

HB7337



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB7337

Introduced 10/20/2004, by Rep. Elizabeth Coulson

SYNOPSIS AS INTRODUCED:

New Act

Creates the Assault Weapons Ban Act. Provides that violations of the federal Assault Weapons Ban that were enacted as part of the federal Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) shall be violations of Illinois law. Effective immediately.

LRB093 23678 RLC 53689 b

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 1. Short title. This Act may be cited as the
5 Assault Weapons Ban Act.

6 Section 5. Legislative intent. It is the intent of the
7 General Assembly that the provisions of federal law contained
8 in Title 18, Sections 921, 922, 923, 924, 925, 925A, and 929 of
9 the United States Code, and originally enacted as the Violent
10 Crime Control and Law Enforcement Act of 1994 (Public Law
11 103-322) commonly referred to as the "Assault Weapons Ban", as
12 those Sections existed on September 12, 2004, remain in force
13 in the State of Illinois.

14 Section 10. Penalties.

15 (a) The provisions of Title 18, Sections 921, 922, 923,
16 924, 925, 925A, and 929 of the United States Code, as those
17 Sections were in effect on September 12, 2004, are incorporated
18 into this Act by reference.

19 (b) The following violations of federal law in effect on
20 September 12, 2004 shall be violations of Illinois law and
21 shall be punished as provided in this subsection (b):

22 (1) A violation of subsection (a)(1) or (f) of Section
23 924 of Title 18 of the United States Code is a Class 3
24 felony.

25 (2) A violation of subsection (a)(2), (b), (e), (g),
26 (h), (i), (k), (l), (m), or (n) of Section 924 of Title 18
27 of the United States Code is a Class 2 felony for which the
28 defendant may be sentenced to a term of imprisonment not to
29 exceed 10 years.

30 (3) A violation of subsection (a)(3), (a)(4), (a)(5),
31 or (a)(6) of Section 924 of Title 18 of the United States

1 Code is a Class A misdemeanor. A term of imprisonment
2 imposed for a violation of subsection (a)(4) of Section 924
3 of Title 18 of the United States Code shall not run
4 concurrently with any other term of imprisonment.

5 (4) A violation of subsection (c) or (o) of Section 924
6 of Title 18 of the United States Code shall be charged and
7 sentenced under Article 33A of the Criminal Code of 1961.

8 (5) Firearms or ammunition used in a manner described
9 in subsection (d) of Section 924 of the United States Code
10 may be seized and forfeited under Article 36 of the
11 Criminal Code of 1961.

12 (6) A violation of subsection (j) of Section 924 of the
13 United States Code that involves first degree murder,
14 second degree murder, or involuntary manslaughter shall be
15 charged and sentenced as provided for those offenses.

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