



ISRA

Legislative
Fact

Sheet

SB-1007 Osterman
Unenforceable -- Unworkable
OPPOSE

- **Loan a Friend a Magazine – Commit a Crime.** Competitors and shooters at the range tend to loan each other gear from time to time, including magazines. Under SB-1007 anyone who “delivers” a magazine that holds more than 10 rounds commits a crime. This would include the loaning of a magazine to a friend.
- **The 1994 magazine ban:** From 1994 to 2004 there was a national limitation on magazine capacity. But it effected ALL manufacturers. SB-1007 would prevent Illinois manufacturers from making and selling their standard magazines for rifles and handguns to 44 other states that do not regulate the sale of magazines. Illinois manufacturers would be at a disadvantage to other manufacturers who would still be able to sell their products in those other states with standard capacity magazines. This would force those manufacturers to move to remain competitive in their sales to the other 44 states.
- The 1994 limitation on magazines did not limit the transfer of those magazines that were in circulation prior to the ban. Those could be sold, loaned or traded without fear of criminal prosecution.
- **An Unenforceable Law.** Magazines do not have serial numbers. When confronted by law enforcement, the burden of proof will shift to the gun owner to prove that they did indeed own the magazine in question prior to the date SB-1007 became law. It also presents a problem for law enforcement in proving that the magazine in question was purchased after the that date.
- **Rules Needed.** In order for gun owners to comply with the law, the State Police and DNR will need to issue rules so gun owners will know how to comply with the Wildlife Code and how to prove they owned a magazine before the ban.
- **Creates a Black Market.** Last year newspaper reports show that one gang member went to Indiana to obtain a rifle and handgun with a phony ID. Gangs and others will simply cross state lines and buy magazines, and bring them back. You don’t need an ID or FOID card to buy a magazine.
- **Magazines Treated the Same as Firearms.** Under SB-1007 it is illegal to transport a “high capacity” magazine unless it is unloaded and enclosed in a case, not immediately accessible or broken down in a non-functioning state. An empty pistol magazine on the floor of a pick-up truck with no firearm present, would be a criminal offense. Current law only places restrictions on ammunition when a firearm is present. SB-1007 allows for criminal penalties for mere possession of magazines and ammunition when no firearm is present.

OPPOSE
SB-1007