

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 changing Section 24-3.1 as follows:

6 (720 ILCS 5/24-3.1) (from Ch. 38, par. 24-3.1)

7 Sec. 24-3.1. Unlawful possession of firearms and firearm
8 ammunition.

9 (a) A person commits the offense of unlawful possession
10 of firearms or firearm ammunition when:

11 (1) He is under 18 years of age and has in his
12 possession any firearm of a size which may be concealed
13 upon the person; or

14 (2) He is under 21 years of age, has been convicted
15 of a misdemeanor other than a traffic offense or adjudged
16 delinquent and has any firearms or firearm ammunition in
17 his possession; or

18 (3) He is a narcotic addict and has any firearms or
19 firearm ammunition in his possession; or

20 (4) He has been a patient in a mental hospital
21 within the past 5 years and has any firearms or firearm
22 ammunition in his possession; or

23 (5) He is mentally retarded and has any firearms or
24 firearm ammunition in his possession; or

25 (6) He has in his possession any explosive bullet.

26 For purposes of this paragraph "explosive bullet" means
27 the projectile portion of an ammunition cartridge which
28 contains or carries an explosive charge which will explode
29 upon contact with the flesh of a human or an animal.
30 "Cartridge" means a tubular metal case having a projectile
31 affixed at the front thereof and a cap or primer at the rear

1 end thereof, with the propellant contained in such tube
2 between the projectile and the cap; or

3 (b) Sentence.

4 Unlawful possession of firearms, other than handguns, and
5 firearm ammunition is a Class A misdemeanor. Unlawful
6 possession of handguns is a Class 4 felony.

7 (c) Nothing in paragraph (1) of subsection (a) of this
8 Section prohibits a person under 18 years of age from
9 participating in any lawful recreational activity with a
10 firearm such as, but not limited to, practice shooting at
11 targets upon established public or private target ranges or
12 hunting, trapping, or fishing in accordance with the Wildlife
13 Code or the Fish and Aquatic Life Code.

14 (d) The provisions of any ordinance or resolution
15 adopted before, on, or after the effective date of this
16 amendatory Act of the 93rd General Assembly by any unit of
17 local government that imposes restrictions or limitations on
18 the acquisition, possession, transportation, storage,
19 purchase, sale, or other dealing in rifles and shotguns and
20 ammunition, components, accessories, and accoutrements of
21 rifles and shotguns in a manner other than those that are
22 imposed by subsection (a) of this Section are invalid, except
23 as authorized by this Code, and all those existing ordinances
24 and resolutions are void.

25 (e) A unit of local government, including a home rule
26 unit, may not regulate the acquisition, possession,
27 transportation, storage, purchase, sale, or other dealing in
28 rifles and shotguns, and may not regulate ammunition,
29 components, accessories, or accoutrements for rifles and
30 shotguns in a manner other than the manner provided in
31 subsection (a). This Section is limitation under subsection
32 (i) of Section 6 of Article VII of the Illinois Constitution
33 on the concurrent exercise by home rule units of powers and
34 functions exercised by the State.

1 (Source: P.A. 91-696, eff. 4-13-00; 92-839, eff. 8-22-02.)

2 Section 99. Effective date. This Act takes effect upon

3 becoming law.