



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB4113

Introduced 1/16/2020, by Rep. Charles Meier

#### SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45  
430 ILCS 66/40  
430 ILCS 66/60

from Ch. 127, par. 1005-45

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 Illinois State Police shall, no later than 120 days after the effective date of the amendatory Act, allow for a non-resident license application if the applicant is an active duty member of the Armed Forces of the United States who is stationed in the State and lives in the State. Provides that a non-resident active duty member of the Armed Forces of the United States who is stationed in the State and lives in the State shall apply to the Illinois State Police and must meet all of the qualifications under the Act and shall submit: (1) the application and documentation required and the applicable fee; (2) a photocopy of a valid military identification card or Official Proof of Service Letter; and (3) a photocopy of permanent change-of-station orders to an assignment in the State. Provides for emergency rulemaking to implement the amendatory Act. Establishes fees. Makes conforming changes to the Illinois Administrative Procedure Act. Effective immediately.

LRB101 15957 RLC 65318 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 Illinois Administrative Procedure Act is  
5 amended by changing Section 5-45 as follows:

6 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

7 Sec. 5-45. Emergency rulemaking.

8 (a) "Emergency" means the existence of any situation that  
9 any agency finds reasonably constitutes a threat to the public  
10 interest, safety, or welfare.

11 (b) If any agency finds that an emergency exists that  
12 requires adoption of a rule upon fewer days than is required by  
13 Section 5-40 and states in writing its reasons for that  
14 finding, the agency may adopt an emergency rule without prior  
15 notice or hearing upon filing a notice of emergency rulemaking  
16 with the Secretary of State under Section 5-70. The notice  
17 shall include the text of the emergency rule and shall be  
18 published in the Illinois Register. Consent orders or other  
19 court orders adopting settlements negotiated by an agency may  
20 be adopted under this Section. Subject to applicable  
21 constitutional or statutory provisions, an emergency rule  
22 becomes effective immediately upon filing under Section 5-65 or  
23 at a stated date less than 10 days thereafter. The agency's

1 finding and a statement of the specific reasons for the finding  
2 shall be filed with the rule. The agency shall take reasonable  
3 and appropriate measures to make emergency rules known to the  
4 persons who may be affected by them.

5 (c) An emergency rule may be effective for a period of not  
6 longer than 150 days, but the agency's authority to adopt an  
7 identical rule under Section 5-40 is not precluded. No  
8 emergency rule may be adopted more than once in any 24-month  
9 period, except that this limitation on the number of emergency  
10 rules that may be adopted in a 24-month period does not apply  
11 to (i) emergency rules that make additions to and deletions  
12 from the Drug Manual under Section 5-5.16 of the Illinois  
13 Public Aid Code or the generic drug formulary under Section  
14 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)  
15 emergency rules adopted by the Pollution Control Board before  
16 July 1, 1997 to implement portions of the Livestock Management  
17 Facilities Act, (iii) emergency rules adopted by the Illinois  
18 Department of Public Health under subsections (a) through (i)  
19 of Section 2 of the Department of Public Health Act when  
20 necessary to protect the public's health, (iv) emergency rules  
21 adopted pursuant to subsection (n) of this Section, (v)  
22 emergency rules adopted pursuant to subsection (o) of this  
23 Section, or (vi) emergency rules adopted pursuant to subsection  
24 (c-5) of this Section. Two or more emergency rules having  
25 substantially the same purpose and effect shall be deemed to be  
26 a single rule for purposes of this Section.

1 (c-5) To facilitate the maintenance of the program of group  
2 health benefits provided to annuitants, survivors, and retired  
3 employees under the State Employees Group Insurance Act of  
4 1971, rules to alter the contributions to be paid by the State,  
5 annuitants, survivors, retired employees, or any combination  
6 of those entities, for that program of group health benefits,  
7 shall be adopted as emergency rules. The adoption of those  
8 rules shall be considered an emergency and necessary for the  
9 public interest, safety, and welfare.

10 (d) In order to provide for the expeditious and timely  
11 implementation of the State's fiscal year 1999 budget,  
12 emergency rules to implement any provision of Public Act 90-587  
13 or 90-588 or any other budget initiative for fiscal year 1999  
14 may be adopted in accordance with this Section by the agency  
15 charged with administering that provision or initiative,  
16 except that the 24-month limitation on the adoption of  
17 emergency rules and the provisions of Sections 5-115 and 5-125  
18 do not apply to rules adopted under this subsection (d). The  
19 adoption of emergency rules authorized by this subsection (d)  
20 shall be deemed to be necessary for the public interest,  
21 safety, and welfare.

22 (e) In order to provide for the expeditious and timely  
23 implementation of the State's fiscal year 2000 budget,  
24 emergency rules to implement any provision of Public Act 91-24  
25 or any other budget initiative for fiscal year 2000 may be  
26 adopted in accordance with this Section by the agency charged

1 with administering that provision or initiative, except that  
2 the 24-month limitation on the adoption of emergency rules and  
3 the provisions of Sections 5-115 and 5-125 do not apply to  
4 rules adopted under this subsection (e). The adoption of  
5 emergency rules authorized by this subsection (e) shall be  
6 deemed to be necessary for the public interest, safety, and  
7 welfare.

8 (f) In order to provide for the expeditious and timely  
9 implementation of the State's fiscal year 2001 budget,  
10 emergency rules to implement any provision of Public Act 91-712  
11 or any other budget initiative for fiscal year 2001 may be  
12 adopted in accordance with this Section by the agency charged  
13 with administering that provision or initiative, except that  
14 the 24-month limitation on the adoption of emergency rules and  
15 the provisions of Sections 5-115 and 5-125 do not apply to  
16 rules adopted under this subsection (f). The adoption of  
17 emergency rules authorized by this subsection (f) shall be  
18 deemed to be necessary for the public interest, safety, and  
19 welfare.

20 (g) In order to provide for the expeditious and timely  
21 implementation of the State's fiscal year 2002 budget,  
22 emergency rules to implement any provision of Public Act 92-10  
23 or any other budget initiative for fiscal year 2002 may be  
24 adopted in accordance with this Section by the agency charged  
25 with administering that provision or initiative, except that  
26 the 24-month limitation on the adoption of emergency rules and

1 the provisions of Sections 5-115 and 5-125 do not apply to  
2 rules adopted under this subsection (g). The adoption of  
3 emergency rules authorized by this subsection (g) shall be  
4 deemed to be necessary for the public interest, safety, and  
5 welfare.

6 (h) In order to provide for the expeditious and timely  
7 implementation of the State's fiscal year 2003 budget,  
8 emergency rules to implement any provision of Public Act 92-597  
9 or any other budget initiative for fiscal year 2003 may be  
10 adopted in accordance with this Section by the agency charged  
11 with administering that provision or initiative, except that  
12 the 24-month limitation on the adoption of emergency rules and  
13 the provisions of Sections 5-115 and 5-125 do not apply to  
14 rules adopted under this subsection (h). The adoption of  
15 emergency rules authorized by this subsection (h) shall be  
16 deemed to be necessary for the public interest, safety, and  
17 welfare.

18 (i) In order to provide for the expeditious and timely  
19 implementation of the State's fiscal year 2004 budget,  
20 emergency rules to implement any provision of Public Act 93-20  
21 or any other budget initiative for fiscal year 2004 may be  
22 adopted in accordance with this Section by the agency charged  
23 with administering that provision or initiative, except that  
24 the 24-month limitation on the adoption of emergency rules and  
25 the provisions of Sections 5-115 and 5-125 do not apply to  
26 rules adopted under this subsection (i). The adoption of

1 emergency rules authorized by this subsection (i) shall be  
2 deemed to be necessary for the public interest, safety, and  
3 welfare.

4 (j) In order to provide for the expeditious and timely  
5 implementation of the provisions of the State's fiscal year  
6 2005 budget as provided under the Fiscal Year 2005 Budget  
7 Implementation (Human Services) Act, emergency rules to  
8 implement any provision of the Fiscal Year 2005 Budget  
9 Implementation (Human Services) Act may be adopted in  
10 accordance with this Section by the agency charged with  
11 administering that provision, except that the 24-month  
12 limitation on the adoption of emergency rules and the  
13 provisions of Sections 5-115 and 5-125 do not apply to rules  
14 adopted under this subsection (j). The Department of Public Aid  
15 may also adopt rules under this subsection (j) necessary to  
16 administer the Illinois Public Aid Code and the Children's  
17 Health Insurance Program Act. The adoption of emergency rules  
18 authorized by this subsection (j) shall be deemed to be  
19 necessary for the public interest, safety, and welfare.

20 (k) In order to provide for the expeditious and timely  
21 implementation of the provisions of the State's fiscal year  
22 2006 budget, emergency rules to implement any provision of  
23 Public Act 94-48 or any other budget initiative for fiscal year  
24 2006 may be adopted in accordance with this Section by the  
25 agency charged with administering that provision or  
26 initiative, except that the 24-month limitation on the adoption

1 of emergency rules and the provisions of Sections 5-115 and  
2 5-125 do not apply to rules adopted under this subsection (k).  
3 The Department of Healthcare and Family Services may also adopt  
4 rules under this subsection (k) necessary to administer the  
5 Illinois Public Aid Code, the Senior Citizens and Persons with  
6 Disabilities Property Tax Relief Act, the Senior Citizens and  
7 Disabled Persons Prescription Drug Discount Program Act (now  
8 the Illinois Prescription Drug Discount Program Act), and the  
9 Children's Health Insurance Program Act. The adoption of  
10 emergency rules authorized by this subsection (k) shall be  
11 deemed to be necessary for the public interest, safety, and  
12 welfare.

13 (l) In order to provide for the expeditious and timely  
14 implementation of the provisions of the State's fiscal year  
15 2007 budget, the Department of Healthcare and Family Services  
16 may adopt emergency rules during fiscal year 2007, including  
17 rules effective July 1, 2007, in accordance with this  
18 subsection to the extent necessary to administer the  
19 Department's responsibilities with respect to amendments to  
20 the State plans and Illinois waivers approved by the federal  
21 Centers for Medicare and Medicaid Services necessitated by the  
22 requirements of Title XIX and Title XXI of the federal Social  
23 Security Act. The adoption of emergency rules authorized by  
24 this subsection (l) shall be deemed to be necessary for the  
25 public interest, safety, and welfare.

26 (m) In order to provide for the expeditious and timely



1 implementation of the provisions of the State's fiscal year  
2 2008 budget, the Department of Healthcare and Family Services  
3 may adopt emergency rules during fiscal year 2008, including  
4 rules effective July 1, 2008, in accordance with this  
5 subsection to the extent necessary to administer the  
6 Department's responsibilities with respect to amendments to  
7 the State plans and Illinois waivers approved by the federal  
8 Centers for Medicare and Medicaid Services necessitated by the  
9 requirements of Title XIX and Title XXI of the federal Social  
10 Security Act. The adoption of emergency rules authorized by  
11 this subsection (m) shall be deemed to be necessary for the  
12 public interest, safety, and welfare.

13 (n) In order to provide for the expeditious and timely  
14 implementation of the provisions of the State's fiscal year  
15 2010 budget, emergency rules to implement any provision of  
16 Public Act 96-45 or any other budget initiative authorized by  
17 the 96th General Assembly for fiscal year 2010 may be adopted  
18 in accordance with this Section by the agency charged with  
19 administering that provision or initiative. The adoption of  
20 emergency rules authorized by this subsection (n) shall be  
21 deemed to be necessary for the public interest, safety, and  
22 welfare. The rulemaking authority granted in this subsection  
23 (n) shall apply only to rules promulgated during Fiscal Year  
24 2010.

25 (o) In order to provide for the expeditious and timely  
26 implementation of the provisions of the State's fiscal year

1 2011 budget, emergency rules to implement any provision of  
2 Public Act 96-958 or any other budget initiative authorized by  
3 the 96th General Assembly for fiscal year 2011 may be adopted  
4 in accordance with this Section by the agency charged with  
5 administering that provision or initiative. The adoption of  
6 emergency rules authorized by this subsection (o) is deemed to  
7 be necessary for the public interest, safety, and welfare. The  
8 rulemaking authority granted in this subsection (o) applies  
9 only to rules promulgated on or after July 1, 2010 (the  
10 effective date of Public Act 96-958) through June 30, 2011.

11 (p) In order to provide for the expeditious and timely  
12 implementation of the provisions of Public Act 97-689,  
13 emergency rules to implement any provision of Public Act 97-689  
14 may be adopted in accordance with this subsection (p) by the  
15 agency charged with administering that provision or  
16 initiative. The 150-day limitation of the effective period of  
17 emergency rules does not apply to rules adopted under this  
18 subsection (p), and the effective period may continue through  
19 June 30, 2013. The 24-month limitation on the adoption of  
20 emergency rules does not apply to rules adopted under this  
21 subsection (p). The adoption of emergency rules authorized by  
22 this subsection (p) is deemed to be necessary for the public  
23 interest, safety, and welfare.

24 (q) In order to provide for the expeditious and timely  
25 implementation of the provisions of Articles 7, 8, 9, 11, and  
26 12 of Public Act 98-104, emergency rules to implement any

1 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104  
2 may be adopted in accordance with this subsection (q) by the  
3 agency charged with administering that provision or  
4 initiative. The 24-month limitation on the adoption of  
5 emergency rules does not apply to rules adopted under this  
6 subsection (q). The adoption of emergency rules authorized by  
7 this subsection (q) is deemed to be necessary for the public  
8 interest, safety, and welfare.

9 (r) In order to provide for the expeditious and timely  
10 implementation of the provisions of Public Act 98-651,  
11 emergency rules to implement Public Act 98-651 may be adopted  
12 in accordance with this subsection (r) by the Department of  
13 Healthcare and Family Services. The 24-month limitation on the  
14 adoption of emergency rules does not apply to rules adopted  
15 under this subsection (r). The adoption of emergency rules  
16 authorized by this subsection (r) is deemed to be necessary for  
17 the public interest, safety, and welfare.

18 (s) In order to provide for the expeditious and timely  
19 implementation of the provisions of Sections 5-5b.1 and 5A-2 of  
20 the Illinois Public Aid Code, emergency rules to implement any  
21 provision of Section 5-5b.1 or Section 5A-2 of the Illinois  
22 Public Aid Code may be adopted in accordance with this  
23 subsection (s) by the Department of Healthcare and Family  
24 Services. The rulemaking authority granted in this subsection  
25 (s) shall apply only to those rules adopted prior to July 1,  
26 2015. Notwithstanding any other provision of this Section, any

1 emergency rule adopted under this subsection (s) shall only  
2 apply to payments made for State fiscal year 2015. The adoption  
3 of emergency rules authorized by this subsection (s) is deemed  
4 to be necessary for the public interest, safety, and welfare.

5 (t) In order to provide for the expeditious and timely  
6 implementation of the provisions of Article II of Public Act  
7 99-6, emergency rules to implement the changes made by Article  
8 II of Public Act 99-6 to the Emergency Telephone System Act may  
9 be adopted in accordance with this subsection (t) by the  
10 Department of State Police. The rulemaking authority granted in  
11 this subsection (t) shall apply only to those rules adopted  
12 prior to July 1, 2016. The 24-month limitation on the adoption  
13 of emergency rules does not apply to rules adopted under this  
14 subsection (t). The adoption of emergency rules authorized by  
15 this subsection (t) is deemed to be necessary for the public  
16 interest, safety, and welfare.

17 (u) In order to provide for the expeditious and timely  
18 implementation of the provisions of the Burn Victims Relief  
19 Act, emergency rules to implement any provision of the Act may  
20 be adopted in accordance with this subsection (u) by the  
21 Department of Insurance. The rulemaking authority granted in  
22 this subsection (u) shall apply only to those rules adopted  
23 prior to December 31, 2015. The adoption of emergency rules  
24 authorized by this subsection (u) is deemed to be necessary for  
25 the public interest, safety, and welfare.

26 (v) In order to provide for the expeditious and timely

1 implementation of the provisions of Public Act 99-516,  
2 emergency rules to implement Public Act 99-516 may be adopted  
3 in accordance with this subsection (v) by the Department of  
4 Healthcare and Family Services. The 24-month limitation on the  
5 adoption of emergency rules does not apply to rules adopted  
6 under this subsection (v). The adoption of emergency rules  
7 authorized by this subsection (v) is deemed to be necessary for  
8 the public interest, safety, and welfare.

9 (w) In order to provide for the expeditious and timely  
10 implementation of the provisions of Public Act 99-796,  
11 emergency rules to implement the changes made by Public Act  
12 99-796 may be adopted in accordance with this subsection (w) by  
13 the Adjutant General. The adoption of emergency rules  
14 authorized by this subsection (w) is deemed to be necessary for  
15 the public interest, safety, and welfare.

16 (x) In order to provide for the expeditious and timely  
17 implementation of the provisions of Public Act 99-906,  
18 emergency rules to implement subsection (i) of Section 16-115D,  
19 subsection (g) of Section 16-128A, and subsection (a) of  
20 Section 16-128B of the Public Utilities Act may be adopted in  
21 accordance with this subsection (x) by the Illinois Commerce  
22 Commission. The rulemaking authority granted in this  
23 subsection (x) shall apply only to those rules adopted within  
24 180 days after June 1, 2017 (the effective date of Public Act  
25 99-906). The adoption of emergency rules authorized by this  
26 subsection (x) is deemed to be necessary for the public

1 interest, safety, and welfare.

2 (y) In order to provide for the expeditious and timely  
3 implementation of the provisions of Public Act 100-23,  
4 emergency rules to implement the changes made by Public Act  
5 100-23 to Section 4.02 of the Illinois Act on the Aging,  
6 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,  
7 Section 55-30 of the Alcoholism and Other Drug Abuse and  
8 Dependency Act, and Sections 74 and 75 of the Mental Health and  
9 Developmental Disabilities Administrative Act may be adopted  
10 in accordance with this subsection (y) by the respective  
11 Department. The adoption of emergency rules authorized by this  
12 subsection (y) is deemed to be necessary for the public  
13 interest, safety, and welfare.

14 (z) In order to provide for the expeditious and timely  
15 implementation of the provisions of Public Act 100-554,  
16 emergency rules to implement the changes made by Public Act  
17 100-554 to Section 4.7 of the Lobbyist Registration Act may be  
18 adopted in accordance with this subsection (z) by the Secretary  
19 of State. The adoption of emergency rules authorized by this  
20 subsection (z) is deemed to be necessary for the public  
21 interest, safety, and welfare.

22 (aa) In order to provide for the expeditious and timely  
23 initial implementation of the changes made to Articles 5, 5A,  
24 12, and 14 of the Illinois Public Aid Code under the provisions  
25 of Public Act 100-581, the Department of Healthcare and Family  
26 Services may adopt emergency rules in accordance with this

1 subsection (aa). The 24-month limitation on the adoption of  
2 emergency rules does not apply to rules to initially implement  
3 the changes made to Articles 5, 5A, 12, and 14 of the Illinois  
4 Public Aid Code adopted under this subsection (aa). The  
5 adoption of emergency rules authorized by this subsection (aa)  
6 is deemed to be necessary for the public interest, safety, and  
7 welfare.

8 (bb) In order to provide for the expeditious and timely  
9 implementation of the provisions of Public Act 100-587,  
10 emergency rules to implement the changes made by Public Act  
11 100-587 to Section 4.02 of the Illinois Act on the Aging,  
12 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,  
13 subsection (b) of Section 55-30 of the Alcoholism and Other  
14 Drug Abuse and Dependency Act, Section 5-104 of the Specialized  
15 Mental Health Rehabilitation Act of 2013, and Section 75 and  
16 subsection (b) of Section 74 of the Mental Health and  
17 Developmental Disabilities Administrative Act may be adopted  
18 in accordance with this subsection (bb) by the respective  
19 Department. The adoption of emergency rules authorized by this  
20 subsection (bb) is deemed to be necessary for the public  
21 interest, safety, and welfare.

22 (cc) In order to provide for the expeditious and timely  
23 implementation of the provisions of Public Act 100-587,  
24 emergency rules may be adopted in accordance with this  
25 subsection (cc) to implement the changes made by Public Act  
26 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois

1 Pension Code by the Board created under Article 14 of the Code;  
2 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by  
3 the Board created under Article 15 of the Code; and Sections  
4 16-190.5 and 16-190.6 of the Illinois Pension Code by the Board  
5 created under Article 16 of the Code. The adoption of emergency  
6 rules authorized by this subsection (cc) is deemed to be  
7 necessary for the public interest, safety, and welfare.

8 (dd) In order to provide for the expeditious and timely  
9 implementation of the provisions of Public Act 100-864,  
10 emergency rules to implement the changes made by Public Act  
11 100-864 to Section 3.35 of the Newborn Metabolic Screening Act  
12 may be adopted in accordance with this subsection (dd) by the  
13 Secretary of State. The adoption of emergency rules authorized  
14 by this subsection (dd) is deemed to be necessary for the  
15 public interest, safety, and welfare.

16 (ee) In order to provide for the expeditious and timely  
17 implementation of the provisions of Public Act 100-1172,  
18 emergency rules implementing the Illinois Underground Natural  
19 Gas Storage Safety Act may be adopted in accordance with this  
20 subsection by the Department of Natural Resources. The adoption  
21 of emergency rules authorized by this subsection is deemed to  
22 be necessary for the public interest, safety, and welfare.

23 (ff) In order to provide for the expeditious and timely  
24 initial implementation of the changes made to Articles 5A and  
25 14 of the Illinois Public Aid Code under the provisions of  
26 Public Act 100-1181, the Department of Healthcare and Family



1 Services may on a one-time-only basis adopt emergency rules in  
2 accordance with this subsection (ff). The 24-month limitation  
3 on the adoption of emergency rules does not apply to rules to  
4 initially implement the changes made to Articles 5A and 14 of  
5 the Illinois Public Aid Code adopted under this subsection  
6 (ff). The adoption of emergency rules authorized by this  
7 subsection (ff) is deemed to be necessary for the public  
8 interest, safety, and welfare.

9 (gg) In order to provide for the expeditious and timely  
10 implementation of the provisions of Public Act 101-1, emergency  
11 rules may be adopted by the Department of Labor in accordance  
12 with this subsection (gg) to implement the changes made by  
13 Public Act 101-1 to the Minimum Wage Law. The adoption of  
14 emergency rules authorized by this subsection (gg) is deemed to  
15 be necessary for the public interest, safety, and welfare.

16 (hh) In order to provide for the expeditious and timely  
17 implementation of the provisions of Public Act 101-10 ~~this~~  
18 ~~amendatory Act of the 101st General Assembly~~, emergency rules  
19 may be adopted in accordance with this subsection (hh) to  
20 implement the changes made by Public Act 101-10 ~~this amendatory~~  
21 ~~Act of the 101st General Assembly~~ to subsection (j) of Section  
22 5-5.2 of the Illinois Public Aid Code. The adoption of  
23 emergency rules authorized by this subsection (hh) is deemed to  
24 be necessary for the public interest, safety, and welfare.

25 (ii) In order to provide for the expeditious and timely  
26 implementation of the provisions of Public Act 101-10 ~~this~~

1 ~~amendatory Act of the 101st General Assembly~~, emergency rules  
2 to implement the changes made by Public Act 101-10 ~~this~~  
3 ~~amendatory Act of the 101st General Assembly~~ to Sections 5-5.4  
4 and 5-5.4i of the Illinois Public Aid Code may be adopted in  
5 accordance with this subsection (ii) by the Department of  
6 Public Health. The adoption of emergency rules authorized by  
7 this subsection (ii) is deemed to be necessary for the public  
8 interest, safety, and welfare.

9 (jj) In order to provide for the expeditious and timely  
10 implementation of the provisions of Public Act 101-10 ~~this~~  
11 ~~amendatory Act of the 101st General Assembly~~, emergency rules  
12 to implement the changes made by Public Act 101-10 ~~this~~  
13 ~~amendatory Act of the 101st General Assembly~~ to Section 74 of  
14 the Mental Health and Developmental Disabilities  
15 Administrative Act may be adopted in accordance with this  
16 subsection (jj) by the Department of Human Services. The  
17 adoption of emergency rules authorized by this subsection (jj)  
18 is deemed to be necessary for the public interest, safety, and  
19 welfare.

20 (kk) ~~(gg)~~ In order to provide for the expeditious and  
21 timely implementation of the Cannabis Regulation and Tax Act  
22 and Public Act 101-27 ~~this amendatory Act of the 101st General~~  
23 ~~Assembly~~, the Department of Revenue, the Department of Public  
24 Health, the Department of Agriculture, the Department of State  
25 Police, and the Department of Financial and Professional  
26 Regulation may adopt emergency rules in accordance with this

1 subsection (kk) ~~(gg)~~. The rulemaking authority granted in this  
2 subsection (kk) ~~(gg)~~ shall apply only to rules adopted before  
3 December 31, 2021. Notwithstanding the provisions of  
4 subsection (c), emergency rules adopted under this subsection  
5 (kk) ~~(gg)~~ shall be effective for 180 days. The adoption of  
6 emergency rules authorized by this subsection (kk) ~~(gg)~~ is  
7 deemed to be necessary for the public interest, safety, and  
8 welfare.

9 (ll) ~~(hh)~~ In order to provide for the expeditious and  
10 timely implementation of the provisions of the Leveling the  
11 Playing Field for Illinois Retail Act, emergency rules may be  
12 adopted in accordance with this subsection (ll) ~~(hh)~~ to  
13 implement the changes made by the Leveling the Playing Field  
14 for Illinois Retail Act. The adoption of emergency rules  
15 authorized by this subsection (ll) ~~(hh)~~ is deemed to be  
16 necessary for the public interest, safety, and welfare.

17 (mm) ~~(ii)~~ In order to provide for the expeditious and  
18 timely implementation of the provisions of Section 25-70 of the  
19 Sports Wagering Act, emergency rules to implement Section 25-70  
20 of the Sports Wagering Act may be adopted in accordance with  
21 this subsection (mm) ~~(ii)~~ by the Department of the Lottery as  
22 provided in the Sports Wagering Act. The adoption of emergency  
23 rules authorized by this subsection (mm) ~~(ii)~~ is deemed to be  
24 necessary for the public interest, safety, and welfare.

25 (nn) ~~(jj)~~ In order to provide for the expeditious and  
26 timely implementation of the Sports Wagering Act, emergency

1 rules to implement the Sports Wagering Act may be adopted in  
2 accordance with this subsection (nn) ~~(jj)~~ by the Illinois  
3 Gaming Board. The adoption of emergency rules authorized by  
4 this subsection (nn) ~~(jj)~~ is deemed to be necessary for the  
5 public interest, safety, and welfare.

6 (oo) ~~(kk)~~ In order to provide for the expeditious and  
7 timely implementation of the provisions of subsection (c) of  
8 Section 20 of the Video Gaming Act, emergency rules to  
9 implement the provisions of subsection (c) of Section 20 of the  
10 Video Gaming Act may be adopted in accordance with this  
11 subsection (oo) ~~(kk)~~ by the Illinois Gaming Board. The adoption  
12 of emergency rules authorized by this subsection (oo) ~~(kk)~~ is  
13 deemed to be necessary for the public interest, safety, and  
14 welfare.

15 (pp) ~~(gg)~~ In order to provide for the expeditious and  
16 timely implementation of the provisions of Section 50 of the  
17 Sexual Assault Evidence Submission Act, emergency rules to  
18 implement Section 50 of the Sexual Assault Evidence Submission  
19 Act may be adopted in accordance with this subsection (pp) ~~(gg)~~  
20 by the Department of State Police. The adoption of emergency  
21 rules authorized by this subsection (pp) ~~(gg)~~ is deemed to be  
22 necessary for the public interest, safety, and welfare.

23 (qq) In order to provide for the expeditious and timely  
24 implementation of the provisions of this amendatory Act of the  
25 101st General Assembly, emergency rules to implement the  
26 changes made by this amendatory Act of the 101st General

1 Assembly to Section 40 of the Firearm Concealed Carry Act may  
2 be adopted in accordance with this subsection (qq) by the  
3 Illinois State Police. The adoption of emergency rules  
4 authorized by this subsection (qq) is deemed to be necessary  
5 for the public interest, safety, and welfare.

6 (Source: P.A. 100-23, eff. 7-6-17; 100-554, eff. 11-16-17;  
7 100-581, eff. 3-12-18; 100-587, Article 95, Section 95-5, eff.  
8 6-4-18; 100-587, Article 110, Section 110-5, eff. 6-4-18;  
9 100-864, eff. 8-14-18; 100-1172, eff. 1-4-19; 100-1181, eff.  
10 3-8-19; 101-1, eff. 2-19-19; 101-10, Article 20, Section 20-5,  
11 eff. 6-5-19; 101-10, Article 35, Section 35-5, eff. 6-5-19;  
12 101-27, eff. 6-25-19; 101-31, Article 15, Section 15-5, eff.  
13 6-28-19; 101-31, Article 25, Section 25-900, eff. 6-28-19;  
14 101-31, Article 35, Section 35-3, eff. 6-28-19; 101-377, eff.  
15 8-16-19; revised 9-27-19.)

16 Section 10. The Firearm Concealed Carry Act is amended by  
17 changing Sections 40 and 60 as follows:

18 (430 ILCS 66/40)

19 Sec. 40. Non-resident license applications.

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

23 (b) The Department shall by rule allow for non-resident  
24 license applications from any state or territory of the United

1 States with laws related to firearm ownership, possession, and  
2 carrying, that are substantially similar to the requirements to  
3 obtain a license under this Act.

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

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

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

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

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

22 (C) understands Illinois laws pertaining to the  
23 possession and transport of firearms; and

24 (D) acknowledges that the applicant is subject to  
25 the jurisdiction of the Department and Illinois courts  
26 for any violation of this Act;

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

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

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

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

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

25                 (2) is eligible to carry a firearm in public under the  
26                 laws of his or her state or territory of residence, as

1           evidenced by the possession of a concealed carry license or  
2           permit issued by his or her state of residence, if  
3           applicable; and

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

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

9           (f) Notwithstanding whether the laws of the state or  
10          territory where the non-resident resides related to firearm  
11          ownership, possession, and carrying are substantially similar  
12          to the requirements to obtain a license under this Act, the  
13          Illinois State Police shall, no later than 120 days after the  
14          effective date of this amendatory Act of the 101st General  
15          Assembly, allow for a non-resident license application if the  
16          applicant is an active duty member of the Armed Forces of the  
17          United States who is stationed in this State and lives in this  
18          State. A non-resident active duty member of the Armed Forces of  
19          the United States who is stationed in this State and lives in  
20          this State shall apply to the Illinois State Police and must  
21          meet all of the qualifications established in Section 25 and  
22          shall submit:

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

25                 (2) a photocopy of a valid military identification card  
26                 or Official Proof of Service Letter; and



1           (3) a photocopy of permanent change-of-station orders  
2           to an assignment in this State.

3           In lieu of an Illinois driver's license or Illinois  
4           identification card, a non-resident applicant under this  
5           subsection (f) shall provide similar documentation from his or  
6           her state or territory of residence. A non-resident licensee  
7           approved under this subsection (f) shall notify the Illinois  
8           State Police 30 days following a permanent change of station  
9           move to an assignment outside of this State and shall surrender  
10           his or her license to the Illinois State Police. A license  
11           issued under this subsection (f) shall expire on the earlier  
12           date of: (i) 5 years from the date of issuance; or (ii) the  
13           date the licensee's assignment in this State terminates. The  
14           Illinois State Police may adopt rules necessary to implement  
15           this amendatory Act of the 101st General Assembly through the  
16           use of emergency rulemaking in accordance with Section 5-45 of  
17           the Illinois Administrative Procedure Act for a period not to  
18           exceed 180 days after the effective date of this amendatory Act  
19           of the 101st General Assembly.

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

22           (430 ILCS 66/60)

23           Sec. 60. Fees.

24           (a) All fees collected under this Act shall be deposited as  
25           provided in this Section. Application, renewal, and

1 replacement fees shall be non-refundable.

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

7 (c) A non-resident applicant for a new license or renewal  
8 shall submit \$300 with the application, of which \$250 shall be  
9 apportioned to the State Police Firearm Services Fund, \$40  
10 shall be apportioned to the Mental Health Reporting Fund, and  
11 \$10 shall be apportioned to the State Crime Laboratory Fund.

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

17 (e) An applicant for a new license or a renewal who is a  
18 non-resident active duty member of the Armed Forces of the  
19 United States stationed in this State shall submit \$150 with  
20 the application, of which \$120 shall be apportioned to the  
21 State Police Firearm Services Fund, \$20 shall be apportioned to  
22 the Mental Health Reporting Fund, and \$10 shall be apportioned  
23 to the State Crime Laboratory Fund.

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

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.