



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB5792

by Rep. Margo McDermed

#### SYNOPSIS AS INTRODUCED:

430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Provides that the prohibition on carrying a concealed firearm into a courthouse does not apply to a licensee who is a circuit or associate judge, State's Attorney, or Assistant State's Attorney; provided that the judge, State's Attorney, or Assistant State's Attorney does not carry a concealed firearm at any time while in a courtroom. Provides that the firearm, when it is not carried on the person of the judge, State's Attorney, or Assistant State's Attorney, shall be stored in a secure area in a locked compartment designated by the sheriff, or if in a building only under the control of the court in a locked compartment designated by the chief judge or resident judge. Effective immediately.

LRB099 19513 SLF 43906 b

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 65 as follows:

6 (430 ILCS 66/65)

7 Sec. 65. Prohibited areas.

8 (a) A licensee under this Act shall not knowingly carry a  
9 firearm on or into:

10 (1) Any building, real property, and parking area under  
11 the control of a public or private elementary or secondary  
12 school.

13 (2) Any building, real property, and parking area under  
14 the control of a pre-school or child care facility,  
15 including any room or portion of a building under the  
16 control of a pre-school or child care facility. Nothing in  
17 this paragraph shall prevent the operator of a child care  
18 facility in a family home from owning or possessing a  
19 firearm in the home or license under this Act, if no child  
20 under child care at the home is present in the home or the  
21 firearm in the home is stored in a locked container when a  
22 child under child care at the home is present in the home.

23 (3) Any building, parking area, or portion of a

1 building under the control of an officer of the executive  
2 or legislative branch of government, provided that nothing  
3 in this paragraph shall prohibit a licensee from carrying a  
4 concealed firearm onto the real property, bikeway, or trail  
5 in a park regulated by the Department of Natural Resources  
6 or any other designated public hunting area or building  
7 where firearm possession is permitted as established by the  
8 Department of Natural Resources under Section 1.8 of the  
9 Wildlife Code.

10 (4) Any building designated for matters before a  
11 circuit court, appellate court, or the Supreme Court, or  
12 any building or portion of a building under the control of  
13 the Supreme Court. This paragraph (4) does not apply to a  
14 licensee who is a circuit or associate judge, State's  
15 Attorney, or Assistant State's Attorney; provided that the  
16 judge, State's Attorney, or Assistant State's Attorney  
17 does not carry a concealed firearm at any time while in a  
18 courtroom. The firearm, when it is not carried on the  
19 person of the judge, State's Attorney, or Assistant State's  
20 Attorney, shall be stored in a secure area in a locked  
21 compartment designated by the sheriff, or if in a building  
22 only under the control of the court in a locked compartment  
23 designated by the chief judge or resident judge.

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

26 (6) Any building, real property, and parking area under

1 the control of an adult or juvenile detention or  
2 correctional institution, prison, or jail.

3 (7) Any building, real property, and parking area under  
4 the control of a public or private hospital or hospital  
5 affiliate, mental health facility, or nursing home.

6 (8) Any bus, train, or form of transportation paid for  
7 in whole or in part with public funds, and any building,  
8 real property, and parking area under the control of a  
9 public transportation facility paid for in whole or in part  
10 with public funds.

11 (9) Any building, real property, and parking area under  
12 the control of an establishment that serves alcohol on its  
13 premises, if more than 50% of the establishment's gross  
14 receipts within the prior 3 months is from the sale of  
15 alcohol. The owner of an establishment who knowingly fails  
16 to prohibit concealed firearms on its premises as provided  
17 in this paragraph or who knowingly makes a false statement  
18 or record to avoid the prohibition on concealed firearms  
19 under this paragraph is subject to the penalty under  
20 subsection (c-5) of Section 10-1 of the Liquor Control Act  
21 of 1934.

22 (10) Any public gathering or special event conducted on  
23 property open to the public that requires the issuance of a  
24 permit from the unit of local government, provided this  
25 prohibition shall not apply to a licensee who must walk  
26 through a public gathering in order to access his or her

1 residence, place of business, or vehicle.

2 (11) Any building or real property that has been issued  
3 a Special Event Retailer's license as defined in Section  
4 1-3.17.1 of the Liquor Control Act during the time  
5 designated for the sale of alcohol by the Special Event  
6 Retailer's license, or a Special use permit license as  
7 defined in subsection (q) of Section 5-1 of the Liquor  
8 Control Act during the time designated for the sale of  
9 alcohol by the Special use permit license.

10 (12) Any public playground.

11 (13) Any public park, athletic area, or athletic  
12 facility under the control of a municipality or park  
13 district, provided nothing in this Section shall prohibit a  
14 licensee from carrying a concealed firearm while on a trail  
15 or bikeway if only a portion of the trail or bikeway  
16 includes a public park.

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

19 (15) Any building, classroom, laboratory, medical  
20 clinic, hospital, artistic venue, athletic venue,  
21 entertainment venue, officially recognized  
22 university-related organization property, whether owned or  
23 leased, and any real property, including parking areas,  
24 sidewalks, and common areas under the control of a public  
25 or private community college, college, or university.

26 (16) Any building, real property, or parking area under

1 the control of a gaming facility licensed under the  
2 Riverboat Gambling Act or the Illinois Horse Racing Act of  
3 1975, including an inter-track wagering location licensee.

4 (17) Any stadium, arena, or the real property or  
5 parking area under the control of a stadium, arena, or any  
6 collegiate or professional sporting event.

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

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

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

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

15 (22) Any street, driveway, parking area, property,  
16 building, or facility, owned, leased, controlled, or used  
17 by a nuclear energy, storage, weapons, or development site  
18 or facility regulated by the federal Nuclear Regulatory  
19 Commission. The licensee shall not under any circumstance  
20 store a firearm or ammunition in his or her vehicle or in a  
21 compartment or container within a vehicle located anywhere  
22 in or on the street, driveway, parking area, property,  
23 building, or facility described in this paragraph.

24 (23) Any area where firearms are prohibited under  
25 federal law.

26 (a-5) Nothing in this Act shall prohibit a public or

1 private community college, college, or university from:

2 (1) prohibiting persons from carrying a firearm within  
3 a vehicle owned, leased, or controlled by the college or  
4 university;

5 (2) developing resolutions, regulations, or policies  
6 regarding student, employee, or visitor misconduct and  
7 discipline, including suspension and expulsion;

8 (3) developing resolutions, regulations, or policies  
9 regarding the storage or maintenance of firearms, which  
10 must include designated areas where persons can park  
11 vehicles that carry firearms; and

12 (4) permitting the carrying or use of firearms for the  
13 purpose of instruction and curriculum of officially  
14 recognized programs, including but not limited to military  
15 science and law enforcement training programs, or in any  
16 designated area used for hunting purposes or target  
17 shooting.

18 (a-10) The owner of private real property of any type may  
19 prohibit the carrying of concealed firearms on the property  
20 under his or her control. The owner must post a sign in  
21 accordance with subsection (d) of this Section indicating that  
22 firearms are prohibited on the property, unless the property is  
23 a private residence.

24 (b) Notwithstanding subsections (a), (a-5), and (a-10) of  
25 this Section except under paragraph (22) or (23) of subsection  
26 (a), any licensee prohibited from carrying a concealed firearm

1 into the parking area of a prohibited location specified in  
2 subsection (a), (a-5), or (a-10) of this Section shall be  
3 permitted to carry a concealed firearm on or about his or her  
4 person within a vehicle into the parking area and may store a  
5 firearm or ammunition concealed in a case within a locked  
6 vehicle or locked container out of plain view within the  
7 vehicle in the parking area. A licensee may carry a concealed  
8 firearm in the immediate area surrounding his or her vehicle  
9 within a prohibited parking lot area only for the limited  
10 purpose of storing or retrieving a firearm within the vehicle's  
11 trunk. For purposes of this subsection, "case" includes a glove  
12 compartment or console that completely encloses the concealed  
13 firearm or ammunition, the trunk of the vehicle, or a firearm  
14 carrying box, shipping box, or other container.

15 (c) A licensee shall not be in violation of this Section  
16 while he or she is traveling along a public right of way that  
17 touches or crosses any of the premises under subsection (a),  
18 (a-5), or (a-10) of this Section if the concealed firearm is  
19 carried on his or her person in accordance with the provisions  
20 of this Act or is being transported in a vehicle by the  
21 licensee in accordance with all other applicable provisions of  
22 law.

23 (d) Signs stating that the carrying of firearms is  
24 prohibited shall be clearly and conspicuously posted at the  
25 entrance of a building, premises, or real property specified in  
26 this Section as a prohibited area, unless the building or



1 premises is a private residence. Signs shall be of a uniform  
2 design as established by the Department and shall be 4 inches  
3 by 6 inches in size. The Department shall adopt rules for  
4 standardized signs to be used under this subsection.

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

6 Section 99. Effective date. This Act takes effect upon  
7 becoming law.