

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 24-1.7 as follows:

6 (720 ILCS 5/24-1.7 new)

7 Sec. 24-1.7. Manufacture, possession and delivery of  
8 large capacity ammunition feeding devices.

9 (a) As used in this Section:

10 "Large capacity ammunition feeding device" means:

11 (1) a magazine, belt, drum, feed strip, or similar  
12 device that has a capacity of, or that can be readily  
13 restored or converted to accept, more than 10 rounds of  
14 ammunition; or

15 (2) any combination of parts from which a device  
16 described in paragraph (1) can be assembled.

17 "Large capacity ammunition feeding device" does not  
18 include an attached tubular device designed to accept, and  
19 capable of operating only with, .22 caliber rimfire  
20 ammunition or any device that has been made permanently  
21 inoperable.

22 (b) Except as provided in subsection (c), it is unlawful  
23 for any person within this State, beginning 90 days after the  
24 effective date of this amendatory Act of the 92nd General  
25 Assembly, to knowingly manufacture, deliver, or possess or  
26 cause to be manufactured, delivered, or possessed, a large  
27 capacity ammunition feeding device.

28 (c) Any person who knowingly possesses a large capacity  
29 ammunition feeding device on the effective date of this  
30 amendatory Act of the 92nd General Assembly must, within 90  
31 days after the effective date of this amendatory Act of the

1 92nd General Assembly, destroy the device, render it  
2 permanently inoperable, relinquish it to a law enforcement  
3 agency, or remove it from this State.

4 (d) A person has an affirmative defense to an alleged  
5 violation of subsection (c) of this Section if he or she  
6 lawfully possessed or delivered the large capacity ammunition  
7 feeding device while in the performance of his or her  
8 official duties as a peace officer, correctional institution  
9 employee or official, or member of the Armed Services or  
10 Reserve Forces of the United States or of the Illinois  
11 National Guard.

12 (e) Sentence. A person who possesses or delivers in  
13 violation of this Section a large capacity ammunition feeding  
14 device capable of holding more than 17 rounds of ammunition  
15 commits a Class 3 felony for a first violation and a Class 2  
16 felony for a second or subsequent violation or for possession  
17 or delivery of 2 or more of these devices at the same time.  
18 A person who possesses or delivers in violation of this  
19 Section a large capacity ammunition feeding device capable of  
20 holding more than 10 rounds but not more than 17 rounds of  
21 ammunition commits a Class 4 felony for a first violation and  
22 a Class 3 felony for a second or subsequent violation or for  
23 possession or delivery of more than one of these devices at  
24 the same time.