

The Illinois Armed Violence law can be found [here](#) and the statute is 720 ILCS 5/33A-2. It was intended as a way to add extra penalties to any felony in which a firearm was used. It basically states that if a dangerous weapon is possessed (not used, just possessed) during the commission of a felony, the person is guilty of Armed Violence. There are different penalties for different classes of weapons, and of course handguns are in the most serious group. Felonies which already included the use of a firearm as one of the elements of the offense are excluded from the armed violence statute. Very serious crimes such as murder are also excluded from the statute, since they already have very high penalties.

People legally possessing and carrying a firearm might not be too worried about the Armed Violence statute since they don't think they're in the habit of committing felonies all that often anyway. The problem is that in Illinois there are so many minor, non-violent offenses that are classified as felonies that they might be surprised. For example:

A third offense for littering (gum wrapper or cigarette butt out the car window) is a felony in Illinois (415 ILCS 105/5 & 415 ILCS 105/8(a))

Recording another person's voice without his permission is a felony under the IL Eavesdropping Law (720 ILCS 5/14-1)

Then there is possession of controlled substances, which can include your spouse's prescription medication.

Driving a car with a revoked driver's license is a felony in some cases.

Causing a crash and injuring someone while DUI is a felony.

Not doing the paperwork correctly when you trade vehicles can be a felony.

Committing any of these felonies, or the multitude of other felonies under Illinois law, while lawfully carrying a handgun makes the person guilty of Armed Violence, with a mandatory minimum sentence of 15 years in prison. No probation is possible.

**Tasers:** You asked about tasers in your other email. Tasers are essentially classified as handguns when it comes to whether it is legal to possess one. A FOID card is required to purchase or possess a Taser. A Taser can be possessed in the home or at a business the person carrying it owns, but it can't legally be carried on or about his person or in a vehicle unless it is in a case and unloaded, or broken down to a non-functioning state, etc. 720 ILCS 5/24-1(a)(4). Violation of this subsection is generally a misdemeanor, except that it is elevated to a felony in certain locations, including bars and taverns. The Illinois Firearms Concealed Carry Act allows a Licensee to carry a "Concealed Handgun." The definition of the kind of handgun which can be carried specifically excludes Tasers.

Summary: Tasers can be possessed by people with FOID cards, but they can't be carried in a ready-to-use state outside the home by any private citizen, including citizens with a Concealed Carry License.

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