



Office of the City Clerk

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Legislation Text

File #: O2013-9272, Version: 1

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, in May 2013, a group known as Defense Distributed made certain blueprints available on the internet that enabled a gun known as the Liberator to be created and printed at home using a three-dimensional printer; and

WHEREAS, the Liberator, and other similarly produced firearms, capable of discharging ammunition, should be subject to the same laws, regulations and restrictions as any other firearm; and

WHEREAS, the U.S. State Department demanded that the blueprints to create the Liberator be taken down from the internet, but not before the blueprints had been downloaded more than 100,000 times; and

WHEREAS, when the United States Department of Justice's Bureau of Alcohol, Tobacco and Firearms printed out the Liberator, the gun exploded even before it was fired, highlighting a safety concern; and

WHEREAS, according to an article from Fox News, the U.S. Department of Homeland Security distributed an intelligence bulletin to numerous state and federal law enforcement agencies warning that guns printed off three-dimensional printers could evade detection by magnetometers; and

WHEREAS, the City of Chicago has been plagued by gun violence, with five hundred (500) murders in the City in 2012, the highest in the nation, with a majority of the murders involving guns; and

WHEREAS, the ability to print guns using a three-dimensional printer at home allows for the evasion of state and local laws and regulations in place for owning firearms; and

WHEREAS, the City Council of the City of Chicago hereby finds that it is in the best interest of the public health, safety and welfare to prohibit the use of a three-dimensional printer to create any firearm, or any piece or part thereof, and to further ban the possession of a firearm of any kind created by a three-dimensional printer; 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. Section 8-20-010 of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

8-20-010 Definitions.

For purposes of this chapter the following terms shall apply:

(The previous portions of this section not affected by this amendment, and are not displayed here, for editorial convenience)

"Safety mechanism" means a design adaption or nondetachable accessory that lessens the likelihood of unanticipated use of the handgun.

"Three-Dimensional Printer" means a computer-driven machine capable of producing a three-dimensional object from a digital model.

"Trigger lock" means a device that when locked in place by means of a key, prevents a potential user from pulling the trigger of the firearm without first removing the trigger lock by use of the trigger lock's key.

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(The remainder of this section not affected by this amendment, and is not displayed here, for editorial convenience)

SECTION 3. Chapter 8-20 of the Municipal Code of Chicago is hereby amended by inserting a new Section 8-20-038 as follows:

8-20-038 Restrictions on Use of Three-Dimensional Printer to Manufacture Firearms and Possession of Firearms Created by Three-Dimensional Printer.

a) No person shall use a three-dimensional printer to create any firearm, or any piece or part thereof, unless such person possesses a license to manufacture firearms under Federal law, 18 U.S.C. § 923(a).

b) No person shall possess a firearm of any kind created by a three-dimensional printer.

SECTION 4. Section 8-20-300 of the Municipal Code of Chicago is hereby amended by inserting the language underscored as follows:

8-20-300 Violation - Penalty.

(a) Unless the enhanced penalty imposed by subsection 8-4-355(b)(2) of this Code applies, any person who violates Section 8-20-060 shall be fined not less than \$1,000.00 nor more than \$5,000.00, and be incarcerated for a term not less than 20 days nor more than 90 days.

Unless the enhanced penalty imposed by subsection 8-4-355(b)(1) of this Code applies, any person who violates Section 8-20-075, 8-20-038, 8-20-085 or 8-20-100 shall be fined not less than \$1,000.00 nor more than \$5,000.00, and be incarcerated for a term not less than 90 days nor more than 180 days.

(Omitted text is not affected by this amendment)

SECTION 5. Section 8-4-355(b)(1) of the Municipal Code of Chicago is hereby amended by inserting the language underscored, as follows:

8-4-355 Enhanced Penalties for Offenses Committed in Student Safety Zones.

(The previous portions of this section not affected by this amendment, and are not displayed here, for editorial convenience)

(b) Penalties

(1) The following enhanced penalties shall apply to violations of Sections 8-20-075, 8-20-038 and 8-20-085 of this Code that occur in student safety zones:

A) the penalty for a first offense shall be a fine of not less than \$1,000.00 nor more than \$5,000.00, and incarceration for a term not less than 120 days nor more than six months;

B) the penalty for a second offense shall be a fine of not less than \$5,000.00 nor more than \$15,000.00, and incarceration for a term not less than 150 days nor more than six months; and

C) the penalty for third or subsequent offense shall be a fine of not less than \$10,000.00 nor more than \$20,000.00, and incarceration for a term of six months.

(The remainder of this section not affected by this amendment, and is not displayed here, for editorial convenience)

SECTION 6. This ordinance shall be in full force and effect upon its passage and publication.

Edward M. Burke, Alderman, 14th Ward