



# City of Chicago



O2013-3378

Office of the City Clerk

## Document Tracking Sheet

**Meeting Date:** 5/8/2013

**Sponsor(s):** Burke, Edward M. (14)

**Type:** Ordinance

**Title:** Amendment of Chapter 8-20 of Municipal Code to allow museums to acquire unloaded curios or relic firearms of historic value as part of their collection

**Committee(s) Assignment:** Committee on Public Safety

**ORDINANCE**

**WHEREAS**, the City of Chicago is a home rule unit government pursuant to the 1970 Illinois Constitution, Article VII, Section 6(a); and

**WHEREAS**, pursuant to its home rule power, the City of Chicago may exercise any power and perform any function relating to its government and affairs including the power to regulate for the protection of the public health, safety, morals, and welfare; and

**WHEREAS**, the City of Chicago is home to several world-renowned museums operated primarily for educational, scientific, historic preservation, cultural and aesthetic purposes; and

**WHEREAS**, Chicago museums are currently prohibited from lawfully displaying firearms of historic value; and

**WHEREAS**, the Corporate Authorities of the City of Chicago intend to permit legitimate museums to lawfully possess firearms held as part of their collections and displayed for educational, scientific, historic preservation, cultural, or aesthetic purposes; now therefore,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CHICAGO:**

**SECTION 1.** The above recitals are expressly incorporated herein and made part hereof as though fully set forth herein.

**SECTION 2.** Chapter 8-20 of the Municipal Code of Chicago is hereby amended by inserting the language underscored and deleting the language stricken through as follows:

**8-20-010 Definitions.**

*(omitted text is unaffected by this ordinance)*

“Curio or relic” means a firearm that is classified as a curio or relic by the U.S. Department of Justice, Bureau of Alcohol, Tobacco, Firearms and Explosives (“ATF”) or is listed on the ATF’s *Firearms Curios or Relics List*, ATF P 5300.11, as amended.

“Museum” means an institution or entity located in the City that: (i) is operated by a non-profit corporation, trust, association, public agency or education institution; (ii) is operated primarily for educational, scientific, historic preservation, cultural, or aesthetic purposes; and (iii) owns, borrows, cares for, exhibits, studies, archives, or catalogues property. “Museum” includes, but is not limited to, historical societies, libraries, and art, history, science, and natural history museums.

*(omitted text is unaffected by this ordinance)*

**8-20-020 Unlawful possession of handguns.**

(a) It is unlawful for any person to carry or possess a handgun, except when in the person's home.

(b) The provisions of this section shall not apply to:

*(omitted text is unaffected by this ordinance)*

(17) museums possessing unloaded curios or relics as part of their collections.

(178) a person while engaged in the lawful transportation of a firearm;

(189) a range master, manager or employee, as those terms are defined in Section 4-151-010, of a licensed shooting range facility, or a shooting range patron of a licensed shooting range facility, while at the licensed shooting range facility.

**8-20-035 Unlawful possession of unregistrable firearms.**

(a) It is unlawful for any person to carry or possess any unregistrable firearm.

(b) The provisions of this section shall not apply to corrections officers, members of the armed forces of the United States, or the organized militia of this or any other state, and peace officers, to the extent that any such person is otherwise authorized to acquire or possess assault weapons, and is acting within the scope of his duties, museums possessing unloaded curios or relics as part of their collections, or to any person while engaged in the manufacturing, transportation or sale of assault weapons to people authorized to possess them under this section.

*(omitted text is unaffected by this ordinance)*

**8-20-100 Permissible sales and transfers of firearms and ammunition.**

(a) Except as authorized by subsection (e), (f), and section 2-84-075, no firearm may be sold, acquired or otherwise transferred within the city, except through inheritance of the firearm.

*(omitted text is unaffected by this ordinance)*

(e) Notwithstanding any other provision of this section, a peace officer may sell or transfer any lawfully held firearm or ammunition to another peace officer in accordance with the other provisions of this chapter.

(f) Notwithstanding any other provision of this section, a museum may acquire curios or relics to be included in its collection.

(fg) Notwithstanding any other provision of this section, a range master, manager or employee, as those terms are defined in Section 4-151-010, of a licensed shooting range facility may sell ammunition, or provide a firearm to, a shooting range patron in compliance with Section 4-151-170.

**8-20-110 CFP – Required.**

(a) Subject to subsection (d), it is unlawful for any person to carry or possess a firearm without a CFP.

*(omitted text is unaffected by this ordinance)*

(e) The provisions of this section shall not apply to any person listed in section 8-20-020(b)(1) – (167) or a person engaged in interstate travel in compliance with section 8-20-100.

**8-20-140 Firearm registration certificate – required.**

(c) An applicant for a registration certificate shall submit an application to the superintendent on a form or in a manner prescribed by the superintendent. The application shall include the following:

*(omitted text is unaffected by this ordinance)*

(6) if an antique firearm, curio or relic, the year of manufacture of the firearm;

*(omitted text is unaffected by this ordinance)*

**8-20-160 Restrictions on issuance of registration certificates.**

(a) Subject to subsections (b) and (c), the superintendent shall issue no more than one firearm registration certificate to a person for a handgun during any 30-day period; provided that the superintendent may permit a person first becoming a city resident to register more than one handgun if those handguns were lawfully owned in another jurisdiction for a period of 6 months prior to the date of application.

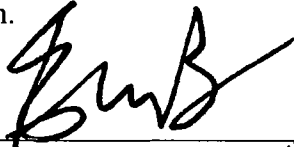
(b) In addition to a registration certificate for a handgun pursuant to subsection (a), an applicant may be issued a registration certificate for:

(1) any firearm possessed by an applicant that was lawfully registered on the date of the enactment of this ordinance;

- (2) any long gun which is eligible to be registered; or
- (3) any antique firearm, including antique handguns;
- (4) any curio or relic possessed by a museum applicant as part of its collection.

The burden of proving that a firearm is an antique firearm, curio or relic shall be on the applicant.

**SECTION 3.** This ordinance shall be in full force and effect upon its passage and publication.



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Edward M. Burke, Alderman, 14<sup>th</sup> Ward