

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 24-3.7 as follows:

6 (720 ILCS 5/24-3.7 new)

7 Sec. 24-3.7. Certain sniper weapons.

8 (a) In this Section:

9 "50 caliber sniper weapon" means a rifle capable of
10 firing a center-fire cartridge in 50 caliber, .50 BMG
11 caliber, any other variant of 50 caliber, or any metric
12 equivalent of that caliber.

13 "50 caliber ammunition" means a center-fire cartridge in
14 50 caliber, .50 BMG caliber, any other variant of 50 caliber,
15 or any metric equivalent of that caliber.

16 "50 caliber conversion kit" means any part or combination
17 of parts designed and intended for use in converting a weapon
18 into a 50 caliber sniper weapon or any combination of parts
19 from which a 50 caliber sniper weapon can be assembled.

20 (b) It is unlawful for a person, within this State, to
21 distribute, transport, or import into this State or possess
22 with intent to sell or to offer for sale or to give a 50
23 caliber sniper weapon, 50 caliber ammunition, or a 50 caliber
24 conversion kit.

25 (c) It is unlawful for a person to transfer, sell, or
26 give any 50 caliber sniper weapon, 50 caliber ammunition, or
27 50 caliber conversion kit to a person under 18 years of age.

28 (d) It is unlawful to possess a 50 caliber sniper
29 weapon, 50 caliber ammunition, or a 50 caliber conversion
30 kit.

31 (e) This Section does not apply to or affect any of the

1 following:

2 (1) Peace officers while in performance of their
3 official duties.

4 (2) Wardens, superintendents, and keepers of
5 prisons, penitentiaries, jails, and other institutions
6 for the detention of persons accused or convicted of an
7 offense.

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

11 (4) The transfer or passing of a 50 caliber sniper
12 weapon, 50 caliber ammunition, or a 50 caliber conversion
13 kit upon the death of the owner to his or her heir or
14 legatee until 60 days after the transfer or passing.

15 (5) The possession of a 50 caliber sniper weapon,
16 50 caliber ammunition, or a 50 caliber conversion kit by
17 an executor or administrator of an estate during the
18 administration of an estate until transferred in
19 accordance with the Probate Act of 1975 to a person
20 authorized under this Section to possess that weapon.

21 (6) Manufacture, transportation, or sale of 50
22 caliber sniper weapons, 50 caliber ammunition, or 50
23 caliber conversion kits to persons authorized under
24 paragraphs (1) through (3) of this subsection (e) to
25 possess 50 caliber sniper weapons, if the 50 caliber
26 sniper weapons are broken down in a non-functioning state
27 or are not immediately accessible during transportation
28 or if the 50 caliber ammunition or 50 caliber conversion
29 kits are not immediately accessible during
30 transportation.

31 (f) Sentence.

32 (1) A person convicted of a violation of this
33 Section commits a Class 2 felony.

34 (2) A person who violates this Section by

1 possessing a 50 caliber sniper weapon, 50 caliber
2 ammunition, or a 50 caliber conversion kit in the
3 passenger compartment of a motor vehicle as defined in
4 Section 1-146 of the Illinois Vehicle Code, or on his or
5 her person while the weapon is loaded, is guilty of a
6 Class X felony.

7 (3) A person who violates this Section in any
8 school, regardless of the time of day or the time of
9 year, in residential property owned, operated, or managed
10 by a public housing agency or leased by a public housing
11 agency as part of a scattered site or mixed-income
12 development, in a public park, in a courthouse, on the
13 real property comprising any school, regardless of the
14 time of day or the time of year, on residential property
15 owned, operated, or managed by a public housing agency or
16 leased by a public housing agency as part of a scattered
17 site or mixed-income development, on the real property
18 comprising any public park, on the real property
19 comprising any courthouse, in any conveyance owned,
20 leased, or contracted by a school to transport students
21 to or from school or a school related activity, or on any
22 public way within 1,000 feet of the real property
23 comprising any school, public park, courthouse, or
24 residential property owned, operated, or managed by a
25 public housing agency or leased by a public housing
26 agency as part of a scattered site or mixed-income
27 development commits a Class 2 felony.

28 (4) A person who violates subsection (c) is guilty
29 of a Class 1 felony.

30 (5) A person who violates this Section by
31 possessing a 50 caliber sniper weapon, 50 caliber
32 ammunition, or a 50 caliber conversion kit that he or she
33 acquired before the effective date of this amendatory Act
34 of the 92nd General Assembly and does not use that

1 weapon, ammunition, or conversion kit in the commission
2 of an offense nor possess that weapon, ammunition, or
3 conversion kit in a place described in paragraph (2) or
4 (3) is guilty of a Class A misdemeanor.