

1 AN ACT in relation to firearms.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Firearm Owners Identification Card Act
5 is amended by changing Section 2 as follows:

6 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

7 Sec. 2. Firearm Owner's Identification Card required;
8 exceptions.

9 (a) (1) No person may acquire or possess any firearm
10 within this State without having in his or her possession a
11 Firearm Owner's Identification Card previously issued in his
12 or her name by the Department of State Police under the
13 provisions of this Act.

14 (2) No person may acquire or possess firearm ammunition
15 within this State without having in his or her possession a
16 Firearm Owner's Identification Card previously issued in his
17 or her name by the Department of State Police under the
18 provisions of this Act.

19 (b) The provisions of this Section regarding the
20 possession of firearms and firearm ammunition do not apply
21 to:

22 (1) United States Marshals, while engaged in the
23 operation of their official duties;

24 (2) Members of the Armed Forces of the United
25 States or the National Guard, while engaged in the
26 operation of their official duties;

27 (3) Federal officials required to carry firearms,
28 while engaged in the operation of their official duties;

29 (4) Members of bona fide veterans organizations
30 which receive firearms directly from the armed forces of
31 the United States, while using the firearms for

1 ceremonial purposes with blank ammunition;

2 (5) Nonresident hunters during hunting season, with
3 valid nonresident hunting licenses and while in an area
4 where hunting is permitted; however, at all other times
5 and in all other places these persons must have their
6 firearms unloaded and enclosed in a case;

7 (6) Those hunters exempt from obtaining a hunting
8 license who are required to submit their Firearm Owner's
9 Identification Card when hunting on Department of Natural
10 Resources owned or managed sites;

11 (7) Nonresidents while on a firing or shooting
12 range recognized by the Department of State Police;
13 however, these persons must at all other times and in all
14 other places have their firearms unloaded and enclosed in
15 a case;

16 (8) Nonresidents while at a firearm showing or
17 display recognized by the Department of State Police;
18 however, at all other times and in all other places these
19 persons must have their firearms unloaded and enclosed in
20 a case;

21 (9) Nonresidents whose firearms are unloaded and
22 enclosed in a case;

23 (10) Nonresidents who are currently licensed or
24 registered to possess a firearm in their resident state;

25 (11) Unemancipated minors while in the custody and
26 immediate control of their parent or legal guardian or
27 other person in loco parentis to the minor if the parent
28 or legal guardian or other person in loco parentis to the
29 minor has a currently valid Firearm Owner's
30 Identification Card;

31 (12) Color guards of bona fide veterans
32 organizations or members of bona fide American Legion
33 bands while using firearms for ceremonial purposes with
34 blank ammunition;

1 (13) Nonresident hunters whose state of residence
 2 does not require them to be licensed or registered to
 3 possess a firearm and only during hunting season, with
 4 valid hunting licenses, while accompanied by, and using a
 5 firearm owned by, a person who possesses a valid Firearm
 6 Owner's Identification Card and while in an area within a
 7 commercial club licensed under the Wildlife Code where
 8 hunting is permitted and controlled, but in no instance
 9 upon sites owned or managed by the Department of Natural
 10 Resources; and

11 (14) Resident hunters who are properly authorized
 12 to hunt and, while accompanied by a person who possesses
 13 a valid Firearm Owner's Identification Card, hunt in an
 14 area within a commercial club licensed under the Wildlife
 15 Code where hunting is permitted and controlled; and-

16 (15) A person who is otherwise eligible to obtain a
 17 Firearm Owner's Identification Card under this Act and is
 18 under the direct supervision of a holder of a Firearm
 19 Owner's Identification Card who is 21 years of age or
 20 older while the person is on a firing or shooting range
 21 or is a participant in a firearms safety and training
 22 course recognized by a law enforcement agency or a
 23 national, statewide shooting sports organization.

24 (c) The provisions of this Section regarding the
 25 acquisition and possession of firearms and firearm ammunition
 26 do not apply to law enforcement officials of this or any
 27 other jurisdiction, while engaged in the operation of their
 28 official duties.

29 (Source: P.A. 91-694, eff. 4-13-00.)

30 Section 10. The Criminal Code of 1961 is amended by
 31 changing Section 24-3.1 as follows:

32 (720 ILCS 5/24-3.1) (from Ch. 38, par. 24-3.1)

1 Sec. 24-3.1. Unlawful possession of firearms and firearm
2 ammunition.

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

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

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

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

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

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

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

20 For purposes of this paragraph "explosive bullet" means
21 the projectile portion of an ammunition cartridge which
22 contains or carries an explosive charge which will explode
23 upon contact with the flesh of a human or an animal.
24 "Cartridge" means a tubular metal case having a projectile
25 affixed at the front thereof and a cap or primer at the rear
26 end thereof, with the propellant contained in such tube
27 between the projectile and the cap; or

28 (b) Sentence.

29 Unlawful possession of firearms, other than handguns, and
30 firearm ammunition is a Class A misdemeanor. Unlawful
31 possession of handguns is a Class 4 felony.

32 (c) Nothing in paragraph (1) of subsection (a) of this
33 Section prohibits a person under 18 years of age from
34 participating in any lawful recreational activity with a

1 firearm such as, but not limited to, practice shooting at
2 targets upon established public or private target ranges or
3 hunting, trapping, or fishing in accordance with the Wildlife
4 Code or the Fish and Aquatic Life Code.

5 (Source: P.A. 91-696, eff. 4-13-00.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.