

HB0747



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB0747

by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

430 ILCS 66/40
430 ILCS 66/60

Amends the Firearm Concealed Carry Act. Provides that notwithstanding whether the laws of the state or territory where the non-resident resides related to firearm ownership, possession, and carrying, are substantially similar to the requirements to obtain a license under the Act, the Department of State Police shall by rule allow for a non-resident license application if the applicant is an active duty member of the Armed Forces of the United States stationed in this State or the spouse of an active duty member of the Armed Forces of the United States stationed in this State. Provides that the applicant shall pay the resident license or renewal fees (rather than the non-resident fees). Effective immediately.

LRB100 06313 SLF 16351 b

FISCAL NOTE ACT
MAY APPLY

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 Sections 40 and 60 as follows:

6 (430 ILCS 66/40)

7 Sec. 40. Non-resident license applications.

8 (a) For the purposes of this Section, "non-resident" means
9 a person who has not resided within this State for more than 30
10 days and resides in another state or territory.

11 (b) The Department shall by rule allow for non-resident
12 license applications from any state or territory of the United
13 States with laws related to firearm ownership, possession, and
14 carrying, that are substantially similar to the requirements to
15 obtain a license under this Act. Notwithstanding whether the
16 laws of the state or territory where the non-resident resides
17 related to firearm ownership, possession, and carrying, are
18 substantially similar to the requirements to obtain a license
19 under this Act, the Department shall by rule allow for a
20 non-resident license application if the applicant is an active
21 duty member of the Armed Forces of the United States stationed
22 in this State or the spouse of an active duty member of the
23 Armed Forces of the United States stationed in this State.

1 (c) A resident of a state or territory approved by the
2 Department under subsection (b) of this Section may apply for a
3 non-resident license. The applicant shall apply to the
4 Department and must meet all of the qualifications established
5 in Section 25 of this Act, except for the Illinois residency
6 requirement in item (xiv) of paragraph (2) of subsection (a) of
7 Section 4 of the Firearm Owners Identification Card Act. The
8 applicant shall submit:

9 (1) the application and documentation required under
10 Section 30 of this Act and the applicable fee;

11 (2) a notarized document stating that the applicant:

12 (A) is eligible under federal law and the laws of
13 his or her state or territory of residence to own or
14 possess a firearm;

15 (B) if applicable, has a license or permit to carry
16 a firearm or concealed firearm issued by his or her
17 state or territory of residence and attach a copy of
18 the license or permit to the application;

19 (C) understands Illinois laws pertaining to the
20 possession and transport of firearms; and

21 (D) acknowledges that the applicant is subject to
22 the jurisdiction of the Department and Illinois courts
23 for any violation of this Act;

24 (3) a photocopy of any certificates or other evidence
25 of compliance with the training requirements under Section
26 75 of this Act; and

1 (4) a head and shoulder color photograph in a size
2 specified by the Department taken within the 30 days
3 preceding the date of the application.

4 (d) In lieu of an Illinois driver's license or Illinois
5 identification card, a non-resident applicant shall provide
6 similar documentation from his or her state or territory of
7 residence. In lieu of a valid Firearm Owner's Identification
8 Card, the applicant shall submit documentation and information
9 required by the Department to obtain a Firearm Owner's
10 Identification Card, including an affidavit that the
11 non-resident meets the mental health standards to obtain a
12 firearm under Illinois law, and the Department shall ensure
13 that the applicant would meet the eligibility criteria to
14 obtain a Firearm Owner's Identification card if he or she was a
15 resident of this State.

16 (e) Nothing in this Act shall prohibit a non-resident from
17 transporting a concealed firearm within his or her vehicle in
18 Illinois, if the concealed firearm remains within his or her
19 vehicle and the non-resident:

20 (1) is not prohibited from owning or possessing a
21 firearm under federal law;

22 (2) is eligible to carry a firearm in public under the
23 laws of his or her state or territory of residence, as
24 evidenced by the possession of a concealed carry license or
25 permit issued by his or her state of residence, if
26 applicable; and

1 (3) is not in possession of a license under this Act.

2 If the non-resident leaves his or her vehicle unattended,
3 he or she shall store the firearm within a locked vehicle or
4 locked container within the vehicle in accordance with
5 subsection (b) of Section 65 of this Act.

6 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; 99-78,
7 eff. 7-20-15.)

8 (430 ILCS 66/60)

9 Sec. 60. Fees.

10 (a) All fees collected under this Act shall be deposited as
11 provided in this Section. Application, renewal, and
12 replacement fees shall be non-refundable.

13 (b) An applicant for a new license or a renewal shall
14 submit \$150 with the application, of which \$120 shall be
15 apportioned to the State Police Firearm Services Fund, \$20
16 shall be apportioned to the Mental Health Reporting Fund, and
17 \$10 shall be apportioned to the State Crime Laboratory Fund.

18 (c) A non-resident applicant for a new license or renewal
19 shall submit \$300 with the application, of which \$250 shall be
20 apportioned to the State Police Firearm Services Fund, \$40
21 shall be apportioned to the Mental Health Reporting Fund, and
22 \$10 shall be apportioned to the State Crime Laboratory Fund.

23 (d) A licensee requesting a new license in accordance with
24 Section 55 shall submit \$75, of which \$60 shall be apportioned
25 to the State Police Firearm Services Fund, \$5 shall be

1 appORTIONED to the Mental Health Reporting Fund, and \$10 shall
2 be appORTIONED to the State Crime Laboratory Fund.

3 (e) An applicant for a new license or a renewal who is a
4 non-resident active duty member of the Armed Forces of the
5 United States stationed in this State or the spouse of a
6 non-resident active duty member of the Armed Forces of the
7 United States stationed in this State shall submit \$150 with
8 the application, of which \$120 shall be appORTIONED to the
9 State Police Firearm Services Fund, \$20 shall be appORTIONED to
10 the Mental Health Reporting Fund, and \$10 shall be appORTIONED
11 to the State Crime Laboratory Fund.

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

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.