



Sen. William R. Haine

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LRB096 02976 RLC 22998 a

1 AMENDMENT TO SENATE BILL 72

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 72 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, 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

1 knife, or a ballistic knife, which is a device that propels  
2 a knifelike blade as a projectile by means of a coil  
3 spring, elastic material or compressed gas; or

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

9 (3) Carries on or about his person or in any vehicle, a  
10 tear gas gun projector or bomb or any object containing  
11 noxious liquid gas or substance, other than an object  
12 containing a non-lethal noxious liquid gas or substance  
13 designed solely for personal defense carried by a person 18  
14 years of age or older; or

15 (4) Carries or possesses in any vehicle or concealed on  
16 or about his person except when on his land or in his own  
17 abode or fixed place of business, or a legal dwelling or  
18 place where he or she is an invitee therein, any pistol,  
19 revolver, stun gun or taser or other firearm, except that  
20 this subsection (a) (4) does not apply to or affect  
21 transportation of weapons that meet one of the following  
22 conditions:

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

24 (ii) are not immediately accessible; or

25 (iii) are unloaded and enclosed in a case, firearm  
26 carrying box, shipping box, or other container by a

1 person who has been issued a currently valid Firearm  
2 Owner's Identification Card; or

3 (5) Sets a spring gun; or

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

7 (7) Sells, manufactures, purchases, possesses or  
8 carries:

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

21 (ii) any rifle having one or more barrels less than  
22 16 inches in length or a shotgun having one or more  
23 barrels less than 18 inches in length or any weapon  
24 made from a rifle or shotgun, whether by alteration,  
25 modification, or otherwise, if such a weapon as  
26 modified has an overall length of less than 26 inches;

1 or

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

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

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

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

23 (10) Carries or possesses on or about his person, upon  
24 any public street, alley, or other public lands within the  
25 corporate limits of a city, village or incorporated town,  
26 except when an invitee thereon or therein, for the purpose

1 of the display of such weapon or the lawful commerce in  
2 weapons, or except when on his land or in his own abode or  
3 fixed place of business, or a legal dwelling or place where  
4 he or she is an invitee therein, any pistol, revolver, stun  
5 gun or taser or other firearm, except that this subsection  
6 (a) (10) does not apply to or affect transportation of  
7 weapons that meet one of the following conditions:

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

9 (ii) are not immediately accessible; or

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

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

26 (11) Sells, manufactures or purchases any explosive

1 bullet. For purposes of this paragraph (a) "explosive  
2 bullet" means the projectile portion of an ammunition  
3 cartridge which contains or carries an explosive charge  
4 which will explode upon contact with the flesh of a human  
5 or an animal. "Cartridge" means a tubular metal case having  
6 a projectile affixed at the front thereof and a cap or  
7 primer at the rear end thereof, with the propellant  
8 contained in such tube between the projectile and the cap;  
9 or

10 (12) (Blank); or

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

19 (b) Sentence. A person convicted of a violation of  
20 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),  
21 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a  
22 Class A misdemeanor. A person convicted of a violation of  
23 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a  
24 person convicted of a violation of subsection 24-1(a)(6) or  
25 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person  
26 convicted of a violation of subsection 24-1(a)(7)(i) commits a

1 Class 2 felony and shall be sentenced to a term of imprisonment  
2 of not less than 3 years and not more than 7 years, unless the  
3 weapon is possessed in the passenger compartment of a motor  
4 vehicle as defined in Section 1-146 of the Illinois Vehicle  
5 Code, or on the person, while the weapon is loaded, in which  
6 case it shall be a Class X felony. A person convicted of a  
7 second or subsequent violation of subsection 24-1(a)(4),  
8 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3  
9 felony. The possession of each weapon in violation of this  
10 Section constitutes a single and separate violation.

11 (c) Violations in specific places.

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

1 feet of the real property comprising any school, public  
2 park, courthouse, or residential property owned, operated,  
3 or managed by a public housing agency or leased by a public  
4 housing agency as part of a scattered site or mixed-income  
5 development commits a Class 2 felony and shall be sentenced  
6 to a term of imprisonment of not less than 3 years and not  
7 more than 7 years.

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



1 as part of a scattered site or mixed-income development  
2 commits a Class 3 felony.

3 (2) A person who violates subsection 24-1(a)(1),  
4 24-1(a)(2), or 24-1(a)(3) 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 public  
12 housing agency or leased by a public housing agency as part  
13 of a scattered site or mixed-income development, on the  
14 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 4 felony. "Courthouse" means any building  
24 that is used by the Circuit, Appellate, or Supreme Court of  
25 this State for the conduct of official business.

26 (3) Paragraphs (1), (1.5), and (2) of this subsection

1 (c) shall not apply to law enforcement officers or security  
2 officers of such school, college, or university or to  
3 students carrying or possessing firearms for use in  
4 training courses, parades, hunting, target shooting on  
5 school ranges, or otherwise with the consent of school  
6 authorities and which firearms are transported unloaded  
7 enclosed in a suitable case, box, or transportation  
8 package.

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

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

24 (e) Exemptions. Crossbows, Common or Compound bows and  
25 Underwater Spearguns are exempted from the definition of  
26 ballistic knife as defined in paragraph (1) of subsection (a)

1 of this Section.

2 (Source: P.A. 94-72, eff. 1-1-06; 94-284, eff. 7-21-05; 95-331,  
3 eff. 8-21-07; 95-809, eff. 1-1-09; 95-885, eff. 1-1-09; revised  
4 9-5-08.)

5 (720 ILCS 5/24-1.6)

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

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

9 (1) Carries on or about his or her person or in any  
10 vehicle or concealed on or about his or her person except  
11 when on his or her land or in his or her abode or fixed  
12 place of business, or a legal dwelling or place where he or  
13 she is an invitee therein, any pistol, revolver, stun gun  
14 or taser or other firearm; or

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

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

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

3 (B) the firearm possessed was uncased, unloaded  
4 and the ammunition for the weapon was immediately  
5 accessible at the time of the offense; or

6 (C) the person possessing the firearm has not been  
7 issued a currently valid Firearm Owner's  
8 Identification Card; or

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

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

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

23 (G) the person possessing the weapon had a order of  
24 protection issued against him or her within the  
25 previous 2 years; or

26 (H) the person possessing the weapon was engaged in

1           the commission or attempted commission of a  
2           misdemeanor involving the use or threat of violence  
3           against the person or property of another; or

4           (I) the person possessing the weapon was under 21  
5           years of age and in possession of a handgun as defined  
6           in Section 24-3, unless the person under 21 is engaged  
7           in lawful activities under the Wildlife Code or  
8           described in subsection 24-2(b)(1), (b)(3), or  
9           24-2(f).

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

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

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

15                 (ii) are not immediately accessible; or

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

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

1 sentenced to a term of imprisonment of not less than 3 years  
2 and not more than 7 years. Aggravated unlawful use of a weapon  
3 while wearing or in possession of body armor as defined in  
4 Section 33F-1 by a person who has not been issued a valid  
5 Firearms Owner's Identification Card in accordance with  
6 Section 5 of the Firearm Owners Identification Card Act is a  
7 Class X felony. The possession of each firearm in violation of  
8 this Section constitutes a single and separate violation.

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

11 (720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

12 Sec. 24-2. Exemptions.

13 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
14 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
15 the following:

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

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

24 (3) Members of the Armed Services or Reserve Forces of  
25 the United States or the Illinois National Guard or the

1 Reserve Officers Training Corps, while in the performance  
2 of their official duty.

3 (4) Special agents employed by a railroad or a public  
4 utility to perform police functions, and guards of armored  
5 car companies, while actually engaged in the performance of  
6 the duties of their employment or commuting between their  
7 homes and places of employment; and watchmen while actually  
8 engaged in the performance of the duties of their  
9 employment.

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

1 Act of 2004, prior to becoming eligible for this exemption.  
2 The Department of Professional Regulation shall provide  
3 suitable documentation demonstrating the successful  
4 completion of the prescribed firearms training. Such  
5 documentation shall be carried at all times when such  
6 persons are in possession of a concealable weapon.

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



1 provisions of this Section shall be the same as for those  
2 cards issued under the provisions of the Private Detective,  
3 Private Alarm, Private Security, Fingerprint Vendor, and  
4 Locksmith Act of 2004. Such firearm control card shall be  
5 carried by the security guard at all times when he or she  
6 is in possession of a concealable weapon.

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

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

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

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

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

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

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

25 (12.5) Probation officers while in the performance of  
26 their duties, or while commuting between their homes,

1 places of employment or specific locations that are part of  
2 their assigned duties, with the consent of the chief judge  
3 of the circuit for which they are employed.

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

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

14 (14) Manufacture, transportation, or sale of weapons  
15 to persons authorized under subdivisions (1) through  
16 (13.5) of this subsection to possess those weapons.

17 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
18 24-1.6 do not apply to or affect any of the following:

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

24 (2) Duly authorized military or civil organizations  
25 while parading, with the special permission of the  
26 Governor.

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

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

5           (5) Carrying or possessing any pistol, revolver, stun  
6 gun or taser or other firearm in a legal dwelling or place  
7 where he or she is an invitee therein.

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

10           (1) Peace officers while in performance of their  
11 official duties.

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

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

23           (5) Persons licensed under federal law to manufacture  
24 any weapon from which 8 or more shots or bullets can be  
25 discharged by a single function of the firing device, or  
26 ammunition for such weapons, and actually engaged in the

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

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

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

25 The exemption granted under this subdivision (c)(6)  
26 shall also apply to any authorized agent of any such

1 contractor or subcontractor who is operating within the  
2 scope of his employment, where such activities involving  
3 such weapon, weapons or ammunition are necessary and  
4 incident to fulfilling the terms of such contract.

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

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

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

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

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

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

24 (2) Bonafide collectors of antique or surplus military  
25 ordinance.

26 (3) Laboratories having a department of forensic

1 ballistics, or specializing in the development of  
2 ammunition or explosive ordinance.

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

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

1 transportation, those devices shall be detached from any weapon  
2 or not immediately accessible.

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

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

21 (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07;  
22 95-885, eff. 1-1-09.)

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