

HB3316



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3316

Introduced 2/19/2021, by Rep. David A. Welter

SYNOPSIS AS INTRODUCED:

430 ILCS 66/40

Amends the Firearm Concealed Carry Act. Provides that the Illinois State Police shall by rule allow for non-resident license applications from any state or territory of the United States that requires firearm training and a background check of an applicant for a license to carry concealed firearms (currently, the other state or territory must have laws related to firearm ownership, possession, and carrying, that are substantially similar to the requirements to obtain a license under the Act). Effective immediately.

LRB102 13808 RLC 19158 b

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 Section 40 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 that requires firearm training and a background check
14 of an applicant for a license to carry concealed firearms with
15 laws related to firearm ownership, possession, and carrying,
16 that are substantially similar to the requirements to obtain a
17 license under this Act.

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

1 of Section 4 of the Firearm Owners Identification Card Act.

2 The 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
10 carry a firearm or concealed firearm issued by his or
11 her state or territory of residence and attach a copy
12 of 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, the applicant shall submit documentation and information
3 required by the Department to obtain a Firearm Owner's
4 Identification Card, including an affidavit that the
5 non-resident meets the mental health standards to obtain a
6 firearm under Illinois law, and the Department shall ensure
7 that the applicant would meet the eligibility criteria to
8 obtain a Firearm Owner's Identification card if he or she was a
9 resident of this State.

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

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

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

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

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

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

1 eff. 7-20-15.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.