



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB0349

by Rep. David Reis

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-11 new

Amends the Criminal Code of 2012. Provides that a public officer or public employee or dealer selling any firearm in the State may not enforce or attempt to enforce any act, law, statute, rule, or regulation of the United States government relating to a personal firearm, firearm accessory, or ammunition that is owned or manufactured commercially or privately in Illinois and that remains exclusively within the borders of Illinois. Provides that any official, agent, or employee of the United States government who enforces or attempts to enforce any act, order, law, statute, rule, or regulation of the United States government upon a personal firearm, a firearm accessory, or ammunition that is owned or manufactured commercially or privately in Illinois and that remains exclusively within the borders of Illinois is guilty of a Class 4 felony for which the sentence shall be a term of imprisonment for not less than one year or more than 3 years, a fine of not more than \$5,000, or both. Provides that any federal law, rule, regulation, or order created or effective on or after January 1, 2016 shall be unenforceable within the borders of Illinois if the law, rule, regulation or order attempts to: (1) ban or restrict ownership of a semi-automatic firearm or any magazine of a firearm; or (2) require any firearm, magazine, or other firearm accessory to be registered in any manner. Effective immediately.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

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 2012 is amended by adding
5 Section 24-11 as follows:

6 (720 ILCS 5/24-11 new)

7 Sec. 24-11. Personal firearms; United States laws and
8 regulations; unenforceability.

9 (a) A public officer or public employee or dealer selling
10 any firearm in this State may not enforce or attempt to enforce
11 any act, law, statute, rule, or regulation of the United States
12 government relating to a personal firearm, firearm accessory,
13 or ammunition that is owned or manufactured commercially or
14 privately in Illinois and that remains exclusively within the
15 borders of Illinois.

16 (b) Any official, agent, or employee of the United States
17 government who enforces or attempts to enforce any act, order,
18 law, statute, rule, or regulation of the United States
19 government upon a personal firearm, a firearm accessory, or
20 ammunition that is owned or manufactured commercially or
21 privately in Illinois and that remains exclusively within the
22 borders of Illinois is guilty of a Class 4 felony for which the
23 sentence shall be a term of imprisonment for not less than one

1 year or more than 3 years, a fine of not more than \$5,000, or
2 both.

3 (c) The Attorney General may defend a citizen of Illinois
4 who is prosecuted by the United States government for violation
5 of a federal law relating to the manufacture, sale, transfer,
6 or possession of a firearm, a firearm accessory, or ammunition
7 owned or manufactured and retained exclusively within the
8 borders of Illinois.

9 (d) Any federal law, rule, regulation, or order created or
10 effective on or after January 1, 2016 shall be unenforceable
11 within the borders of Illinois if the law, rule, regulation, or
12 order attempts to:

13 (1) ban or restrict ownership of a semi-automatic
14 firearm or any magazine of a firearm; or

15 (2) require any firearm, magazine, or other firearm
16 accessory to be registered in any manner.

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.