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**SUPPLEMENTAL LEGAL OPINION – POTENTIAL BENEFITS OF KALI KEY IN ILLINOIS AFTER THE  
JANUARY 1, 2024, REGISTRATION DEADLINE**

**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 TO UNDERSTAND WHETHER INSTALLING THE KALI KEY WILL SUIT YOUR REQUIREMENTS.***

As a supplement to this author's original Opinion Letter, viewable on the Kali Key website, this letter is to address **the issue of persons who currently possess AR-15 style firearms in Illinois but did not and have not registered them with the Illinois State Police despite the January 1, 2024 deadline requiring them to do so.** Specifically, the question has arisen on the effect of installing a Kali Key on said firearms in such a situation.

**CURRENT ILLINOIS LAW**

An Illinois firearm owner of a covered "assault weapon," including an AR-15, if owned prior to January 10, 2023 (barring certain other exceptions such as inheritance) was required to register them on the Illinois State Police website on the FOID card portal. See 720 ILCS 5/24-1.9(d). If the firearm owner did not do so, then according to Illinois law, serious potential criminal penalties could result. Please see the original Opinion Letter, viewable on the Kali Key website, for more information. As an attorney, this author cannot and does not advise any action that violates Illinois law, including failure to register such firearms.

It is anecdotally common knowledge there are some that are deliberately disobeying the law as a form of protest. Though exact numbers are not available, it is also anecdotally widely-known



that only a small percentage of “assault weapon” owners have complied with the law. It is further known that enforcement of this requirement by the authorities may be dependent in part on geography within the State. However, while there are ongoing legal challenges to the PICA law, at this time PICA is still in force with serious potential criminal penalties as a possible result for failure to comply.

### **WHAT IF THE FIREARM OWNER DID NOT REGISTER IN TIME?**

But this comes to the question – the answer to which can only be speculated at this point: If I did not register on time, should I do so now, when that means I am all but *admitting* I did not register on time. The PICA statute has a “willfulness” requirement built into it. However, it would be difficult to claim one failed to register due to confusion regarding an AR-platform firearm as all semi-automatic AR-style firearms are specifically listed. Further, the Illinois State Police has stated that it is not interested in arresting late-filers; they are more interested in obtaining compliance and therefore leaving the registration window open. But this stated policy conflicts with what is written in the law. Nowhere within the text of the law as written allows the ISP to extend the registration deadline, thereby potentially creating exposure to those who register after the January 1, 2024, deadline. So, what is to be done? As a general rule, this author must recommend compliance with the law, even if late, rather than potentially being found by the police to be in non-compliance with a covered firearm.

However, what if there was a situation where there was a firearm that was covered under the PICA law and was unregistered, but then the owner made it so that the person no longer owned an “assault weapon” in Illinois? Examples are storing it out of state, selling it to someone out of state, destroying it, or potentially removing it from the definition of an “assault weapon” in compliance with the exclusionary clauses per section 710 ILCS 5/24-1.9(a)(2) of the PICA law. Now, that person *did* own a covered firearm that was unregistered, but now doesn't. The police could potentially make a hassle about the time period between January 1, 2024, and now, but it is unlikely they would bother if the “assault weapon” no longer exists in Illinois.

This author concludes that installing the Kali Key and thereby removing the firearm from the definition of an “assault weapon” would serve this function. A covered firearm that is converted to a non-covered bolt-action rifle (under the parameters recommended in the original Opinion Letter and in the Disclaimer below) ceases to be a covered “assault weapon” under the Illinois PICA law. Therefore, while there *may* have been a firearm in existence which fell under the PICA statute, that firearm (in its banned form) no longer exists. While that firearm *should* have been registered in its original form as of January 1, 2024, the fact the firearm no longer is an “assault weapon” would hopefully take all the wind out of law enforcement's sails.



## **CONCLUSION**

If the reader owns an AR-15 he/she is lawfully allowed to possess under the Illinois PICA law, but has not complied with the registration requirement, one potential solution to that non-compliance is to install the Kali Key and convert the AR-15 from a semiautomatic firearm to a straight pull bolt action firearm. If the firearm is no longer covered by the law, there is nothing to register. And while it is speculatively possible that the owner may face scrutiny for the time period between the registration deadline of January 1, 2024, and the time the Kali-Key is installed, this author would hope that law enforcement would see the pointlessness of such activity.

## **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



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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 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