

HB4517



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4517

by Rep. Kenneth Dunkin

SYNOPSIS AS INTRODUCED:

430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Provides that a concealed carry licensee under the Act shall not knowingly carry a firearm on or into any building, real property, and parking area under the control of a restaurant. Defines "restaurant".

LRB098 19097 RLC 54247 b

A BILL FOR

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 65 as follows:

6 (430 ILCS 66/65)

7 Sec. 65. Prohibited areas.

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

10 (1) Any building, real property, and parking area under
11 the control of a public or private elementary or secondary
12 school.

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

23 (3) Any building, parking area, or portion of a

1 building under the control of an officer of the executive
2 or legislative branch of government, provided that nothing
3 in this paragraph shall prohibit a licensee from carrying a
4 concealed firearm onto the real property, bikeway, or trail
5 in a park regulated by the Department of Natural Resources
6 or any other designated public hunting area or building
7 where firearm possession is permitted as established by the
8 Department of Natural Resources under Section 1.8 of the
9 Wildlife Code.

10 (4) Any building designated for matters before a
11 circuit court, appellate court, or the Supreme Court, or
12 any building or portion of a building under the control of
13 the Supreme Court.

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

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

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

22 (8) Any bus, train, or form of transportation paid for
23 in whole or in part with public funds, and any building,
24 real property, and parking area under the control of a
25 public transportation facility paid for in whole or in part
26 with public funds.

1 (9) Any building, real property, and parking area under
2 the control of an establishment that serves alcohol on its
3 premises, if more than 50% of the establishment's gross
4 receipts within the prior 3 months is from the sale of
5 alcohol. The owner of an establishment who knowingly fails
6 to prohibit concealed firearms on its premises as provided
7 in this paragraph or who knowingly makes a false statement
8 or record to avoid the prohibition on concealed firearms
9 under this paragraph is subject to the penalty under
10 subsection (c-5) of Section 10-1 of the Liquor Control Act
11 of 1934.

12 (9.5) Any building, real property, and parking area
13 under the control of a restaurant. As used in this
14 paragraph (9.5), "restaurant" means: (A) an eating
15 establishment, including, but not limited to, a coffee
16 shop, cafeteria, and a sandwich stand that gives or offers
17 for sale food to the public, guests, or employees, and (B)
18 a kitchen or catering facility in which food is prepared on
19 the premises for serving elsewhere. "Restaurant" includes
20 a bar area within the restaurant.

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

1 (11) Any building or real property that has been issued
2 a Special Event Retailer's license as defined in Section
3 1-3.17.1 of the Liquor Control Act during the time
4 designated for the sale of alcohol by the Special Event
5 Retailer's license, or a Special use permit license as
6 defined in subsection (q) of Section 5-1 of the Liquor
7 Control Act during the time designated for the sale of
8 alcohol by the Special use permit license.

9 (12) Any public playground.

10 (13) Any public park, athletic area, or athletic
11 facility under the control of a municipality or park
12 district, provided nothing in this Section shall prohibit a
13 licensee from carrying a concealed firearm while on a trail
14 or bikeway if only a portion of the trail or bikeway
15 includes a public park.

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

18 (15) Any building, classroom, laboratory, medical
19 clinic, hospital, artistic venue, athletic venue,
20 entertainment venue, officially recognized
21 university-related organization property, whether owned or
22 leased, and any real property, including parking areas,
23 sidewalks, and common areas under the control of a public
24 or private community college, college, or university.

25 (16) Any building, real property, or parking area under
26 the control of a gaming facility licensed under the

1 Riverboat Gambling Act or the Illinois Horse Racing Act of
2 1975, including an inter-track wagering location licensee.

3 (17) Any stadium, arena, or the real property or
4 parking area under the control of a stadium, arena, or any
5 collegiate or professional sporting event.

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

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

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

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

14 (22) Any street, driveway, parking area, property,
15 building, or facility, owned, leased, controlled, or used
16 by a nuclear energy, storage, weapons, or development site
17 or facility regulated by the federal Nuclear Regulatory
18 Commission. The licensee shall not under any circumstance
19 store a firearm or ammunition in his or her vehicle or in a
20 compartment or container within a vehicle located anywhere
21 in or on the street, driveway, parking area, property,
22 building, or facility described in this paragraph.

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

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

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

4 (2) developing resolutions, regulations, or policies
5 regarding student, employee, or visitor misconduct and
6 discipline, including suspension and expulsion;

7 (3) developing resolutions, regulations, or policies
8 regarding the storage or maintenance of firearms, which
9 must include designated areas where persons can park
10 vehicles that carry firearms; and

11 (4) permitting the carrying or use of firearms for the
12 purpose of instruction and curriculum of officially
13 recognized programs, including but not limited to military
14 science and law enforcement training programs, or in any
15 designated area used for hunting purposes or target
16 shooting.

17 (a-10) The owner of private real property of any type may
18 prohibit the carrying of concealed firearms on the property
19 under his or her control. The owner must post a sign in
20 accordance with subsection (d) of this Section indicating that
21 firearms are prohibited on the property, unless the property is
22 a private residence.

23 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
24 this Section except under paragraph (22) or (23) of subsection
25 (a), any licensee prohibited from carrying a concealed firearm
26 into the parking area of a prohibited location specified in

1 subsection (a), (a-5), or (a-10) of this Section shall be
2 permitted to carry a concealed firearm on or about his or her
3 person within a vehicle into the parking area and may store a
4 firearm or ammunition concealed in a case within a locked
5 vehicle or locked container out of plain view within the
6 vehicle in the parking area. A licensee may carry a concealed
7 firearm in the immediate area surrounding his or her vehicle
8 within a prohibited parking lot area only for the limited
9 purpose of storing or retrieving a firearm within the vehicle's
10 trunk, provided the licensee ensures the concealed firearm is
11 unloaded prior to exiting the vehicle. For purposes of this
12 subsection, "case" includes a glove compartment or console that
13 completely encloses the concealed firearm or ammunition, the
14 trunk of the vehicle, or a firearm carrying box, shipping box,
15 or other container.

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

24 (d) Signs stating that the carrying of firearms is
25 prohibited shall be clearly and conspicuously posted at the
26 entrance of a building, premises, or real property specified in

1 this Section as a prohibited area, unless the building or
2 premises is a private residence. Signs shall be of a uniform
3 design as established by the Department and shall be 4 inches
4 by 6 inches in size. The Department shall adopt rules for
5 standardized signs to be used under this subsection.

6 (Source: P.A. 98-63, eff. 7-9-13.)