

HB0807



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB0807

Introduced 1/25/2013, by Rep. Michael J. Madigan

SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-3.1

from Ch. 38, par. 24-3.1

Amends the Criminal Code of 2012. Makes a technical change in a Section concerning the unlawful possession of firearms and firearm ammunition.

LRB098 03633 RLC 33649 b

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 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 ~~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 of
15 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 within
21 the past 5 years and has any firearms or firearm ammunition
22 in his possession; or

23 (5) He is intellectually disabled and has any firearms

1 or firearm ammunition in his possession; or

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

3 For purposes of this paragraph "explosive bullet" means the
4 projectile portion of an ammunition cartridge which contains or
5 carries an explosive charge which will explode upon contact
6 with the flesh of a human or an animal. "Cartridge" means a
7 tubular metal case having a projectile affixed at the front
8 thereof and a cap or primer at the rear end thereof, with the
9 propellant contained in such tube between the projectile and
10 the cap.

11 (b) Sentence.

12 Unlawful possession of firearms, other than handguns, and
13 firearm ammunition is a Class A misdemeanor. Unlawful
14 possession of handguns is a Class 4 felony. The possession of
15 each firearm or firearm ammunition in violation of this Section
16 constitutes a single and separate violation.

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

24 (Source: P.A. 97-227, eff. 1-1-12.)