



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3165

Introduced 2/17/2023, by Rep. Brad Stephens

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-6023

from Ch. 34, par. 3-6023

430 ILCS 66/65

705 ILCS 35/28.1 new

Amends the Counties Code. Provides that the function of the sheriff as the person who shall maintain the security of the courthouse is affirmed; however, the sheriff shall not interfere with the right of a judge or an associate judge of the circuit court, if the judge or associate judge is a possessor or holder of a valid concealed carry license issued under the Firearm Concealed Carry Act, to exercise this right within or on the grounds of a courthouse to which the judge or associate judge has been assigned. Provides that validity of a concealed carry license shall be as provided in the Firearm Concealed Carry Act. Provides that the sheriff of the county where the court is located shall allow the judge or associate judge to secure his or her firearm in the same manner as a peace officer, in a secure area in chambers or adjacent to the courtroom, and the firearm shall not be permitted within the courtroom. Provides that the firearm may be carried to and from the courthouse and shall be secured upon the judge or associate judge reporting to his or her chambers. Amends the Firearm Concealed Carry Act and the Circuit Courts Act to make conforming changes.

LRB103 30001 RLC 56421 b

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing
5 Section 3-6023 as follows:

6 (55 ILCS 5/3-6023) (from Ch. 34, par. 3-6023)

7 Sec. 3-6023. Attendance at courts. Each sheriff shall, in
8 person or by deputy, county corrections officer, or court
9 security officer, attend upon all courts held in his or her
10 county when in session, and obey the lawful orders and
11 directions of the court, and shall maintain the security of
12 the courthouse. The function of the sheriff as the person who
13 shall maintain the security of the courthouse is affirmed;
14 however, the sheriff shall not interfere with the right of a
15 judge or an associate judge of the circuit court, if the judge
16 or associate judge is a possessor or holder of a valid
17 concealed carry license issued under the Firearm Concealed
18 Carry Act, to exercise this right within or on the grounds of a
19 courthouse to which the judge or associate judge has been
20 assigned. Validity of a concealed carry license shall be as
21 provided in Section 10 of the Firearm Concealed Carry Act. The
22 sheriff of the county where the court is located shall allow
23 the judge or associate judge to secure his or her firearm in

1 the same manner as a peace officer, in a secure area in
2 chambers or adjacent to the courtroom, and the firearm shall
3 not be permitted within the courtroom. The firearm may be
4 carried to and from the courthouse and shall be secured upon
5 the judge or associate judge reporting to his or her chambers.

6 Court services customarily performed by sheriffs shall be
7 provided by the sheriff or his or her deputies, county
8 corrections officers, or court security officers, rather than
9 by employees of the court, unless there are no deputies,
10 county corrections officers, or court security officers
11 available to perform such services. The expenses of the
12 sheriff in carrying out his or her duties under this Section,
13 including the compensation of deputies, county corrections
14 officers, or court security officers assigned to such
15 services, shall be paid to the county from fees collected
16 pursuant to court order for services of the sheriff and from
17 any court services fees collected by the county under the
18 Criminal and Traffic Assessment Act.

19 (Source: P.A. 100-987, eff. 7-1-19.)

20 Section 10. The Firearm Concealed Carry Act is amended by
21 changing Section 65 as follows:

22 (430 ILCS 66/65)

23 Sec. 65. Prohibited areas.

24 (a) A licensee under this Act shall not knowingly carry a

1 firearm on or into:

2 (1) Any building, real property, and parking area
3 under the control of a public or private elementary or
4 secondary school.

5 (2) Any building, real property, and parking area
6 under the control of a pre-school or child care facility,
7 including any room or portion of a building under the
8 control of a pre-school or child care facility. Nothing in
9 this paragraph shall prevent the operator of a child care
10 facility in a family home from owning or possessing a
11 firearm in the home or license under this Act, if no child
12 under child care at the home is present in the home or the
13 firearm in the home is stored in a locked container when a
14 child under child care at the home is present in the home.

15 (3) Any building, parking area, or portion of a
16 building under the control of an officer of the executive
17 or legislative branch of government, provided that nothing
18 in this paragraph shall prohibit a licensee from carrying
19 a concealed firearm onto the real property, bikeway, or
20 trail in a park regulated by the Department of Natural
21 Resources or any other designated public hunting area or
22 building where firearm possession is permitted as
23 established by the Department of Natural Resources under
24 Section 1.8 of the Wildlife Code.

25 (4) Except as otherwise provided in Section 3-6023 of
26 the Counties Code and Section 28.1 of the Circuit Courts

1 Act, any ~~Any~~ building designated for matters before a
2 circuit court, appellate court, or the Supreme Court, or
3 any building or portion of a building under the control of
4 the Supreme Court.

5 (5) Any building or portion of a building under the
6 control of a unit of local government.

7 (6) Any building, real property, and parking area
8 under the control of an adult or juvenile detention or
9 correctional institution, prison, or jail.

10 (7) Any building, real property, and parking area
11 under the control of a public or private hospital or
12 hospital affiliate, mental health facility, or nursing
13 home.

14 (8) Any bus, train, or form of transportation paid for
15 in whole or in part with public funds, and any building,
16 real property, and parking area under the control of a
17 public transportation facility paid for in whole or in
18 part with public funds.

19 (9) Any building, real property, and parking area
20 under the control of an establishment that serves alcohol
21 on its premises, if more than 50% of the establishment's
22 gross receipts within the prior 3 months is from the sale
23 of alcohol. The owner of an establishment who knowingly
24 fails to prohibit concealed firearms on its premises as
25 provided in this paragraph or who knowingly makes a false
26 statement or record to avoid the prohibition on concealed

1 firearms under this paragraph is subject to the penalty
2 under subsection (c-5) of Section 10-1 of the Liquor
3 Control Act of 1934.

4 (10) Any public gathering or special event conducted
5 on property open to the public that requires the issuance
6 of a permit from the unit of local government, provided
7 this prohibition shall not apply to a licensee who must
8 walk through a public gathering in order to access his or
9 her residence, place of business, or vehicle.

10 (11) Any building or real property that has been
11 issued a Special Event Retailer's license as defined in
12 Section 1-3.17.1 of the Liquor Control Act during the time
13 designated for the sale of alcohol by the Special Event
14 Retailer's license, or a Special use permit license as
15 defined in subsection (q) of Section 5-1 of the Liquor
16 Control Act during the time designated for the sale of
17 alcohol by the Special use permit license.

18 (12) Any public playground.

19 (13) Any public park, athletic area, or athletic
20 facility under the control of a municipality or park
21 district, provided nothing in this Section shall prohibit
22 a licensee from carrying a concealed firearm while on a
23 trail or bikeway if only a portion of the trail or bikeway
24 includes a public park.

25 (14) Any real property under the control of the Cook
26 County Forest Preserve District.

1 (15) Any building, classroom, laboratory, medical
2 clinic, hospital, artistic venue, athletic venue,
3 entertainment venue, officially recognized
4 university-related organization property, whether owned or
5 leased, and any real property, including parking areas,
6 sidewalks, and common areas under the control of a public
7 or private community college, college, or university.

8 (16) Any building, real property, or parking area
9 under the control of a gaming facility licensed under the
10 Illinois Gambling Act or the Illinois Horse Racing Act of
11 1975, including an inter-track wagering location licensee.

12 (17) Any stadium, arena, or the real property or
13 parking area under the control of a stadium, arena, or any
14 collegiate or professional sporting event.

15 (18) Any building, real property, or parking area
16 under the control of a public library.

17 (19) Any building, real property, or parking area
18 under the control of an airport.

19 (20) Any building, real property, or parking area
20 under the control of an amusement park.

21 (21) Any building, real property, or parking area
22 under the control of a zoo or museum.

23 (22) Any street, driveway, parking area, property,
24 building, or facility, owned, leased, controlled, or used
25 by a nuclear energy, storage, weapons, or development site
26 or facility regulated by the federal Nuclear Regulatory

1 Commission. The licensee shall not under any circumstance
2 store a firearm or ammunition in his or her vehicle or in a
3 compartment or container within a vehicle located anywhere
4 in or on the street, driveway, parking area, property,
5 building, or facility described in this paragraph.

6 (23) Any area where firearms are prohibited under
7 federal law.

8 (a-5) Nothing in this Act shall prohibit a public or
9 private community college, college, or university from:

10 (1) prohibiting persons from carrying a firearm within
11 a vehicle owned, leased, or controlled by the college or
12 university;

13 (2) developing resolutions, regulations, or policies
14 regarding student, employee, or visitor misconduct and
15 discipline, including suspension and expulsion;

16 (3) developing resolutions, regulations, or policies
17 regarding the storage or maintenance of firearms, which
18 must include designated areas where persons can park
19 vehicles that carry firearms; and

20 (4) permitting the carrying or use of firearms for the
21 purpose of instruction and curriculum of officially
22 recognized programs, including but not limited to military
23 science and law enforcement training programs, or in any
24 designated area used for hunting purposes or target
25 shooting.

26 (a-10) The owner of private real property of any type may

1 prohibit the carrying of concealed firearms on the property
2 under his or her control. The owner must post a sign in
3 accordance with subsection (d) of this Section indicating that
4 firearms are prohibited on the property, unless the property
5 is a private residence.

6 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
7 this Section except under paragraph (22) or (23) of subsection
8 (a), any licensee prohibited from carrying a concealed firearm
9 into the parking area of a prohibited location specified in
10 subsection (a), (a-5), or (a-10) of this Section shall be
11 permitted to carry a concealed firearm on or about his or her
12 person within a vehicle into the parking area and may store a
13 firearm or ammunition concealed in a case within a locked
14 vehicle or locked container out of plain view within the
15 vehicle in the parking area. A licensee may carry a concealed
16 firearm in the immediate area surrounding his or her vehicle
17 within a prohibited parking lot area only for the limited
18 purpose of storing or retrieving a firearm within the
19 vehicle's trunk. For purposes of this subsection, "case"
20 includes a glove compartment or console that completely
21 encloses the concealed firearm or ammunition, the trunk of the
22 vehicle, or a firearm carrying box, shipping box, or other
23 container.

24 (c) A licensee shall not be in violation of this Section
25 while he or she is traveling along a public right of way that
26 touches or crosses any of the premises under subsection (a),

1 (a-5), or (a-10) of this Section if the concealed firearm is
2 carried on his or her person in accordance with the provisions
3 of this Act or is being transported in a vehicle by the
4 licensee in accordance with all other applicable provisions of
5 law.

6 (d) Signs stating that the carrying of firearms is
7 prohibited shall be clearly and conspicuously posted at the
8 entrance of a building, premises, or real property specified
9 in this Section as a prohibited area, unless the building or
10 premises is a private residence. Signs shall be of a uniform
11 design as established by the Illinois State Police and shall
12 be 4 inches by 6 inches in size. The Illinois State Police
13 shall adopt rules for standardized signs to be used under this
14 subsection.

15 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21.)

16 Section 15. The Circuit Courts Act is amended by adding
17 Section 28.1 as follows:

18 (705 ILCS 35/28.1 new)

19 Sec. 28.1. Judges and associate judges; firearms. A judge
20 or an associate judge of the circuit court with a valid
21 concealed carry license issued under the Firearm Concealed
22 Carry Act may exercise the rights granted by this license
23 within any premises containing a circuit court to which that
24 judge or associate judge has been assigned. Validity of the

1 concealed carry license shall be as provided in Section 10 of
2 the Firearm Concealed Carry Act. The sheriff of the county
3 where the court is located shall allow the judge or associate
4 judge to secure his or her firearm in the same manner as a
5 peace officer, in a secure area in chambers or adjacent to the
6 courtroom, and the firearm shall not be permitted within the
7 courtroom. The firearm may be carried to and from the
8 courthouse and shall be secured upon the judge or associate
9 judge reporting to his or her chambers.