



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2885

Introduced 2/19/2021, by Rep. Adam Niemerg

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 Illinois 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 (PCS) or Permanent Change of Assignment (PCA) orders and who is not a resident of this State but maintains an address in this State. Provides that non-resident applicant who qualifies must meet all of the qualifications established in the Act and shall submit certain documentation. Provides that a non-resident applicant for a new license or renewal shall submit \$150 with the application, of which \$120 shall be apportioned to the State Police Firearm Services Fund, \$20 shall be apportioned to the Mental Health Reporting Fund, and \$10 shall be apportioned to the State Crime Laboratory Fund.

LRB102 12156 RLC 17493 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
15 to 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 Illinois State Police shall allow for a non-resident license
21 application if the applicant is employed by the United States
22 Military permanently assigned in Illinois on Permanent Change
23 of Station (PCS) or Permanent Change of Assignment (PCA)

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

6 (1) the application and documentation required under
7 subsection (b) of Section 30 of this Act and the
8 applicable fee;

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

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

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

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

23 (c) A resident of a state or territory approved by the
24 Department under subsection (b) of this Section may apply for
25 a non-resident license. The applicant shall apply to the
26 Department and must meet all of the qualifications established

1 in Section 25 of this Act, except for the Illinois residency
2 requirement in item (xiv) of paragraph (2) of subsection (a)
3 of Section 4 of the Firearm Owners Identification Card Act.
4 The applicant shall submit:

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

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

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

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

15 (C) understands Illinois laws pertaining to the
16 possession and transport of firearms; and

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

20 (3) a photocopy of any certificates or other evidence
21 of compliance with the training requirements under Section
22 75 of this Act; and

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

26 (d) In lieu of an Illinois driver's license or Illinois

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

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

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

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

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

25 If the non-resident leaves his or her vehicle unattended,
26 he or she shall store the firearm within a locked vehicle or

1 locked container within the vehicle in accordance with
2 subsection (b) of Section 65 of this Act.

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

5 (430 ILCS 66/55)

6 Sec. 55. Change of address or name; lost, destroyed, or
7 stolen licenses.

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

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

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

1 request a replacement license, the licensee shall submit:

2 (1) a notarized statement that the licensee no longer
3 possesses the license, and that it was lost, destroyed, or
4 stolen;

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

7 (3) the requisite fee.

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

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

12 (430 ILCS 66/60)

13 Sec. 60. Fees.

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

17 (b) An applicant for a new license or a renewal shall
18 submit \$150 with the application, of which \$120 shall be
19 apportioned to the State Police Firearm Services Fund, \$20
20 shall be apportioned to the Mental Health Reporting Fund, and
21 \$10 shall be apportioned to the State Crime Laboratory Fund.

22 (c) Except as provided in subsection (c-5) of this
23 Section, a ~~A~~ non-resident applicant for a new license or
24 renewal shall submit \$300 with the application, of which \$250
25 shall be apportioned to the State Police Firearm Services

1 Fund, \$40 shall be apportioned to the Mental Health Reporting
2 Fund, and \$10 shall be apportioned to the State Crime
3 Laboratory Fund.

4 (c-5) A non-resident applicant for a new license or
5 renewal under subsection (b-5) of Section 40 of this Act shall
6 submit \$150 with the application, of which \$120 shall be
7 apportioned to the State Police Firearm Services Fund, \$20
8 shall be apportioned to the Mental Health Reporting Fund, and
9 \$10 shall be apportioned to the State Crime Laboratory Fund.

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

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