

1 AN ACT in relation to 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 1961 is amended by
5 adding Section 24-1.7 as follows:

6 (720 ILCS 5/24-1.7 new)

7 Sec. 24-1.7. Manufacture, possession and delivery of
8 large capacity ammunition feeding devices.

9 (a) As used in this Section:

10 "Large capacity ammunition feeding device" means:

11 (1) a magazine, belt, drum, feed strip, or similar
12 device that has a capacity of, or that can be readily
13 restored or converted to accept, more than 10 rounds of
14 ammunition; or

15 (2) any combination of parts from which a device
16 described in paragraph (1) can be assembled.

17 "Large capacity ammunition feeding device" does not
18 include an attached tubular device designed to accept, and
19 capable of operating only with, .22 caliber rimfire
20 ammunition or any device that has been made permanently
21 inoperable.

22 (b) Except as provided in subsection (c), it is unlawful
23 for any person within this State, beginning 90 days after the
24 effective date of this amendatory Act of the 93rd General
25 Assembly, to knowingly manufacture, deliver, or possess or
26 cause to be manufactured, delivered, or possessed, a large
27 capacity ammunition feeding device.

28 (c) Any person who knowingly possesses a large capacity
29 ammunition feeding device on the effective date of this
30 amendatory Act of the 93rd General Assembly must, within 90
31 days after the effective date of this amendatory Act of the

1 93rd General Assembly, destroy the device, render it
2 permanently inoperable, relinquish it to a law enforcement
3 agency, or remove it from this State.

4 (d) A person has an affirmative defense to an alleged
5 violation of subsection (c) of this Section if he or she
6 lawfully possessed or delivered the large capacity ammunition
7 feeding device while in the performance of his or her
8 official duties as a peace officer, correctional institution
9 employee or official, or member of the Armed Services or
10 Reserve Forces of the United States or of the Illinois
11 National Guard.

12 (e) Sentence. A person who possesses or delivers in
13 violation of this Section a large capacity ammunition feeding
14 device capable of holding more than 17 rounds of ammunition
15 commits a Class 3 felony for a first violation and a Class 2
16 felony for a second or subsequent violation or for possession
17 or delivery of 2 or more of these devices at the same time.
18 A person who possesses or delivers in violation of this
19 Section a large capacity ammunition feeding device capable of
20 holding more than 10 rounds but not more than 17 rounds of
21 ammunition commits a Class 4 felony for a first violation and
22 a Class 3 felony for a second or subsequent violation or for
23 possession or delivery of more than one of these devices at
24 the same time.