substance  
6 designed solely for personal defense carried by a person 18  
7 years of age or older; or

8 (4) Carries or possesses in any vehicle or concealed on  
9 or about his person except when on his land or in his own  
10 abode, legal dwelling, or fixed place of business, or on  
11 the land or in the legal dwelling of another person as an  
12 invitee with that person's permission, any pistol,  
13 revolver, stun gun or taser or other firearm, except that  
14 this subsection (a) (4) does not apply to or affect  
15 transportation of weapons that meet one of the following  
16 conditions:

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

18 (ii) are not immediately accessible; or

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

23 (5) Sets a spring gun; or

24 (6) Possesses any device or attachment of any kind  
25 designed, used or intended for use in silencing the report  
26 of any firearm; or

1           (7) Sells, manufactures, purchases, possesses or  
2 carries:

3           (i) a machine gun, which shall be defined for the  
4 purposes of this subsection as any weapon, which  
5 shoots, is designed to shoot, or can be readily  
6 restored to shoot, automatically more than one shot  
7 without manually reloading by a single function of the  
8 trigger, including the frame or receiver of any such  
9 weapon, or sells, manufactures, purchases, possesses,  
10 or carries any combination of parts designed or  
11 intended for use in converting any weapon into a  
12 machine gun, or any combination or parts from which a  
13 machine gun can be assembled if such parts are in the  
14 possession or under the control of a person;

15           (ii) any rifle having one or more barrels less than  
16 16 inches in length or a shotgun having one or more  
17 barrels less than 18 inches in length or any weapon  
18 made from a rifle or shotgun, whether by alteration,  
19 modification, or otherwise, if such a weapon as  
20 modified has an overall length of less than 26 inches;  
21 or

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

1           (8) Carries or possesses any firearm, stun gun or taser  
2           or other deadly weapon in any place which is licensed to  
3           sell intoxicating beverages, or at any public gathering  
4           held pursuant to a license issued by any governmental body  
5           or any public gathering at which an admission is charged,  
6           excluding a place where a showing, demonstration or lecture  
7           involving the exhibition of unloaded firearms is  
8           conducted.

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

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

17          (10) Carries or possesses on or about his person, upon  
18          any public street, alley, or other public lands within the  
19          corporate limits of a city, village or incorporated town,  
20          except when an invitee thereon or therein, for the purpose  
21          of the display of such weapon or the lawful commerce in  
22          weapons, or except when on his land or in his own abode,  
23          legal dwelling, or fixed place of business, or on the land  
24          or in the legal dwelling of another person as an invitee  
25          with that person's permission, any pistol, revolver, stun  
26          gun or taser or other firearm, except that this subsection

1 (a) (10) does not apply to or affect transportation of  
2 weapons that meet one of the following conditions:

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

4 (ii) are not immediately accessible; or

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

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

21 (11) Sells, manufactures or purchases any explosive  
22 bullet. For purposes of this paragraph (a) "explosive  
23 bullet" means the projectile portion of an ammunition  
24 cartridge which contains or carries an explosive charge  
25 which will explode upon contact with the flesh of a human  
26 or an animal. "Cartridge" means a tubular metal case having

1 a projectile affixed at the front thereof and a cap or  
2 primer at the rear end thereof, with the propellant  
3 contained in such tube between the projectile and the cap;  
4 or

5 (12) (Blank); or

6 (13) Carries or possesses on or about his or her person  
7 while in a building occupied by a unit of government, a  
8 billy club, other weapon of like character, or other  
9 instrument of like character intended for use as a weapon.  
10 For the purposes of this Section, "billy club" means a  
11 short stick or club commonly carried by police officers  
12 which is either telescopic or constructed of a solid piece  
13 of wood or other man-made material.

14 (b) Sentence. A person convicted of a violation of  
15 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),  
16 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a  
17 Class A misdemeanor. A person convicted of a violation of  
18 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a  
19 person convicted of a violation of subsection 24-1(a)(6) or  
20 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person  
21 convicted of a violation of subsection 24-1(a)(7)(i) commits a  
22 Class 2 felony and shall be sentenced to a term of imprisonment  
23 of not less than 3 years and not more than 7 years, unless the  
24 weapon is possessed in the passenger compartment of a motor  
25 vehicle as defined in Section 1-146 of the Illinois Vehicle  
26 Code, or on the person, while the weapon is loaded, in which

1 case it shall be a Class X felony. A person convicted of a  
2 second or subsequent violation of subsection 24-1(a)(4),  
3 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3  
4 felony. The possession of each weapon in violation of this  
5 Section constitutes a single and separate violation.

6 (c) Violations in specific places.

7 (1) A person who violates subsection 24-1(a)(6) or  
8 24-1(a)(7) in any school, regardless of the time of day or  
9 the time of year, in residential property owned, operated  
10 or managed by a public housing agency or leased by a public  
11 housing agency as part of a scattered site or mixed-income  
12 development, in a public park, in a courthouse, on the real  
13 property comprising any school, regardless of the time of  
14 day or the time of year, on residential property owned,  
15 operated or managed by a public housing agency or leased by  
16 a public housing agency as part of a scattered site or  
17 mixed-income development, on the real property comprising  
18 any public park, on the real property comprising any  
19 courthouse, in any conveyance owned, leased or contracted  
20 by a school to transport students to or from school or a  
21 school related activity, or on any public way within 1,000  
22 feet of the real property comprising any school, public  
23 park, courthouse, or residential property owned, operated,  
24 or managed by a public housing agency or leased by a public  
25 housing agency as part of a scattered site or mixed-income  
26 development commits a Class 2 felony and shall be sentenced

1 to a term of imprisonment of not less than 3 years and not  
2 more than 7 years.

3 (1.5) A person who violates subsection 24-1(a)(4),  
4 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the  
5 time of day or the time of year, in residential property  
6 owned, operated, or managed by a public housing agency or  
7 leased by a public housing agency as part of a scattered  
8 site or mixed-income development, in a public park, in a  
9 courthouse, on the real property comprising any school,  
10 regardless of the time of day or the time of year, on  
11 residential property owned, operated, or managed by a  
12 public housing agency or leased by a public housing agency  
13 as part of a scattered site or mixed-income development, on  
14 the real property comprising any public park, on the real  
15 property comprising any courthouse, in any conveyance  
16 owned, leased, or contracted by a school to transport  
17 students to or from school or a school related activity, or  
18 on any public way within 1,000 feet of the real property  
19 comprising any school, public park, courthouse, or  
20 residential property owned, operated, or managed by a  
21 public housing agency or leased by a public housing agency  
22 as part of a scattered site or mixed-income development  
23 commits a Class 3 felony.

24 (2) A person who violates subsection 24-1(a)(1),  
25 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the  
26 time of day or the time of year, in residential property



1 owned, operated or managed by a public housing agency or  
2 leased by a public housing agency as part of a scattered  
3 site or mixed-income development, in a public park, in a  
4 courthouse, on the real property comprising any school,  
5 regardless of the time of day or the time of year, on  
6 residential property owned, operated or managed by a public  
7 housing agency or leased by a public housing agency as part  
8 of a scattered site or mixed-income development, on the  
9 real property comprising any public park, on the real  
10 property comprising any courthouse, in any conveyance  
11 owned, leased or contracted by a school to transport  
12 students to or from school or a school related activity, or  
13 on any public way within 1,000 feet of the real property  
14 comprising any school, public park, courthouse, or  
15 residential property owned, operated, or managed by a  
16 public housing agency or leased by a public housing agency  
17 as part of a scattered site or mixed-income development  
18 commits a Class 4 felony. "Courthouse" means any building  
19 that is used by the Circuit, Appellate, or Supreme Court of  
20 this State for the conduct of official business.

21 (3) Paragraphs (1), (1.5), and (2) of this subsection  
22 (c) shall not apply to law enforcement officers or security  
23 officers of such school, college, or university or to  
24 students carrying or possessing firearms for use in  
25 training courses, parades, hunting, target shooting on  
26 school ranges, or otherwise with the consent of school

1 authorities and which firearms are transported unloaded  
2 enclosed in a suitable case, box, or transportation  
3 package.

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

7 (d) The presence in an automobile other than a public  
8 omnibus of any weapon, instrument or substance referred to in  
9 subsection (a)(7) is prima facie evidence that it is in the  
10 possession of, and is being carried by, all persons occupying  
11 such automobile at the time such weapon, instrument or  
12 substance is found, except under the following circumstances:  
13 (i) if such weapon, instrument or instrumentality is found upon  
14 the person of one of the occupants therein; or (ii) if such  
15 weapon, instrument or substance is found in an automobile  
16 operated for hire by a duly licensed driver in the due, lawful  
17 and proper pursuit of his trade, then such presumption shall  
18 not apply to the driver.

19 (e) Exemptions. Crossbows, Common or Compound bows and  
20 Underwater Spearguns are exempted from the definition of  
21 ballistic knife as defined in paragraph (1) of subsection (a)  
22 of this Section.

23 (Source: P.A. 94-72, eff. 1-1-06; 94-284, eff. 7-21-05; 95-331,  
24 eff. 8-21-07; 95-809, eff. 1-1-09; 95-885, eff. 1-1-09; revised  
25 9-5-08.)

1 (720 ILCS 5/24-1.6)

2 Sec. 24-1.6. Aggravated unlawful use of a weapon.

3 (a) A person commits the offense of aggravated unlawful use  
4 of a weapon when he or she knowingly:

5 (1) Carries on or about his or her person or in any  
6 vehicle or concealed on or about his or her person except  
7 when on his or her land or in his or her abode, legal  
8 dwelling, or fixed place of business, or on the land or in  
9 the legal dwelling of another person as an invitee with  
10 that person's permission, any pistol, revolver, stun gun or  
11 taser or other firearm; or

12 (2) Carries or possesses on or about his or her person,  
13 upon any public street, alley, or other public lands within  
14 the corporate limits of a city, village or incorporated  
15 town, except when an invitee thereon or therein, for the  
16 purpose of the display of such weapon or the lawful  
17 commerce in weapons, or except when on his or her own land  
18 or in his or her own abode, legal dwelling, or fixed place  
19 of business, or on the land or in the legal dwelling of  
20 another person as an invitee with that person's permission,  
21 any pistol, revolver, stun gun or taser or other firearm;  
22 and

23 (3) One of the following factors is present:

24 (A) the firearm possessed was uncased, loaded and  
25 immediately accessible at the time of the offense; or

26 (B) the firearm possessed was uncased, unloaded

1 and the ammunition for the weapon was immediately  
2 accessible at the time of the offense; or

3 (C) the person possessing the firearm has not been  
4 issued a currently valid Firearm Owner's  
5 Identification Card; or

6 (D) the person possessing the weapon was  
7 previously adjudicated a delinquent minor under the  
8 Juvenile Court Act of 1987 for an act that if committed  
9 by an adult would be a felony; or

10 (E) the person possessing the weapon was engaged in  
11 a misdemeanor violation of the Cannabis Control Act, in  
12 a misdemeanor violation of the Illinois Controlled  
13 Substances Act, or in a misdemeanor violation of the  
14 Methamphetamine Control and Community Protection Act;  
15 or

16 (F) the person possessing the weapon is a member of  
17 a street gang or is engaged in street gang related  
18 activity, as defined in Section 10 of the Illinois  
19 Streetgang Terrorism Omnibus Prevention Act; or

20 (G) the person possessing the weapon had a order of  
21 protection issued against him or her within the  
22 previous 2 years; or

23 (H) the person possessing the weapon was engaged in  
24 the commission or attempted commission of a  
25 misdemeanor involving the use or threat of violence  
26 against the person or property of another; or

1 (I) the person possessing the weapon was under 21  
2 years of age and in possession of a handgun as defined  
3 in Section 24-3, unless the person under 21 is engaged  
4 in lawful activities under the Wildlife Code or  
5 described in subsection 24-2(b)(1), (b)(3), or  
6 24-2(f).

7 (b) "Stun gun or taser" as used in this Section has the  
8 same definition given to it in Section 24-1 of this Code.

9 (c) This Section does not apply to or affect the  
10 transportation or possession of weapons that:

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

12 (ii) are not immediately accessible; or

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

17 (d) Sentence. Aggravated unlawful use of a weapon is a  
18 Class 4 felony; a second or subsequent offense is a Class 2  
19 felony for which the person shall be sentenced to a term of  
20 imprisonment of not less than 3 years and not more than 7  
21 years. Aggravated unlawful use of a weapon by a person who has  
22 been previously convicted of a felony in this State or another  
23 jurisdiction is a Class 2 felony for which the person shall be  
24 sentenced to a term of imprisonment of not less than 3 years  
25 and not more than 7 years. Aggravated unlawful use of a weapon  
26 while wearing or in possession of body armor as defined in

1 Section 33F-1 by a person who has not been issued a valid  
2 Firearms Owner's Identification Card in accordance with  
3 Section 5 of the Firearm Owners Identification Card Act is a  
4 Class X felony. The possession of each firearm in violation of  
5 this Section constitutes a single and separate violation.

6 (Source: P.A. 94-72, eff. 1-1-06; 94-284, eff. 7-21-05; 94-556,  
7 eff. 9-11-05; 95-331, eff. 8-21-07.)

8 (720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

9 Sec. 24-2. Exemptions.

10 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
11 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
12 the following:

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

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

21 (3) Members of the Armed Services or Reserve Forces of  
22 the United States or the Illinois National Guard or the  
23 Reserve Officers Training Corps, while in the performance  
24 of their official duty.

25 (4) Special agents employed by a railroad or a public

1 utility to perform police functions, and guards of armored  
2 car companies, while actually engaged in the performance of  
3 the duties of their employment or commuting between their  
4 homes and places of employment; and watchmen while actually  
5 engaged in the performance of the duties of their  
6 employment.

7 (5) Persons licensed as private security contractors,  
8 private detectives, or private alarm contractors, or  
9 employed by an agency certified by the Department of  
10 Professional Regulation, if their duties include the  
11 carrying of a weapon under the provisions of the Private  
12 Detective, Private Alarm, Private Security, Fingerprint  
13 Vendor, and Locksmith Act of 2004, while actually engaged  
14 in the performance of the duties of their employment or  
15 commuting between their homes and places of employment,  
16 provided that such commuting is accomplished within one  
17 hour from departure from home or place of employment, as  
18 the case may be. Persons exempted under this subdivision  
19 (a)(5) shall be required to have completed a course of  
20 study in firearms handling and training approved and  
21 supervised by the Department of Professional Regulation as  
22 prescribed by Section 28 of the Private Detective, Private  
23 Alarm, Private Security, Fingerprint Vendor, and Locksmith  
24 Act of 2004, prior to becoming eligible for this exemption.  
25 The Department of Professional Regulation shall provide  
26 suitable documentation demonstrating the successful

1 completion of the prescribed firearms training. Such  
2 documentation shall be carried at all times when such  
3 persons are in possession of a concealable weapon.

4 (6) Any person regularly employed in a commercial or  
5 industrial operation as a security guard for the protection  
6 of persons employed and private property related to such  
7 commercial or industrial operation, while actually engaged  
8 in the performance of his or her duty or traveling between  
9 sites or properties belonging to the employer, and who, as  
10 a security guard, is a member of a security force of at  
11 least 5 persons registered with the Department of  
12 Professional Regulation; provided that such security guard  
13 has successfully completed a course of study, approved by  
14 and supervised by the Department of Professional  
15 Regulation, consisting of not less than 40 hours of  
16 training that includes the theory of law enforcement,  
17 liability for acts, and the handling of weapons. A person  
18 shall be considered eligible for this exemption if he or  
19 she has completed the required 20 hours of training for a  
20 security officer and 20 hours of required firearm training,  
21 and has been issued a firearm control card by the  
22 Department of Professional Regulation. Conditions for the  
23 renewal of firearm control cards issued under the  
24 provisions of this Section shall be the same as for those  
25 cards issued under the provisions of the Private Detective,  
26 Private Alarm, Private Security, Fingerprint Vendor, and



1 Locksmith Act of 2004. Such firearm control card shall be  
2 carried by the security guard at all times when he or she  
3 is in possession of a concealable weapon.

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

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

1 the same as for those issued under the provisions of the  
2 Private Detective, Private Alarm, Private Security,  
3 Fingerprint Vendor, and Locksmith Act of 2004. Such firearm  
4 control card shall be carried by the person so trained at  
5 all times when such person is in possession of a  
6 concealable weapon. For purposes of this subsection,  
7 "financial institution" means a bank, savings and loan  
8 association, credit union or company providing armored car  
9 services.

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

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

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

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

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

1           (13) Court Security Officers while in the performance  
2           of their official duties, or while commuting between their  
3           homes and places of employment, with the consent of the  
4           Sheriff.

5           (13.5) A person employed as an armed security guard at  
6           a nuclear energy, storage, weapons or development site or  
7           facility regulated by the Nuclear Regulatory Commission  
8           who has completed the background screening and training  
9           mandated by the rules and regulations of the Nuclear  
10          Regulatory Commission.

11          (14) Manufacture, transportation, or sale of weapons  
12          to persons authorized under subdivisions (1) through  
13          (13.5) of this subsection to possess those weapons.

14          (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
15          24-1.6 do not apply to or affect any of the following:

16           (1) Members of any club or organization organized for  
17           the purpose of practicing shooting at targets upon  
18           established target ranges, whether public or private, and  
19           patrons of such ranges, while such members or patrons are  
20           using their firearms on those target ranges.

21           (2) Duly authorized military or civil organizations  
22           while parading, with the special permission of the  
23           Governor.

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

26           (4) Transportation of weapons that are broken down in a

1 non-functioning state or are not immediately accessible.

2 (5) Carrying or possessing any pistol, revolver, stun  
3 gun or taser or other firearm on the land or in the legal  
4 dwelling of another person as an invitee with that person's  
5 permission.

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

8 (1) Peace officers while in performance of their  
9 official duties.

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

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

16 (4) Manufacture, transportation, or sale of machine  
17 guns to persons authorized under subdivisions (1) through  
18 (3) of this subsection to possess machine guns, if the  
19 machine guns are broken down in a non-functioning state or  
20 are not immediately accessible.

21 (5) Persons licensed under federal law to manufacture  
22 any weapon from which 8 or more shots or bullets can be  
23 discharged by a single function of the firing device, or  
24 ammunition for such weapons, and actually engaged in the  
25 business of manufacturing such weapons or ammunition, but  
26 only with respect to activities which are within the lawful

1 scope of such business, such as the manufacture,  
2 transportation, or testing of such weapons or ammunition.  
3 This exemption does not authorize the general private  
4 possession of any weapon from which 8 or more shots or  
5 bullets can be discharged by a single function of the  
6 firing device, but only such possession and activities as  
7 are within the lawful scope of a licensed manufacturing  
8 business described in this paragraph.

9 During transportation, such weapons shall be broken  
10 down in a non-functioning state or not immediately  
11 accessible.

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

23 The exemption granted under this subdivision (c)(6)  
24 shall also apply to any authorized agent of any such  
25 contractor or subcontractor who is operating within the  
26 scope of his employment, where such activities involving

1 such weapon, weapons or ammunition are necessary and  
2 incident to fulfilling the terms of such contract.

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

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

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

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

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

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

22 (2) Bonafide collectors of antique or surplus military  
23 ordinance.

24 (3) Laboratories having a department of forensic  
25 ballistics, or specializing in the development of  
26 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.

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

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

19           (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07;  
20 95-885, eff. 1-1-09.)

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