



Rep. Kelly M. Cassidy

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1 AMENDMENT TO HOUSE BILL 831

2 AMENDMENT NO. _____. Amend House Bill 831 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Guns
5 In Public Act.

6 Section 5. Legislative findings; purpose and intent. The
7 General Assembly hereby finds and declares:

8 (a) Gun violence takes an extraordinary toll on families
9 and communities in Illinois. In 2010, over 1,000 individuals
10 died from firearm-related injuries in Illinois. In that same
11 year, incidents of gun murders, gun suicides, and unintentional
12 shootings in Illinois killed 142 children and adolescents ages
13 19 and younger.

14 (b) Firearms carried or possessed in public places increase
15 the risk of deaths and injuries by increasing the chances that
16 firearms will be used to settle disputes, and by increasing the

1 risk of an accidental shooting at a place where large numbers
2 of people are gathered. The carrying or possession of firearms
3 in public places also increases the risk that those firearms
4 will be lost or stolen, and end up in the hands of criminals or
5 other persons ineligible to possess firearms.

6 (c) Flawed application processes in existing state systems
7 for licensing individuals to carry concealed weapons ("CCW
8 laws") have allowed numerous persons prohibited from
9 possessing firearms to receive CCW permits. Analyses have found
10 that numerous criminals (including rapists, armed robbers,
11 individuals who had pleaded guilty or no contest to felonies,
12 individuals with outstanding warrants, people with active
13 domestic violence injunctions against them, and 6 registered
14 sex offenders) had been issued CCW licenses under other states'
15 permissive laws.

16 (d) Research has shown that individuals issued CCW permits
17 include not only people who have committed violent crimes in
18 the past, but also those who subsequently commit violent
19 crimes. One study found that Texas CCW permit holders were
20 arrested for weapons-related crimes at a rate 81% higher than
21 that of the state's general adult population. According to the
22 Violence Policy Center (VPC), between May 2007 and November
23 2012, individuals licensed to carry concealed weapons ("CCW
24 permit holders") killed at least 14 law enforcement officers
25 and 485 private citizens (including 35 shooters who killed
26 themselves after an attack).

1 (e) On December 11, 2012, the Seventh Circuit Court of
2 Appeals in *Moore v. Madigan*, upheld a challenge to the Illinois
3 law prohibiting the carrying of handguns, either openly or
4 concealed in public places. The Seventh Circuit reversed and
5 remanded the lower court's dismissal of the challenge but
6 stayed the mandate for 180 days to allow the General Assembly
7 to remedy the violation by enacting a new law. *Moore v.*
8 *Madigan*, 702 F.3d 933 (7th Cir. Ill. 2012).

9 (f) The Seventh Circuit's opinion in *Moore* suggested that
10 Illinois adopt a discretionary concealed carry licensing law.
11 The court explained that since Illinois "is not a state with a
12 strong pro-gun culture, unlike the states that began allowing
13 concealed carriage before *Heller* and *MacDonald* [sic] enlarged
14 the scope of Second Amendment rights", a discretionary law
15 would be more appropriate for Illinois than a law with only
16 "minimal permit restrictions on carriage of guns outside the
17 home". (emphasis in original). Additionally, the court
18 endorsed a requirement that concealed carry licensing
19 applicants demonstrate that they have experience using, and can
20 safely handle, a firearm. The court also spoke approvingly of
21 state legislation that would allow private property owners to
22 prohibit firearms, including concealed weapons, on their
23 property.

24 (g) On March 21, 2013, the Fourth Circuit Court of Appeals,
25 in *Woollard v. Gallagher*, upheld Maryland's law restricting the
26 carrying of firearms in public. Under Maryland's law, in order

1 to obtain a permit to carry a handgun in public, a person must
2 demonstrate "a good and substantial reason to wear, carry, or
3 transport a handgun, such as a finding that the permit is
4 necessary as a reasonable precaution against apprehended
5 danger." The Fourth Circuit held that this requirement does not
6 violate the Second Amendment. *Woollard v. Gallagher*, 2013 U.S.
7 App. LEXIS 5617 (4th Cir. Md. 2013).

8 (h) The Seventh Circuit's opinion in *Moore* favorably cited
9 *Kachalsky v. County of Westchester*, 701 F.3d 81 (2d Cir. N.Y.
10 2012), a recent opinion of the Second Circuit Court of Appeals,
11 which upheld New York's law restricting the carrying of
12 firearms in public. New York's law gives the local issuing
13 authority considerable discretion in deciding whether to issue
14 a license, and has been interpreted to require an applicant for
15 an unrestricted license to demonstrate "a special need for
16 self-protection distinguishable from that of the general
17 community". By favorably citing the Second Circuit's opinion in
18 *Kachalsky*, the Seventh Circuit in *Moore* indicated that it
19 agreed that New York's requirements are consistent with the
20 Second Amendment.

21 (i) It is the purpose and intent of the General Assembly to
22 restrict the carrying of firearms in public places in the State
23 in compliance with the Seventh Circuit's opinion in *Moore*. The
24 General Assembly further believes it is necessary to restrict
25 the carrying of firearms in public places to individuals who
26 have demonstrated a particularized need to carry a firearm in

1 public because they are exposed to unusual personal danger,
2 distinct from other members of the community. The General
3 Assembly further believes that individuals who are licensed to
4 carry a concealed firearm in public should first undergo
5 extensive safety training, and a comprehensive background
6 check. The General Assembly believes these restrictions will
7 help to reduce gun deaths and injuries and increase public
8 safety.

9 Section 10. Definitions. As used in this Act:

10 "Applicant" means a person who is applying for a license to
11 carry a concealed firearm under this Act.

12 "Concealed firearm" means a loaded or unloaded handgun
13 carried on or about a person entirely hidden from view of the
14 public, or carried in a vehicle in such a way as it is entirely
15 hidden from view of the public.

16 "Department" means the Department of State Police.

17 "Director" means the Director of State Police.

18 "Handgun" means any device which is designed to expel a
19 projectile or projectiles by the action of an explosion,
20 expansion of gas, or escape of gas that is designed to be held
21 and fired by the use of a single hand. "Handgun" does not
22 include a stun gun or taser.

23 "License" means a license issued by the Department of State
24 Police to carry a loaded or unloaded concealed firearm.

25 "Licensee" means a person issued a license to carry a

1 concealed firearm.

2 "Peace officer" means (1) any person who by virtue of his
3 or her office or public employment is vested by law with a duty
4 to maintain public order or to make arrests for offenses,
5 whether that duty extends to any offenses or is limited to
6 specific offenses, or (2) any person who, by statute, is
7 granted and authorized to exercise powers similar to those
8 conferred upon any peace officer employed by a law enforcement
9 agency of this State.

10 "Particularized need" means that the applicant is exposed
11 to unusual personal danger, distinct from other members of the
12 community.

13 "Superintendent" means the Superintendent of Police for
14 the City of Chicago.

15 Section 15. Issuance of licenses to carry a concealed
16 firearm.

17 (a) A licensee shall possess a license any time the
18 licensee carries a concealed firearm except:

19 (1) if the person is carrying or possessing a concealed
20 firearm and the person is on his or her land or in his or
21 her abode or legal dwelling or in the abode or legal
22 dwelling of another adult as an invitee with that adult's
23 express permission to carry a concealed firearm;

24 (2) if the person is authorized to carry a firearm
25 under Section 24-2 of the Criminal Code of 2012; or

1 (3) the firearm is broken down in a non-functioning
2 state, is not immediately accessible, or is unloaded and
3 enclosed in a firearm case, carrying box, shipping box, or
4 other similar portable container designed for the safe
5 transportation of firearms.

6 (a-5) A licensee shall display the license upon the request
7 of a peace officer or person designated to enforce the
8 provisions of Section 55.

9 (b) The Department shall make applications for a license
10 available no later than 180 days after the date specified in
11 subsection (g). Applications shall be available at Department
12 locations, sheriff offices, Chicago Police Headquarters, on
13 the Department's official website, and any other location
14 designated by the Department.

15 (c) A completed application for a license shall be
16 submitted to the office of the sheriff of the county in which
17 the applicant resides with any accompanying materials and fees,
18 unless the applicant resides in the City of Chicago, in which
19 case the application shall be submitted to the Superintendent
20 of Police. The applicant shall verify the contents of the
21 application by oath or affirmation in writing before an officer
22 authorized by the sheriff or Superintendent. The sheriff or
23 Superintendent shall review the application and shall promptly
24 return an incomplete application to the applicant. Each
25 applicant for a license or renewal of a license under this Act
26 shall pay at the time of application a fee to the Department in

1 an amount set by the Department, and a fee to the sheriff or
2 Superintendent in an amount set by the sheriff or
3 Superintendent.

4 (d) A sheriff or the Superintendent may submit a
5 recommendation for approval of an application to the
6 Department, if the applicant is an eligible individual under
7 Section 20 who has sufficiently demonstrated, in the judgment
8 of the sheriff or Superintendent, that:

9 (1) he or she has a particularized need for the
10 license;

11 (2) he or she is a responsible person; and

12 (3) the issuance of a license is in the public's
13 interest.

14 If the application is approved, the sheriff or
15 Superintendent shall submit the application, any accompanying
16 materials, and the application fee to the Department within 30
17 days of receipt, unless good cause exists to extend this time
18 period. Upon request of a municipal law enforcement agency, the
19 sheriff shall notify the department of the name, address, and
20 date of birth of any person submitting an application for a
21 license. The municipal police department may submit to the
22 sheriff information deemed to be relevant to the application,
23 and the sheriff may consider the information when determining
24 whether to submit an objection. If the applicant is found by a
25 sheriff or Superintendent to be ineligible, the sheriff or
26 Superintendent shall deny the application and notify the

1 applicant in writing, stating the grounds for denial. The
2 notice of denial must inform the applicant that he or she may,
3 within 30 days, appeal the denial. Upon receiving an appeal,
4 the sheriff or Superintendent shall reconsider its decision and
5 inform the applicant within 30 days of the result of the
6 reconsideration. If upon reconsideration the sheriff or
7 Superintendent denies the application, the applicant must be
8 informed of the right to administrative review.

9 (e) Once the Department has received a recommendation for
10 approval from the sheriff or Superintendent, the Department
11 shall consider whether the applicant is eligible for a license
12 under Section 20, and whether, in the judgment of the
13 Department, the applicant meets the qualifications of
14 subsection (d) of this Section. The Department may issue a
15 license to an applicant who meets these requirements and has
16 obtained the approval of the sheriff or Superintendent. If the
17 applicant is found by the Department to be ineligible, the
18 Department shall follow the procedures set forth in subsection
19 (d) for reconsideration of the application.

20 (f) The license shall be issued or denied by the Department
21 within 3 months of receipt of a completed application from a
22 sheriff or the Superintendent, unless good cause exists to
23 extend this time period. A license shall be valid throughout
24 the State for a period of 5 years.

25 (g) Notwithstanding the other provisions of this Act, no
26 license shall be issued under this Act unless and until the

1 Department has reported any persons prohibited from possessing
2 a firearm to the National Instant Criminal Background Check
3 System, Denied Persons Files, in accordance with Public Act
4 95-564.

5 (h) Fees authorized by this Act shall be set in amounts
6 sufficient to cover the costs of administering and enforcing
7 this Act, and may be increased at any time as necessary to
8 cover these costs.

9 (i) The Department shall adopt rules to implement the
10 provisions of this Section.

11 Section 20. Eligibility of an applicant for a license. The
12 Department shall not issue a license to an applicant completing
13 an application in accordance with Section 25 of this Act unless
14 the person has demonstrated that he or she:

15 (1) is at least 21 years of age;

16 (2) has a valid Firearm Owner's Identification Card;

17 (3) has been a resident of this State for at least the
18 previous 30 days;

19 (4) has not, in this State or any other state, been
20 convicted of, pled guilty to, or entered a plea of nolo
21 contendere for: (A) a felony, (B) a misdemeanor involving the
22 use or threat of physical force or violence to any person, (C)
23 a misdemeanor involving the use, possession, or distribution of
24 a controlled substance or cannabis within the 10 years
25 preceding the date of the application, or (D) a misdemeanor

1 involving the manufacture, sale, carrying, possession, or use
2 of a firearm or dangerous or deadly weapon or ammunition;

3 (5) has not been adjudicated a delinquent minor under the
4 Juvenile Court Act of 1987 or a similar law in another
5 jurisdiction, for an offense which, if committed by an adult,
6 would disqualify the adult for a license under this Section;

7 (6) is not subject to an order of protection under Section
8 112A-14 of the Code of Criminal Procedure of 1963 or under
9 Section 214 of the Illinois Domestic Violence Act of 1986, or
10 any similar law in another jurisdiction;

11 (7) has not been a patient in a mental institution within
12 the past 5 years, has not been adjudicated as having a mental
13 defect, or is not intellectually disabled;

14 (8) is not free on any form of bond or pretrial release,
15 other than for a traffic offense, and has no outstanding
16 warrants in this State or any other state;

17 (9) does not chronically and habitually abuse alcoholic
18 beverages as evidenced by the applicant having one or more
19 conviction for violating Section 11-501 of the Illinois Vehicle
20 Code or similar provision of a local ordinance or another
21 state's law within 5 years preceding the date of the
22 application, or if the applicant has elected treatment under
23 the supervision of a licensed program in accordance with the
24 Alcoholism and Other Drug Abuse and Dependency Act or similar
25 laws of any other state, within 5 years preceding the date of
26 the application;

1 (10) has completed firearms training and any educational
2 component required in Section 70 of this Act; and

3 (11) possesses the same powers of eyesight as required for
4 a driver's license under Section 6-109 of the Illinois Vehicle
5 Code.

6 Section 25. Contents of application.

7 (a) The application shall be in writing, under oath and
8 penalty of perjury, on a standard form adopted by the
9 Department and shall be accompanied by the documentation
10 required in this Section and any applicable fees.

11 (b) The application shall contain the following
12 information:

13 (1) the applicant's name, current address, home and
14 business telephone numbers, and cell phone number, if any,
15 gender, date and year of birth, place of birth, height,
16 weight, hair color, eye color, maiden name or any other
17 name the applicant has used or identified with, and any
18 address at which the applicant resided for more than 30
19 days within the 5 years preceding the date of the
20 application;

21 (2) the present business or occupation and any business
22 or occupation in which the applicant has engaged during the
23 5-year period immediately preceding the application and
24 the addresses of those businesses or places of employment;

25 (3) the applicant's driver's license or State

1 identification card number and the last 4 digits of the
2 applicant's social security number;

3 (4) the marital status of the applicant;

4 (5) the names and last known addresses of the
5 applicant's spouse and any former spouses, children,
6 stepchildren, and foster children, current household
7 members and household members during the preceding 5 years:

8 (6) questions to certify or demonstrate the applicant
9 has completed firearms training and any educational
10 component required in Section 70 of this Act;

11 (7) proof that the applicant is a resident of this
12 State and has been for at least the previous 30 days;

13 (8) whether the federal government or a governmental
14 entity in any state or subdivision of any state has denied
15 or revoked the applicant's license, permit, registration,
16 or certificate pertaining to any firearm and if so, the
17 jurisdiction, the identifying number of the license,
18 permit, registration, or certificate, the reason, and the
19 date;

20 (9) whether the applicant has failed a drug test within
21 the preceding 5 years and if so, the provider of the test,
22 the specific substance involved, and date of the test;

23 (10) whether the applicant has ever been prohibited by
24 law from purchasing, possessing, or carrying a firearm and
25 if so, the jurisdiction, the date, and the reason for the
26 prohibition;

1 (11) whether the applicant has been suspended or
2 expelled from a postsecondary educational institution,
3 such as a college or university, because of suspected
4 mental illness or violent behavior, and if so, the name of
5 the school, the date, and the reason for the suspension or
6 expulsion;

7 (12) a description of any incident in which the
8 applicant threatened, injured or killed any person, if a
9 firearm was involved or the incident occurred during the
10 preceding 5 years and the police were involved, including,
11 for each incident, the date, place, time, circumstances,
12 and the names of the persons and police agencies involved,
13 if any;

14 (13) a waiver of privacy and confidentiality rights and
15 privileges enjoyed by the applicant under any federal and
16 State laws, including those governing access to juvenile
17 court, criminal justice, psychological or psychiatric
18 records, or records relating to the applicant's history of
19 institutionalization, and an affirmative request that any
20 person having custody of the record provide it or
21 information concerning it to the Department;

22 (14) a conspicuous warning that false statements made
23 by the applicant will result in prosecution for perjury in
24 accordance with Section 32-2 of the Criminal Code of 2012;

25 (15) an affirmation that the applicant possesses a
26 currently valid Firearm Owner's Identification Card;

1 (16) an affirmation that the applicant has never been
2 convicted in this State or any other state of (A) a felony,
3 (B) a misdemeanor involving the use or threat of physical
4 force or violence to any person, (C) a misdemeanor
5 involving the use, possession, or distribution of a
6 controlled substance or cannabis within the 10 years
7 preceding the date of the application, or (D) a misdemeanor
8 involving the manufacture, sale, carrying, possession or
9 use of a firearm or dangerous or deadly weapon or
10 ammunition;

11 (17) an explanation of the applicant's particularized
12 need for and intended use of the firearm, including
13 descriptions of any incident in which the applicant has
14 been threatened or injured, or copies of police reports or
15 restraining orders, if applicable;

16 (18) the make, model, manufacturer's name, caliber or
17 gauge, and serial number of each firearm to be carried
18 under the license;

19 (19) written agreement that, if the person is
20 approached by a peace officer while carrying a concealed
21 firearm under the license, the person will immediately
22 inform the officer that he or she is in possession of a
23 firearm and a license to carry a concealed firearm, and
24 will submit to a pat down search and allow the officer to
25 take possession of the firearm for the duration of the
26 encounter;

1 (20) written consent to submit to one or more field
2 sobriety or chemical tests to determine the presence of
3 alcohol or drugs, at any point when the person is carrying
4 a concealed firearm and the person is approached by a peace
5 officer who has a reasonable suspicion that the person is
6 under the influence of alcohol or a controlled substance;

7 (21) proof that the applicant possesses the same powers
8 of eyesight as required for a driver's license under
9 Section 6-109 of the Illinois Vehicle Code. If an applicant
10 does not possess a current Illinois driver's license, the
11 applicant may present a current optometrist's or
12 ophthalmologist's statement certifying the vision reading
13 obtained from the applicant; and

14 (22) any other information that the sheriff,
15 Superintendent, or the Department finds necessary to
16 process an application.

17 (c) A person applying for a license shall provide a head
18 and shoulder color photograph in a size specified by the
19 Department that was taken within the 30 days preceding the date
20 of the application. The applicant shall consent to both the
21 sheriff or Superintendent and the Department reviewing and
22 using the applicant's digital driver's license or Illinois
23 Identification photograph and signature, if available. The
24 Secretary of State shall allow the sheriff or Superintendent
25 and the Department access to the photograph and signature for
26 the purpose of identifying the applicant and issuing to the

1 applicant a license.

2 (d) A person applying for a license shall submit with an
3 application a full set of legible fingerprints. Fingerprinting
4 may be administered by the Department or any other federal,
5 State, county, or municipal law enforcement agency. The cost of
6 fingerprinting shall be paid by the applicant. The Department
7 shall accept a hard copy or electronic version of fingerprints.

8 (e) A person applying for a license shall submit a
9 photocopy of a certificate or other evidence of completion of a
10 course to show compliance with Section 70 of this Act.

11 (f) The Department is authorized to establish a system for
12 electronically submitting applications, including applications
13 for renewal or a replacement license.

14 Section 30. Investigation of applicant.

15 (a) The sheriff, or if the applicant resides in the City of
16 Chicago, the Superintendent of Police, shall complete a
17 background check on an applicant for a license to carry a
18 concealed firearm to ensure compliance with the requirements of
19 this Act and any federal, State, and local laws. The background
20 check shall include a search of the following:

21 (1) the National Instant Criminal Background Check
22 System of the Federal Bureau of Investigation;

23 (2) any available State and local criminal history
24 record information files, including records of juvenile
25 adjudications;

1 (3) any available federal, State, and local records
2 regarding wanted persons;

3 (4) any available federal, State, and local records of
4 domestic violence restraining and protective orders;

5 (5) any available federal, State, and local records
6 identifying persons who are unlawful users of or addicted
7 to any controlled substance (as defined in Section 802 of
8 Title 21 of the United States Code);

9 (6) the files of the Department of Human Services
10 relating to mental health and developmental disabilities;
11 and

12 (7) any other available files of any federal, State,
13 local agency, and other entity (private or public) in any
14 jurisdiction likely to contain information relevant to
15 whether the applicant is prohibited from purchasing or
16 possessing a firearm under federal, State, or local law.

17 (b) As part of its investigation, the sheriff,
18 Superintendent, or Department may, at its discretion, conduct
19 interviews of the applicant, any of the applicant's current or
20 former family or household members, co-workers, employers,
21 neighbors, the character references as listed on the
22 application, and any other member of the public who may have
23 information relevant to the application.

24 Section 35. Database of applicants and licensees.

25 (a) The Department shall maintain a database of applicants

1 for a license and licenses. The database shall be available to
2 any law enforcement agencies, State's Attorneys, and the
3 Attorney General. Members and staff of the judiciary may access
4 the database for the purpose of determining whether to
5 confiscate a license or to ensure compliance with this Act or
6 any other law. The database shall be searchable and provide any
7 information included in the application, a photograph of the
8 applicant or licensee, and any information related to
9 violations of this Act. Individual law enforcement agencies
10 shall not maintain a separate, searchable database of
11 applicants and licensees containing information included in
12 the database.

13 (b) The Department shall make available on its website
14 statistical information about the number of licenses issued by
15 county, age, race, or gender. The Department shall also make
16 available on its website and upon request information about the
17 number of arrests and convictions and the types of crimes
18 committed since the last report by licensees. The report shall
19 be updated quarterly. Except as provided in this subsection,
20 applications and information in the database shall be
21 confidential and exempt from disclosure under the Freedom of
22 Information Act. The sheriff, Superintendent, or Department
23 may answer requests to confirm or deny whether a person has
24 been issued a license as part of inquiries dealing with a
25 criminal investigation, and may disclose the existence of an
26 application as necessary to conduct the interviews authorized

1 by subsection (b) of Section 30. No law enforcement agency,
2 State's Attorney, or member or staff of the judiciary, other
3 than the Department, shall provide any information to a
4 requester not entitled to it by law, except as provided in this
5 subsection.

6 Section 40. Suspension or revocation of a license.

7 (a) A license issued or renewed under this Act shall be
8 revoked if, at any time, the licensee is found ineligible for a
9 license based on the criteria set forth in Section 20 of this
10 Act or the licensee no longer possesses a Firearm Owner's
11 Identification Card. This subsection does not apply to a person
12 who has filed an application with the State Police for renewal
13 of a Firearm Owner's Identification Card and who is not
14 otherwise ineligible to obtain a Firearm Owner's
15 Identification Card.

16 (b) A license shall be revoked if an order of protection
17 under Section 112A-14 of the Code of Criminal Procedure of 1963
18 or under Section 214 of the Illinois Domestic Violence Act of
19 1986 is issued against a licensee, or if the Department is made
20 aware of a similar order issued against the licensee in any
21 other jurisdiction. If an order of protection is issued against
22 a licensee, the licensee shall surrender the license, as
23 applicable, to the court at the time the order is entered or to
24 the law enforcement agency or entity designated to serve
25 process at the time the licensee is served the order. The

1 court, law enforcement agency, or entity responsible for
2 serving the order shall transmit the license to the Department.

3 (c) The Department may temporarily or permanently suspend a
4 license for a violation of Section 55 of this Act in accordance
5 with subsection (g) of Section 55.

6 (d) A license shall be invalid upon expiration of the
7 license, unless the licensee has submitted an application to
8 renew the license. A person who fails to renew his or her
9 application within 30 days after its expiration must reapply
10 for a new license and pay the fee for a new application.

11 (e) The Department may suspend a license if a licensee
12 fails to submit a change of address or name or fails to report
13 a lost or destroyed license to the Department within 30 days.

14 Section 45. Renewal of license.

15 (a) Not later than 120 days before the expiration of any
16 license issued under this Act, the Department shall notify the
17 licensee in writing of the expiration and furnish an
18 application for renewal of the license or make the application
19 available on-line.

20 (b) Applications for renewal of a license shall be made to
21 the office of the sheriff of the county in which the applicant
22 resides with any accompanying materials and fees, unless the
23 applicant resides in the City of Chicago, in which case the
24 application shall be made to the Superintendent of Police. The
25 sheriff or Superintendent shall follow the procedures in

1 Section 15 for submittal of the renewal application and
2 accompanying materials to the Department. A license may be
3 renewed for a period of 5 years upon receipt of a completed
4 renewal application, renewal fees, and completion of an
5 investigation under Section 30. The renewal application shall
6 contain the information required in Section 25, except that the
7 applicant need not resubmit a full set of fingerprints. A
8 license holder must repeat the safety training and testing
9 requirements in Section 70 at least once every 5 years, and
10 more frequently at the discretion of the sheriff or
11 Superintendent.

12 Section 50. Change of address, change of name, or lost or
13 destroyed licenses.

14 (a) The licensee shall notify the Department within 30 days
15 of moving or changing a residence or any change of name, and
16 upon the discovery of the loss or destruction of a license.

17 (b) If a licensee changes residence within this State or
18 changes his or her name, the licensee shall request a new
19 license. The licensee shall submit a fee in an amount set by
20 the Department, a notarized statement that the licensee has
21 changed residence or his or her name, and a photograph as
22 required in Section 25 of this Act. The statement must include
23 the prior and current address or name and the date the
24 applicant moved or changed his or her name.

25 (c) A lost or destroyed license shall be invalid. To

1 request a new license, the licensee shall submit (1) a fee in
2 an amount set by the Department, (2) a notarized statement that
3 the licensee no longer possesses the license and that it was
4 lost or destroyed, (3) a copy of a police report stating that
5 the license was lost, destroyed, or stolen, and (4) a
6 photograph as required in Section 25 of this Act.

7 Section 55. Restrictions.

8 (a) No license issued under this Act shall authorize any
9 person to knowingly carry a concealed firearm into:

10 (1) Any building under the control of the Governor,
11 Lieutenant Governor, Attorney General, Secretary of State,
12 Comptroller, or Treasurer.

13 (2) Any building under control of the General Assembly
14 or any of its support service agencies, including the
15 portion of a building in which a committee of the General
16 Assembly convenes for the purpose of conducting meetings of
17 committees, joint committees, or legislative commissions.

18 (3) Any courthouse or building occupied in whole or in
19 part by the Circuit, Appellate, or Supreme Court or a room
20 designated as a courtroom for court proceedings by any of
21 these courts.

22 (4) Any meeting of the governing body of a unit of
23 local government or special district.

24 (5) Any place which is licensed to sell intoxicating
25 beverages.

1 (6) Any area of an airport to which access is
2 controlled by the inspection of persons and property.

3 (7) Any place where the carrying of a firearm is
4 prohibited by federal law.

5 (8) Any elementary or secondary school.

6 (9) Any portion of a building used as a child care
7 facility. Nothing in this Section shall prevent the
8 operator of a child care facility in a family home from
9 owning or possessing a firearm or license, so long as the
10 firearm is stored unloaded in a locked container.

11 (10) Any gaming facility licensed under the Riverboat
12 Gambling Act or the Illinois Horse Racing Act of 1975.

13 (11) Any gated area of an amusement park.

14 (12) Any stadium, arena, or collegiate or professional
15 sporting event.

16 (13) A hospital or mental health facility.

17 (14) A library without the written consent of the
18 library's governing body. The governing body shall inform
19 the appropriate law enforcement agency of the consent.

20 (15) Any police, sheriff, or State Police office or
21 station without the consent of the chief law enforcement
22 officer in charge of that office or station.

23 (16) Any adult or juvenile detention or correctional
24 institution, prison, or jail.

25 (17) Any polling place on any election day.

26 (18) Any street fair or festival, farmer's market,

1 carnival, concert, protest, parade or other temporary
2 special event, that is conducted primarily outdoors on
3 property open to the public, and that requires the issuance
4 of a permit from the city or county where it occurs, unless
5 the city or county specifically authorizes licensees to
6 carry concealed firearms at the event.

7 (19) Any private property without the express
8 permission of the owner, manager, operator, or individual
9 with the authority to control activities in that place at
10 that time. This provision shall apply to private property
11 of any kind, including private residences and places of
12 business, regardless of whether they are open or closed to
13 members of the public.

14 (20) Any building owned, leased, or controlled by a
15 municipality or any building or property owned, leased or
16 controlled by a school district unless authorized by a
17 majority vote of members of its governing board. Nothing in
18 this paragraph shall prohibit a licensee from carrying a
19 concealed firearm on any sidewalk, on any highway or
20 roadway, in any public restroom, or in the licensee's own
21 residence.

22 (a-1) Nothing in this Act shall preempt, abridge, limit, or
23 diminish the authority of community colleges, and public and
24 private colleges and universities from prohibiting,
25 restricting or otherwise regulating firearms on their
26 campuses, grounds and other property, including but not limited

1 to sidewalks, and commons, owned by the school district,
2 community college, or public or private college or university
3 or in buildings used in whole or in part for housing,
4 classrooms, laboratories, medical clinics, hospitals, and
5 artistic, athletic and entertainment venues; or on or in
6 property owned, controlled or leased by officially recognized
7 student organizations or officially recognized
8 university-related organizations.

9 (a-2) Nothing in this Act shall preempt, abridge, limit or
10 diminish the authority of community colleges, and public and
11 private colleges and universities from prohibiting persons
12 from carrying a firearm into a vehicle owned, leased or
13 controlled by the school districts, community colleges, or
14 public or private college or universities regardless of where
15 the vehicle travels. School districts, community colleges, and
16 public or private colleges or universities may develop
17 resolutions, regulations, or policies regarding the storage
18 and maintenance of firearms, including but not limited to
19 designating areas where individuals may park vehicles that
20 carry firearms. These resolutions, regulations, or policies
21 may specify that persons in violation of the resolutions,
22 regulations, or policies may be denied entrance to the campus,
23 grounds, building, vehicles or other property and subjected to
24 a civil fine of no more than \$1,500 for any violation of the
25 provisions of the resolution, regulation, or policy.

26 (a-3) Nothing in this Act shall preempt, abridge, limit, or

1 diminish the authority of community colleges, and public or
2 private colleges or universities from taking actions
3 proscribed by their resolutions, regulations, or policies
4 against violations of the resolutions, regulations, or
5 policies, which may qualify as student, employee, or visitor
6 misconduct and may result in discipline, including, but not
7 limited to, expulsion from the school district, community
8 college, or public or private college or university,
9 termination of employment or appointment, or suspension or
10 banning from the school district, community college, or public
11 or private college or university campuses, grounds and other
12 property.

13 (a-4) Nothing in this Act shall preempt, abridge, limit, or
14 diminish the authority of community colleges, and public or
15 private colleges and universities from permitting the carrying
16 or use of firearms for the purposes of instruction and
17 curriculum of officially recognized programs, such as military
18 science programs. These programs shall be authorized by the
19 chief executive officer of the community college, or public or
20 private college or university or his or her designee.

21 (b) A licensee shall not be in violation of this Section
22 while he or she is traveling along a public right of way that
23 touches or crosses any of the premises specified in subsection
24 (a) if the handgun is carried on his or her person in
25 accordance with the provisions of this Act or is being
26 transported in a vehicle by the licensee in accordance with any

1 other applicable provisions of law.

2 (c) A license to carry a concealed firearm issued or
3 renewed under this Act may include any additional reasonable
4 restrictions or conditions which the Department deems
5 warranted, including restrictions as to the time, place,
6 manner, and circumstances under which the person may carry a
7 firearm. No license to carry a concealed firearm issued under
8 this Act shall be valid within the City of Chicago unless the
9 Superintendent of Police of that City has issued a special
10 permit authorizing the license holder to carry a concealed
11 firearm in the City. No license to carry a concealed firearm
12 shall be valid in Cook County outside the City of Chicago
13 unless the Cook County Sheriff has issued a special permit
14 authorizing the license holder to carry a concealed firearm in
15 Cook County, except that a license holder who has received a
16 special permit from the Superintendent of Police of the City of
17 Chicago shall be authorized to carry a concealed firearm
18 throughout Cook County.

19 (d) If a law enforcement officer initiates an investigative
20 stop, including but not limited to a traffic stop, of a
21 licensee who is carrying a concealed firearm, the licensee
22 shall immediately disclose to the officer that he or she is in
23 possession of a concealed firearm under this Act. The licensee
24 shall comply with any lawful orders and directions from the
25 officer. For the safety of the officer and the public, the
26 officer may conduct a pat down of the licensee and take

1 possession of the firearm for the duration of the encounter.

2 (e) A licensee shall not carry a concealed firearm while
3 under the influence of alcohol or any drug, substance, or
4 compound in an amount that would render the licensee unfit to
5 drive under Section 11-501 of the Illinois Vehicle Code. If a
6 licensee is approached by a peace officer while carrying a
7 concealed firearm and the officer has a reasonable suspicion
8 that the licensee is under the influence, the officer may
9 require the licensee to submit to one or more field sobriety or
10 chemical tests to determine the presence of alcohol or any
11 drug, substance, or compound that would render the licensee
12 unfit to drive under Section 11-501 of the Illinois Vehicle
13 Code.

14 (f) A violation of subsection (a), (b), (c), (d), or (e) is
15 a Class B misdemeanor. A knowing violation of subsection (a),
16 (b), (c), (d), or (e) is a Class A misdemeanor. The court may
17 require a licensee to pay a \$150 fee, in addition to any other
18 fees or court costs, for a violation of subsection (d).

19 (g) The Department may suspend a license for up to 180 days
20 for a second or subsequent violation of subsection (a), (b),
21 (c), (d), or (e). The Department shall permanently revoke a
22 license for a willful violation of this Section.

23 Section 60. Immunity, employees, and agents. The office of
24 the county sheriff, or any employee or agent of the county
25 sheriff, or the Superintendent of the Chicago Police Department

1 or any employee or agent of the Superintendent, or the
2 Department of State Police shall not be liable for damages in
3 any civil action arising from alleged wrongful or improper
4 granting, denying, renewing, revoking, suspending, or failure
5 to grant, deny, renew, revoke, or suspend licenses issued under
6 this Act, except for willful or wanton misconduct.

7 Section 65. Statistical report.

8 (a) By March 1 of each year, the Department shall submit a
9 statistical report to the Governor, the President of the
10 Senate, and the Speaker of the House of Representatives
11 indicating the number of licenses issued, revoked, suspended,
12 denied, and issued after appeal since the last report and in
13 total and also the number of licenses currently valid. The
14 report shall also include the number of arrests and convictions
15 and the types of crimes committed since the last report by
16 licensees, including the name of any licensee who has been
17 convicted of a crime, and the type of crime.

18 (b) The Secretary of State shall conduct a study to
19 determine the cost and feasibility of creating a method of
20 adding an identifiable code, background, or other means to show
21 that an individual has been issued a license by the Department
22 on the person's driver's license.

23 Section 70. Applicant training.

24 (a) Students in the applicant training course shall provide

1 their own safe, functional handgun and factory-loaded
2 ammunition. The applicant shall complete the requirements of
3 this Section for each particular make and model of handguns
4 that the applicant may be licensed to carry.

5 (b) The applicant training course shall be the standardized
6 training course approved by the Department. The sheriff, or, if
7 the applicant resides in the City of Chicago, the
8 Superintendent may impose additional requirements for the
9 training course. The course shall be taught by a qualified
10 firearms instructor, consisting of at least 8 hours of
11 instruction, covering at least the following topics for each
12 particular handgun to be carried by the applicant:

13 (1) handgun safety in the classroom, at home, on the
14 firing range, or while carrying the firearm;

15 (2) the basic principles of marksmanship;

16 (3) care and cleaning of each particular handgun to be
17 carried by the applicant;

18 (4) by means of a instruction and videotape produced or
19 approved by the Department:

20 (A) the requirements for obtaining a license to
21 carry a concealed firearm in this State;

22 (B) laws relating to firearms as prescribed in this
23 Act, the Firearm Owners Identification Card Act,
24 Article 24 of the Criminal Code of 2012, and 18 U.S.C.
25 921 through 930; and

26 (C) laws relating to the justifiable use of force

1 as prescribed in Article 7 of the Criminal Code of
2 2012.

3 (5) live firing exercises of sufficient duration for
4 each applicant to fire each particular handgun to be
5 carried by the applicant:

6 (A) a minimum of 50 rounds; and

7 (B) 30 rounds from a distance of 7 yards and 20
8 rounds from a distance of 15 yards at a B-21 silhouette
9 or equivalent target as approved by the Department;

10 (6) methods for safely storing and securing firearms
11 and ammunition and preventing access by children and other
12 unauthorized persons; and

13 (7) techniques for avoiding a criminal attack and how
14 to manage a violent confrontation, including conflict
15 resolution.

16 (c) Prior to conducting range firing, the course instructor
17 shall:

18 (1) inspect each applicant's firearm; and

19 (2) not allow the firing of a handgun which is not in
20 sound mechanical condition or otherwise may pose a safety
21 hazard.

22 (d) The classroom portion of the course may, at the
23 qualified firearms instructor's discretion, be divided into
24 segments of not less than 2 hours each.

25 (e) Applicant training courses shall not be open to anyone
26 under the age of 21 and no certificate of completion shall be

1 issued to persons less than 21 years of age.

2 (f) Instructors shall maintain any records for students'
3 performance for not less than 5 years.

4 (g) At the conclusion of the classroom portion of the
5 applicant training course, the qualified firearms instructor
6 shall:

7 (1) distribute a standard course examination to the
8 students;

9 (2) not leave the room in which the examination is
10 being held while the examination is in progress;

11 (3) collect examination booklets and answer sheets
12 from each student at the end of the examination period; and

13 (4) not grade the examinations in the presence of
14 students.

15 (h) A person shall not:

16 (1) make an unauthorized copy of the applicant training
17 course examination, in whole or in part; or

18 (2) possess the applicant training course examination,
19 or questions from the examination, unless authorized by the
20 Department.

21 (i) During the firearms safety training course, the
22 applicant must satisfactorily demonstrate to the course
23 instructor the safe handling of each particular handgun to be
24 carried by the applicant. This demonstration must include the
25 proper loading and unloading of the handgun, the proper
26 engaging and disengaging of common firearm safety mechanisms,

1 and the proper firing of the handgun. If the handgun has a
2 detachable magazine, the demonstration must also include the
3 proper removal and reattachment of the magazine.

4 (j) Grades of "passing" shall not be given on range work to
5 an applicant who:

6 (1) does not follow the orders of the certified
7 firearms instructor;

8 (2) in the judgment of the certified firearms
9 instructor, handles a firearm in a manner that poses a
10 danger to the applicant or to others; or

11 (3) during the testing portion of the range work fails
12 to hit the silhouette portion of the target with 70% of the
13 30 rounds fired for each particular handgun to be carried
14 by the applicant.

15 (k) Certified firearms instructors shall:

16 (1) allow monitoring of their classes by officials of
17 any certifying agency;

18 (2) make any course records available upon demand to
19 authorized personnel of the Department; and

20 (3) not divulge course records except as authorized by
21 the certifying agency.

22 (l) Fees for applicant training courses shall be set by the
23 instructor.

24 (m) An applicant training course shall not have more than
25 40 students in the classroom portion or more than 5 students
26 per range officer engaged in range firing.

1 (n) Within 3 business days after the completion of the
2 course, the certified firearms instructor shall:

3 (1) grade the examinations; and

4 (2) issue to the student:

5 (A) a certificate of successful course completion;

6 or

7 (B) notification that the applicant has failed the
8 written portion of the course, the live firing portion
9 of the course, or both, and will not be issued a
10 certificate of completion.

11 (o) A student shall be issued a certificate of completion
12 if he or she:

13 (1) answers at least 70% of the written examination
14 questions correctly. The Department shall develop the
15 written exam not to exceed 50 questions; and

16 (2) achieves a grade of "passing" on the range work.

17 (p) (1) Students who score below 70% on the written
18 examination may retake the examination one time without having
19 to retake the course.

20 (2) Students who do not achieve a grade of "passing" on the
21 range work may repeat the range work one time without having to
22 retake the course.

23 (q) For purposes of this Section, successful completion of
24 Firearms Instructor Training under Section 75 shall meet the
25 training requirements of this Section if approved by the
26 sheriff or Superintendent.

1 Section 75. Firearms instructors training.

2 (a) Not later than 90 days after the effective date of this
3 Act, the Department shall offer and teach courses to qualify
4 instructors under this Section in each State Police District
5 that has a suitable gun range. Courses shall be available at
6 least bi-monthly, or whenever 5 or more individuals request a
7 class in any State Police District. However, nothing in this
8 Section shall require a course to be held if there are no
9 requests pending, and adjoining districts may combine classes
10 in order to have at least 5 participants.

11 (b) Persons who are not qualified firearms instructors
12 shall not teach applicant training courses or advertise or
13 otherwise represent courses they teach as qualifying their
14 students to meet the requirements to receive a license under
15 this Act.

16 (c) Persons who are not certified instructor trainers shall
17 not teach instructor qualification courses.

18 (d) Persons wishing to become qualified firearms
19 instructors shall:

20 (1) be at least 21 years of age;

21 (2) be a citizen of the United States; and

22 (3) meet the requirements of Section 20, and any
23 additional requirements established by the Department.

24 (e) Persons wishing to become instructor trainers, in
25 addition to the requirements of subsection (d) of this Section,

1 shall:

2 (1) possess a high school diploma or GED certificate;

3 and

4 (2) have at least one of the following valid firearms
5 instructor certifications:

6 (A) certification from a firearms instructor's
7 course offered by a State or federal governmental
8 agency; or

9 (B) a similar firearms instructor qualifying
10 course, approved by the Director of State Police or his
11 or her designee.

12 (f)(1) Persons wishing to become qualified firearms
13 instructors or instructor trainers shall agree to background
14 checks.

15 (2) An applicant to become a qualified firearms
16 instructor may be disqualified from taking firearms
17 instructor training, or have his or her instructor
18 qualification revoked, if the applicant:

19 (A) does not meet the requirements of Section 20 of
20 this Act;

21 (B) provides false or misleading information on
22 the application; or

23 (C) has had a prior instructor qualification
24 revoked by the Department or other issuing body.

25 (g) The training course to certify firearms instructors and
26 instructor trainers shall include:

1 (1) At least 16 hours of instruction covering at least
2 the following topics by means of a videotape produced or
3 approved by the Department:

4 (A) the requirements for obtaining a license under
5 this Act;

6 (B) laws relating to firearms as contained in this
7 Act, the Firearm Owners Identification Card Act,
8 Article 24 of the Criminal Code of 2012, and 18 U.S.C.
9 921 through 930;

10 (C) laws relating to the justifiable use of force
11 as contained in Article 7 of the Criminal Code of 2012;

12 (D) the conducting of applicant training courses;

13 (E) record-keeping requirements of this Act;

14 (F) the basic nomenclature of handguns;

15 (G) the basic principles of marksmanship; and

16 (H) the safe handling of handguns.

17 (2) A classroom demonstration, during which the
18 instructor candidate shall receive instruction on and
19 demonstrate competency in the ability to prepare and
20 deliver a classroom presentation using materials from the
21 applicant curriculum.

22 (3) Range instruction and firing of live ammunition,
23 during which the instructor candidate shall receive
24 instruction on and demonstrate competency in the ability
25 to:

26 (A) handle and fire a handgun safely and

1 accurately;

2 (B) conduct a function test and safety inspection
3 of revolvers and pistols;

4 (C) clean revolvers and pistols; and

5 (D) supervise and conduct live firing exercises in
6 a safe and efficient manner.

7 (h) To qualify as a certified firearms instructor or
8 instructor trainer, instructor candidates shall meet any
9 requirements established by the Department, and achieve:

10 (1) a minimum score of 80% on a written examination
11 covering the material taught during the classroom portion
12 of the course; and

13 (2) a minimum score of 80% on range firing of a handgun
14 while aiming at a B-21 silhouette target or an equivalent
15 as approved by the Department, with a minimum of:

16 (A) 20 rounds from 7 yards; and

17 (B) 10 rounds from 15 yards; and

18 (C) a score of "passing" from the course instructor
19 for demonstrating competency in each of the following:

20 (i) supervising and conducting live fire;

21 (ii) cleaning and inspecting handguns; and

22 (iii) preparing and delivering the classroom
23 lecture.

24 (i) Instructor candidates who fail to meet the minimum
25 requirements of subsection (h) of this Section may retake the
26 examination, range work, or classroom demonstration one time

1 without having to repeat the course.

2 (j) Qualified firearms instructor and instructor trainer
3 certificates shall be valid for 10 years from the date of
4 issue. Qualified firearms instructors or instructor trainers
5 may renew their certification by successfully completing a
6 refresher course offered or approved by the Department.

7 (k) The fees for instructor courses or refresher courses
8 shall be \$100 per student paid to the Department. Fees shall
9 not be refunded to those who do not pass or otherwise fail to
10 complete a course.

11 (l) Course participants shall provide their own safe,
12 functional handgun and factory-loaded ammunition.

13 (m) Prior to conducting range firing, the course instructor
14 shall:

15 (1) inspect each applicant's firearm; and

16 (2) not allow the firing of a handgun which is not in
17 sound mechanical condition or otherwise may pose a safety
18 hazard.

19 Section 80. Features of a license.

20 (a) If an application for a license to carry a concealed
21 firearm is approved, the Department shall issue to the
22 applicant a license to carry a concealed firearm on a form
23 prescribed by the Department which contains the applicant's
24 name, photograph, residence address, date of birth, a unique
25 license number, the make, model, caliber or gauge, and serial

1 number of the firearm or firearms to be carried, other personal
2 information as may be required by the Department, the date the
3 license expires, and any additional restrictions or conditions
4 the Department may impose on the applicant's carrying of a
5 firearm.

6 (b) A license to carry a concealed firearm issued by the
7 this State shall not exempt the licensee from the requirements
8 of a background check, including a check of the National
9 Instant Criminal Background Check System, upon purchase or
10 transfer of a firearm.

11 Section 105. The Freedom of Information Act is amended by
12 changing Section 7.5 as follows:

13 (5 ILCS 140/7.5)

14 Sec. 7.5. Statutory Exemptions. To the extent provided for
15 by the statutes referenced below, the following shall be exempt
16 from inspection and copying:

17 (a) All information determined to be confidential under
18 Section 4002 of the Technology Advancement and Development Act.

19 (b) Library circulation and order records identifying
20 library users with specific materials under the Library Records
21 Confidentiality Act.

22 (c) Applications, related documents, and medical records
23 received by the Experimental Organ Transplantation Procedures
24 Board and any and all documents or other records prepared by

1 the Experimental Organ Transplantation Procedures Board or its
2 staff relating to applications it has received.

3 (d) Information and records held by the Department of
4 Public Health and its authorized representatives relating to
5 known or suspected cases of sexually transmissible disease or
6 any information the disclosure of which is restricted under the
7 Illinois Sexually Transmissible Disease Control Act.

8 (e) Information the disclosure of which is exempted under
9 Section 30 of the Radon Industry Licensing Act.

10 (f) Firm performance evaluations under Section 55 of the
11 Architectural, Engineering, and Land Surveying Qualifications
12 Based Selection Act.

13 (g) Information the disclosure of which is restricted and
14 exempted under Section 50 of the Illinois Prepaid Tuition Act.

15 (h) Information the disclosure of which is exempted under
16 the State Officials and Employees Ethics Act, and records of
17 any lawfully created State or local inspector general's office
18 that would be exempt if created or obtained by an Executive
19 Inspector General's office under that Act.

20 (i) Information contained in a local emergency energy plan
21 submitted to a municipality in accordance with a local
22 emergency energy plan ordinance that is adopted under Section
23 11-21.5-5 of the Illinois Municipal Code.

24 (j) Information and data concerning the distribution of
25 surcharge moneys collected and remitted by wireless carriers
26 under the Wireless Emergency Telephone Safety Act.

1 (k) Law enforcement officer identification information or
2 driver identification information compiled by a law
3 enforcement agency or the Department of Transportation under
4 Section 11-212 of the Illinois Vehicle Code.

5 (l) Records and information provided to a residential
6 health care facility resident sexual assault and death review
7 team or the Executive Council under the Abuse Prevention Review
8 Team Act.

9 (m) Information provided to the predatory lending database
10 created pursuant to Article 3 of the Residential Real Property
11 Disclosure Act, except to the extent authorized under that
12 Article.

13 (n) Defense budgets and petitions for certification of
14 compensation and expenses for court appointed trial counsel as
15 provided under Sections 10 and 15 of the Capital Crimes
16 Litigation Act. This subsection (n) shall apply until the
17 conclusion of the trial of the case, even if the prosecution
18 chooses not to pursue the death penalty prior to trial or
19 sentencing.

20 (o) Information that is prohibited from being disclosed
21 under Section 4 of the Illinois Health and Hazardous Substances
22 Registry Act.

23 (p) Security portions of system safety program plans,
24 investigation reports, surveys, schedules, lists, data, or
25 information compiled, collected, or prepared by or for the
26 Regional Transportation Authority under Section 2.11 of the

1 Regional Transportation Authority Act or the St. Clair County
2 Transit District under the Bi-State Transit Safety Act.

3 (q) Information prohibited from being disclosed by the
4 Personnel Records Review Act.

5 (r) Information prohibited from being disclosed by the
6 Illinois School Student Records Act.

7 (s) Information the disclosure of which is restricted under
8 Section 5-108 of the Public Utilities Act.

9 (t) All identified or deidentified health information in
10 the form of health data or medical records contained in, stored
11 in, submitted to, transferred by, or released from the Illinois
12 Health Information Exchange, and identified or deidentified
13 health information in the form of health data and medical
14 records of the Illinois Health Information Exchange in the
15 possession of the Illinois Health Information Exchange
16 Authority due to its administration of the Illinois Health
17 Information Exchange. The terms "identified" and
18 "deidentified" shall be given the same meaning as in the Health
19 Insurance Accountability and Portability Act of 1996, Public
20 Law 104-191, or any subsequent amendments thereto, and any
21 regulations promulgated thereunder.

22 (u) Records and information provided to an independent team
23 of experts under Brian's Law.

24 (v) Names and information of people who have applied for or
25 received Firearm Owner's Identification Cards under the
26 Firearm Owners Identification Card Act.

1 (w) Personally identifiable information which is exempted
2 from disclosure under subsection (g) of Section 19.1 of the
3 Toll Highway Act.

4 (x) Information which is exempted from disclosure under
5 Section 5-1014.3 of the Counties Code or Section 8-11-21 of the
6 Illinois Municipal Code.

7 (y) Information maintained by the Department of State
8 Police in accordance with subsection (a) of Section 35 of the
9 Guns In Public Act, except as authorized by that Act.

10 (Source: P.A. 96-542, eff. 1-1-10; 96-1235, eff. 1-1-11;
11 96-1331, eff. 7-27-10; 97-80, eff. 7-5-11; 97-333, eff.
12 8-12-11; 97-342, eff. 8-12-11; 97-813, eff. 7-13-12; 97-976,
13 eff. 1-1-13.)

14 Section 110. The Criminal Code of 2012 is amended by
15 changing Sections 21-6 and 24-2 as follows:

16 (720 ILCS 5/21-6) (from Ch. 38, par. 21-6)

17 Sec. 21-6. Unauthorized Possession or Storage of Weapons.

18 (a) Whoever possesses or stores any weapon enumerated in
19 Section 33A-1 in any building or on land supported in whole or
20 in part with public funds or in any building on such land
21 without prior written permission from the chief security
22 officer for such land or building commits a Class A
23 misdemeanor.

24 (b) The chief security officer must grant any reasonable

1 request for permission under paragraph (a).

2 (c) This Section does not apply to a person acting lawfully
3 under the Guns In Public Act.

4 (Source: P.A. 89-685, eff. 6-1-97.)

5 (720 ILCS 5/24-2)

6 Sec. 24-2. Exemptions.

7 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
8 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
9 the following:

10 (1) Peace officers, and any person summoned by a peace
11 officer to assist in making arrests or preserving the
12 peace, while actually engaged in assisting such officer.

13 (2) Wardens, superintendents and keepers of prisons,
14 penitentiaries, jails and other institutions for the
15 detention of persons accused or convicted of an offense,
16 while in the performance of their official duty, or while
17 commuting between their homes and places of employment.

18 (3) Members of the Armed Services or Reserve Forces of
19 the United States or the Illinois National Guard or the
20 Reserve Officers Training Corps, while in the performance
21 of their official duty.

22 (4) Special agents employed by a railroad or a public
23 utility to perform police functions, and guards of armored
24 car companies, while actually engaged in the performance of
25 the duties of their employment or commuting between their

1 homes and places of employment; and watchmen while actually
2 engaged in the performance of the duties of their
3 employment.

4 (5) Persons licensed as private security contractors,
5 private detectives, or private alarm contractors, or
6 employed by an agency certified by the Department of
7 Financial and Professional Regulation, if their duties
8 include the carrying of a weapon under the provisions of
9 the Private Detective, Private Alarm, Private Security,
10 Fingerprint Vendor, and Locksmith Act of 2004, while
11 actually engaged in the performance of the duties of their
12 employment or commuting between their homes and places of
13 employment, provided that such commuting is accomplished
14 within one hour from departure from home or place of
15 employment, as the case may be. A person shall be
16 considered eligible for this exemption if he or she has
17 completed the required 20 hours of training for a private
18 security contractor, private detective, or private alarm
19 contractor, or employee of a licensed agency and 20 hours
20 of required firearm training, and has been issued a firearm
21 control card by the Department of Financial and
22 Professional Regulation. Conditions for the renewal of
23 firearm control cards issued under the provisions of this
24 Section shall be the same as for those cards issued under
25 the provisions of the Private Detective, Private Alarm,
26 Private Security, Fingerprint Vendor, and Locksmith Act of

1 2004. The firearm control card shall be carried by the
2 private security contractor, private detective, or private
3 alarm contractor, or employee of the licensed agency at all
4 times when he or she is in possession of a concealable
5 weapon.

6 (6) Any person regularly employed in a commercial or
7 industrial operation as a security guard for the protection
8 of persons employed and private property related to such
9 commercial or industrial operation, while actually engaged
10 in the performance of his or her duty or traveling between
11 sites or properties belonging to the employer, and who, as
12 a security guard, is a member of a security force of at
13 least 5 persons registered with the Department of Financial
14 and Professional Regulation; provided that such security
15 guard has successfully completed a course of study,
16 approved by and supervised by the Department of Financial
17 and Professional Regulation, consisting of not less than 40
18 hours of training that includes the theory of law
19 enforcement, liability for acts, and the handling of
20 weapons. A person shall be considered eligible for this
21 exemption if he or she has completed the required 20 hours
22 of training for a security officer and 20 hours of required
23 firearm training, and has been issued a firearm control
24 card by the Department of Financial and Professional
25 Regulation. Conditions for the renewal of firearm control
26 cards issued under the provisions of this Section shall be

1 the same as for those cards issued under the provisions of
2 the Private Detective, Private Alarm, Private Security,
3 Fingerprint Vendor, and Locksmith Act of 2004. The firearm
4 control card shall be carried by the security guard at all
5 times when he or she is in possession of a concealable
6 weapon.

7 (7) Agents and investigators of the Illinois
8 Legislative Investigating Commission authorized by the
9 Commission to carry the weapons specified in subsections
10 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
11 any investigation for the Commission.

12 (8) Persons employed by a financial institution for the
13 protection of other employees and property related to such
14 financial institution, while actually engaged in the
15 performance of their duties, commuting between their homes
16 and places of employment, or traveling between sites or
17 properties owned or operated by such financial
18 institution, provided that any person so employed has
19 successfully completed a course of study, approved by and
20 supervised by the Department of Financial and Professional
21 Regulation, consisting of not less than 40 hours of
22 training which includes theory of law enforcement,
23 liability for acts, and the handling of weapons. A person
24 shall be considered to be eligible for this exemption if he
25 or she has completed the required 20 hours of training for
26 a security officer and 20 hours of required firearm

1 training, and has been issued a firearm control card by the
2 Department of Financial and Professional Regulation.
3 Conditions for renewal of firearm control cards issued
4 under the provisions of this Section shall be the same as
5 for those issued under the provisions of the Private
6 Detective, Private Alarm, Private Security, Fingerprint
7 Vendor, and Locksmith Act of 2004. Such firearm control
8 card shall be carried by the person so trained at all times
9 when such person is in possession of a concealable weapon.
10 For purposes of this subsection, "financial institution"
11 means a bank, savings and loan association, credit union or
12 company providing armored car services.

13 (9) Any person employed by an armored car company to
14 drive an armored car, while actually engaged in the
15 performance of his duties.

16 (10) Persons who have been classified as peace officers
17 pursuant to the Peace Officer Fire Investigation Act.

18 (11) Investigators of the Office of the State's
19 Attorneys Appellate Prosecutor authorized by the board of
20 governors of the Office of the State's Attorneys Appellate
21 Prosecutor to carry weapons pursuant to Section 7.06 of the
22 State's Attorneys Appellate Prosecutor's Act.

23 (12) Special investigators appointed by a State's
24 Attorney under Section 3-9005 of the Counties Code.

25 (12.5) Probation officers while in the performance of
26 their duties, or while commuting between their homes,

1 places of employment or specific locations that are part of
2 their assigned duties, with the consent of the chief judge
3 of the circuit for which they are employed.

4 (13) Court Security Officers while in the performance
5 of their official duties, or while commuting between their
6 homes and places of employment, with the consent of the
7 Sheriff.

8 (13.5) A person employed as an armed security guard at
9 a nuclear energy, storage, weapons or development site or
10 facility regulated by the Nuclear Regulatory Commission
11 who has completed the background screening and training
12 mandated by the rules and regulations of the Nuclear
13 Regulatory Commission.

14 (14) Manufacture, transportation, or sale of weapons
15 to persons authorized under subdivisions (1) through
16 (13.5) of this subsection to possess those weapons.

17 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
18 24-1.6 do not apply to or affect any of the following:

19 (1) Members of any club or organization organized for
20 the purpose of practicing shooting at targets upon
21 established target ranges, whether public or private, and
22 patrons of such ranges, while such members or patrons are
23 using their firearms on those target ranges.

24 (2) Duly authorized military or civil organizations
25 while parading, with the special permission of the
26 Governor.

1 (3) Hunters, trappers or fishermen with a license or
2 permit while engaged in hunting, trapping or fishing.

3 (4) Transportation of weapons that are broken down in a
4 non-functioning state or are not immediately accessible.

5 (5) Carrying or possessing any pistol, revolver, stun
6 gun or taser or other firearm on the land or in the legal
7 dwelling of another adult person as an invitee with that
8 adult's person's permission to carry a concealed firearm.

9 (6) Carrying a concealed firearm in accordance with the
10 Guns In Public Act.

11 (c) Subsection 24-1(a)(7) does not apply to or affect any
12 of the following:

13 (1) Peace officers while in performance of their
14 official duties.

15 (2) Wardens, superintendents and keepers of prisons,
16 penitentiaries, jails and other institutions for the
17 detention of persons accused or convicted of an offense.

18 (3) Members of the Armed Services or Reserve Forces of
19 the United States or the Illinois National Guard, while in
20 the performance of their official duty.

21 (4) Manufacture, transportation, or sale of machine
22 guns to persons authorized under subdivisions (1) through
23 (3) of this subsection to possess machine guns, if the
24 machine guns are broken down in a non-functioning state or
25 are not immediately accessible.

26 (5) Persons licensed under federal law to manufacture

1 any weapon from which 8 or more shots or bullets can be
2 discharged by a single function of the firing device, or
3 ammunition for such weapons, and actually engaged in the
4 business of manufacturing such weapons or ammunition, but
5 only with respect to activities which are within the lawful
6 scope of such business, such as the manufacture,
7 transportation, or testing of such weapons or ammunition.
8 This exemption does not authorize the general private
9 possession of any weapon from which 8 or more shots or
10 bullets can be discharged by a single function of the
11 firing device, but only such possession and activities as
12 are within the lawful scope of a licensed manufacturing
13 business described in this paragraph.

14 During transportation, such weapons shall be broken
15 down in a non-functioning state or not immediately
16 accessible.

17 (6) The manufacture, transport, testing, delivery,
18 transfer or sale, and all lawful commercial or experimental
19 activities necessary thereto, of rifles, shotguns, and
20 weapons made from rifles or shotguns, or ammunition for
21 such rifles, shotguns or weapons, where engaged in by a
22 person operating as a contractor or subcontractor pursuant
23 to a contract or subcontract for the development and supply
24 of such rifles, shotguns, weapons or ammunition to the
25 United States government or any branch of the Armed Forces
26 of the United States, when such activities are necessary

1 and incident to fulfilling the terms of such contract.

2 The exemption granted under this subdivision (c)(6)
3 shall also apply to any authorized agent of any such
4 contractor or subcontractor who is operating within the
5 scope of his employment, where such activities involving
6 such weapon, weapons or ammunition are necessary and
7 incident to fulfilling the terms of such contract.

8 During transportation, any such weapon shall be broken
9 down in a non-functioning state, or not immediately
10 accessible.

11 (7) A person possessing a rifle with a barrel or
12 barrels less than 16 inches in length if: (A) the person
13 has been issued a Curios and Relics license from the U.S.
14 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)
15 the person is an active member of a bona fide, nationally
16 recognized military re-enacting group and the modification
17 is required and necessary to accurately portray the weapon
18 for historical re-enactment purposes; the re-enactor is in
19 possession of a valid and current re-enacting group
20 membership credential; and the overall length of the weapon
21 as modified is not less than 26 inches.

22 During transportation, any such weapon shall be broken
23 down in a non-functioning state, or not immediately
24 accessible.

25 (d) Subsection 24-1(a)(1) does not apply to the purchase,
26 possession or carrying of a black-jack or slung-shot by a peace

1 officer.

2 (e) Subsection 24-1(a)(8) does not apply to any owner,
3 manager or authorized employee of any place specified in that
4 subsection nor to any law enforcement officer.

5 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and
6 Section 24-1.6 do not apply to members of any club or
7 organization organized for the purpose of practicing shooting
8 at targets upon established target ranges, whether public or
9 private, while using their firearms on those target ranges.

10 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply
11 to:

12 (1) Members of the Armed Services or Reserve Forces of
13 the United States or the Illinois National Guard, while in
14 the performance of their official duty.

15 (2) Bonafide collectors of antique or surplus military
16 ordinance.

17 (3) Laboratories having a department of forensic
18 ballistics, or specializing in the development of
19 ammunition or explosive ordinance.

20 (4) Commerce, preparation, assembly or possession of
21 explosive bullets by manufacturers of ammunition licensed
22 by the federal government, in connection with the supply of
23 those organizations and persons exempted by subdivision
24 (g)(1) of this Section, or like organizations and persons
25 outside this State, or the transportation of explosive
26 bullets to any organization or person exempted in this

1 Section by a common carrier or by a vehicle owned or leased
2 by an exempted manufacturer.

3 (g-5) Subsection 24-1(a)(6) does not apply to or affect
4 persons licensed under federal law to manufacture any device or
5 attachment of any kind designed, used, or intended for use in
6 silencing the report of any firearm, firearms, or ammunition
7 for those firearms equipped with those devices, and actually
8 engaged in the business of manufacturing those devices,
9 firearms, or ammunition, but only with respect to activities
10 that are within the lawful scope of that business, such as the
11 manufacture, transportation, or testing of those devices,
12 firearms, or ammunition. This exemption does not authorize the
13 general private possession of any device or attachment of any
14 kind designed, used, or intended for use in silencing the
15 report of any firearm, but only such possession and activities
16 as are within the lawful scope of a licensed manufacturing
17 business described in this subsection (g-5). During
18 transportation, these devices shall be detached from any weapon
19 or not immediately accessible.

20 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
21 24-1.6 do not apply to or affect any parole agent or parole
22 supervisor who meets the qualifications and conditions
23 prescribed in Section 3-14-1.5 of the Unified Code of
24 Corrections.

25 (g-7) Subsection 24-1(a)(6) does not apply to a peace
26 officer while serving as a member of a tactical response team

1 or special operations team. A peace officer may not personally
2 own or apply for ownership of a device or attachment of any
3 kind designed, used, or intended for use in silencing the
4 report of any firearm. These devices shall be owned and
5 maintained by lawfully recognized units of government whose
6 duties include the investigation of criminal acts.

7 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
8 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
9 athlete's possession, transport on official Olympic and
10 Paralympic transit systems established for athletes, or use of
11 competition firearms sanctioned by the International Olympic
12 Committee, the International Paralympic Committee, the
13 International Shooting Sport Federation, or USA Shooting in
14 connection with such athlete's training for and participation
15 in shooting competitions at the 2016 Olympic and Paralympic
16 Games and sanctioned test events leading up to the 2016 Olympic
17 and Paralympic Games.

18 (h) An information or indictment based upon a violation of
19 any subsection of this Article need not negative any exemptions
20 contained in this Article. The defendant shall have the burden
21 of proving such an exemption.

22 (i) Nothing in this Article shall prohibit, apply to, or
23 affect the transportation, carrying, or possession, of any
24 pistol or revolver, stun gun, taser, or other firearm consigned
25 to a common carrier operating under license of the State of
26 Illinois or the federal government, where such transportation,

1 carrying, or possession is incident to the lawful
2 transportation in which such common carrier is engaged; and
3 nothing in this Article shall prohibit, apply to, or affect the
4 transportation, carrying, or possession of any pistol,
5 revolver, stun gun, taser, or other firearm, not the subject of
6 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of
7 this Article, which is unloaded and enclosed in a case, firearm
8 carrying box, shipping box, or other container, by the
9 possessor of a valid Firearm Owners Identification Card.

10 (Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742,
11 eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11;
12 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13;
13 revised 8-23-12.)

14 Section 999. Effective date. This Act takes effect upon
15 becoming law."