

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 1961 is amended by changing
5 Sections 24-1 and 24-2 and by adding Section 24-0.5 as follows:

6 (720 ILCS 5/24-0.5 new)

7 Sec. 24-0.5. Definitions. For purposes of this Article:

8 "50 caliber rifle" means a centerfire rifle capable of
9 firing a 50 caliber cartridge. The term "50 caliber rifle" does
10 not include any antique firearm as defined in 18 U.S.C. Section
11 921(a)(16). The term "50 caliber rifle" does not include a
12 shotgun with a caliber measurement that is equal to or greater
13 than .50 caliber, or a muzzle-loader used for "black powder"
14 hunting or battle re-enactments.

15 "50 caliber cartridge" means a cartridge in 50 caliber,
16 either by designation or actual measurement, including, but not
17 limited to, a .50 BMG cartridge. "50 caliber cartridge" does
18 not include any memorabilia or display item that is filled with
19 a permanent inert substance or that is otherwise permanently
20 altered in a manner that prevents ready modification for use as
21 live ammunition.

22 ".50 BMG cartridge" means a cartridge that is designed and
23 intended to be fired from a centerfire rifle and that meets all
24 of the following criteria:

25 (1) It has an overall length of 5.45 inches from the
26 base to the tip of the bullet.

27 (2) The bullet diameter for the cartridge is from .510
28 to, and including, .511 inch.

29 (3) The case base diameter for the cartridge is from
30 .800 inch to, and including, .804 inch.

31 (4) The cartridge case length is 3.91 inches.

32 A ".50 BMG rifle" does not include any "antique firearm"

1 nor any curio or relic as defined in Section 178.11 of Title 27
2 of the Code of Federal Regulations.

3 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

4 Sec. 24-1. Unlawful Use of Weapons.

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

7 (1) Sells, manufactures, purchases, possesses or
8 carries any bludgeon, black-jack, slung-shot, sand-club,
9 sand-bag, metal knuckles, throwing star, or any knife,
10 commonly referred to as a switchblade knife, which has a
11 blade that opens automatically by hand pressure applied to
12 a button, spring or other device in the handle of the
13 knife, or a ballistic knife, which is a device that propels
14 a knifelike blade as a projectile by means of a coil
15 spring, elastic material or compressed gas; or

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

21 (3) Carries on or about his person or in any vehicle, a
22 tear gas gun projector or bomb or any object containing
23 noxious liquid gas or substance, other than an object
24 containing a non-lethal noxious liquid gas or substance
25 designed solely for personal defense carried by a person 18
26 years of age or older; or

27 (4) Carries or possesses in any vehicle or concealed on
28 or about his person except when on his land or in his own
29 abode or fixed place of business any pistol, revolver, stun
30 gun or taser or other firearm, except that this subsection

31 (a) (4) does not apply to or affect transportation of
32 weapons that meet one of the following conditions:

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

34 (ii) are not immediately accessible; or

35 (iii) are unloaded and enclosed in a case, firearm

1 carrying box, shipping box, or other container by a
2 person who has been issued a currently valid Firearm
3 Owner's Identification Card; or

4 (5) Sets a spring gun; or

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

8 (7) Sells, manufactures, purchases, possesses or
9 carries:

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

22 (ii) any rifle having one or more barrels less than
23 16 inches in length or a shotgun having one or more
24 barrels less than 18 inches in length or any weapon
25 made from a rifle or shotgun, whether by alteration,
26 modification, or otherwise, if such a weapon as
27 modified has an overall length of less than 26 inches;
28 or

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

34 (iv) any 50 caliber rifle; or

35 (8) Carries or possesses any firearm, stun gun or taser
36 or other deadly weapon in any place which is licensed to

1 sell intoxicating beverages, or at any public gathering
2 held pursuant to a license issued by any governmental body
3 or any public gathering at which an admission is charged,
4 excluding a place where a showing, demonstration or lecture
5 involving the exhibition of unloaded firearms is
6 conducted.

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

11 (9) Carries or possesses in a vehicle or on or about
12 his person any pistol, revolver, stun gun or taser or
13 firearm or ballistic knife, when he is hooded, robed or
14 masked in such manner as to conceal his identity; or

15 (10) Carries or possesses on or about his person, upon
16 any public street, alley, or other public lands within the
17 corporate limits of a city, village or incorporated town,
18 except when an invitee thereon or therein, for the purpose
19 of the display of such weapon or the lawful commerce in
20 weapons, or except when on his land or in his own abode or
21 fixed place of business, any pistol, revolver, stun gun or
22 taser or other firearm, except that this subsection (a)
23 (10) does not apply to or affect transportation of weapons
24 that meet one of the following conditions:

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

26 (ii) are not immediately accessible; or

27 (iii) are unloaded and enclosed in a case, firearm
28 carrying box, shipping box, or other container by a
29 person who has been issued a currently valid Firearm
30 Owner's Identification Card.

31 A "stun gun or taser", as used in this paragraph (a)
32 means (i) any device which is powered by electrical
33 charging units, such as, batteries, and which fires one or
34 several barbs attached to a length of wire and which, upon
35 hitting a human, can send out a current capable of
36 disrupting the person's nervous system in such a manner as

1 to render him incapable of normal functioning or (ii) any
2 device which is powered by electrical charging units, such
3 as batteries, and which, upon contact with a human or
4 clothing worn by a human, can send out current capable of
5 disrupting the person's nervous system in such a manner as
6 to render him incapable of normal functioning; or

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

17 (12) (Blank).

18 (b) Sentence. A person convicted of a violation of
19 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10), or
20 subsection 24-1(a)(11) commits a Class A misdemeanor. A person
21 convicted of a violation of subsection 24-1(a)(8) or 24-1(a)(9)
22 commits a Class 4 felony; a person convicted of a violation of
23 subsection 24-1(a)(6) or 24-1(a)(7)(ii) or (iii) commits a
24 Class 3 felony. A person convicted of a violation of subsection
25 24-1(a)(7)(i) or subsection 24-1(a)(7)(iv) commits a Class 2
26 felony, unless the weapon is possessed in the passenger
27 compartment of a motor vehicle as defined in Section 1-146 of
28 the Illinois Vehicle Code, or on the person, while the weapon
29 is loaded, in which case it shall be a Class X felony. A person
30 convicted of a second or subsequent violation of subsection
31 24-1(a)(4), 24-1(a)(8), 24-1(a)(9), or 24-1(a)(10) commits a
32 Class 3 felony.

33 (c) Violations in specific places.

34 (1) A person who violates subsection 24-1(a)(6) or
35 24-1(a)(7) in any school, regardless of the time of day or
36 the time of year, in residential property owned, operated

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

18 (1.5) A person who violates subsection 24-1(a)(4),
19 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the
20 time of day or the time of year, in residential property
21 owned, operated, or managed by a public housing agency or
22 leased by a public housing agency as part of a scattered
23 site or mixed-income development, in a public park, in a
24 courthouse, on the real property comprising any school,
25 regardless of the time of day or the time of year, on
26 residential property owned, operated, or managed by a
27 public housing agency or leased by a public housing agency
28 as part of a scattered site or mixed-income development, on
29 the real property comprising any public park, on the real
30 property comprising any courthouse, in any conveyance
31 owned, leased, or contracted by a school to transport
32 students to or from school or a school related activity, or
33 on any public way within 1,000 feet of the real property
34 comprising any school, public park, courthouse, or
35 residential property owned, operated, or managed by a
36 public housing agency or leased by a public housing agency

1 as part of a scattered site or mixed-income development
2 commits a Class 3 felony.

3 (2) A person who violates subsection 24-1(a)(1),
4 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
5 time of day or the time of year, in residential property
6 owned, operated or managed by a public housing agency or
7 leased by a public housing agency as part of a scattered
8 site or mixed-income development, in a public park, in a
9 courthouse, on the real property comprising any school,
10 regardless of the time of day or the time of year, on
11 residential property owned, operated or managed by a public
12 housing agency or leased by a public housing agency as part
13 of a scattered site or mixed-income development, on the
14 real property comprising any public park, on the real
15 property comprising any courthouse, in any conveyance
16 owned, leased or contracted by a school to transport
17 students to or from school or a school related activity, or
18 on any public way within 1,000 feet of the real property
19 comprising any school, public park, courthouse, or
20 residential property owned, operated, or managed by a
21 public housing agency or leased by a public housing agency
22 as part of a scattered site or mixed-income development
23 commits a Class 4 felony. "Courthouse" means any building
24 that is used by the Circuit, Appellate, or Supreme Court of
25 this State for the conduct of official business.

26 (3) Paragraphs (1), (1.5), and (2) of this subsection
27 (c) shall not apply to law enforcement officers or security
28 officers of such school, college, or university or to
29 students carrying or possessing firearms for use in
30 training courses, parades, hunting, target shooting on
31 school ranges, or otherwise with the consent of school
32 authorities and which firearms are transported unloaded
33 enclosed in a suitable case, box, or transportation
34 package.

35 (4) For the purposes of this subsection (c), "school"
36 means any public or private elementary or secondary school,

1 community college, college, or university.

2 (d) The presence in an automobile other than a public
3 omnibus of any weapon, instrument or substance referred to in
4 subsection (a)(7) is prima facie evidence that it is in the
5 possession of, and is being carried by, all persons occupying
6 such automobile at the time such weapon, instrument or
7 substance is found, except under the following circumstances:

8 (i) if such weapon, instrument or instrumentality is found upon
9 the person of one of the occupants therein; or (ii) if such
10 weapon, instrument or substance is found in an automobile
11 operated for hire by a duly licensed driver in the due, lawful
12 and proper pursuit of his trade, then such presumption shall
13 not apply to the driver.

14 (e) Exemptions. Crossbows, Common or Compound bows and
15 Underwater Spearguns are exempted from the definition of
16 ballistic knife as defined in paragraph (1) of subsection (a)
17 of this Section.

18 (Source: P.A. 90-686, eff. 1-1-99; 91-673, eff. 12-22-99;
19 91-690, eff. 4-13-00.)

20 (720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

21 Sec. 24-2. Exemptions.

22 (a) Subsections 24-1(a)(3), 24-1(a)(4) and 24-1(a)(10) and
23 Section 24-1.6 do not apply to or affect any of the following:

24 (1) Peace officers, and any person summoned by a peace
25 officer to assist in making arrests or preserving the
26 peace, while actually engaged in assisting such officer.

27 (2) Wardens, superintendents and keepers of prisons,
28 penitentiaries, jails and other institutions for the
29 detention of persons accused or convicted of an offense,
30 while in the performance of their official duty, or while
31 commuting between their homes and places of employment.

32 (3) Members of the Armed Services or Reserve Forces of
33 the United States or the Illinois National Guard or the
34 Reserve Officers Training Corps, while in the performance
35 of their official duty.

1 (4) Special agents employed by a railroad or a public
2 utility to perform police functions, and guards of armored
3 car companies, while actually engaged in the performance of
4 the duties of their employment or commuting between their
5 homes and places of employment; and watchmen while actually
6 engaged in the performance of the duties of their
7 employment.

8 (5) Persons licensed as private security contractors,
9 private detectives, or private alarm contractors, or
10 employed by an agency certified by the Department of
11 Professional Regulation, if their duties include the
12 carrying of a weapon under the provisions of the Private
13 Detective, Private Alarm, Private Security, and Locksmith
14 Act of 2004, while actually engaged in the performance of
15 the duties of their employment or commuting between their
16 homes and places of employment, provided that such
17 commuting is accomplished within one hour from departure
18 from home or place of employment, as the case may be.
19 Persons exempted under this subdivision (a)(5) shall be
20 required to have completed a course of study in firearms
21 handling and training approved and supervised by the
22 Department of Professional Regulation as prescribed by
23 Section 28 of the Private Detective, Private Alarm, Private
24 Security, and Locksmith Act of 2004, prior to becoming
25 eligible for this exemption. The Department of
26 Professional Regulation shall provide suitable
27 documentation demonstrating the successful completion of
28 the prescribed firearms training. Such documentation shall
29 be carried at all times when such persons are in possession
30 of a concealable weapon.

31 (6) Any person regularly employed in a commercial or
32 industrial operation as a security guard for the protection
33 of persons employed and private property related to such
34 commercial or industrial operation, while actually engaged
35 in the performance of his or her duty or traveling between
36 sites or properties belonging to the employer, and who, as

1 a security guard, is a member of a security force of at
2 least 5 persons registered with the Department of
3 Professional Regulation; provided that such security guard
4 has successfully completed a course of study, approved by
5 and supervised by the Department of Professional
6 Regulation, consisting of not less than 40 hours of
7 training that includes the theory of law enforcement,
8 liability for acts, and the handling of weapons. A person
9 shall be considered eligible for this exemption if he or
10 she has completed the required 20 hours of training for a
11 security officer and 20 hours of required firearm training,
12 and has been issued a firearm authorization card by the
13 Department of Professional Regulation. Conditions for the
14 renewal of firearm authorization cards issued under the
15 provisions of this Section shall be the same as for those
16 cards issued under the provisions of the Private Detective,
17 Private Alarm, Private Security, and Locksmith Act of 2004.
18 Such firearm authorization card shall be carried by the
19 security guard at all times when he or she is in possession
20 of a concealable weapon.

21 (7) Agents and investigators of the Illinois
22 Legislative Investigating Commission authorized by the
23 Commission to carry the weapons specified in subsections
24 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
25 any investigation for the Commission.

26 (8) Persons employed by a financial institution for the
27 protection of other employees and property related to such
28 financial institution, while actually engaged in the
29 performance of their duties, commuting between their homes
30 and places of employment, or traveling between sites or
31 properties owned or operated by such financial
32 institution, provided that any person so employed has
33 successfully completed a course of study, approved by and
34 supervised by the Department of Professional Regulation,
35 consisting of not less than 40 hours of training which
36 includes theory of law enforcement, liability for acts, and

1 the handling of weapons. A person shall be considered to be
2 eligible for this exemption if he or she has completed the
3 required 20 hours of training for a security officer and 20
4 hours of required firearm training, and has been issued a
5 firearm authorization card by the Department of
6 Professional Regulation. Conditions for renewal of firearm
7 authorization cards issued under the provisions of this
8 Section shall be the same as for those issued under the
9 provisions of the Private Detective, Private Alarm,
10 Private Security, and Locksmith Act of 2004. Such firearm
11 authorization card shall be carried by the person so
12 trained at all times when such person is in possession of a
13 concealable weapon. For purposes of this subsection,
14 "financial institution" means a bank, savings and loan
15 association, credit union or company providing armored car
16 services.

17 (9) Any person employed by an armored car company to
18 drive an armored car, while actually engaged in the
19 performance of his duties.

20 (10) Persons who have been classified as peace officers
21 pursuant to the Peace Officer Fire Investigation Act.

22 (11) Investigators of the Office of the State's
23 Attorneys Appellate Prosecutor authorized by the board of
24 governors of the Office of the State's Attorneys Appellate
25 Prosecutor to carry weapons pursuant to Section 7.06 of the
26 State's Attorneys Appellate Prosecutor's Act.

27 (12) Special investigators appointed by a State's
28 Attorney under Section 3-9005 of the Counties Code.

29 (12.5) Probation officers while in the performance of
30 their duties, or while commuting between their homes,
31 places of employment or specific locations that are part of
32 their assigned duties, with the consent of the chief judge
33 of the circuit for which they are employed.

34 (13) Court Security Officers while in the performance
35 of their official duties, or while commuting between their
36 homes and places of employment, with the consent of the

1 Sheriff.

2 (13.5) A person employed as an armed security guard at
3 a nuclear energy, storage, weapons or development site or
4 facility regulated by the Nuclear Regulatory Commission
5 who has completed the background screening and training
6 mandated by the rules and regulations of the Nuclear
7 Regulatory Commission.

8 (14) Manufacture, transportation, or sale of weapons
9 to persons authorized under subdivisions (1) through
10 (13.5) of this subsection to possess those weapons.

11 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
12 24-1.6 do not apply to or affect any of the following:

13 (1) Members of any club or organization organized for
14 the purpose of practicing shooting at targets upon
15 established target ranges, whether public or private, and
16 patrons of such ranges, while such members or patrons are
17 using their firearms on those target ranges.

18 (2) Duly authorized military or civil organizations
19 while parading, with the special permission of the
20 Governor.

21 (3) Hunters, trappers or fishermen with a license or
22 permit while engaged in hunting, trapping or fishing.

23 (4) Transportation of weapons that are broken down in a
24 non-functioning state or are not immediately accessible.

25 (c) Subsection 24-1(a)(7) does not apply to or affect any
26 of the following:

27 (1) Peace officers while in performance of their
28 official duties.

29 (2) Wardens, superintendents and keepers of prisons,
30 penitentiaries, jails and other institutions for the
31 detention of persons accused or convicted of an offense.

32 (3) Members of the Armed Services or Reserve Forces of
33 the United States or the Illinois National Guard, while in
34 the performance of their official duty.

35 (4) Manufacture, transportation, or sale of machine
36 guns or 50 caliber rifles to persons authorized under

1 subdivisions (1) through (3) of this subsection to possess
2 machine guns or 50 caliber rifles, if the machine guns or
3 50 caliber rifles are broken down in a non-functioning
4 state or are not immediately accessible.

5 (5) Persons licensed under federal law to manufacture
6 any weapon from which 8 or more shots or bullets can be
7 discharged by a single function of the firing device, 50
8 caliber rifles, or ammunition for such weapons, and
9 actually engaged in the business of manufacturing such
10 weapons or ammunition, but only with respect to activities
11 which are within the lawful scope of such business, such as
12 the manufacture, transportation, or testing of such
13 weapons or ammunition. This exemption does not authorize
14 the general private possession of any weapon from which 8
15 or more shots or bullets can be discharged by a single
16 function of the firing device or 50 caliber rifle, but only
17 such possession and activities as are within the lawful
18 scope of a licensed manufacturing business described in
19 this paragraph.

20 During transportation, such weapons shall be broken
21 down in a non-functioning state or not immediately
22 accessible.

23 (6) The manufacture, transport, testing, delivery,
24 transfer or sale, and all lawful commercial or experimental
25 activities necessary thereto, of rifles, shotguns, and
26 weapons made from rifles or shotguns, or ammunition for
27 such rifles, shotguns or weapons, where engaged in by a
28 person operating as a contractor or subcontractor pursuant
29 to a contract or subcontract for the development and supply
30 of such rifles, shotguns, weapons or ammunition to the
31 United States government or any branch of the Armed Forces
32 of the United States, when such activities are necessary
33 and incident to fulfilling the terms of such contract.

34 The exemption granted under this subdivision (c)(6)
35 shall also apply to any authorized agent of any such
36 contractor or subcontractor who is operating within the

1 scope of his employment, where such activities involving
2 such weapon, weapons or ammunition are necessary and
3 incident to fulfilling the terms of such contract.

4 During transportation, any such weapon shall be broken
5 down in a non-functioning state, or not immediately
6 accessible.

7 Subsection 24-1(a)(7) dealing with 50 caliber rifles does
8 not apply to a person that possesses a 50 caliber rifle before
9 the effective date of this amendatory Act of the 94th General
10 Assembly. However, on or after the effective date of this
11 amendatory Act of the 94th General Assembly, such person shall
12 only be allowed to transfer a 50 caliber rifle to a dealer
13 licensed as a federal firearms dealer under Section 923 of the
14 federal Gun Control Act of 1968 (18 U.S.C. 923).

15 (d) Subsection 24-1(a)(1) does not apply to the purchase,
16 possession or carrying of a black-jack or slung-shot by a peace
17 officer.

18 (e) Subsection 24-1(a)(8) does not apply to any owner,
19 manager or authorized employee of any place specified in that
20 subsection nor to any law enforcement officer.

21 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
22 Section 24-1.6 do not apply to members of any club or
23 organization organized for the purpose of practicing shooting
24 at targets upon established target ranges, whether public or
25 private, while using their firearms on those target ranges.

26 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply
27 to:

28 (1) Members of the Armed Services or Reserve Forces of
29 the United States or the Illinois National Guard, while in
30 the performance of their official duty.

31 (2) Bonafide collectors of antique or surplus military
32 ordinance.

33 (3) Laboratories having a department of forensic
34 ballistics, or specializing in the development of
35 ammunition or explosive ordinance.

36 (4) Commerce, preparation, assembly or possession of

1 explosive bullets by manufacturers of ammunition licensed
2 by the federal government, in connection with the supply of
3 those organizations and persons exempted by subdivision
4 (g)(1) of this Section, or like organizations and persons
5 outside this State, or the transportation of explosive
6 bullets to any organization or person exempted in this
7 Section by a common carrier or by a vehicle owned or leased
8 by an exempted manufacturer.

9 (g-5) Subsection 24-1(a)(6) does not apply to or affect
10 persons licensed under federal law to manufacture any device or
11 attachment of any kind designed, used, or intended for use in
12 silencing the report of any firearm, firearms, or ammunition
13 for those firearms equipped with those devices, and actually
14 engaged in the business of manufacturing those devices,
15 firearms, or ammunition, but only with respect to activities
16 that are within the lawful scope of that business, such as the
17 manufacture, transportation, or testing of those devices,
18 firearms, or ammunition. This exemption does not authorize the
19 general private possession of any device or attachment of any
20 kind designed, used, or intended for use in silencing the
21 report of any firearm, but only such possession and activities
22 as are within the lawful scope of a licensed manufacturing
23 business described in this subsection (g-5). During
24 transportation, those devices shall be detached from any weapon
25 or not immediately accessible.

26 (h) An information or indictment based upon a violation of
27 any subsection of this Article need not negative any exemptions
28 contained in this Article. The defendant shall have the burden
29 of proving such an exemption.

30 (i) Nothing in this Article shall prohibit, apply to, or
31 affect the transportation, carrying, or possession, of any
32 pistol or revolver, stun gun, taser, or other firearm consigned
33 to a common carrier operating under license of the State of
34 Illinois or the federal government, where such transportation,
35 carrying, or possession is incident to the lawful
36 transportation in which such common carrier is engaged; and

1 nothing in this Article shall prohibit, apply to, or affect the
2 transportation, carrying, or possession of any pistol,
3 revolver, stun gun, taser, or other firearm, not the subject of
4 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
5 this Article, which is unloaded and enclosed in a case, firearm
6 carrying box, shipping box, or other container, by the
7 possessor of a valid Firearm Owners Identification Card.

8 (Source: P.A. 92-325, eff. 8-9-01; 93-438, eff. 8-5-03; 93-439,
9 eff. 8-5-03; 93-576, eff. 1-1-04; revised 9-15-03.)