



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB1359

Introduced 2/13/2019, by Sen. Brian W. Stewart

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24.8-0.1  
720 ILCS 5/24.8-1.5 new  
720 ILCS 5/24.8-5

Amends the Criminal Code of 2012. Provides that all imitation handguns shall be sold from behind the counter, in an age restricted area, or in a sealed display case. Provides that a violation is a Class B misdemeanor. Defines "imitation handgun" as an air gun, air pistol, B-B gun, paint ball gun, pellet gun, or any other implement that is not a firearm but is designed to resemble and has the appearance of a handgun whether or not the implement is capable of firing any shot, bullet, or other missile.

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CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 2012 is amended by changing  
5 Sections 24.8-0.1 and 24.8-5 and by adding Section 24.8-1.5 as  
6 follows:

7 (720 ILCS 5/24.8-0.1)

8 Sec. 24.8-0.1. Definitions. As used in this Article:

9 "Air rifle" means and includes any air gun, air pistol,  
10 spring gun, spring pistol, B-B gun, paint ball gun, pellet gun  
11 or any implement that is not a firearm which impels a breakable  
12 paint ball containing washable marking colors or, a pellet  
13 constructed of hard plastic, steel, lead or other hard  
14 materials with a force that reasonably is expected to cause  
15 bodily harm.

16 "Dealer" means any person, copartnership, association or  
17 corporation engaged in the business of selling at retail or  
18 renting any of the articles included in the definition of "air  
19 rifle".

20 "Imitation handgun" means any air gun, air pistol, B-B gun,  
21 paint ball gun, pellet gun, or any other implement that is not  
22 a firearm but is designed to resemble and has the appearance of  
23 a handgun whether or not the implement is capable of firing any

1 shot, bullet, or other missile.

2 "Municipalities" include cities, villages, incorporated  
3 towns and townships.

4 (Source: P.A. 97-1108, eff. 1-1-13.)

5 (720 ILCS 5/24.8-1.5 new)

6 Sec. 24.8-1.5. Display of imitation firearms. All  
7 imitation handguns shall be sold from behind the counter, in an  
8 age restricted area, or in a sealed display case. A violation  
9 of this Section is a Class B misdemeanor.

10 (720 ILCS 5/24.8-5)

11 Sec. 24.8-5. Sentence. A violation of this Article, except  
12 a violation of Section 24.8-1.5, is a petty offense. The State  
13 Police or any sheriff or police officer shall seize, take,  
14 remove or cause to be removed at the expense of the owner, any  
15 air rifle sold or used in any manner in violation of this  
16 Article.

17 (Source: P.A. 97-1108, eff. 1-1-13.)