92_HB0403ham001

LRB9202760RCcdam

AMENDMENT TO HOUSE BILL 403 1 AMENDMENT NO. ____. Amend House Bill 403 by replacing 2 3 everything after the enacting clause with the following: 4 "Section 5. The Criminal Code of 1961 is amended by 5 changing Section 24-3.1 as follows: (720 ILCS 5/24-3.1) (from Ch. 38, par. 24-3.1) 6 7 Sec. 24-3.1. Unlawful possession of firearms and firearm 8 ammunition. 9 (a) A person commits the offense of unlawful possession 10 of firearms or firearm ammunition when: 11 (1) He is under 18 years of age and has in his possession any firearm of a size which may be concealed 12 upon the person; or 13 14 (2) He is under 21 years of age, has been convicted of a misdemeanor other than a traffic offense or adjudged 15 delinquent and has any firearms or firearm ammunition in 16 his possession; or 17 (3) He is a narcotic addict and has any firearms or 18 firearm ammunition in his possession; or 19 (4) He has been a patient in a mental hospital 20 21 within the past 5 years and has any firearms or firearm 22 ammunition in his possession; or

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(5) He is mentally retarded and has any firearms or
firearm ammunition in his possession; or

(6) He has in his possession any explosive bullet. 3 4 For purposes of this paragraph "explosive bullet" means the projectile portion of an ammunition cartridge which 5 6 contains or carries an explosive charge which will explode upon contact with the flesh of a human or an animal. 7 "Cartridge" means a tubular metal case having a projectile 8 9 affixed at the front thereof and a cap or primer at the rear end thereof, with the propellant contained in such tube 10 11 between the projectile and the cap; or

12 (b) Sentence.

13 Unlawful possession of firearms, other than handguns, and 14 firearm ammunition is a Class A misdemeanor. Unlawful 15 possession of handguns is a Class 4 felony.

16 (c) The provisions of any ordinance or resolution adopted before, on, or after the effective date of this 17 amendatory Act of the 92nd General Assembly by any unit of 18 19 local government that imposes restrictions or limitations on the acquisition, possession, transportation, storage, 20 purchase, sale, or other dealing in rifles and shotguns and 21 22 ammunition, components, accessories, and accoutrements of rifles and shotguns in a manner other than those that are 23 imposed by subsection (a) of this Section are invalid, except 24 25 as authorized by this Code, and all those existing ordinances 26 and resolutions are void.

27 (d) A unit of local government, including a home rule unit, may not regulate the acquisition, possession, 28 29 transportation, storage, purchase, sale, or other dealing in 30 rifles and shotguns, and may not regulate ammunition, 31 components, accessories, or accoutrements for rifles and 32 shotguns in a manner more restrictive than provided in subsection (a). This Section is limitation under subsection 33 34 (i) of Section 6 of Article VII of the Illinois Constitution

1	<u>on the concur</u>	<u>rent exerc</u>	ise by home	rule un	its of	powers	and
2	functions exercised by the State.						
3	(Source: P.A. 91-696, eff. 4-13-00.)						
4	Section	99. Effec	tive date.	This Act	t takes	effect	upon

5 becoming law.".