



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB0885

by Rep. Darren Bailey

#### SYNOPSIS AS INTRODUCED:

430 ILCS 66/40  
430 ILCS 66/55  
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 allow for a non-resident license application if the applicant is employed by the United States Military permanently assigned in Illinois on Permanent Change of Station or Permanent Change of Assignment orders and who is not a resident of the State but maintains an address in the State. Provides that a non-resident applicant who qualifies must meet all of the qualifications of the Act and shall submit: (1) the application and documentation required and the applicable fee; (2) a photocopy of proof of service document; (3) a photocopy of Permanent Change of Station or Permanent Change of Assignment orders to an assignment in this State; and (4) an affirmation that the applicant possesses a currently valid Firearm Owner's Identification Card with the Firearm Owner's Identification Card number or notice that the applicant is applying for a Firearm Owner's Identification Card in conjunction with the license application. Establishes fees for a qualified applicant. Makes other changes.

LRB101 07620 SLF 52667 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, 55, 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.

16 (b-5) Notwithstanding whether the laws of the state or  
17 territory where the non-resident resides related to firearm  
18 ownership, possession, and carrying are substantially similar  
19 to the requirements to obtain a license under this Act, the  
20 Department shall allow for a non-resident license application  
21 if the applicant is employed by the United States Military  
22 permanently assigned in Illinois on Permanent Change of Station  
23 (PCS) or Permanent Change of Assignment (PCA) orders and who is

1 not a resident of this State but maintains an address in this  
2 State. A non-resident applicant who qualifies under this  
3 subsection (b-5) must meet all of the qualifications  
4 established in Section 25 of this Act and shall submit:

5 (1) the application and documentation required under  
6 subsection (b) of Section 30 and the applicable fee;

7 (2) a photocopy of proof of service document;

8 (3) a photocopy of Permanent Change of Station (PCS) or  
9 Permanent Change of Assignment (PCA) orders to an  
10 assignment in this State; and

11 (4) an affirmation that the applicant possesses a  
12 currently valid Firearm Owner's Identification Card with  
13 the Firearm Owner's Identification Card number or notice  
14 that the applicant is applying for a Firearm Owner's  
15 Identification Card in conjunction with the license  
16 application.

17 In lieu of an Illinois driver's license or Illinois  
18 identification card, a non-resident applicant under this  
19 subsection (b-5) shall provide similar documentation from his  
20 or her state or territory of residence.

21 (c) A resident of a state or territory approved by the  
22 Department under subsection (b) of this Section may apply for a  
23 non-resident license. The applicant shall apply to the  
24 Department and must meet all of the qualifications established  
25 in Section 25 of this Act, except for the Illinois residency  
26 requirement in item (xiv) of paragraph (2) of subsection (a) of

1 Section 4 of the Firearm Owners Identification Card Act. The  
2 applicant shall submit:

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

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

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

9 (B) if applicable, has a license or permit to carry  
10 a firearm or concealed firearm issued by his or her  
11 state or territory of residence and attach a copy of  
12 the license or permit to the application;

13 (C) understands Illinois laws pertaining to the  
14 possession and transport of firearms; and

15 (D) acknowledges that the applicant is subject to  
16 the jurisdiction of the Department and Illinois courts  
17 for any violation of this Act;

18 (3) a photocopy of any certificates or other evidence  
19 of compliance with the training requirements under Section  
20 75 of this Act; and

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

24 (d) In lieu of an Illinois driver's license or Illinois  
25 identification card, a non-resident applicant shall provide  
26 similar documentation from his or her state or territory of

1 residence. In lieu of a valid Firearm Owner's Identification  
2 Card, except for a non-resident applicant under subsection  
3 (b-5), the applicant shall submit documentation and  
4 information required by the Department to obtain a Firearm  
5 Owner's Identification Card, including an affidavit that the  
6 non-resident meets the mental health standards to obtain a  
7 firearm under Illinois law, and the Department shall ensure  
8 that the applicant would meet the eligibility criteria to  
9 obtain a Firearm Owner's Identification card if he or she was a  
10 resident of this State.

11 (e) Nothing in this Act shall prohibit a non-resident from  
12 transporting a concealed firearm within his or her vehicle in  
13 Illinois, if the concealed firearm remains within his or her  
14 vehicle and the non-resident:

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

17 (2) is eligible to carry a firearm in public under the  
18 laws of his or her state or territory of residence, as  
19 evidenced by the possession of a concealed carry license or  
20 permit issued by his or her state of residence, if  
21 applicable; and

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

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

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

3 (430 ILCS 66/55)

4 Sec. 55. Change of address or name; lost, destroyed, or  
5 stolen licenses.

6 (a) A licensee shall notify the Department within 30 days  
7 of moving or changing residence or any change of name. The  
8 licensee shall submit the requisite fee and the Department may  
9 require a notarized statement that the licensee has changed his  
10 or her residence or his or her name, including the prior and  
11 current address or name and the date the applicant moved or  
12 changed his or her name.

13 (a-5) A non-resident licensee approved under subsection  
14 (b-5) of Section 40 shall, in addition to meeting the  
15 notification requirements in subsection (a), notify the  
16 Department within 30 days of moving to an address outside of  
17 this State, a Permanent Change of Station (PCS) or Permanent  
18 Change of Assignment (PCA) to a duty station outside this  
19 State, or a separation or retirement from the United States  
20 Military.

21 (b) A licensee shall notify the Department within 10 days  
22 of discovering that a license has been lost, destroyed, or  
23 stolen. A lost, destroyed, or stolen license is invalid. To  
24 request a replacement license, the licensee shall submit:

25 (1) a notarized statement that the licensee no longer

1 possesses the license, and that it was lost, destroyed, or  
2 stolen;

3 (2) if applicable, a copy of a police report stating  
4 that the license was stolen; and

5 (3) the requisite fee.

6 (c) A violation of this Section is a petty offense with a  
7 fine of \$150 which shall be deposited into the Mental Health  
8 Reporting Fund.

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

10 (430 ILCS 66/60)

11 Sec. 60. Fees.

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

15 (b) An applicant for a new license or a renewal shall  
16 submit \$150 with the application, of which \$120 shall be  
17 apportioned to the State Police Firearm Services Fund, \$20  
18 shall be apportioned to the Mental Health Reporting Fund, and  
19 \$10 shall be apportioned to the State Crime Laboratory Fund.

20 (c) Except as provided in subsection (c-5), a ~~A~~  
21 non-resident applicant for a new license or renewal shall  
22 submit \$300 with the application, of which \$250 shall be  
23 apportioned to the State Police Firearm Services Fund, \$40  
24 shall be apportioned to the Mental Health Reporting Fund, and  
25 \$10 shall be apportioned to the State Crime Laboratory Fund.

1       (c-5) A non-resident applicant for a new license or renewal  
2       under subsection (b-5) of Section 40 shall submit \$150 with the  
3       application, of which \$120 shall be apportioned to the State  
4       Police Firearm Services Fund, \$20 shall be apportioned to the  
5       Mental Health Reporting Fund, and \$10 shall be apportioned to  
6       the State Crime Laboratory Fund.

7       (d) A licensee requesting a new license in accordance with  
8       Section 55 shall submit \$75, of which \$60 shall be apportioned  
9       to the State Police Firearm Services Fund, \$5 shall be  
10      apportioned to the Mental Health Reporting Fund, and \$10 shall  
11      be apportioned to the State Crime Laboratory Fund.

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