

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 changing
5 Sections 10-2, 12-2, 12-3.05, and 24-1 as follows:

6 (720 ILCS 5/10-2) (from Ch. 38, par. 10-2)

7 Sec. 10-2. Aggravated kidnaping.

8 (a) A person commits the offense of aggravated kidnaping
9 when he or she commits kidnaping and:

10 (1) kidnaps with the intent to obtain ransom from the
11 person kidnaped or from any other person;

12 (2) takes as his or her victim a child under the age of
13 13 years, or a person with a severe or profound
14 intellectual disability;

15 (3) inflicts great bodily harm, other than by the
16 discharge of a firearm, or commits another felony upon his
17 or her victim;

18 (4) affixes or manipulates a mask, cloth, or garment in
19 order to conceal his or her identity ~~wears a hood, robe, or~~
20 ~~mask or conceals his or her identity;~~

21 (5) commits the offense of kidnaping while armed with a
22 dangerous weapon, other than a firearm, as defined in
23 Section 33A-1 of this Code;

1 (6) commits the offense of kidnaping while armed with a
2 firearm;

3 (7) during the commission of the offense of kidnaping,
4 personally discharges a firearm; or

5 (8) during the commission of the offense of kidnaping,
6 personally discharges a firearm that proximately causes
7 great bodily harm, permanent disability, permanent
8 disfigurement, or death to another person.

9 As used in this Section, "ransom" includes money, benefit,
10 or other valuable thing or concession.

11 (b) Sentence. Aggravated kidnaping in violation of
12 paragraph (1), (2), (3), (4), or (5) of subsection (a) is a
13 Class X felony. A violation of subsection (a) (6) is a Class X
14 felony for which 15 years shall be added to the term of
15 imprisonment imposed by the court. A violation of subsection
16 (a) (7) is a Class X felony for which 20 years shall be added to
17 the term of imprisonment imposed by the court. A violation of
18 subsection (a) (8) is a Class X felony for which 25 years or up
19 to a term of natural life shall be added to the term of
20 imprisonment imposed by the court. An offender under the age of
21 18 years at the time of the commission of aggravated kidnaping
22 in violation of paragraphs (1) through (8) of subsection (a)
23 shall be sentenced under Section 5-4.5-105 of the Unified Code
24 of Corrections.

25 A person who has attained the age of 18 years at the time
26 of the commission of the offense and who is convicted of a

1 second or subsequent offense of aggravated kidnaping shall be
2 sentenced to a term of natural life imprisonment; except that a
3 sentence of natural life imprisonment shall not be imposed
4 under this Section unless the second or subsequent offense was
5 committed after conviction on the first offense. An offender
6 under the age of 18 years at the time of the commission of the
7 second or subsequent offense shall be sentenced under Section
8 5-4.5-105 of the Unified Code of Corrections.

9 (Source: P.A. 99-69, eff. 1-1-16; 99-143, eff. 7-27-15; 99-642,
10 eff. 7-28-16.)

11 (720 ILCS 5/12-2) (from Ch. 38, par. 12-2)

12 Sec. 12-2. Aggravated assault.

13 (a) Offense based on location of conduct. A person commits
14 aggravated assault when he or she commits an assault against an
15 individual who is on or about a public way, public property, a
16 public place of accommodation or amusement, or a sports venue.

17 (b) Offense based on status of victim. A person commits
18 aggravated assault when, in committing an assault, he or she
19 knows the individual assaulted to be any of the following:

20 (1) A person with a physical disability or a person 60
21 years of age or older and the assault is without legal
22 justification.

23 (2) A teacher or school employee upon school grounds or
24 grounds adjacent to a school or in any part of a building
25 used for school purposes.

1 (3) A park district employee upon park grounds or
2 grounds adjacent to a park or in any part of a building
3 used for park purposes.

4 (4) A community policing volunteer, private security
5 officer, or utility worker:

6 (i) performing his or her official duties;

7 (ii) assaulted to prevent performance of his or her
8 official duties; or

9 (iii) assaulted in retaliation for performing his
10 or her official duties.

11 (4.1) A peace officer, fireman, emergency management
12 worker, or emergency medical services personnel:

13 (i) performing his or her official duties;

14 (ii) assaulted to prevent performance of his or her
15 official duties; or

16 (iii) assaulted in retaliation for performing his
17 or her official duties.

18 (5) A correctional officer or probation officer:

19 (i) performing his or her official duties;

20 (ii) assaulted to prevent performance of his or her
21 official duties; or

22 (iii) assaulted in retaliation for performing his
23 or her official duties.

24 (6) A correctional institution employee, a county
25 juvenile detention center employee who provides direct and
26 continuous supervision of residents of a juvenile

1 detention center, including a county juvenile detention
2 center employee who supervises recreational activity for
3 residents of a juvenile detention center, or a Department
4 of Human Services employee, Department of Human Services
5 officer, or employee of a subcontractor of the Department
6 of Human Services supervising or controlling sexually
7 dangerous persons or sexually violent persons:

8 (i) performing his or her official duties;

9 (ii) assaulted to prevent performance of his or her
10 official duties; or

11 (iii) assaulted in retaliation for performing his
12 or her official duties.

13 (7) An employee of the State of Illinois, a municipal
14 corporation therein, or a political subdivision thereof,
15 performing his or her official duties.

16 (8) A transit employee performing his or her official
17 duties, or a transit passenger.

18 (9) A sports official or coach actively participating
19 in any level of athletic competition within a sports venue,
20 on an indoor playing field or outdoor playing field, or
21 within the immediate vicinity of such a facility or field.

22 (10) A person authorized to serve process under Section
23 2-202 of the Code of Civil Procedure or a special process
24 server appointed by the circuit court, while that
25 individual is in the performance of his or her duties as a
26 process server.

1 (c) Offense based on use of firearm, device, or motor
2 vehicle. A person commits aggravated assault when, in
3 committing an assault, he or she does any of the following:

4 (1) Uses a deadly weapon, an air rifle as defined in
5 Section 24.8-0.1 of this Act, or any device manufactured
6 and designed to be substantially similar in appearance to a
7 firearm, other than by discharging a firearm.

8 (2) Discharges a firearm, other than from a motor
9 vehicle.

10 (3) Discharges a firearm from a motor vehicle.

11 (4) Affixes or manipulates a mask, cloth, or garment in
12 order to conceal his or her identity ~~Wears a hood, robe, or~~
13 ~~mask to conceal his or her identity.~~

14 (5) Knowingly and without lawful justification shines
15 or flashes a laser gun sight or other laser device attached
16 to a firearm, or used in concert with a firearm, so that
17 the laser beam strikes near or in the immediate vicinity of
18 any person.

19 (6) Uses a firearm, other than by discharging the
20 firearm, against a peace officer, community policing
21 volunteer, fireman, private security officer, emergency
22 management worker, emergency medical services personnel,
23 employee of a police department, employee of a sheriff's
24 department, or traffic control municipal employee:

25 (i) performing his or her official duties;

26 (ii) assaulted to prevent performance of his or her

1 official duties; or

2 (iii) assaulted in retaliation for performing his
3 or her official duties.

4 (7) Without justification operates a motor vehicle in a
5 manner which places a person, other than a person listed in
6 subdivision (b)(4), in reasonable apprehension of being
7 struck by the moving motor vehicle.

8 (8) Without justification operates a motor vehicle in a
9 manner which places a person listed in subdivision (b)(4),
10 in reasonable apprehension of being struck by the moving
11 motor vehicle.

12 (9) Knowingly video or audio records the offense with
13 the intent to disseminate the recording.

14 (d) Sentence. Aggravated assault as defined in subdivision
15 (a), (b)(1), (b)(2), (b)(3), (b)(4), (b)(7), (b)(8), (b)(9),
16 (c)(1), (c)(4), or (c)(9) is a Class A misdemeanor, except that
17 aggravated assault as defined in subdivision (b)(4) and (b)(7)
18 is a Class 4 felony if a Category I, Category II, or Category
19 III weapon is used in the commission of the assault. Aggravated
20 assault as defined in subdivision (b)(4.1), (b)(5), (b)(6),
21 (b)(10), (c)(2), (c)(5), (c)(6), or (c)(7) is a Class 4 felony.
22 Aggravated assault as defined in subdivision (c)(3) or (c)(8)
23 is a Class 3 felony.

24 (e) For the purposes of this Section, "Category I weapon",
25 "Category II weapon, and "Category III weapon" have the
26 meanings ascribed to those terms in Section 33A-1 of this Code.

1 (Source: P.A. 98-385, eff. 1-1-14; 99-78, eff. 7-20-15; 99-143,
2 eff. 7-27-15; 99-256, eff. 1-1-16; 99-642, eff. 7-28-16;
3 99-816, eff. 8-15-16.)

4 (720 ILCS 5/12-3.05) (was 720 ILCS 5/12-4)

5 Sec. 12-3.05. Aggravated battery.

6 (a) Offense based on injury. A person commits aggravated
7 battery when, in committing a battery, other than by the
8 discharge of a firearm, he or she knowingly does any of the
9 following:

10 (1) Causes great bodily harm or permanent disability or
11 disfigurement.

12 (2) Causes severe and permanent disability, great
13 bodily harm, or disfigurement by means of a caustic or
14 flammable substance, a poisonous gas, a deadly biological
15 or chemical contaminant or agent, a radioactive substance,
16 or a bomb or explosive compound.

17 (3) Causes great bodily harm or permanent disability or
18 disfigurement to an individual whom the person knows to be
19 a peace officer, community policing volunteer, fireman,
20 private security officer, correctional institution
21 employee, or Department of Human Services employee
22 supervising or controlling sexually dangerous persons or
23 sexually violent persons:

24 (i) performing his or her official duties;

25 (ii) battered to prevent performance of his or her

1 official duties; or

2 (iii) battered in retaliation for performing his
3 or her official duties.

4 (4) Causes great bodily harm or permanent disability or
5 disfigurement to an individual 60 years of age or older.

6 (5) Strangles another individual.

7 (b) Offense based on injury to a child or person with an
8 intellectual disability. A person who is at least 18 years of
9 age commits aggravated battery when, in committing a battery,
10 he or she knowingly and without legal justification by any
11 means:

12 (1) causes great bodily harm or permanent disability or
13 disfigurement to any child under the age of 13 years, or to
14 any person with a severe or profound intellectual
15 disability; or

16 (2) causes bodily harm or disability or disfigurement
17 to any child under the age of 13 years or to any person
18 with a severe or profound intellectual disability.

19 (c) Offense based on location of conduct. A person commits
20 aggravated battery when, in committing a battery, other than by
21 the discharge of a firearm, he or she is or the person battered
22 is on or about a public way, public property, a public place of
23 accommodation or amusement, a sports venue, or a domestic
24 violence shelter.

25 (d) Offense based on status of victim. A person commits
26 aggravated battery when, in committing a battery, other than by

1 discharge of a firearm, he or she knows the individual battered
2 to be any of the following:

3 (1) A person 60 years of age or older.

4 (2) A person who is pregnant or has a physical
5 disability.

6 (3) A teacher or school employee upon school grounds or
7 grounds adjacent to a school or in any part of a building
8 used for school purposes.

9 (4) A peace officer, community policing volunteer,
10 fireman, private security officer, correctional
11 institution employee, or Department of Human Services
12 employee supervising or controlling sexually dangerous
13 persons or sexually violent persons:

14 (i) performing his or her official duties;

15 (ii) battered to prevent performance of his or her
16 official duties; or

17 (iii) battered in retaliation for performing his
18 or her official duties.

19 (5) A judge, emergency management worker, emergency
20 medical services personnel, or utility worker:

21 (i) performing his or her official duties;

22 (ii) battered to prevent performance of his or her
23 official duties; or

24 (iii) battered in retaliation for performing his
25 or her official duties.

26 (6) An officer or employee of the State of Illinois, a

1 unit of local government, or a school district, while
2 performing his or her official duties.

3 (7) A transit employee performing his or her official
4 duties, or a transit passenger.

5 (8) A taxi driver on duty.

6 (9) A merchant who detains the person for an alleged
7 commission of retail theft under Section 16-26 of this Code
8 and the person without legal justification by any means
9 causes bodily harm to the merchant.

10 (10) A person authorized to serve process under Section
11 2-202 of the Code of Civil Procedure or a special process
12 server appointed by the circuit court while that individual
13 is in the performance of his or her duties as a process
14 server.

15 (11) A nurse while in the performance of his or her
16 duties as a nurse.

17 (e) Offense based on use of a firearm. A person commits
18 aggravated battery when, in committing a battery, he or she
19 knowingly does any of the following:

20 (1) Discharges a firearm, other than a machine gun or a
21 firearm equipped with a silencer, and causes any injury to
22 another person.

23 (2) Discharges a firearm, other than a machine gun or a
24 firearm equipped with a silencer, and causes any injury to
25 a person he or she knows to be a peace officer, community
26 policing volunteer, person summoned by a police officer,

1 fireman, private security officer, correctional
2 institution employee, or emergency management worker:

3 (i) performing his or her official duties;

4 (ii) battered to prevent performance of his or her
5 official duties; or

6 (iii) battered in retaliation for performing his
7 or her official duties.

8 (3) Discharges a firearm, other than a machine gun or a
9 firearm equipped with a silencer, and causes any injury to
10 a person he or she knows to be emergency medical services
11 personnel:

12 (i) performing his or her official duties;

13 (ii) battered to prevent performance of his or her
14 official duties; or

15 (iii) battered in retaliation for performing his
16 or her official duties.

17 (4) Discharges a firearm and causes any injury to a
18 person he or she knows to be a teacher, a student in a
19 school, or a school employee, and the teacher, student, or
20 employee is upon school grounds or grounds adjacent to a
21 school or in any part of a building used for school
22 purposes.

23 (5) Discharges a machine gun or a firearm equipped with
24 a silencer, and causes any injury to another person.

25 (6) Discharges a machine gun or a firearm equipped with
26 a silencer, and causes any injury to a person he or she

1 knows to be a peace officer, community policing volunteer,
2 person summoned by a police officer, fireman, private
3 security officer, correctional institution employee or
4 emergency management worker:

5 (i) performing his or her official duties;

6 (ii) battered to prevent performance of his or her
7 official duties; or

8 (iii) battered in retaliation for performing his
9 or her official duties.

10 (7) Discharges a machine gun or a firearm equipped with
11 a silencer, and causes any injury to a person he or she
12 knows to be emergency medical services personnel:

13 (i) performing his or her official duties;

14 (ii) battered to prevent performance of his or her
15 official duties; or

16 (iii) battered in retaliation for performing his
17 or her official duties.

18 (8) Discharges a machine gun or a firearm equipped with
19 a silencer, and causes any injury to a person he or she
20 knows to be a teacher, or a student in a school, or a
21 school employee, and the teacher, student, or employee is
22 upon school grounds or grounds adjacent to a school or in
23 any part of a building used for school purposes.

24 (f) Offense based on use of a weapon or device. A person
25 commits aggravated battery when, in committing a battery, he or
26 she does any of the following:

1 (1) Uses a deadly weapon other than by discharge of a
2 firearm, or uses an air rifle as defined in Section
3 24.8-0.1 of this Code.

4 (2) Affixes or manipulates a mask, cloth, or garment in
5 order to conceal his or her identity ~~Wears a hood, robe, or~~
6 ~~mask to conceal his or her identity.~~

7 (3) Knowingly and without lawful justification shines
8 or flashes a laser gunsight or other laser device attached
9 to a firearm, or used in concert with a firearm, so that
10 the laser beam strikes upon or against the person of
11 another.

12 (4) Knowingly video or audio records the offense with
13 the intent to disseminate the recording.

14 (g) Offense based on certain conduct. A person commits
15 aggravated battery when, other than by discharge of a firearm,
16 he or she does any of the following:

17 (1) Violates Section 401 of the Illinois Controlled
18 Substances Act by unlawfully delivering a controlled
19 substance to another and any user experiences great bodily
20 harm or permanent disability as a result of the injection,
21 inhalation, or ingestion of any amount of the controlled
22 substance.

23 (2) Knowingly administers to an individual or causes
24 him or her to take, without his or her consent or by threat
25 or deception, and for other than medical purposes, any
26 intoxicating, poisonous, stupefying, narcotic, anesthetic,

1 or controlled substance, or gives to another person any
2 food containing any substance or object intended to cause
3 physical injury if eaten.

4 (3) Knowingly causes or attempts to cause a
5 correctional institution employee or Department of Human
6 Services employee to come into contact with blood, seminal
7 fluid, urine, or feces by throwing, tossing, or expelling
8 the fluid or material, and the person is an inmate of a
9 penal institution or is a sexually dangerous person or
10 sexually violent person in the custody of the Department of
11 Human Services.

12 (h) Sentence. Unless otherwise provided, aggravated
13 battery is a Class 3 felony.

14 Aggravated battery as defined in subdivision (a)(4),
15 (d)(4), or (g)(3) is a Class 2 felony.

16 Aggravated battery as defined in subdivision (a)(3) or
17 (g)(1) is a Class 1 felony.

18 Aggravated battery as defined in subdivision (a)(1) is a
19 Class 1 felony when the aggravated battery was intentional and
20 involved the infliction of torture, as defined in paragraph
21 (14) of subsection (b) of Section 9-1 of this Code, as the
22 infliction of or subjection to extreme physical pain, motivated
23 by an intent to increase or prolong the pain, suffering, or
24 agony of the victim.

25 Aggravated battery under subdivision (a)(5) is a Class 1
26 felony if:

1 (A) the person used or attempted to use a dangerous
2 instrument while committing the offense; or

3 (B) the person caused great bodily harm or permanent
4 disability or disfigurement to the other person while
5 committing the offense; or

6 (C) the person has been previously convicted of a
7 violation of subdivision (a)(5) under the laws of this
8 State or laws similar to subdivision (a)(5) of any other
9 state.

10 Aggravated battery as defined in subdivision (e)(1) is a
11 Class X felony.

12 Aggravated battery as defined in subdivision (a)(2) is a
13 Class X felony for which a person shall be sentenced to a term
14 of imprisonment of a minimum of 6 years and a maximum of 45
15 years.

16 Aggravated battery as defined in subdivision (e)(5) is a
17 Class X felony for which a person shall be sentenced to a term
18 of imprisonment of a minimum of 12 years and a maximum of 45
19 years.

20 Aggravated battery as defined in subdivision (e)(2),
21 (e)(3), or (e)(4) is a Class X felony for which a person shall
22 be sentenced to a term of imprisonment of a minimum of 15 years
23 and a maximum of 60 years.

24 Aggravated battery as defined in subdivision (e)(6),
25 (e)(7), or (e)(8) is a Class X felony for which a person shall
26 be sentenced to a term of imprisonment of a minimum of 20 years

1 and a maximum of 60 years.

2 Aggravated battery as defined in subdivision (b)(1) is a
3 Class X felony, except that:

4 (1) if the person committed the offense while armed
5 with a firearm, 15 years shall be added to the term of
6 imprisonment imposed by the court;

7 (2) if, during the commission of the offense, the
8 person personally discharged a firearm, 20 years shall be
9 added to the term of imprisonment imposed by the court;

10 (3) if, during the commission of the offense, the
11 person personally discharged a firearm that proximately
12 caused great bodily harm, permanent disability, permanent
13 disfigurement, or death to another person, 25 years or up
14 to a term of natural life shall be added to the term of
15 imprisonment imposed by the court.

16 (i) Definitions. For the purposes of this Section:

17 "Building or other structure used to provide shelter" has
18 the meaning ascribed to "shelter" in Section 1 of the Domestic
19 Violence Shelters Act.

20 "Domestic violence" has the meaning ascribed to it in
21 Section 103 of the Illinois Domestic Violence Act of 1986.

22 "Domestic violence shelter" means any building or other
23 structure used to provide shelter or other services to victims
24 or to the dependent children of victims of domestic violence
25 pursuant to the Illinois Domestic Violence Act of 1986 or the
26 Domestic Violence Shelters Act, or any place within 500 feet of

1 such a building or other structure in the case of a person who
2 is going to or from such a building or other structure.

3 "Firearm" has the meaning provided under Section 1.1 of the
4 Firearm Owners Identification Card Act, and does not include an
5 air rifle as defined by Section 24.8-0.1 of this Code.

6 "Machine gun" has the meaning ascribed to it in Section
7 24-1 of this Code.

8 "Merchant" has the meaning ascribed to it in Section 16-0.1
9 of this Code.

10 "Strangle" means intentionally impeding the normal
11 breathing or circulation of the blood of an individual by
12 applying pressure on the throat or neck of that individual or
13 by blocking the nose or mouth of that individual.

14 (Source: P.A. 98-369, eff. 1-1-14; 98-385, eff. 1-1-14; 98-756,
15 eff. 7-16-14; 99-143, eff. 7-27-15; 99-816, eff. 8-15-16.)

16 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

17 Sec. 24-1. Unlawful use of weapons.

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

20 (1) Sells, manufactures, purchases, possesses or
21 carries any bludgeon, black-jack, slung-shot, sand-club,
22 sand-bag, metal knuckles or other knuckle weapon
23 regardless of its composition, throwing star, or any knife,
24 commonly referred to as a switchblade knife, which has a
25 blade that opens automatically by hand pressure applied to

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

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

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

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

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

26 (ii) are not immediately accessible; or

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

5 (iv) are carried or possessed in accordance with
6 the Firearm Concealed Carry Act by a person who has
7 been issued a currently valid license under the Firearm
8 Concealed Carry Act; or

9 (5) Sets a spring gun; or

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

13 (7) Sells, manufactures, purchases, possesses or
14 carries:

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

1 (ii) any rifle having one or more barrels less than
2 16 inches in length or a shotgun having one or more
3 barrels less than 18 inches in length or any weapon
4 made from a rifle or shotgun, whether by alteration,
5 modification, or otherwise, if such a weapon as
6 modified has an overall length of less than 26 inches;
7 or

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

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

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

25 (9) Carries or possesses in a vehicle or on or about
26 his person any pistol, revolver, stun gun or taser or

1 firearm or ballistic knife, when he or she affixes or
2 manipulates a mask, cloth, or garment in order to conceal
3 his or her identity is hooded, robed or masked in such
4 manner as to conceal his identity; or

5 (10) Carries or possesses on or about his person, upon
6 any public street, alley, or other public lands within the
7 corporate limits of a city, village or incorporated town,
8 except when an invitee thereon or therein, for the purpose
9 of the display of such weapon or the lawful commerce in
10 weapons, or except when on his land or in his own abode,
11 legal dwelling, or fixed place of business, or on the land
12 or in the legal dwelling of another person as an invitee
13 with that person's permission, any pistol, revolver, stun
14 gun or taser or other firearm, except that this subsection
15 (a) (10) does not apply to or affect transportation of
16 weapons that meet one of the following 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 (iv) are carried or possessed in accordance with
24 the Firearm Concealed Carry Act by a person who has
25 been issued a currently valid license under the Firearm
26 Concealed Carry Act.

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

13 (11) Sells, manufactures or purchases any explosive
14 bullet. For purposes of this paragraph (a) "explosive
15 bullet" means the projectile portion of an ammunition
16 cartridge which contains or carries an explosive charge
17 which will explode upon contact with the flesh of a human
18 or an animal. "Cartridge" means a tubular metal case having
19 a projectile affixed at the front thereof and a cap or
20 primer at the rear end thereof, with the propellant
21 contained in such tube between the projectile and the cap;
22 or

23 (12) (Blank); or

24 (13) Carries or possesses on or about his or her person
25 while in a building occupied by a unit of government, a
26 billy club, other weapon of like character, or other

1 instrument of like character intended for use as a weapon.
2 For the purposes of this Section, "billy club" means a
3 short stick or club commonly carried by police officers
4 which is either telescopic or constructed of a solid piece
5 of wood or other man-made material.

6 (b) Sentence. A person convicted of a violation of
7 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
8 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
9 Class A misdemeanor. A person convicted of a violation of
10 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a
11 person convicted of a violation of subsection 24-1(a)(6) or
12 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person
13 convicted of a violation of subsection 24-1(a)(7)(i) commits a
14 Class 2 felony and shall be sentenced to a term of imprisonment
15 of not less than 3 years and not more than 7 years, unless the
16 weapon is possessed in the passenger compartment of a motor
17 vehicle as defined in Section 1-146 of the Illinois Vehicle
18 Code, or on the person, while the weapon is loaded, in which
19 case it shall be a Class X felony. A person convicted of a
20 second or subsequent violation of subsection 24-1(a)(4),
21 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a Class 3
22 felony. The possession of each weapon in violation of this
23 Section constitutes a single and separate violation.

24 (c) Violations in specific places.

25 (1) A person who violates subsection 24-1(a)(6) or
26 24-1(a)(7) in any school, regardless of the time of day or

1 the time of year, in residential property owned, operated
2 or managed by a public housing agency or leased by a public
3 housing agency as part of a scattered site or mixed-income
4 development, in a public park, in a courthouse, on the real
5 property comprising any school, regardless of the time of
6 day or the time of year, on residential property owned,
7 operated or managed by a public housing agency or leased by
8 a public housing agency as part of a scattered site or
9 mixed-income development, on the real property comprising
10 any public park, on the real property comprising any
11 courthouse, in any conveyance owned, leased or contracted
12 by a school to transport students to or from school or a
13 school related activity, in any conveyance owned, leased,
14 or contracted by a public transportation agency, or on any
15 public way within 1,000 feet of the real property
16 comprising any school, public park, courthouse, public
17 transportation facility, or residential property owned,
18 operated, or managed by a public housing agency or leased
19 by a public housing agency as part of a scattered site or
20 mixed-income development commits a Class 2 felony and shall
21 be sentenced to a term of imprisonment of not less than 3
22 years and not more than 7 years.

23 (1.5) A person who violates subsection 24-1(a)(4),
24 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the
25 time of day or the time of year, in residential property
26 owned, operated, or managed by a public housing agency or

1 leased by a public housing agency as part of a scattered
2 site or mixed-income development, in a public park, in a
3 courthouse, on the real property comprising any school,
4 regardless of the time of day or the time of year, on
5 residential property owned, operated, or managed by a
6 public housing agency or leased by a public housing agency
7 as part of a scattered site or mixed-income development, on
8 the real property comprising any public park, on the real
9 property comprising any courthouse, in any conveyance
10 owned, leased, or contracted by a school to transport
11 students to or from school or a school related activity, in
12 any conveyance owned, leased, or contracted by a public
13 transportation agency, or on any public way within 1,000
14 feet of the real property comprising any school, public
15 park, courthouse, public transportation facility, or
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
19 commits a Class 3 felony.

20 (2) A person who violates subsection 24-1(a)(1),
21 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
22 time of day or the time of year, in residential property
23 owned, operated or managed by a public housing agency or
24 leased by a public housing agency as part of a scattered
25 site or mixed-income development, in a public park, in a
26 courthouse, on the real property comprising any school,

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

19 (3) Paragraphs (1), (1.5), and (2) of this subsection
20 (c) shall not apply to law enforcement officers or security
21 officers of such school, college, or university or to
22 students carrying or possessing firearms for use in
23 training courses, parades, hunting, target shooting on
24 school ranges, or otherwise with the consent of school
25 authorities and which firearms are transported unloaded
26 enclosed in a suitable case, box, or transportation

1 package.

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

5 (5) For the purposes of this subsection (c), "public
6 transportation agency" means a public or private agency
7 that provides for the transportation or conveyance of
8 persons by means available to the general public, except
9 for transportation by automobiles not used for conveyance
10 of the general public as passengers; and "public
11 transportation facility" means a terminal or other place
12 where one may obtain public transportation.

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

25 (e) Exemptions. Crossbows, Common or Compound bows and
26 Underwater Spearguns are exempted from the definition of

1 ballistic knife as defined in paragraph (1) of subsection (a)
2 of this Section.

3 (Source: P.A. 99-29, eff. 7-10-15.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.