



Rep. John D. Anthony

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LRB099 16213 SLF 49556 a

1 AMENDMENT TO SENATE BILL 2294

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2294 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by  
5 changing Section 24-1 as follows:

6 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

10 (1) Sells, manufactures, purchases, possesses or  
11 carries any bludgeon, black-jack, slung-shot, sand-club,  
12 sand-bag, metal knuckles or other knuckle weapon  
13 regardless of its composition, throwing star, or any knife,  
14 commonly referred to as a switchblade knife, which has a  
15 blade that opens automatically by hand pressure applied to  
16 a button, spring or other device in the handle of the

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

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

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

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

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

25 (ii) are not immediately accessible; or

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

8 (5) Sets a spring gun; or

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

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

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

26 (ii) any rifle having one or more barrels less than

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

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

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

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

24          (9) Carries or possesses in a vehicle or on or about  
25          his person any pistol, revolver, stun gun or taser or  
26          firearm or ballistic knife, when he is hooded, robed or

1 masked in such manner as to conceal his identity; or

2 (10) Carries or possesses on or about his person, upon  
3 any public street, alley, or other public lands within the  
4 corporate limits of a city, village or incorporated town,  
5 except when an invitee thereon or therein, for the purpose  
6 of the display of such weapon or the lawful commerce in  
7 weapons, or except when on his land or in his own abode,  
8 legal dwelling, or fixed place of business, or on the land  
9 or in the legal dwelling of another person as an invitee  
10 with that person's permission, any pistol, revolver, stun  
11 gun or taser or other firearm, except that this subsection  
12 (a) (10) does not apply to or affect transportation of  
13 weapons that meet one of the following conditions:

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

15 (ii) are not immediately accessible; or

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

20 (iv) are carried or possessed in accordance with  
21 the Firearm Concealed Carry Act by a person who has  
22 been issued a currently valid license under the Firearm  
23 Concealed Carry Act.

24 A "stun gun or taser", as used in this paragraph (a)  
25 means (i) any device which is powered by electrical  
26 charging units, such as, batteries, and which fires one or

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

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

20 (12) (Blank); or

21 (13) Carries or possesses on or about his or her person  
22 while in a building occupied by a unit of government, a  
23 billy club, other weapon of like character, or other  
24 instrument of like character intended for use as a weapon.  
25 For the purposes of this Section, "billy club" means a  
26 short stick or club commonly carried by police officers

1           which is either telescopic or constructed of a solid piece  
2           of wood or other man-made material.

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

21          (c) Violations in specific places.

22                 (1) A person who violates subsection 24-1(a)(6) or  
23                 24-1(a)(7) in any school, regardless of the time of day or  
24                 the time of year, in residential property owned, operated  
25                 or managed by a public housing agency or leased by a public  
26                 housing agency as part of a scattered site or mixed-income

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

20 (1.5) A person who violates subsection 24-1(a)(4),  
21 24-1(a)(9), or 24-1(a)(10) 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  
3       public housing agency or leased by a public housing agency  
4       as part of a scattered site or mixed-income development, on  
5       the 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 3 felony.

17           (2) A person who violates subsection 24-1(a)(1),  
18      24-1(a)(2), or 24-1(a)(3) in any school, regardless of the  
19      time of day or the time of year, in residential property  
20      owned, operated or managed by a public housing agency or  
21      leased by a public housing agency as part of a scattered  
22      site or mixed-income development, in a public park, in a  
23      courthouse, on the real property comprising any school,  
24      regardless of the time of day or the time of year, on  
25      residential property owned, operated or managed by a public  
26      housing agency or leased by a public housing agency as part

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

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

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

1 community college, college, or university.

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

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

22 (e) Exemptions.

23 (1) Crossbows, Common or Compound bows and Underwater  
24 Spearguns are exempted from the definition of ballistic  
25 knife as defined in paragraph (1) of subsection (a) of this  
26 Section.

1           (2) The provision of paragraph (1) of subsection (a) of  
2           this Section prohibiting the sale, manufacture, purchase,  
3           possession, or carrying of any knife, commonly referred to  
4           as a switchblade knife, which has a blade that opens  
5           automatically by hand pressure applied to a button, spring  
6           or other device in the handle of the knife, does not apply  
7           to a person who possesses a currently valid Firearm Owner's  
8           Identification Card previously issued in his or her name by  
9           the Department of State Police or to a person or an entity  
10           engaged in the business of selling or manufacturing  
11           switchblade knives.

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

13           Section 99. Effective date. This Act takes effect upon  
14           becoming law.".