

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 24-3.6 as follows:

6 (720 ILCS 5/24-3.6 new)

7 Sec. 24-3.6. Certain sniper weapons.

8 (a) In this Section, "50 caliber sniper weapon" means a
9 rifle capable of firing a center-fire cartridge in 50
10 caliber, .50 BMG caliber, any other variant of 50 caliber, or
11 any metric equivalent of that caliber.

12 (b) It is unlawful for a person, within this State, to
13 distribute, transport, or import into this State or possess
14 with intent to sell or to offer for sale or to give a 50
15 caliber sniper weapon.

16 (c) It is unlawful for a person to transfer, sell, or
17 give any 50 caliber sniper weapon to a person under 18 years
18 of age.

19 (d) It is unlawful to possess a 50 caliber sniper
20 weapon.

21 (e) This Section does not apply to or affect any of the
22 following:

23 (1) Peace officers while in performance of their
24 official duties.

25 (2) Wardens, superintendents, and keepers of
26 prisons, penitentiaries, jails, and other institutions
27 for the detention of persons accused or convicted of an
28 offense.

29 (3) Members of the of the Armed Services or Reserve
30 Forces of the United States or the Illinois National
31 Guard, while in the performance of their official duty.

1 (4) The transfer or passing of a 50 caliber sniper
2 weapon upon the death of the owner to his or her heir or
3 legatee until 60 days after the transfer or passing.

4 (5) The possession of a 50 caliber sniper weapon by
5 an executor or administrator of an estate during the
6 administration of an estate until transferred in
7 accordance with the Probate Act of 1975 to a person
8 authorized under this Section to possess that weapon.

9 (6) Manufacture, transportation, or sale of 50
10 caliber sniper weapons to persons authorized under
11 paragraphs (1) through (3) of this subsection (e) to
12 possess 50 caliber sniper weapons, if the 50 caliber
13 sniper weapons are broken down in a non-functioning state
14 or are not immediately accessible.

15 (f) Sentence.

16 (1) A person convicted of a violation of this
17 Section commits a Class 2 felony.

18 (2) A person who violates this Section by
19 possessing a 50 caliber sniper weapon in the passenger
20 compartment of a motor vehicle as defined in Section
21 1-146 of the Illinois Vehicle Code, or on his or her
22 person while the weapon is loaded, is guilty of a Class X
23 felony.

24 (3) A person who violates this Section in any
25 school, regardless of the time of day or the time of
26 year, in residential property owned, operated or managed
27 by a public housing agency or leased by a public housing
28 agency as part of a scattered site or mixed-income
29 development, in a public park, in a courthouse, on the
30 real property comprising any school, regardless of the
31 time of day or the time of year, on residential property
32 owned, operated or managed by a public housing agency or
33 leased by a public housing agency as part of a scattered
34 site or mixed-income development, on the real property

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

11 (4) A person who violates subsection (c) is guilty
12 of a Class 1 felony.

13 (5) A person who violates this Section by
14 possessing a 50 caliber sniper weapon that he or she
15 acquired before the effective date of this amendatory Act
16 of the 92nd General Assembly and does not use that weapon
17 in the commission of an offense nor possess that weapon
18 in a place described in paragraph (2) or (3) is guilty
19 of a Class A misdemeanor.

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.