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LEGAL OPINON – USE OF KALI KEY IN ILLINOIS

LEGAL DISCLAIMER

WARNING: The law in Illinois is unsettled and is being determined in State and Federal Courts at this time. While compiled with the assistance of legal counsel, any information contained herein is merely the opinion of Kali Key. This opinion is not regularly updated. Nothing herein constitutes legal advice of any kind, and no attorney-client relationship is formed as a result of this opinion. This opinion has not been submitted to any law enforcement agency or regulatory authority. It is the end users' responsibility (whether said end user purchased the firearm or received it in some other manner) to know the current firearm laws and regulations in the State of Illinois, and/or the relevant County or municipality before possessing any particular firearm or installing the Kali Key.

PLEASE CONSULT LEGAL COUNSEL LICENSED IN ILLINOIS BEFORE ATTEMPTING TO INSTALL THE KALI KEY OR OTHERWISE RECONFIGURE YOUR FIREARM.

The Kali Key was originally designed to comply with California assault weapon laws and regulations. Because the regulations and restrictions of Illinois law pertaining to assault weapons are similar to that of California law, it is our opinion after analysis that the Kali Key and its use is compliant with the Illinois assault weapon laws and restrictions because it converts the action of a semiautomatic firearm to a bolt action firearm. This applies only so long as the Kali Key remains installed.

SUMMARY OF EXPLANATION

Illinois has enacted assault weapons laws and regulations (generally labeled as the “Protect Illinois Communities Act” or “PICA”) that prohibit the ownership, sale, and purchase of various semiautomatic centerfire firearms with certain features (See 720 ILCS 5/24-1.9(b) & (c); 5/24-1(a)(15) & (a)16)). The Kali Key is a one-part compliance part that removes your AR-15 style firearm from the definition of an assault weapon by converting your semiautomatic firearm to a straight pull bolt action firearm, which is specifically exempted from the definition of “assault weapon” under the statute.



So long as the firearm is equipped with the Kali Key, the end user may keep all of the features normally prohibited through the definition of an assault firearm, such as pistol grips, forward protruding grips, thumbhole or telescoping stocks, flash suppressors, grenade launchers, and barrel shrouds without requiring registration as an assault weapon. **If purchased with the Kali Key installed, the end user may purchase or receive a firearm that would otherwise be prohibited under the statute.**

DETAILED EXPLANATION

Illinois “Assault Weapon” Definition

Effective January 10, 2023, Illinois enacted Public Act 102-1116 (HB5471), which defines what constitutes an “assault weapon” under state law. Those who have firearms falling under the new assault weapon definition must register their firearms as assault weapons by January 1, 2024, dispose of the firearms in a lawful manner, or make the firearm permanently inoperable. Though unstated, it is also allowable under the statute to convert one’s firearm into one that renders it no longer an assault weapon. Under Illinois Compiled Statute 720 ILCS 5/24-1.9, “assault weapon” is defined – in relevant part - as follows:

Sec. 24-1.9. Manufacture, possession, delivery, sale, and purchase of assault weapons, .50 caliber rifles, and .50 caliber cartridges.

(a) Definitions. In this Section:

(1) “Assault weapon” means any of the following, **except as provided in subdivision (2) of this subsection:** *

(A) A semiautomatic rifle that has the capacity to accept a detachable magazine or that may be readily modified to accept a detachable magazine, if the firearm has one or more of the following:

- (i) a pistol grip or thumbhole stock;
- (ii) any feature capable of functioning as a protruding grip that can be held by the non-trigger hand;
- (iii) a folding, telescoping, thumbhole, or detachable stock, or a stock that is otherwise foldable or adjustable in a manner that operates to reduce the length, size, or any other dimension, or otherwise enhances the concealability of, the weapon;
- (iv) a flash suppressor;
- (v) a grenade launcher;
- (vi) a shroud attached to the barrel or that partially or completely encircles the barrel, allowing the bearer to hold the firearm with the non-trigger hand without being burned, but excluding a slide that encloses the barrel.



(B) A semiautomatic rifle that has a fixed magazine with the capacity to accept more than 10 rounds, except for an attached tubular device designed to accept, and capable of operating only with, .22 caliber rimfire ammunition.

...

(G) Any semiautomatic firearm that has the capacity to accept a belt ammunition feeding device.

(H) Any firearm that has been modified to be operable as an assault weapon as defined in this Section.

(I) Any part or combination of parts designed or intended to convert a firearm into an assault weapon, including any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.

(J) All of the following rifles, copies, duplicates, variants, or altered facsimiles with the capability of any such weapon:

...

(ii) all AR types, including the following:

(I) AR-10.

(II) AR-15.

(III) Alexander Arms Overmatch Plus 16.

(IV) Armalite M15 22LR Carbine.

(V) Armalite M15-T.

(VI) Barrett REC7.

(VII) Beretta AR-70.

(VIII) Black Rain Ordnance Recon Scout.

(IX) Bushmaster ACR.

(X) Bushmaster Carbon 15.

(XI) Bushmaster MOE series.

(XII) Bushmaster XM15.

(XIII) Chiappa Firearms MFour rifles.

(XIV) Colt Match Target rifles.

(XV) CORE Rifle Systems CORE15 rifles.

(XVI) Daniel Defense M4A1 rifles.

(XVII) Devil Dog Arms 15 Series rifles.

(XVIII) Diamondback DB15 rifles.

(XIX) DoubleStar AR rifles.

(XX) DPMS Tactical rifles.



- (XXI) DSA Inc. ZM-4 Carbine.
- (XXII) Heckler & Koch MR556.
- (XXIII) High Standard HSA-15 rifles.
- (XXIV) Jesse James Nomad AR-15 rifle.
- (XXV) Knight's Armament SR-15.
- (XXVI) Lancer L15 rifles.
- (XXVII) MGI Hydra Series rifles.
- (XXVIII) Mossberg MMR Tactical rifles.
- (XXIX) Noreen Firearms BN 36 rifle.
- (XXX) Olympic Arms.
- (XXXI) POF USA P415.
- (XXXII) Precision Firearms AR rifles.
- (XXXIII) Remington R-15 rifles.
- (XXXIV) Rhino Arms AR rifles.
- (XXXV) Rock River Arms LAR-15 or Rock River Arms LAR-47.
- (XXXVI) Sig Sauer SIG516 rifles and MCX rifles.
- (XXXVII) Smith & Wesson M&P15 rifles.
- (XXXVIII) Stag Arms AR rifles.
- (XXXIX) Sturm, Ruger & Co. SR556 and AR-556 rifles.
- (XL) Uselton Arms Air-Lite M-4 rifles.
- (XLI) Windham Weaponry AR rifles.
- (XLII) WMD Guns Big Beast.
- (XLIII) Yankee Hill Machine Company, Inc. YHM-15 rifles.

...

* boldface added

Notably, the next section states that:

(2) "Assault weapon" does not include:

(A) Any firearm that is an unserviceable firearm or has been made permanently inoperable.

...

(C) **A firearm that is manually operated by bolt**, pump, lever or slide action, unless the firearm is a shotgun with a revolving cylinder. (Boldface added)



(3) "Assault weapon attachment" means any device capable of being attached to a firearm that is specifically designed for making or converting a firearm into any of the firearms listed in paragraph (1) of this subsection (a).

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SEMIAUTOMATIC VS. BOLT ACTION FIREARMS

Illinois does not define the terms "semiautomatic" or "bolt action" except in the context of the Illinois assault weapon law. Generally, however, a semiautomatic is defined as follows: Semiautomatic means a firearm functionally able to fire a single cartridge, eject the empty case, and reload the chamber each time the trigger is pulled and released. Further, federal law, 18 U.S.C. § 921(a)(29), defines "semiautomatic rifle" as "any repeating rifle which utilizes a portion of the energy of a firing cartridge to extract the fired cartridge case and chamber the next round, and which requires a separate pull of the trigger to fire each cartridge."

This definition is commonly accepted. *See, e.g.,* Walter, *Rifles of the World* (2d ed. 1998) p. 498 ("[a] semiautomatic firearm "fires once for each pull on the trigger and reloads automatically, but requires the shooter to release the trigger lever before another shot can be fired.")

In contrast, neither federal nor Illinois law specifically define "bolt action" in the context of bolt action rifles, pistols, or shotguns. However, the widely accepted definition of a "bolt action" firearm is a firearm "loaded by means of a manually operated bolt." (Merriam-Webster.com, <https://www.merriam-webster.com/dictionary/bolt-action>.) (last reviewed June 14, 2023). Put another way, after a round is fired by pulling the firearm trigger, the user must manually operate the bolt to extract and eject the spent ammunition casing. The user then pushes the bolt forward loading the next cartridge into the firearm chamber locking the bolt in place before another round can be fired.

KALI KEY OPERATION

Many AR-15 style firearms operate with a direct impingement gas system in order to automatically extract, eject and reload a cartridge into the chamber after firing. The direct impingement system directs gas from a fired cartridge directly into the bolt carrier or slide assembly to cycle the action through a hole in the firearm barrel and a gas tube reaching back into the upper receiver of the firearm.

Once fired, as soon as the bullet passes the gas port in the barrel, part of the hot gas flows into the gas tube towards the bolt carrier group. The gas enters the expansion chamber of the bolt carrier key and exerts pressure pushing the bolt carrier rearward.



The bolt carrier continues to move backwards due to inertia, and the cam slot milled into its top side acts on the bolt lug, forcing the bolt to rotate into its unlocked position. By this time, the bullet has left the barrel and pressure has dropped to safe levels. As the bolt carrier continues its rearward movement due to inertia, the bolt is pulled back from the breech, the spent case extracted and ejected. The recoil spring, which has been compressed by the bolt carrier group, pushes the bolt carrier forward again, stripping a fresh cartridge from the magazine, chambering it and, through interaction of the cam slot and bolt lug, the bolt is rotated into locked position again.

The Kali Key is specifically engineered to modify direct impingement AR-15 style firearms by converting the semi-automatic charging handle and gas key to a bolt-action system. To install the Kali Key on a standard semi-automatic bolt carrier group (BCG), start by detaching the semi-automatic gas key. This is done by unscrewing the two screws that fasten it to the BCG. With that component removed, you can now attach the Kali Key which comes with its own unique and patented “gas key.” Secure this to the BCG using the screws supplied with the Kali Key. These screws are designed to pass through the holes on the Kali Key’s “gas key” and screw into the BCG, in the same location where the original gas key was attached. Lastly, attach the Kali Key charging handle to the Kali Key “gas key” to complete the installation. The Kali Key alters the functioning of direct impingement AR-15 style firearms by making it impossible for gases from the gas tube to enter the expansion chamber. Instead, the Kali Key diverts all gases away from the rifle via the ejection port. As a result, there is no gas pressure to automatically push the bolt carrier group back, which is essential for the semi-automatic functionality of the firearm. When the Kali Key is installed, the firearm's operation changes exclusively to a manual process: After firing a round, the shooter must manually pull back on the Kali Key. This action extracts and ejects the spent casing. The shooter must then manually release or push the Kali Key forward. This manually loads the next cartridge into the chamber, making the firearm ready to fire again.

CONCLUSION

Based on the above definitions, the Kali Key converts all AR-15 style rifles and pistols from semiautomatic firearms to *straight pull bolt action firearms*, removing such firearms from the Illinois assault weapon regulations per 720 ILCS 5/24-1.9(a)(2). This removal from the assault weapon definition should apply regardless of whether the firearm is categorized as an assault weapon due to its features in 720 ILCS 5/24-1.9(a)(1)(A), or whether the firearm is specifically listed as an assault weapon in the statute per 720 ILCS 5/24-1.9(a)(1)(J).



KALI KEY POTENTIAL BENEFITS:

- **No Registration Requirement:** If an Illinois resident lawfully owns an assault weapon as of January 10, 2023, that firearm may be kept so long as it is registered by January 1, 2024. The installation of the Kali Key, removing the firearm from the definition of an assault weapon, should remove the registration requirement.
 - Under the Illinois law, only assault weapons owned as of the effective date of PICA – January 10, 2023, are allowed to be owned in Illinois by that particular end user. These assault weapons must be registered.
- **Legal Transfers:** If an Illinois resident lawfully owns an assault weapon as of January 10, 2023, that firearm may continue to be personally possessed, but cannot be transferred to another end user in Illinois. The installation of the Kali Key, removing the firearm from the definition of an assault weapon, should remove that restriction and the firearm may now be transferred, but note that the new owner cannot lawfully remove the Kali Key and convert the firearm back into a semiautomatic weapon.
 - Under the Illinois law, a firearm this is classified as an assault weapon by the State cannot be lawfully transferred to another end user in Illinois (there are exceptions such as law enforcement, but for this opinion they are inapplicable).
- **Purchasing New Firearms:** An assault weapon can no longer be purchased in Illinois, *even one that the end user immediately intends to convert with a Kali Key*. However, if the purchaser is able to have the Kali Key installed *before* legally purchasing and taking possession of the firearm, then the end user would not be purchasing/receiving a prohibited firearm. Therefore, the Illinois purchaser/end user *must* arrange to have the Kali Key permanently installed in the firearm before the purchaser/end user receives the firearm in Illinois.
- **FFL Manufacturing and Conversions:** A Type 07 FFL (Manufacturer of Firearms Other Than Destructive Devices) may use the Kali Key to manufacture a new bolt-action AR-15 style firearm for sale within the State of Illinois so long as the firearm originates as a bolt-action firearm via the use of a Kali Key that is permanently affixed to the firearm's BCG. An FFL may also modify its current/existing inventory of semi-automatic direct impingement AR-15 style firearms into bolt action firearms for sale within the State of Illinois so long as that current/existing inventory was purchased legally prior to January 10, 2023.



DISCLAIMER

The Kali Key creator, manufacturer, seller, and attorney retained to author this legal opinion are not responsible to any purchaser or end user with regard to their understanding or interpretation of the current Illinois gun-related laws and regulations, nor is it responsible or liable in any way for any personal injury, death, or property damage from any use of the Kali Key, including but not limited to the inaccurate assembly, misuse, illegal use, or modification of such product. Each purchaser and end user assumes the risk associated with the use or misuse of such product; and further assumes the responsibility to abide by all federal, state, and local laws. All such products are sold on the condition that the Kali Key creator, manufacturer, or seller shall not be liable in any action for the arrest, accident, death, or injury in connection with the transportation, handling, storage, sale, or use of such product. Please consult your federal, state, and local laws and regulations before purchasing such product. By purchasing, any purchaser or end user represents and warrants that such product will be used in a lawful manner and that he or she is of legal age and capacity.

It is highly recommended that the installation of the Kali Key be done with the use of permanent threadlocker, or other permanent sealant so that upon inspection the Kali Key is a permanent feature on the BCG. Note that Illinois prohibits “[a]ny part or combination of parts designed or intended to convert a firearm into an assault weapon, including any combination of parts from which an assault weapon may be readily assembled if those parts are in the possession or under the control of the same person.” 720 ILCS 5/24-1.9(a)(1)(I). And, also that Illinois law prohibits “any firearm that has been modified to be operable as an assault weapon” (720 ILCS 5/24-1.9(a)(1)(H)) which includes a semi-automatic firearm modified into a bolt-action firearm with a Kali Key which is then modified back into a semi-automatic firearm. Therefore, even with a Kali Key installed into the firearm and permanently affixed to the BCG, the end user or FFL (*i.e.*, Type 07 manufacturer) should not retain control of parts (like a semi-automatic BCG or semi-automatic gas key) that could convert the firearm into a semi-automatic firearm. Further, when the Kali Key is installed as part of a conversion, it is highly recommended that the original semi-automatic BCG or semi-automatic gas key be destroyed or otherwise lawfully disposed of.

Finally, though (1) each Kali Key is conspicuously engraved with the words “Kali Key Bolt Action AR,” (2) visual inspection of the Kali Key’s “gas key” makes it readily apparent that the firearm does not have the necessary parts for semi-automatic functionality, and (3) Kali Key’s bolt action functionality has a large, demonstrable presence on the internet for anyone to readily examine, neither Kali Key nor the attorney retained to author this legal opinion can guarantee that every law enforcement official will be as knowledgeable about firearms and the Kali Key as you, and Kali Key and the attorney retained to author this legal opinion are not responsible for



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any resulting legal or law enforcement interactions, especially given the uncertainty and newness of the Illinois assault weapon law.

Very truly yours,

David G. Sigale