

SB3559



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

SB3559

Introduced 2/14/2014, by Sen. Kwame Raoul

SYNOPSIS AS INTRODUCED:

430 ILCS 66/10

Amends the Firearm Concealed Carry Act. Permits a concealed carry licensee to carry one loaded or unloaded concealed firearm and, whether attached to or detached from the firearm, one ammunition feeding device for that firearm with a capacity of 10 rounds of ammunition or less on or about his or her person. Provides that the licensee may not carry an ammunition feeding device with a capacity of more than 10 rounds of ammunition or that can be readily restored or converted to accept more than 10 rounds of ammunition. Deletes provision that the licensee may (1) carry a loaded or unloaded concealed firearm, fully concealed or partially concealed, on or about his or her person; and (2) keep or carry a loaded or unloaded concealed firearm on or about his or her person within a vehicle.

LRB098 17548 RLC 52657 b

CORRECTIONAL
BUDGET AND
IMPACT 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 Section 10 as follows:

6 (430 ILCS 66/10)

7 Sec. 10. Issuance of licenses to carry a concealed firearm.

8 (a) The Department shall issue a license to carry a
9 concealed firearm under this Act to an applicant who:

10 (1) meets the qualifications of Section 25 of this Act;

11 (2) has provided the application and documentation
12 required in Section 30 of this Act;

13 (3) has submitted the requisite fees; and

14 (4) does not pose a danger to himself, herself, or
15 others, or a threat to public safety as determined by the
16 Concealed Carry Licensing Review Board in accordance with
17 Section 20.

18 (b) The Department shall issue a renewal, corrected, or
19 duplicate license as provided in this Act.

20 (c) A license shall be valid throughout the State for a
21 period of 5 years from the date of issuance. A license shall
22 permit the licensee to carry one loaded or unloaded concealed
23 firearm and, whether attached to or detached from the firearm,

1 one ammunition feeding device for that firearm with a capacity
2 of 10 rounds of ammunition or less on or about his or her
3 person. The licensee may not carry an ammunition feeding device
4 with a capacity of more than 10 rounds of ammunition or that
5 can be readily restored or converted to accept more than 10
6 rounds of ammunition. †

7 ~~(1) carry a loaded or unloaded concealed firearm, fully~~
8 ~~concealed or partially concealed, on or about his or her~~
9 ~~person; and~~

10 ~~(2) keep or carry a loaded or unloaded concealed~~
11 ~~firearm on or about his or her person within a vehicle.~~

12 (d) The Department shall make applications for a license
13 available no later than 180 days after the effective date of
14 this Act. The Department shall establish rules for the
15 availability and submission of applications in accordance with
16 this Act.

17 (e) An application for a license submitted to the
18 Department that contains all the information and materials
19 required by this Act, including the requisite fee, shall be
20 deemed completed. Except as otherwise provided in this Act, no
21 later than 90 days after receipt of a completed application,
22 the Department shall issue or deny the applicant a license.

23 (f) The Department shall deny the applicant a license if
24 the applicant fails to meet the requirements under this Act or
25 the Department receives a determination from the Board that the
26 applicant is ineligible for a license. The Department must

1 notify the applicant stating the grounds for the denial. The
2 notice of denial must inform the applicant of his or her right
3 to an appeal through administrative and judicial review.

4 (g) A licensee shall possess a license at all times the
5 licensee carries a concealed firearm except:

6 (1) when the licensee is carrying or possessing a
7 concealed firearm on his or her land or in his or her
8 abode, legal dwelling, or fixed place of business, or on
9 the land or in the legal dwelling of another person as an
10 invitee with that person's permission;

11 (2) when the person is authorized to carry a firearm
12 under Section 24-2 of the Criminal Code of 2012, except
13 subsection (a-5) of that Section; or

14 (3) when the handgun is broken down in a
15 non-functioning state, is not immediately accessible, or
16 is unloaded and enclosed in a case.

17 (h) If an officer of a law enforcement agency initiates an
18 investigative stop, including but not limited to a traffic
19 stop, of a licensee or a non-resident carrying a concealed
20 firearm under subsection (e) of Section 40 of this Act, upon
21 the request of the officer the licensee or non-resident shall
22 disclose to the officer that he or she is in possession of a
23 concealed firearm under this Act, present the license upon the
24 request of the officer if he or she is a licensee or present
25 upon the request of the officer evidence under paragraph (2) of
26 subsection (e) of Section 40 of this Act that he or she is a

1 non-resident qualified to carry under that subsection, and
2 identify the location of the concealed firearm. During a
3 traffic stop, any passenger within the vehicle who is a
4 licensee or a non-resident carrying under subsection (e) of
5 Section 40 of this Act must comply with the requirements of
6 this subsection (h).

7 (i) The Department shall maintain a database of license
8 applicants and licensees. The database shall be available to
9 all federal, State, and local law enforcement agencies, State's
10 Attorneys, the Attorney General, and authorized court
11 personnel. Within 180 days after the effective date of this
12 Act, the database shall be searchable and provide all
13 information included in the application, including the
14 applicant's previous addresses within the 10 years prior to the
15 license application and any information related to violations
16 of this Act. No law enforcement agency, State's Attorney,
17 Attorney General, or member or staff of the judiciary shall
18 provide any information to a requester who is not entitled to
19 it by law.

20 (j) No later than 10 days after receipt of a completed
21 application, the Department shall enter the relevant
22 information about the applicant into the database under
23 subsection (i) of this Section which is accessible by law
24 enforcement agencies.

25 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13.)