

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 Firearm Owners Identification Card Act is  
5 amended by changing Sections 1, 1.1, 2, and 3 as follows:

6 (430 ILCS 65/1) (from Ch. 38, par. 83-1)

7 Sec. 1. It is hereby declared as a matter of legislative  
8 determination that in order to promote and protect the health,  
9 safety, and welfare of the public, it is necessary and in the  
10 public interest to provide a system of identifying persons who  
11 are not qualified to acquire or possess firearms, pre-packaged  
12 explosive components, firearm ammunition, stun guns, and  
13 tasers within the State of Illinois by the establishment of a  
14 system of Firearm Owner's Identification Cards, thereby  
15 establishing a practical and workable system by which law  
16 enforcement authorities will be afforded an opportunity to  
17 identify those persons who are prohibited by Section 24-3.1 of  
18 the Criminal Code of 2012, from acquiring or possessing  
19 firearms and firearm ammunition and who are prohibited by this  
20 Act from acquiring stun guns and tasers.

21 (Source: P.A. 97-1150, eff. 1-25-13.)

22 (430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)

1           Sec. 1.1. For purposes of this Act:

2           "Addicted to narcotics" means a person who has been:

3                 (1) convicted of an offense involving the use or  
4                 possession of cannabis, a controlled substance, or  
5                 methamphetamine within the past year; or

6                 (2) determined by the Department of State Police to be  
7                 addicted to narcotics based upon federal law or federal  
8                 guidelines.

9           "Addicted to narcotics" does not include possession or use  
10           of a prescribed controlled substance under the direction and  
11           authority of a physician or other person authorized to  
12           prescribe the controlled substance when the controlled  
13           substance is used in the prescribed manner.

14           "Adjudicated as a person with a mental disability" means  
15           the person is the subject of a determination by a court, board,  
16           commission or other lawful authority that the person, as a  
17           result of marked subnormal intelligence, or mental illness,  
18           mental impairment, incompetency, condition, or disease:

19                 (1) presents a clear and present danger to himself,  
20                 herself, or to others;

21                 (2) lacks the mental capacity to manage his or her own  
22                 affairs or is adjudicated a person with a disability as  
23                 defined in Section 11a-2 of the Probate Act of 1975;

24                 (3) is not guilty in a criminal case by reason of  
25                 insanity, mental disease or defect;

26                 (3.5) is guilty but mentally ill, as provided in

1 Section 5-2-6 of the Unified Code of Corrections;

2 (4) is incompetent to stand trial in a criminal case;

3 (5) is not guilty by reason of lack of mental  
4 responsibility under Articles 50a and 72b of the Uniform  
5 Code of Military Justice, 10 U.S.C. 850a, 876b;

6 (6) is a sexually violent person under subsection (f)  
7 of Section 5 of the Sexually Violent Persons Commitment  
8 Act;

9 (7) is a sexually dangerous person under the Sexually  
10 Dangerous Persons Act;

11 (8) is unfit to stand trial under the Juvenile Court  
12 Act of 1987;

13 (9) is not guilty by reason of insanity under the  
14 Juvenile Court Act of 1987;

15 (10) is subject to involuntary admission as an  
16 inpatient as defined in Section 1-119 of the Mental Health  
17 and Developmental Disabilities Code;

18 (11) is subject to involuntary admission as an  
19 outpatient as defined in Section 1-119.1 of the Mental  
20 Health and Developmental Disabilities Code;

21 (12) is subject to judicial admission as set forth in  
22 Section 4-500 of the Mental Health and Developmental  
23 Disabilities Code; or

24 (13) is subject to the provisions of the Interstate  
25 Agreements on Sexually Dangerous Persons Act.

26 "Clear and present danger" means a person who:

1           (1) communicates a serious threat of physical violence  
2           against a reasonably identifiable victim or poses a clear  
3           and imminent risk of serious physical injury to himself,  
4           herself, or another person as determined by a physician,  
5           clinical psychologist, or qualified examiner; or

6           (2) demonstrates threatening physical or verbal  
7           behavior, such as violent, suicidal, or assaultive  
8           threats, actions, or other behavior, as determined by a  
9           physician, clinical psychologist, qualified examiner,  
10          school administrator, or law enforcement official.

11          "Clinical psychologist" has the meaning provided in  
12          Section 1-103 of the Mental Health and Developmental  
13          Disabilities Code.

14          "Controlled substance" means a controlled substance or  
15          controlled substance analog as defined in the Illinois  
16          Controlled Substances Act.

17          "Counterfeit" means to copy or imitate, without legal  
18          authority, with intent to deceive.

19          "Federally licensed firearm dealer" means a person who is  
20          licensed as a federal firearms dealer under Section 923 of the  
21          federal Gun Control Act of 1968 (18 U.S.C. 923).

22          "Firearm" means any device, by whatever name known, which  
23          is designed to expel a projectile or projectiles by the action  
24          of an explosion, expansion of gas or escape of gas; excluding,  
25          however:

26                 (1) any pneumatic gun, spring gun, paint ball gun, or

1 B-B gun which expels a single globular projectile not  
2 exceeding .18 inch in diameter or which has a maximum  
3 muzzle velocity of less than 700 feet per second;

4 (1.1) any pneumatic gun, spring gun, paint ball gun, or  
5 B-B gun which expels breakable paint balls containing  
6 washable marking colors;

7 (2) any device used exclusively for signalling or  
8 safety and required or recommended by the United States  
9 Coast Guard or the Interstate Commerce Commission;

10 (3) any device used exclusively for the firing of stud  
11 cartridges, explosive rivets or similar industrial  
12 ammunition; and

13 (4) an antique firearm (other than a machine-gun)  
14 which, although designed as a weapon, the Department of  
15 State Police finds by reason of the date of its  
16 manufacture, value, design, and other characteristics is  
17 primarily a collector's item and is not likely to be used  
18 as a weapon.

19 "Firearm ammunition" means any self-contained cartridge or  
20 shotgun shell, by whatever name known, which is designed to be  
21 used or adaptable to use in a firearm; excluding, however:

22 (1) any ammunition exclusively designed for use with a  
23 device used exclusively for signalling or safety and  
24 required or recommended by the United States Coast Guard or  
25 the Interstate Commerce Commission; and

26 (2) any ammunition designed exclusively for use with a

1 stud or rivet driver or other similar industrial  
2 ammunition.

3 "Gun show" means an event or function:

4 (1) at which the sale and transfer of firearms is the  
5 regular and normal course of business and where 50 or more  
6 firearms are displayed, offered, or exhibited for sale,  
7 transfer, or exchange; or

8 (2) at which not less than 10 gun show vendors display,  
9 offer, or exhibit for sale, sell, transfer, or exchange  
10 firearms.

11 "Gun show" includes the entire premises provided for an  
12 event or function, including parking areas for the event or  
13 function, that is sponsored to facilitate the purchase, sale,  
14 transfer, or exchange of firearms as described in this Section.  
15 Nothing in this definition shall be construed to exclude a gun  
16 show held in conjunction with competitive shooting events at  
17 the World Shooting Complex sanctioned by a national governing  
18 body in which the sale or transfer of firearms is authorized  
19 under subparagraph (5) of paragraph (g) of subsection (A) of  
20 Section 24-3 of the Criminal Code of 2012.

21 Unless otherwise expressly stated, "gun show" does not  
22 include training or safety classes, competitive shooting  
23 events, such as rifle, shotgun, or handgun matches, trap,  
24 skeet, or sporting clays shoots, dinners, banquets, raffles, or  
25 any other event where the sale or transfer of firearms is not  
26 the primary course of business.

1 "Gun show promoter" means a person who organizes or  
2 operates a gun show.

3 "Gun show vendor" means a person who exhibits, sells,  
4 offers for sale, transfers, or exchanges any firearms at a gun  
5 show, regardless of whether the person arranges with a gun show  
6 promoter for a fixed location from which to exhibit, sell,  
7 offer for sale, transfer, or exchange any firearm.

8 "Involuntarily admitted" has the meaning as prescribed in  
9 Sections 1-119 and 1-119.1 of the Mental Health and  
10 Developmental Disabilities Code.

11 "Mental health facility" means any licensed private  
12 hospital or hospital affiliate, institution, or facility, or  
13 part thereof, and any facility, or part thereof, operated by  
14 the State or a political subdivision thereof which provide  
15 treatment of persons with mental illness and includes all  
16 hospitals, institutions, clinics, evaluation facilities,  
17 mental health centers, colleges, universities, long-term care  
18 facilities, and nursing homes, or parts thereof, which provide  
19 treatment of persons with mental illness whether or not the  
20 primary purpose is to provide treatment of persons with mental  
21 illness.

22 "National governing body" means a group of persons who  
23 adopt rules and formulate policy on behalf of a national  
24 firearm sporting organization.

25 "Patient" means:

26 (1) a person who voluntarily receives mental health

1 treatment as an in-patient or resident of any public or  
2 private mental health facility, unless the treatment was  
3 solely for an alcohol abuse disorder and no other secondary  
4 substance abuse disorder or mental illness; or

5 (2) a person who voluntarily receives mental health  
6 treatment as an out-patient or is provided services by a  
7 public or private mental health facility, and who poses a  
8 clear and present danger to himself, herself, or to others.

9 "Person with a developmental disability" means a person  
10 with a disability which is attributable to any other condition  
11 which results in impairment similar to that caused by an  
12 intellectual disability and which requires services similar to  
13 those required by persons with intellectual disabilities. The  
14 disability must originate before the age of 18 years, be  
15 expected to continue indefinitely, and constitute a  
16 substantial disability. This disability results, in the  
17 professional opinion of a physician, clinical psychologist, or  
18 qualified examiner, in significant functional limitations in 3  
19 or more of the following areas of major life activity:

- 20 (i) self-care;  
21 (ii) receptive and expressive language;  
22 (iii) learning;  
23 (iv) mobility; or  
24 (v) self-direction.

25 "Person with an intellectual disability" means a person  
26 with a significantly subaverage general intellectual



1 functioning which exists concurrently with impairment in  
2 adaptive behavior and which originates before the age of 18  
3 years.

4 "Physician" has the meaning as defined in Section 1-120 of  
5 the Mental Health and Developmental Disabilities Code.

6 "Pre-packaged explosive components" has the same meaning  
7 ascribed to the term in Section 24-4.3 of the Criminal Code of  
8 2012.

9 "Qualified examiner" has the meaning provided in Section  
10 1-122 of the Mental Health and Developmental Disabilities Code.

11 "Sanctioned competitive shooting event" means a shooting  
12 contest officially recognized by a national or state shooting  
13 sport association, and includes any sight-in or practice  
14 conducted in conjunction with the event.

15 "School administrator" means the person required to report  
16 under the School Administrator Reporting of Mental Health Clear  
17 and Present Danger Determinations Law.

18 "Stun gun or taser" has the meaning ascribed to it in  
19 Section 24-1 of the Criminal Code of 2012.

20 (Source: P.A. 98-63, eff. 7-9-13; 99-29, eff. 7-10-15; 99-143,  
21 eff. 7-27-15; 99-642, eff. 7-28-16.)

22 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

23 Sec. 2. Firearm Owner's Identification Card required;  
24 exceptions.

25 (a) (1) No person may acquire or possess any firearm,

1 pre-packaged explosive components, stun gun, or taser within  
2 this State without having in his or her possession a Firearm  
3 Owner's Identification Card previously issued in his or her  
4 name by the Department of State Police under the provisions of  
5 this Act.

6 (2) No person may acquire or possess firearm ammunition  
7 within this State without having in his or her possession a  
8 Firearm Owner's Identification Card previously issued in his or  
9 her name by the Department of State Police under the provisions  
10 of this Act.

11 (b) The provisions of this Section regarding the possession  
12 of firearms, firearm ammunition, stun guns, and tasers do not  
13 apply to:

14 (1) United States Marshals, while engaged in the  
15 operation of their official duties;

16 (2) Members of the Armed Forces of the United States or  
17 the National Guard, while engaged in the operation of their  
18 official duties;

19 (3) Federal officials required to carry firearms,  
20 while engaged in the operation of their official duties;

21 (4) Members of bona fide veterans organizations which  
22 receive firearms directly from the armed forces of the  
23 United States, while using the firearms for ceremonial  
24 purposes with blank ammunition;

25 (5) Nonresident hunters during hunting season, with  
26 valid nonresident hunting licenses and while in an area

1 where hunting is permitted; however, at all other times and  
2 in all other places these persons must have their firearms  
3 unloaded and enclosed in a case;

4 (6) Those hunters exempt from obtaining a hunting  
5 license who are required to submit their Firearm Owner's  
6 Identification Card when hunting on Department of Natural  
7 Resources owned or managed sites;

8 (7) Nonresidents while on a firing or shooting range  
9 recognized by the Department of State Police; however,  
10 these persons must at all other times and in all other  
11 places have their firearms unloaded and enclosed in a case;

12 (8) Nonresidents while at a firearm showing or display  
13 recognized by the Department of State Police; however, at  
14 all other times and in all other places these persons must  
15 have their firearms unloaded and enclosed in a case;

16 (9) Nonresidents whose firearms are unloaded and  
17 enclosed in a case;

18 (10) Nonresidents who are currently licensed or  
19 registered to possess a firearm in their resident state;

20 (11) Unemancipated minors while in the custody and  
21 immediate control of their parent or legal guardian or  
22 other person in loco parentis to the minor if the parent or  
23 legal guardian or other person in loco parentis to the  
24 minor has a currently valid Firearm Owner's Identification  
25 Card;

26 (12) Color guards of bona fide veterans organizations

1 or members of bona fide American Legion bands while using  
2 firearms for ceremonial purposes with blank ammunition;

3 (13) Nonresident hunters whose state of residence does  
4 not require them to be licensed or registered to possess a  
5 firearm and only during hunting season, with valid hunting  
6 licenses, while accompanied by, and using a firearm owned  
7 by, a person who possesses a valid Firearm Owner's  
8 Identification Card and while in an area within a  
9 commercial club licensed under the Wildlife Code where  
10 hunting is permitted and controlled, but in no instance  
11 upon sites owned or managed by the Department of Natural  
12 Resources;

13 (14) Resident hunters who are properly authorized to  
14 hunt and, while accompanied by a person who possesses a  
15 valid Firearm Owner's Identification Card, hunt in an area  
16 within a commercial club licensed under the Wildlife Code  
17 where hunting is permitted and controlled;

18 (15) A person who is otherwise eligible to obtain a  
19 Firearm Owner's Identification Card under this Act and is  
20 under the direct supervision of a holder of a Firearm  
21 Owner's Identification Card who is 21 years of age or older  
22 while the person is on a firing or shooting range or is a  
23 participant in a firearms safety and training course  
24 recognized by a law enforcement agency or a national,  
25 statewide shooting sports organization; and

26 (16) Competitive shooting athletes whose competition

1 firearms are sanctioned by the International Olympic  
2 Committee, the International Paralympic Committee, the  
3 International Shooting Sport Federation, or USA Shooting  
4 in connection with such athletes' training for and  
5 participation in shooting competitions at the 2016 Olympic  
6 and Paralympic Games and sanctioned test events leading up  
7 to the 2016 Olympic and Paralympic Games.

8 (c) The provisions of this Section regarding the  
9 acquisition and possession of firearms, pre-packaged explosive  
10 components, firearm ammunition, stun guns, and tasers do not  
11 apply to law enforcement officials of this or any other  
12 jurisdiction, while engaged in the performance ~~operation~~ of  
13 their official duties.

14 (c-5) The provisions of paragraphs (1) and (2) of  
15 subsection (a) of this Section regarding the possession of  
16 firearms and firearm ammunition do not apply to the holder of a  
17 valid concealed carry license issued under the Firearm  
18 Concealed Carry Act who is in physical possession of the  
19 concealed carry license.

20 (c-10) The provisions of paragraph (1) of subsection (a) of  
21 this Section regarding the acquisition and possession of  
22 pre-packaged explosive components do not apply to:

23 (1) Members of the Armed Services or Reserves  
24 Forces of the United States or the Illinois National Guard  
25 while in the performance of their official duty.

26 (2) Persons licensed under State and federal law to

1 manufacture, import, or sell pre-packaged explosive  
2 components, and actually engaged in that business, but only  
3 with respect to activities which are within the lawful  
4 scope of the business, including the manufacture,  
5 transportation, or testing of pre-packaged explosive  
6 components.

7 (3) Contractors or subcontractors engaged in the  
8 manufacture, transport, testing, delivery, transfer or  
9 sale, and lawful experimental activities under a contract  
10 or subcontract for the development and supply of the  
11 product to the United States government or any branch of  
12 the Armed Forces of the United States, when those  
13 activities are necessary and incident to fulfilling the  
14 terms of the contract. The exemption granted under this  
15 paragraph (3) shall also apply to any authorized agent of  
16 any contractor or subcontractor described in this  
17 paragraph (3) who is operating within the scope of his or  
18 her employment, when the activities involving the  
19 pre-packaged explosive components are necessary and  
20 incident to fulfilling the terms of the contract.

21 (4) Sales clerks or retail merchants selling or  
22 transferring pre-packaged explosive components.

23 (d) Any person who becomes a resident of this State, who is  
24 not otherwise prohibited from obtaining, possessing, or using a  
25 firearm or firearm ammunition, shall not be required to have a  
26 Firearm Owner's Identification Card to possess firearms or

1 firearms ammunition until 60 calendar days after he or she  
2 obtains an Illinois driver's license or Illinois  
3 Identification Card.

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

5 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

6 Sec. 3. (a) Except as provided in Section 3a, no person may  
7 knowingly transfer, or cause to be transferred, any firearm,  
8 pre-packaged explosive components, firearm ammunition, stun  
9 gun, or taser to any person within this State unless the  
10 transferee with whom he deals displays either: (1) a currently  
11 valid Firearm Owner's Identification Card which has previously  
12 been issued in his or her name by the Department of State  
13 Police under the provisions of this Act; or (2) a currently  
14 valid license to carry a concealed firearm which has previously  
15 been issued in his or her name by the Department of State  
16 Police under the Firearm Concealed Carry Act. In addition, all  
17 firearm, stun gun, and taser transfers by federally licensed  
18 firearm dealers are subject to Section 3.1.

19 (a-5) Any person who is not a federally licensed firearm  
20 dealer and who desires to transfer or sell a firearm while that  
21 person is on the grounds of a gun show must, before selling or  
22 transferring the firearm, request the Department of State  
23 Police to conduct a background check on the prospective  
24 recipient of the firearm in accordance with Section 3.1.

25 (a-10) Notwithstanding item (2) of subsection (a) of this

1 Section, any person who is not a federally licensed firearm  
2 dealer and who desires to transfer or sell a firearm or  
3 firearms to any person who is not a federally licensed firearm  
4 dealer shall, before selling or transferring the firearms,  
5 contact the Department of State Police with the transferee's or  
6 purchaser's Firearm Owner's Identification Card number to  
7 determine the validity of the transferee's or purchaser's  
8 Firearm Owner's Identification Card. This subsection shall not  
9 be effective until January 1, 2014. The Department of State  
10 Police may adopt rules concerning the implementation of this  
11 subsection. The Department of State Police shall provide the  
12 seller or transferor an approval number if the purchaser's  
13 Firearm Owner's Identification Card is valid. Approvals issued  
14 by the Department for the purchase of a firearm pursuant to  
15 this subsection are valid for 30 days from the date of issue.

16 (a-15) The provisions of subsection (a-10) of this Section  
17 do not apply to:

18 (1) transfers that occur at the place of business of a  
19 federally licensed firearm dealer, if the federally  
20 licensed firearm dealer conducts a background check on the  
21 prospective recipient of the firearm in accordance with  
22 Section 3.1 of this Act and follows all other applicable  
23 federal, State, and local laws as if he or she were the  
24 seller or transferor of the firearm, although the dealer is  
25 not required to accept the firearm into his or her  
26 inventory. The purchaser or transferee may be required by



1 the federally licensed firearm dealer to pay a fee not to  
2 exceed \$10 per firearm, which the dealer may retain as  
3 compensation for performing the functions required under  
4 this paragraph, plus the applicable fees authorized by  
5 Section 3.1;

6 (2) transfers as a bona fide gift to the transferor's  
7 husband, wife, son, daughter, stepson, stepdaughter,  
8 father, mother, stepfather, stepmother, brother, sister,  
9 nephew, niece, uncle, aunt, grandfather, grandmother,  
10 grandson, granddaughter, father-in-law, mother-in-law,  
11 son-in-law, or daughter-in-law;

12 (3) transfers by persons acting pursuant to operation  
13 of law or a court order;

14 (4) transfers on the grounds of a gun show under  
15 subsection (a-5) of this Section;

16 (5) the delivery of a firearm by its owner to a  
17 gunsmith for service or repair, the return of the firearm  
18 to its owner by the gunsmith, or the delivery of a firearm  
19 by a gunsmith to a federally licensed firearms dealer for  
20 service or repair and the return of the firearm to the  
21 gunsmith;

22 (6) temporary transfers that occur while in the home of  
23 the unlicensed transferee, if the unlicensed transferee is  
24 not otherwise prohibited from possessing firearms and the  
25 unlicensed transferee reasonably believes that possession  
26 of the firearm is necessary to prevent imminent death or

1 great bodily harm to the unlicensed transferee;

2 (7) transfers to a law enforcement or corrections  
3 agency or a law enforcement or corrections officer acting  
4 within the course and scope of his or her official duties;

5 (8) transfers of firearms that have been rendered  
6 permanently inoperable to a nonprofit historical society,  
7 museum, or institutional collection; and

8 (9) transfers to a person who is exempt from the  
9 requirement of possessing a Firearm Owner's Identification  
10 Card under Section 2 of this Act.

11 (a-20) The Department of State Police shall develop an  
12 Internet-based system for individuals to determine the  
13 validity of a Firearm Owner's Identification Card prior to the  
14 sale or transfer of a firearm. The Department shall have the  
15 Internet-based system completed and available for use by July  
16 1, 2015. The Department shall adopt rules not inconsistent with  
17 this Section to implement this system.

18 (b) Any person within this State who transfers or causes to  
19 be transferred any firearm, pre-packaged explosive components,  
20 stun gun, or taser shall keep a record of the ~~such~~ transfer for  
21 a period of 10 years from the date of transfer. The ~~Such~~ record  
22 shall contain the date of the transfer; the description, serial  
23 number or other information identifying the firearm,  
24 pre-packaged explosive components, stun gun, or taser if no  
25 serial number is available; and, if the transfer was completed  
26 within this State, the transferee's Firearm Owner's

1 Identification Card number and any approval number or  
2 documentation provided by the Department of State Police under  
3 ~~pursuant to~~ subsection (a-10) of this Section. On or after  
4 January 1, 2006, the record shall contain the date of  
5 application for transfer of the firearm. On demand of a peace  
6 officer the ~~such~~ transferor shall produce for inspection the  
7 ~~such~~ record of transfer. If the transfer or sale took place at  
8 a gun show, the record shall include the unique identification  
9 number. Failure to record the unique identification number or  
10 approval number is a petty offense.

11 (b-5) Any resident may purchase ammunition from a person  
12 within or outside of Illinois if shipment is by United States  
13 mail or by a private express carrier authorized by federal law  
14 to ship ammunition. Any resident purchasing ammunition within  
15 or outside the State of Illinois must provide the seller with a  
16 copy of his or her valid Firearm Owner's Identification Card or  
17 valid concealed carry license and either his or her Illinois  
18 driver's license or Illinois State Identification Card prior to  
19 the shipment of the ammunition. The ammunition may be shipped  
20 only to an address on either of those 2 documents.

21 (c) The provisions of this Section regarding the transfer  
22 of firearm ammunition shall not apply to those persons  
23 specified in paragraph (b) of Section 2 of this Act.

24 (Source: P.A. 98-508, eff. 8-19-13; 99-29, eff. 7-10-15.)

25 Section 10. The Criminal Code of 2012 is amended by

1 changing Section 24-1 and by adding Section 24-4.3 as follows:

2 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

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

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

6 (1) Sells, manufactures, purchases, possesses or  
7 carries any bludgeon, black-jack, slung-shot, sand-club,  
8 sand-bag, metal knuckles or other knuckle weapon  
9 regardless of its composition, 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

1 years of age or older; or

2 (4) Carries or possesses in any vehicle or concealed on  
3 or about his person except when on his land or in his own  
4 abode, legal dwelling, or fixed place of business, or on  
5 the land or in the legal dwelling of another person as an  
6 invitee with that person's permission, any pistol,  
7 revolver, stun gun or taser or other firearm, except that  
8 this subsection (a) (4) does not apply to or affect  
9 transportation of weapons that meet one of the following  
10 conditions:

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

12 (ii) are not immediately accessible; or

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

17 (iv) are carried or possessed in accordance with  
18 the Firearm Concealed Carry Act by a person who has  
19 been issued a currently valid license under the Firearm  
20 Concealed Carry Act; or

21 (5) Sets a spring gun; or

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

25 (7) Sells, manufactures, purchases, possesses or  
26 carries:

1 (i) a machine gun, which shall be defined for the  
2 purposes of this subsection as any weapon, which  
3 shoots, is designed to shoot, or can be readily  
4 restored to shoot, automatically more than one shot  
5 without manually reloading by a single function of the  
6 trigger, including the frame or receiver of any such  
7 weapon, or sells, manufactures, purchases, possesses,  
8 or carries any combination of parts designed or  
9 intended for use in converting any weapon into a  
10 machine gun, or any combination or parts from which a  
11 machine gun can be assembled if such parts are in the  
12 possession or under the control of a person;

13 (i-5) a trigger modification device. For purposes  
14 of this clause (i-5), "trigger modification device"  
15 means any part, or combination of parts, designed or  
16 intended to accelerate the rate of fire of a firearm,  
17 but does not convert the firearm into a machine gun,  
18 including, but not limited to:

19 (A) any part, or combination of parts,  
20 designed or intended for use in modifying a firearm  
21 to use the recoil of the firearm to produce a rapid  
22 succession of trigger functions; or

23 (B) any part, or combination of parts,  
24 designed or intended for use in modifying a firearm  
25 to produce multiple trigger functions through the  
26 use of an external mechanism;

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

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

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

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

25          (9) Carries or possesses in a vehicle or on or about  
26          his person any pistol, revolver, stun gun or taser or

1 firearm or ballistic knife, when he is hooded, robed or  
2 masked in such manner as to conceal his identity; or

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

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

16 (ii) are not immediately accessible; or

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

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

25 A "stun gun or taser", as used in this paragraph (a)  
26 means (i) any device which is powered by electrical



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

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

21 (12) (Blank); or

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

1 short stick or club commonly carried by police officers  
2 which is either telescopic or constructed of a solid piece  
3 of wood or other man-made material.

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

22 (c) Violations in specific places.

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

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

21 (1.5) A person who violates subsection 24-1(a)(4),  
22 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the  
23 time of day or the time of year, in residential property  
24 owned, operated, or managed by a public housing agency or  
25 leased by a public housing agency as part of a scattered  
26 site or mixed-income development, in a public park, in a

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

18 (2) A person who violates subsection 24-1(a)(1),  
19 24-1(a)(2), or 24-1(a)(3) 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 public

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

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

26 (4) For the purposes of this subsection (c), "school"

1 means any public or private elementary or secondary school,  
2 community college, college, or university.

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

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

23 (e) Exemptions.

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

1 Section.

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

13 (Source: P.A. 99-29, eff. 7-10-15; 100-82, eff. 8-11-17.)

14 (720 ILCS 5/24-4.3 new)

15 Sec. 24-4.3. Unlawful sale or delivery of pre-packaged  
16 explosive components.

17 (a) A person commits unlawful sale or delivery of  
18 pre-packaged explosive components when he or she knowingly does  
19 any of the following:

20 (1) Sells or gives pre-packaged explosive components  
21 to a person who is disqualified under the Firearm Owners  
22 Identification Card Act.

23 (2) Sells or transfers pre-packaged explosive  
24 components to a person who does not display to the seller  
25 or transferor of the pre-packaged explosive components a

1 currently valid Firearm Owner's Identification Card that  
2 has previously been issued in the transferee's name by the  
3 Department of State Police under the Firearm Owners  
4 Identification Card Act. This paragraph (2) does not apply  
5 to the transfer of pre-packaged explosive components to a  
6 person who is exempt from the requirement of possessing a  
7 Firearm Owner's Identification Card under Section 2 of the  
8 Firearm Owners Identification Card Act. For the purposes of  
9 this Section, a currently valid Firearm Owner's  
10 Identification Card means a Firearm Owner's Identification  
11 Card that has not expired.

12 (3) Sells or gives pre-packaged explosive components  
13 while engaged in the business of selling pre-packaged  
14 explosive components at wholesale or retail without being  
15 licensed as a federal firearms dealer under Section 923 of  
16 the federal Gun Control Act of 1968 (18 U.S.C. 923). In  
17 this paragraph (3), a person "engaged in the business"  
18 means a person who devotes time, attention, and labor to  
19 engaging in the activity as a regular course of trade or  
20 business with the principal objective of livelihood and  
21 profit.

22 (b) For the purposes of this Section, "pre-packaged  
23 explosive components" means a pre-packaged product containing  
24 2 or more unmixed, commercially manufactured chemical  
25 substances that are not independently classified as explosives  
26 but which when mixed or combined, results in an explosive



1 material subject to regulation by the federal Bureau of  
2 Alcohol, Tobacco, Firearms, and Explosives under Title 27 CFR  
3 Part 555.

4 (c) All sellers or transferors who have complied with the  
5 requirements of this Section shall not be liable for damages in  
6 any civil action arising from the use or misuse by the  
7 transferee of the pre-packaged explosive components  
8 transferred, except for willful or wanton misconduct on the  
9 part of the seller or transferor.

10 (d) Sentence. Any person who is convicted of unlawful sale  
11 or delivery of pre-packaged explosive components commits a  
12 Class 4 felony.

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

1 INDEX

2 Statutes amended in order of appearance

3	430 ILCS 65/1	from Ch. 38, par. 83-1
4	430 ILCS 65/1.1	from Ch. 38, par. 83-1.1
5	430 ILCS 65/2	from Ch. 38, par. 83-2
6	430 ILCS 65/3	from Ch. 38, par. 83-3
7	720 ILCS 5/24-1	from Ch. 38, par. 24-1
8	720 ILCS 5/24-4.3 new	