



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2055

Introduced 2/10/2017, by Sen. Chapin Rose

SYNOPSIS AS INTRODUCED:

430 ILCS 66/10
430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Provides that a valid license to carry a concealed weapon or firearm issued to a resident of this State by the State of Florida shall permit the licensee to carry a loaded or unloaded concealed firearm, fully concealed or partially concealed, on or about his or her person; and keep or carry a loaded or unloaded concealed firearm on or about his or her person within a vehicle. Provides that a resident of this State possessing a valid license to carry a concealed weapon or firearm issued by the State of Florida may carry a loaded or unloaded concealed firearm in Illinois in accordance with the State of Florida's restrictions.

LRB100 09855 SLF 20025 b

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Firearm Concealed Carry Act is amended by
5 changing Section 10 and 65 as follows:

6 (430 ILCS 66/10)

7 Sec. 10. Issuance of licenses to carry a concealed firearm.

8 (a) The Department shall issue a license to carry a
9 concealed firearm under this Act to an applicant who:

10 (1) meets the qualifications of Section 25 of this Act;

11 (2) has provided the application and documentation
12 required in Section 30 of this Act;

13 (3) has submitted the requisite fees; and

14 (4) does not pose a danger to himself, herself, or
15 others, or a threat to public safety as determined by the
16 Concealed Carry Licensing Review Board in accordance with
17 Section 20.

18 (b) The Department shall issue a renewal, corrected, or
19 duplicate license as provided in this Act.

20 (c) A license shall be valid throughout the State for a
21 period of 5 years from the date of issuance. A license issued
22 by the Department under this Act or a valid license to carry a
23 concealed weapon or firearm issued to a resident of this State

1 by the State of Florida shall permit the licensee to:

2 (1) carry a loaded or unloaded concealed firearm, fully
3 concealed or partially concealed, on or about his or her
4 person; and

5 (2) keep or carry a loaded or unloaded concealed
6 firearm on or about his or her person within a vehicle.

7 (d) The Department shall make applications for a license
8 available no later than 180 days after the effective date of
9 this Act. The Department shall establish rules for the
10 availability and submission of applications in accordance with
11 this Act.

12 (e) An application for a license submitted to the
13 Department that contains all the information and materials
14 required by this Act, including the requisite fee, shall be
15 deemed completed. Except as otherwise provided in this Act, no
16 later than 90 days after receipt of a completed application,
17 the Department shall issue or deny the applicant a license.

18 (f) The Department shall deny the applicant a license if
19 the applicant fails to meet the requirements under this Act or
20 the Department receives a determination from the Board that the
21 applicant is ineligible for a license. The Department must
22 notify the applicant stating the grounds for the denial. The
23 notice of denial must inform the applicant of his or her right
24 to an appeal through administrative and judicial review.

25 (g) A licensee shall possess a license at all times the
26 licensee carries a concealed firearm except:

1 (1) when the licensee is carrying or possessing a
2 concealed firearm on his or her land or in his or her
3 abode, legal dwelling, or fixed place of business, or on
4 the land or in the legal dwelling of another person as an
5 invitee with that person's permission;

6 (2) when the person is authorized to carry a firearm
7 under Section 24-2 of the Criminal Code of 2012, except
8 subsection (a-5) of that Section; or

9 (3) when the handgun is broken down in a
10 non-functioning state, is not immediately accessible, or
11 is unloaded and enclosed in a case.

12 (h) If an officer of a law enforcement agency initiates an
13 investigative stop, including but not limited to a traffic
14 stop, of a licensee or a non-resident carrying a concealed
15 firearm under subsection (e) of Section 40 of this Act, upon
16 the request of the officer the licensee or non-resident shall
17 disclose to the officer that he or she is in possession of a
18 concealed firearm under this Act, or present the license upon
19 the request of the officer if he or she is a licensee or
20 present upon the request of the officer evidence under
21 paragraph (2) of subsection (e) of Section 40 of this Act that
22 he or she is a non-resident qualified to carry under that
23 subsection. The disclosure requirement under this subsection
24 (h) is satisfied if the licensee presents his or her license to
25 the officer or the non-resident presents to the officer
26 evidence under paragraph (2) of subsection (e) of Section 40 of

1 this Act that he or she is qualified to carry under that
2 subsection. Upon the request of the officer, the licensee or
3 non-resident shall also identify the location of the concealed
4 firearm and permit the officer to safely secure the firearm for
5 the duration of the investigative stop. During a traffic stop,
6 any passenger within the vehicle who is a licensee or a
7 non-resident carrying under subsection (e) of Section 40 of
8 this Act must comply with the requirements of this subsection
9 (h).

10 (h-1) If a licensee carrying a firearm or a non-resident
11 carrying a firearm in a vehicle under subsection (e) of Section
12 40 of this Act is contacted by a law enforcement officer or
13 emergency services personnel, the law enforcement officer or
14 emergency services personnel may secure the firearm or direct
15 that it be secured during the duration of the contact if the
16 law enforcement officer or emergency services personnel
17 determines that it is necessary for the safety of any person
18 present, including the law enforcement officer or emergency
19 services personnel. The licensee or nonresident shall submit to
20 the order to secure the firearm. When the law enforcement
21 officer or emergency services personnel have determined that
22 the licensee or non-resident is not a threat to the safety of
23 any person present, including the law enforcement officer or
24 emergency services personnel, and if the licensee or
25 non-resident is physically and mentally capable of possessing
26 the firearm, the law enforcement officer or emergency services

1 personnel shall return the firearm to the licensee or
2 non-resident before releasing him or her from the scene and
3 breaking contact. If the licensee or non-resident is
4 transported for treatment to another location, the firearm
5 shall be turned over to any peace officer. The peace officer
6 shall provide a receipt which includes the make, model,
7 caliber, and serial number of the firearm.

8 (i) The Department shall maintain a database of license
9 applicants and licensees. The database shall be available to
10 all federal, State, and local law enforcement agencies, State's
11 Attorneys, the Attorney General, and authorized court
12 personnel. Within 180 days after the effective date of this
13 Act, the database shall be searchable and provide all
14 information included in the application, including the
15 applicant's previous addresses within the 10 years prior to the
16 license application and any information related to violations
17 of this Act. No law enforcement agency, State's Attorney,
18 Attorney General, or member or staff of the judiciary shall
19 provide any information to a requester who is not entitled to
20 it by law.

21 (j) No later than 10 days after receipt of a completed
22 application, the Department shall enter the relevant
23 information about the applicant into the database under
24 subsection (i) of this Section which is accessible by law
25 enforcement agencies.

26 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; 99-29,

1 eff. 7-10-15.)

2 (430 ILCS 66/65)

3 Sec. 65. Prohibited areas.

4 (a) A licensee under this Act shall not knowingly carry a
5 firearm on or into:

6 (1) Any building, real property, and parking area under
7 the control of a public or private elementary or secondary
8 school.

9 (2) Any building, real property, and parking area under
10 the control of a pre-school or child care facility,
11 including any room or portion of a building under the
12 control of a pre-school or child care facility. Nothing in
13 this paragraph shall prevent the operator of a child care
14 facility in a family home from owning or possessing a
15 firearm in the home or license under this Act, if no child
16 under child care at the home is present in the home or the
17 firearm in the home is stored in a locked container when a
18 child under child care at the home is present in the home.

19 (3) Any building, parking area, or portion of a
20 building under the control of an officer of the executive
21 or legislative branch of government, provided that nothing
22 in this paragraph shall prohibit a licensee from carrying a
23 concealed firearm onto the real property, bikeway, or trail
24 in a park regulated by the Department of Natural Resources
25 or any other designated public hunting area or building

1 where firearm possession is permitted as established by the
2 Department of Natural Resources under Section 1.8 of the
3 Wildlife Code.

4 (4) Any building designated for matters before a
5 circuit court, appellate court, or the Supreme Court, or
6 any building or portion of a building under the control of
7 the Supreme Court.

8 (5) Any building or portion of a building under the
9 control of a unit of local government.

10 (6) Any building, real property, and parking area under
11 the control of an adult or juvenile detention or
12 correctional institution, prison, or jail.

13 (7) Any building, real property, and parking area under
14 the control of a public or private hospital or hospital
15 affiliate, mental health facility, or nursing home.

16 (8) Any bus, train, or form of transportation paid for
17 in whole or in part with public funds, and any building,
18 real property, and parking area under the control of a
19 public transportation facility paid for in whole or in part
20 with public funds.

21 (9) Any building, real property, and parking area under
22 the control of an establishment that serves alcohol on its
23 premises, if more than 50% of the establishment's gross
24 receipts within the prior 3 months is from the sale of
25 alcohol. The owner of an establishment who knowingly fails
26 to prohibit concealed firearms on its premises as provided

1 in this paragraph or who knowingly makes a false statement
2 or record to avoid the prohibition on concealed firearms
3 under this paragraph is subject to the penalty under
4 subsection (c-5) of Section 10-1 of the Liquor Control Act
5 of 1934.

6 (10) Any public gathering or special event conducted on
7 property open to the public that requires the issuance of a
8 permit from the unit of local government, provided this
9 prohibition shall not apply to a licensee who must walk
10 through a public gathering in order to access his or her
11 residence, place of business, or vehicle.

12 (11) Any building or real property that has been issued
13 a Special Event Retailer's license as defined in Section
14 1-3.17.1 of the Liquor Control Act during the time
15 designated for the sale of alcohol by the Special Event
16 Retailer's license, or a Special use permit license as
17 defined in subsection (q) of Section 5-1 of the Liquor
18 Control Act during the time designated for the sale of
19 alcohol by the Special use permit license.

20 (12) Any public playground.

21 (13) Any public park, athletic area, or athletic
22 facility under the control of a municipality or park
23 district, provided nothing in this Section shall prohibit a
24 licensee from carrying a concealed firearm while on a trail
25 or bikeway if only a portion of the trail or bikeway
26 includes a public park.

1 (14) Any real property under the control of the Cook
2 County Forest Preserve District.

3 (15) Any building, classroom, laboratory, medical
4 clinic, hospital, artistic venue, athletic venue,
5 entertainment venue, officially recognized
6 university-related organization property, whether owned or
7 leased, and any real property, including parking areas,
8 sidewalks, and common areas under the control of a public
9 or private community college, college, or university.

10 (16) Any building, real property, or parking area under
11 the control of a gaming facility licensed under the
12 Riverboat Gambling Act or the Illinois Horse Racing Act of
13 1975, including an inter-track wagering location licensee.

14 (17) Any stadium, arena, or the real property or
15 parking area under the control of a stadium, arena, or any
16 collegiate or professional sporting event.

17 (18) Any building, real property, or parking area under
18 the control of a public library.

19 (19) Any building, real property, or parking area under
20 the control of an airport.

21 (20) Any building, real property, or parking area under
22 the control of an amusement park.

23 (21) Any building, real property, or parking area under
24 the control of a zoo or museum.

25 (22) Any street, driveway, parking area, property,
26 building, or facility, owned, leased, controlled, or used

1 by a nuclear energy, storage, weapons, or development site
2 or facility regulated by the federal Nuclear Regulatory
3 Commission. The licensee shall not under any circumstance
4 store a firearm or ammunition in his or her vehicle or in a
5 compartment or container within a vehicle located anywhere
6 in or on the street, driveway, parking area, property,
7 building, or facility described in this paragraph.

8 (23) Any area where firearms are prohibited under
9 federal law.

10 (a-5) Nothing in this Act shall prohibit a public or
11 private community college, college, or university from:

12 (1) prohibiting persons from carrying a firearm within
13 a vehicle owned, leased, or controlled by the college or
14 university;

15 (2) developing resolutions, regulations, or policies
16 regarding student, employee, or visitor misconduct and
17 discipline, including suspension and expulsion;

18 (3) developing resolutions, regulations, or policies
19 regarding the storage or maintenance of firearms, which
20 must include designated areas where persons can park
21 vehicles that carry firearms; and

22 (4) permitting the carrying or use of firearms for the
23 purpose of instruction and curriculum of officially
24 recognized programs, including but not limited to military
25 science and law enforcement training programs, or in any
26 designated area used for hunting purposes or target

1 shooting.

2 (a-10) The owner of private real property of any type may
3 prohibit the carrying of concealed firearms on the property
4 under his or her control. The owner must post a sign in
5 accordance with subsection (d) of this Section indicating that
6 firearms are prohibited on the property, unless the property is
7 a private residence.

8 (a-15) A resident of this State possessing a valid license
9 to carry a concealed weapon or firearm issued by the State of
10 Florida may carry a loaded or unloaded concealed firearm in
11 Illinois in accordance with the State of Florida's
12 restrictions.

13 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
14 this Section except under paragraph (22) or (23) of subsection
15 (a), any licensee prohibited from carrying a concealed firearm
16 into the parking area of a prohibited location specified in
17 subsection (a), (a-5), or (a-10) of this Section shall be
18 permitted to carry a concealed firearm on or about his or her
19 person within a vehicle into the parking area and may store a
20 firearm or ammunition concealed in a case within a locked
21 vehicle or locked container out of plain view within the
22 vehicle in the parking area. A licensee may carry a concealed
23 firearm in the immediate area surrounding his or her vehicle
24 within a prohibited parking lot area only for the limited
25 purpose of storing or retrieving a firearm within the vehicle's
26 trunk. For purposes of this subsection, "case" includes a glove

1 compartment or console that completely encloses the concealed
2 firearm or ammunition, the trunk of the vehicle, or a firearm
3 carrying box, shipping box, or other container.

4 (c) A licensee shall not be in violation of this Section
5 while he or she is traveling along a public right of way that
6 touches or crosses any of the premises under subsection (a),
7 (a-5), or (a-10) of this Section if the concealed firearm is
8 carried on his or her person in accordance with the provisions
9 of this Act or is being transported in a vehicle by the
10 licensee in accordance with all other applicable provisions of
11 law.

12 (d) Signs stating that the carrying of firearms is
13 prohibited shall be clearly and conspicuously posted at the
14 entrance of a building, premises, or real property specified in
15 this Section as a prohibited area, unless the building or
16 premises is a private residence. Signs shall be of a uniform
17 design as established by the Department and shall be 4 inches
18 by 6 inches in size. The Department shall adopt rules for
19 standardized signs to be used under this subsection.

20 (Source: P.A. 98-63, eff. 7-9-13; 99-29, eff. 7-10-15.)