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1 AMENDMENT TO HOUSE BILL 2414

2 AMENDMENT NO. _____. Amend House Bill 2414 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by adding
5 Sections 24-1.7 and 24-1.8 as follows:

6 (720 ILCS 5/24-1.7 new)

7 Sec. 24-1.7. Manufacture, possession, and delivery of
8 semiautomatic assault weapons, assault weapon attachments and
9 50 caliber rifles.

10 (a) Definitions. In this Section:

11 (1) "Semi-automatic assault weapon" means:

12 (A) any of the firearms or types, replicas, or
13 duplicates in any caliber of the firearms, known as:

14 (i) Norinco, Mitchell, and Poly Technologies
15 Avtomat Kalashnikovs (all models);

16 (ii) Action Arms Israeli Military Industries
17 UZI and Galil;

18 (iii) Beretta AR-70 (SC-70);

19 (iv) Colt AR-15;

20 (v) Fabrique Nationale FN/FAL, FN/LAR, and
21 FNC;

22 (vi) SWD M-10, M-11, M-11/9, and M-12;

23 (vii) Steyr AUG;

24 (viii) INTRATEC TEC-9, TEC-DC9 and TEC-22; and

1 (ix) any shotgun which contains its ammunition
2 in a revolving cylinder, such as (but not limited
3 to) the Street Sweeper and Striker 12;

4 (B) a semiautomatic rifle that has an ability to
5 accept a detachable magazine and has any of the
6 following:

7 (i) a folding or telescoping stock;

8 (ii) a pistol grip that protrudes
9 conspicuously beneath the action of the weapon; or

10 (iii) a flash suppressor or barrel having a
11 threaded muzzle;

12 (C) a semi-automatic pistol that has an ability to
13 accept a detachable magazine and has any of the
14 following:

15 (i) an ammunition magazine that attaches to
16 the pistol outside of the pistol grip;

17 (ii) a barrel having a threaded muzzle;

18 (iii) a shroud that is attached to, or
19 partially or completely encircles the barrel, and
20 that permits the shooter to hold the firearm with
21 the non-trigger hand without being burned;

22 (iv) a manufactured weight of 50 ounces or more
23 when the pistol is unloaded; or

24 (v) a semiautomatic version of an automatic
25 firearm;

26 (D) a semiautomatic shotgun that has any of the
27 following:

28 (i) a folding or telescoping stock;

29 (ii) a pistol grip that protrudes
30 conspicuously beneath the action of the weapon;

31 (iii) a fixed magazine capacity in excess of 5
32 rounds; or

33 (iv) an ability to accept a detachable
34 magazine.

1 "Semiautomatic assault weapon" does not include:

2 (A) any firearm that:

3 (i) is manually operated by bolt, pump, lever
4 or slide action;

5 (ii) is an "unserviceable firearm" or has been
6 made permanently inoperable; or

7 (iii) is an antique firearm;

8 (B) any semiautomatic rifle that cannot accept a
9 detachable magazine that holds more than 5 rounds of
10 ammunition; or

11 (C) any semiautomatic shotgun that cannot hold
12 more than 5 rounds of ammunition in a fixed or
13 detachable magazine.

14 (2) "Assault weapon attachment" means any device
15 capable of being attached to a firearm that is specifically
16 designed for making or converting a firearm into any of the
17 firearms listed in paragraph (1) of subsection (b) of this
18 Section.

19 (3) "Antique firearm" has the meaning ascribed to it in
20 18 U.S.C. Section 921(a)(16).

21 (4) "50 caliber rifle" means a centerfire rifle capable
22 of firing a 50 caliber cartridge. The term does not include
23 any antique firearm, as defined in 18 U.S.C. Section
24 921(a)(16).

25 (5) "50 caliber cartridge" means a cartridge in 50
26 caliber, either by designation or actual measurement,
27 including but not limited to a .50 BMG cartridge, that is
28 capable of being fired from a centerfire rifle. The term
29 "50 caliber cartridge" does not include any memorabilia or
30 display item that is filled with a permanent inert
31 substance or that is otherwise permanently altered in a
32 manner that prevents ready modification for use as live
33 ammunition.

34 (b) Except as provided in subsection (d), 90 days after the

1 effective date of this amendatory Act of the 94th General
2 Assembly, it is unlawful for any person within this State, to
3 knowingly manufacture, deliver, sell, purchase, or possess or
4 cause to be manufactured, delivered, sold, purchased, or
5 possessed, a semiautomatic assault weapon, an assault weapon
6 attachment, or any 50 caliber rifle.

7 (c) Any person who knowingly possesses a semiautomatic
8 assault weapon, assault weapon attachment, or any 50 caliber
9 rifle must, within 90 days after the effective date of this
10 amendatory Act of the 94th General Assembly, destroy the weapon
11 or attachment, render it permanently inoperable, relinquish it
12 to a law enforcement agency, or remove it from this State.

13 (d) This Section does not apply to or affect any of the
14 following:

15 (1) Peace officers while in performance of their
16 official duties.

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

20 (3) Members of the Armed Services or Reserve Forces of
21 the United States or the Illinois National Guard, while in
22 the performance of their official duties.

23 (4) Manufacture, transportation, or sale of weapons,
24 attachments, or cartridges to persons authorized under
25 subdivisions (1) through (3) of this subsection to possess
26 those items, if the items are broken down in a
27 non-functioning state or are not immediately accessible.

28 (e) Sentence.

29 (1) A person who manufactures, possesses, or delivers a
30 semiautomatic assault weapon in violation of this Section
31 commits a Class 3 felony for a first violation and a Class
32 2 felony for a second or subsequent violation or for the
33 possession or delivery of 2 or more of these weapons at the
34 same time.

1 (2) A person who possesses or delivers in violation of
2 this Section an assault weapon attachment commits a Class 4
3 felony for a first violation and a Class 3 felony for a
4 second or subsequent violation.

5 (3) A person who manufactures, possesses, or delivers
6 in violation of this Section a 50 caliber rifle commits a
7 Class 4 felony.

8 (720 ILCS 5/24-1.8 new)

9 Sec. 24-1.8. Manufacture, possession, and delivery of
10 large capacity ammunition feeding devices.

11 (a) As used in this Section:

12 "Large capacity ammunition feeding device" means:

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

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

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

23 (b) Except as provided in subsection (d), it is unlawful
24 for any person within this State, beginning 90 days after the
25 effective date of this amendatory Act of the 94th General
26 Assembly, to knowingly manufacture, deliver, sell, purchase,
27 or possess or cause to be manufactured, delivered, sold,
28 purchased, or possessed, a large capacity ammunition feeding
29 device.

30 (c) Any person who knowingly possesses a large capacity
31 ammunition feeding device on the effective date of this
32 amendatory Act of the 94th General Assembly must, within 90
33 days after the effective date of this amendatory Act of the

1 94th 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) This Section does not apply to or affect any of the
5 following:

6 (1) Peace officers while in performance of their
7 official duties.

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

11 (3) Members of the Armed Services or Reserve Forces of
12 the United States or the Illinois National Guard, while in
13 the performance of their official duties.

14 (4) Manufacture, transportation, or sale of large
15 capacity ammunition feeding devices to persons authorized
16 under subdivisions (1) through (3) of this subsection to
17 possess those devices, if the devices are broken down in a
18 non-functioning state or are not immediately accessible.

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