

Concealed Carry Clean-Up

HB319 (Sullivan) – Concealed carry licensees may keep their firearms loaded while storing or retrieving the firearm from their vehicle's trunk while parked in a prohibited parking lot area.

HB346 (Reis) – Concealed carry licensees may carry a handgun while hunting.

HB482 (Phelps) – Allows concealed carry licensees to purchase firearms and ammunition by displaying their valid concealed carry license.

HB1411 (Cavaletto) – Concealed carry licensees who are in physical possession of their license are permitted to carry firearms and ammunition without having a valid FOID card in their physical possession.

HB1412 (Cavaletto) – A concealed carry licensee who presents his or her license to a law enforcement officer during an investigative stop is deemed to have disclosed that he or she is carrying a firearm. This also applies to a non-resident who provides evidence that he or she is eligible to carry in his or her state of residence. The licensee or non-resident must still identify the location of the firearm to law enforcement.

HB1435 (Franks) – The waiver of privacy rights required in a concealed carry license application only applies to records sought to determine whether the applicant is qualified for a license or whether the applicant remains in compliance with the FOID Act and cannot be used for other purposes.

HB2551 (Phelps) – Exempts full-time law enforcement officers/officials from firearms training required to obtain a concealed carry license if they have completed firearm training as part of their position and they are authorized by their agency to carry a firearm.

HB2724 (Anthony) – Emergency services personnel and/or law enforcement officers may ask a concealed carry licensee or non-resident who is carrying a firearm while in a vehicle to have their firearm secured for the duration of contact for safety reasons. Law enforcement may also secure a firearm for the duration of an investigative stop.

HB3381 (Costello) – "Non-resident" no longer includes non-resident military members permanently assigned to Illinois. Allows non-resident military member permanently assigned to Illinois to apply for a concealed carry license. Valid military identification and assignment orders must be furnished.

HB3563 (Costello) – Changes the FOID Card Act and the Criminal Code to ensure that non-resident competitors may purchase firearms at a gun show that takes place at a competitive shooting event held at the World Shooting Complex.

SB836 (Sullivan) – Allows individuals with "mild" developmental disabilities to obtain a FOID card.

SB1857 (Haine) (same as HB3218 - Bradley) – Outlines an applicant's rights to notice and detailed information in writing as to why his or her concealed carry license was denied and explains the right to appeal.

A concealed carry licensee lawfully carrying/possessing a firearm is not in violation of the Unlawful Use of Weapons or Aggravated Unlawful Use of Weapons statutes.

~~A concealed carry licensee whose license is lost or stolen may pay a \$5 fee to obtain a new license. (currently, a \$10 fee for a new license must be paid)~~

The Department may require a notarized statement when a concealed carry licensee changes his or her residence or name. (a statement is currently required)



FISCAL NOTE ACT
MAY APPLY

LRB099 09057 RLC 35937 a

1 AMENDMENT TO SENATE BILL 836

2 AMENDMENT NO. _____. Amend Senate Bill 836 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Mental Health and Developmental
5 Disabilities Code is amended by changing Sections 6-103.2 and
6 6-103.3 as follows:

7 (405 ILCS 5/6-103.2)

8 Sec. 6-103.2. Developmental disability; notice. ~~If for~~
9 ~~purposes of this Section, if a person 14 years old or older is~~
10 ~~determined to be developmentally disabled as defined in Section~~
11 ~~4.1 of the Firearm Owners Identification Card Act by a~~
12 ~~physician, clinical psychologist, or qualified examiner,~~
13 ~~whether practicing at a public or by a private mental health~~
14 ~~facility or developmental disability facility, the physician,~~
15 ~~clinical psychologist, or qualified examiner shall notify the~~
16 ~~Department of Human Services within 7 days 24 hours of making~~

1 the determination that the person has a developmental
2 disability. The Department of Human Services shall immediately
3 update its records and information relating to mental health
4 and developmental disabilities, and if appropriate, shall
5 notify the Department of State Police in a form and manner
6 prescribed by the Department of State Police. Information
7 disclosed under this Section shall remain privileged and
8 confidential, and shall not be redisclosed, except as required
9 under subsection (e) of Section 3.1 of the Firearm Owners
10 Identification Card Act, nor used for any other purpose. The
11 method of providing this information shall guarantee that the
12 information is not released beyond that which is necessary for
13 the purpose of this Section and shall be provided by rule by
14 the Department of Human Services. The identity of the person
15 reporting under this Section shall not be disclosed to the
16 subject of the report.

17 The physician, clinical psychologist, or qualified
18 examiner making the determination and his or her employer may
19 not be held criminally, civilly, or professionally liable for
20 making or not making the notification required under this
21 Section, except for willful or wanton misconduct.

22 For purposes of this Section, "developmentally disabled"
23 means a disability which is attributable to any other condition
24 which results in impairment similar to that caused by an
25 intellectual disability and which requires services similar to
26 those required by intellectually disabled persons. The

1 disability must originate before the age of 18 years, be
2 expected to continue indefinitely, and constitute a
3 substantial disability. This disability results in the
4 professional opinion of a physician, clinical psychologist, or
5 qualified examiner, in significant functional limitations in 3
6 or more of the following areas of major life activity:

7 (i) self-care;

8 (ii) receptive and expressive language;

9 (iii) learning;

10 (iv) mobility; or

11 (v) self-direction.

12 "Determined to be developmentally disabled by a physician,
13 clinical psychologist, or qualified examiner" means in the
14 professional opinion of the physician, clinical psychologist,
15 or qualified examiner, a person is diagnosed, assessed, or
16 evaluated to be developmentally disabled.

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

18 (405 ILCS 5/6-103.3)

19 Sec. 6-103.3. Clear and present danger; notice. If a person
20 is determined to pose a clear and present danger to himself,
21 herself, or to others by a physician, clinical psychologist, or
22 qualified examiner, whether employed by the State, by any
23 public or private mental health facility or part thereof, or by
24 a law enforcement official or a school administrator, then the
25 physician, clinical psychologist, qualified examiner shall

1 notify the Department of Human Services and a law enforcement
2 official or school administrator shall notify the Department of
3 State Police, within 24 hours of making the determination that
4 the person poses a clear and present danger. The Department of
5 Human Services shall immediately update its records and
6 information relating to mental health and developmental
7 disabilities, and if appropriate, shall notify the Department
8 of State Police in a form and manner prescribed by the
9 Department of State Police. Information disclosed under this
10 Section shall remain privileged and confidential, and shall not
11 be redisclosed, except as required under subsection (e) of
12 Section 3.1 of the Firearm Owners Identification Card Act, nor
13 used for any other purpose. The method of providing this
14 information shall guarantee that the information is not
15 released beyond that which is necessary for the purpose of this
16 Section and shall be provided by rule by the Department of
17 Human Services. The identity of the person reporting under this
18 Section shall not be disclosed to the subject of the report.
19 The physician, clinical psychologist, qualified examiner, law
20 enforcement official, or school administrator making the
21 determination and his or her employer shall not be held
22 criminally, civilly, or professionally liable for making or not
23 making the notification required under this Section, except for
24 willful or wanton misconduct. This Section does not apply to a
25 law enforcement official, if making the notification under this
26 Section will interfere with an ongoing or pending criminal

1 investigation.

2 For the purposes of this Section:

3 "Clear and present danger" has the meaning ascribed to
4 it in Section 1.1 of the Firearm Owners Identification Card
5 Act.

6 "Determined to pose a clear and present danger to
7 himself, herself, or to others by a physician, clinical
8 psychologist, or qualified examiner" means in the
9 professional opinion of the physician, clinical
10 psychologist, or qualified examiner, a person poses a clear
11 and present danger.

12 "School administrator" means the person required to
13 report under the School Administrator Reporting of Mental
14 Health Clear and Present Danger Determinations Law.

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

16 Section 10. The Firearm Owners Identification Card Act is
17 amended by changing Sections 1.1, 2, 3, 3a, 10, and 13.2 as
18 follows:

19 (430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)

20 Sec. 1.1. For purposes of this Act:

21 "Addicted to narcotics" means a person who has been:

22 (1) convicted of an offense involving the use or
23 possession of cannabis, a controlled substance, or
24 methamphetamine within the past year; or

1 (2) determined by the Department of State Police to be
2 addicted to narcotics based upon federal law or federal
3 guidelines.

4 "Addicted to narcotics" does not include possession or use
5 of a prescribed controlled substance under the direction and
6 authority of a physician or other person authorized to
7 prescribe the controlled substance when the controlled
8 substance is used in the prescribed manner.

9 "Adjudicated as a mentally disabled person" means the
10 person is the subject of a determination by a court, board,
11 commission or other lawful authority that the person, as a
12 result of marked subnormal intelligence, or mental illness,
13 mental impairment, incompetency, condition, or disease:

14 (1) presents a clear and present danger to himself,
15 herself, or to others;

16 (2) lacks the mental capacity to manage his or her own
17 affairs or is adjudicated a disabled person as defined in
18 Section 11a-2 of the Probate Act of 1975;

19 (3) is not guilty in a criminal case by reason of
20 insanity, mental disease or defect;

21 (3.5) is guilty but mentally ill, as provided in
22 Section 5-2-6 of the Unified Code of Corrections;

23 (4) is incompetent to stand trial in a criminal case;

24 (5) is not guilty by reason of lack of mental
25 responsibility under Articles 50a and 72b of the Uniform
26 Code of Military Justice, 10 U.S.C. 850a, 876b;

1 (6) is a sexually violent person under subsection (f)
2 of Section 5 of the Sexually Violent Persons Commitment
3 Act;

4 (7) is a sexually dangerous person under the Sexually
5 Dangerous Persons Act;

6 (8) is unfit to stand trial under the Juvenile Court
7 Act of 1987;

8 (9) is not guilty by reason of insanity under the
9 Juvenile Court Act of 1987;

10 (10) is subject to involuntary admission as an
11 inpatient as defined in Section 1-119 of the Mental Health
12 and Developmental Disabilities Code;

13 (11) is subject to involuntary admission as an
14 outpatient as defined in Section 1-119.1 of the Mental
15 Health and Developmental Disabilities Code;

16 (12) is subject to judicial admission as set forth in
17 Section 4-500 of the Mental Health and Developmental
18 Disabilities Code; or

19 (13) is subject to the provisions of the Interstate
20 Agreements on Sexually Dangerous Persons Act.

21 "Clear and present danger" means a person who:

22 (1) communicates a serious threat of physical violence
23 against a reasonably identifiable victim or poses a clear
24 and imminent risk of serious physical injury to himself,
25 herself, or another person as determined by a physician,
26 clinical psychologist, or qualified examiner; or

1 (2) demonstrates threatening physical or verbal
2 behavior, such as violent, suicidal, or assaultive
3 threats, actions, or other behavior, as determined by a
4 physician, clinical psychologist, qualified examiner,
5 school administrator, or law enforcement official.

6 "Clinical psychologist" has the meaning provided in
7 Section 1-103 of the Mental Health and Developmental
8 Disabilities Code.

9 "Controlled substance" means a controlled substance or
10 controlled substance analog as defined in the Illinois
11 Controlled Substances Act.

12 "Counterfeit" means to copy or imitate, without legal
13 authority, with intent to deceive.

14 "Developmentally disabled" means a disability which is
15 attributable to any other condition which results in impairment
16 similar to that caused by an intellectual disability and which
17 requires services similar to those required by intellectually
18 disabled persons. The disability must originate before the age
19 of 18 years, be expected to continue indefinitely, and
20 constitute a substantial disability handicap.

21 This disability results in the professional opinion of a
22 physician, clinical psychologist, or qualified examiner, in
23 significant functional limitations in 3 or more of the
24 following areas of major life activity:

25 (i) self-care;

26 (ii) receptive and expressive language;

1 (iii) learning;

2 (iv) mobility; or

3 (v) self-direction.

4 "Federally licensed firearm dealer" means a person who is
5 licensed as a federal firearms dealer under Section 923 of the
6 federal Gun Control Act of 1968 (18 U.S.C. 923).

7 "Firearm" means any device, by whatever name known, which
8 is designed to expel a projectile or projectiles by the action
9 of an explosion, expansion of gas or escape of gas; excluding,
10 however:

11 (1) any pneumatic gun, spring gun, paint ball gun, or
12 B-B gun which expels a single globular projectile not
13 exceeding .18 inch in diameter or which has a maximum
14 muzzle velocity of less than 700 feet per second;

15 (1.1) any pneumatic gun, spring gun, paint ball gun, or
16 B-B gun which expels breakable paint balls containing
17 washable marking colors;

18 (2) any device used exclusively for signalling or
19 safety and required or recommended by the United States
20 Coast Guard or the Interstate Commerce Commission;

21 (3) any device used exclusively for the firing of stud
22 cartridges, explosive rivets or similar industrial
23 ammunition; and

24 (4) an antique firearm (other than a machine-gun)
25 which, although designed as a weapon, the Department of
26 State Police finds by reason of the date of its

1 manufacture, value, design, and other characteristics is
2 primarily a collector's item and is not likely to be used
3 as a weapon.

4 "Firearm ammunition" means any self-contained cartridge or
5 shotgun shell, by whatever name known, which is designed to be
6 used or adaptable to use in a firearm; excluding, however:

7 (1) any ammunition exclusively designed for use with a
8 device used exclusively for signalling or safety and
9 required or recommended by the United States Coast Guard or
10 the Interstate Commerce Commission; and

11 (2) any ammunition designed exclusively for use with a
12 stud or rivet driver or other similar industrial
13 ammunition.

14 "Gun show" means an event or function:

15 (1) at which the sale and transfer of firearms is the
16 regular and normal course of business and where 50 or more
17 firearms are displayed, offered, or exhibited for sale,
18 transfer, or exchange; or

19 (2) at which not less than 10 gun show vendors display,
20 offer, or exhibit for sale, sell, transfer, or exchange
21 firearms.

22 "Gun show" includes the entire premises provided for an
23 event or function, including parking areas for the event or
24 function, that is sponsored to facilitate the purchase, sale,
25 transfer, or exchange of firearms as described in this Section.
26 Nothing in this definition shall be construed to exclude a gun

1 show held in conjunction with competitive shooting events at
2 the World Shooting Complex sanctioned by a national governing
3 body in which the sale or transfer of firearms is authorized
4 under subparagraph (5) of paragraph (g) of subsection (A) of
5 Section 24-3 of the Criminal Code of 2012.

6 Unless otherwise expressly stated, "gun show" "Gun show"
7 does not include training or safety classes, competitive
8 shooting events, such as rifle, shotgun, or handgun matches,
9 trap, skeet, or sporting clays shoots, dinners, banquets,
10 raffles, or any other event where the sale or transfer of
11 firearms is not the primary course of business.

12 "Gun show promoter" means a person who organizes or
13 operates a gun show.

14 "Gun show vendor" means a person who exhibits, sells,
15 offers for sale, transfers, or exchanges any firearms at a gun
16 show, regardless of whether the person arranges with a gun show
17 promoter for a fixed location from which to exhibit, sell,
18 offer for sale, transfer, or exchange any firearm.

19 "Intellectually disabled" means significantly subaverage
20 general intellectual functioning which exists concurrently
21 with impairment in adaptive behavior and which originates
22 before the age of 18 years.

23 "Involuntarily admitted" has the meaning as prescribed in
24 Sections 1-119 and 1-119.1 of the Mental Health and
25 Developmental Disabilities Code.

26 "Mental health facility" means any licensed private

1 hospital or hospital affiliate, institution, or facility, or
2 part thereof, and any facility, or part thereof, operated by
3 the State or a political subdivision thereof which provide
4 treatment of persons with mental illness and includes all
5 hospitals, institutions, clinics, evaluation facilities,
6 mental health centers, colleges, universities, long-term care
7 facilities, and nursing homes, or parts thereof, which provide
8 treatment of persons with mental illness whether or not the
9 primary purpose is to provide treatment of persons with mental
10 illness.

11 "National governing body" means a group of persons who
12 adopt rules and formulate policy on behalf of a national
13 firearm sporting organization.

14 "Patient" means:

15 (1) a person who voluntarily receives mental health
16 treatment as an in-patient or resident of any public or
17 private mental health facility, unless the treatment was
18 solely for an alcohol abuse disorder and no other secondary
19 substance abuse disorder or mental illness; or

20 (2) a person who voluntarily receives mental health
21 treatment as an out-patient or is provided services by a
22 public or private mental health facility, and who poses a
23 clear and present danger to himself, herself, or to others.

24 "Physician" has the meaning as defined in Section 1-120 of
25 the Mental Health and Developmental Disabilities Code.

26 "Qualified examiner" has the meaning provided in Section

1 1-122 of the Mental Health and Developmental Disabilities Code.

2 "Sanctioned competitive shooting event" means a shooting
3 contest officially recognized by a national or state shooting
4 sport association, and includes any sight-in or practice
5 conducted in conjunction with the event.

6 "School administrator" means the person required to report
7 under the School Administrator Reporting of Mental Health Clear
8 and Present Danger Determinations Law.

9 "Stun gun or taser" has the meaning ascribed to it in
10 Section 24-1 of the Criminal Code of 2012.

11 (Source: P.A. 97-776, eff. 7-13-12; 97-1150, eff. 1-25-13;
12 97-1167, eff. 6-1-13; 98-63, eff. 7-9-13.)

13 (430 ILCS 65/2) (from Ch. 38, par. 83-2)

14 Sec. 2. Firearm Owner's Identification Card required;
15 exceptions.

16 (a) (1) No person may acquire or possess any firearm, stun
17 gun, or taser within this State without having in his or
18 her possession a Firearm Owner's Identification Card
19 previously issued in his or her name by the Department of
20 State Police under the provisions of this Act.

21 (2) No person may acquire or possess firearm ammunition
22 within this State without having in his or her possession a
23 Firearm Owner's Identification Card previously issued in
24 his or her name by the Department of State Police under the
25 provisions of this Act.

1 (b) The provisions of this Section regarding the possession
2 of firearms, firearm ammunition, stun guns, and tasers do not
3 apply to:

4 (1) United States Marshals, while engaged in the
5 operation of their official duties;

6 (2) Members of the Armed Forces of the United States or
7 the National Guard, while engaged in the operation of their
8 official duties;

9 (3) Federal officials required to carry firearms,
10 while engaged in the operation of their official duties;

11 (4) Members of bona fide veterans organizations which
12 receive firearms directly from the armed forces of the
13 United States, while using the firearms for ceremonial
14 purposes with blank ammunition;

15 (5) Nonresident hunters during hunting season, with
16 valid nonresident hunting licenses and while in an area
17 where hunting is permitted; however, at all other times and
18 in all other places these persons must have their firearms
19 unloaded and enclosed in a case;

20 (6) Those hunters exempt from obtaining a hunting
21 license who are required to submit their Firearm Owner's
22 Identification Card when hunting on Department of Natural
23 Resources owned or managed sites;

24 (7) Nonresidents while on a firing or shooting range
25 recognized by the Department of State Police; however,
26 these persons must at all other times and in all other

1 places have their firearms unloaded and enclosed in a case;

2 (8) Nonresidents while at a firearm showing or display
3 recognized by the Department of State Police; however, at
4 all other times and in all other places these persons must
5 have their firearms unloaded and enclosed in a case;

6 (9) Nonresidents whose firearms are unloaded and
7 enclosed in a case;

8 (10) Nonresidents who are currently licensed or
9 registered to possess a firearm in their resident state;

10 (11) Unemancipated minors while in the custody and
11 immediate control of their parent or legal guardian or
12 other person in loco parentis to the minor if the parent or
13 legal guardian or other person in loco parentis to the
14 minor has a currently valid Firearm Owner's Identification
15 Card;

16 (12) Color guards of bona fide veterans organizations
17 or members of bona fide American Legion bands while using
18 firearms for ceremonial purposes with blank ammunition;

19 (13) Nonresident hunters whose state of residence does
20 not require them to be licensed or registered to possess a
21 firearm and only during hunting season, with valid hunting
22 licenses, while accompanied by, and using a firearm owned
23 by, a person who possesses a valid Firearm Owner's
24 Identification Card and while in an area within a
25 commercial club licensed under the Wildlife Code where
26 hunting is permitted and controlled, but in no instance

1 upon sites owned or managed by the Department of Natural
2 Resources;

3 (14) Resident hunters who are properly authorized to
4 hunt and, while accompanied by a person who possesses a
5 valid Firearm Owner's Identification Card, hunt in an area
6 within a commercial club licensed under the Wildlife Code
7 where hunting is permitted and controlled;

8 (15) A person who is otherwise eligible to obtain a
9 Firearm Owner's Identification Card under this Act and is
10 under the direct supervision of a holder of a Firearm
11 Owner's Identification Card who is 21 years of age or older
12 while the person is on a firing or shooting range or is a
13 participant in a firearms safety and training course
14 recognized by a law enforcement agency or a national,
15 statewide shooting sports organization; and

16 (16) Competitive shooting athletes whose competition
17 firearms are sanctioned by the International Olympic
18 Committee, the International Paralympic Committee, the
19 International Shooting Sport Federation, or USA Shooting
20 in connection with such athletes' training for and
21 participation in shooting competitions at the 2016 Olympic
22 and Paralympic Games and sanctioned test events leading up
23 to the 2016 Olympic and Paralympic Games.

24 (c) The provisions of this Section regarding the
25 acquisition and possession of firearms, firearm ammunition,
26 stun guns, and tasers do not apply to law enforcement officials

1 of this or any other jurisdiction, while engaged in the
2 operation of their official duties.

3 (c-5) The provisions of this Section regarding the
4 possession of firearms and firearm ammunition do not apply to
5 the holder of a valid concealed carry license issued under the
6 Firearm Concealed Carry Act who is in physical possession of
7 the concealed carry license.

8 (d) Any person who becomes a resident of this State, who is
9 not otherwise prohibited from obtaining, possessing, or using a
10 firearm or firearm ammunition, shall not be required to have a
11 Firearm Owner's Identification Card to possess firearms or
12 firearms ammunition until 60 calendar days after he or she
13 obtains an Illinois driver's license or Illinois
14 Identification Card.

15 (Source: P.A. 96-7, eff. 4-3-09; 97-1131, eff. 1-1-13.)

16 (430 ILCS 65/3) (from Ch. 38, par. 83-3)

17 Sec. 3. (a) Except as provided in Section 3a, no person may
18 knowingly transfer, or cause to be transferred, any firearm,
19 firearm ammunition, stun gun, or taser to any person within
20 this State unless the transferee with whom he deals displays
21 either: (1) a currently valid Firearm Owner's Identification
22 Card which has previously been issued in his or her name by the
23 Department of State Police under the provisions of this Act; or
24 (2) a currently valid license to carry a concealed firearm
25 which has previously been issued in his or her name by the

1 Department of State Police under the Firearm Concealed Carry
2 Act. In addition, all firearm, stun gun, and taser transfers by
3 federally licensed firearm dealers are subject to Section 3.1.

4 (a-5) Any person who is not a federally licensed firearm
5 dealer and who desires to transfer or sell a firearm while that
6 person is on the grounds of a gun show must, before selling or
7 transferring the firearm, request the Department of State
8 Police to conduct a background check on the prospective
9 recipient of the firearm in accordance with Section 3.1.

10 (a-10) Any person who is not a federally licensed firearm
11 dealer and who desires to transfer or sell a firearm or
12 firearms to any person who is not a federally licensed firearm
13 dealer shall, before selling or transferring the firearms,
14 contact the Department of State Police with the transferee's or
15 purchaser's Firearm Owner's Identification Card number to
16 determine the validity of the transferee's or purchaser's
17 Firearm Owner's Identification Card. This subsection shall not
18 be effective until January 1, 2014. The Department of State
19 Police may adopt rules concerning the implementation of this
20 subsection. The Department of State Police shall provide the
21 seller or transferor an approval number if the purchaser's
22 Firearm Owner's Identification Card is valid. Approvals issued
23 by the Department for the purchase of a firearm pursuant to
24 this subsection are valid for 30 days from the date of issue.

25 (a-15) The provisions of subsection (a-10) of this Section
26 do not apply to:

1 (1) transfers that occur at the place of business of a
2 federally licensed firearm dealer, if the federally
3 licensed firearm dealer conducts a background check on the
4 prospective recipient of the firearm in accordance with
5 Section 3.1 of this Act and follows all other applicable
6 federal, State, and local laws as if he or she were the
7 seller or transferor of the firearm, although the dealer is
8 not required to accept the firearm into his or her
9 inventory. The purchaser or transferee may be required by
10 the federally licensed firearm dealer to pay a fee not to
11 exceed \$10 per firearm, which the dealer may retain as
12 compensation for performing the functions required under
13 this paragraph, plus the applicable fees authorized by
14 Section 3.1;

15 (2) transfers as a bona fide gift to the transferor's
16 husband, wife, son, daughter, stepson, stepdaughter,
17 father, mother, stepfather, stepmother, brother, sister,
18 nephew, niece, uncle, aunt, grandfather, grandmother,
19 grandson, granddaughter, father-in-law, mother-in-law,
20 son-in-law, or daughter-in-law;

21 (3) transfers by persons acting pursuant to operation
22 of law or a court order;

23 (4) transfers on the grounds of a gun show under
24 subsection (a-5) of this Section;

25 (5) the delivery of a firearm by its owner to a
26 gunsmith for service or repair, the return of the firearm

1 to its owner by the gunsmith, or the delivery of a firearm
2 by a gunsmith to a federally licensed firearms dealer for
3 service or repair and the return of the firearm to the
4 gunsmith;

5 (6) temporary transfers that occur while in the home of
6 the unlicensed transferee, if the unlicensed transferee is
7 not otherwise prohibited from possessing firearms and the
8 unlicensed transferee reasonably believes that possession
9 of the firearm is necessary to prevent imminent death or
10 great bodily harm to the unlicensed transferee;

11 (7) transfers to a law enforcement or corrections
12 agency or a law enforcement or corrections officer acting
13 within the course and scope of his or her official duties;

14 (8) transfers of firearms that have been rendered
15 permanently inoperable to a nonprofit historical society,
16 museum, or institutional collection; and

17 (9) transfers to a person who is exempt from the
18 requirement of possessing a Firearm Owner's Identification
19 Card under Section 2 of this Act.

20 (a-20) The Department of State Police shall develop an
21 Internet-based system for individuals to determine the
22 validity of a Firearm Owner's Identification Card prior to the
23 sale or transfer of a firearm. The Department shall have the
24 Internet-based system completed and available for use by July
25 1, 2015. The Department shall adopt rules not inconsistent with
26 this Section to implement this system.

1 (b) Any person within this State who transfers or causes to
2 be transferred any firearm, stun gun, or taser shall keep a
3 record of such transfer for a period of 10 years from the date
4 of transfer. Such record shall contain the date of the
5 transfer; the description, serial number or other information
6 identifying the firearm, stun gun, or taser if no serial number
7 is available; and, if the transfer was completed within this
8 State, the transferee's Firearm Owner's Identification Card
9 number and any approval number or documentation provided by the
10 Department of State Police pursuant to subsection (a-10) of
11 this Section. On or after January 1, 2006, the record shall
12 contain the date of application for transfer of the firearm. On
13 demand of a peace officer such transferor shall produce for
14 inspection such record of transfer. If the transfer or sale
15 took place at a gun show, the record shall include the unique
16 identification number. Failure to record the unique
17 identification number or approval number is a petty offense.

18 (b-5) Any resident may purchase ammunition from a person
19 within or outside of Illinois if shipment is by United States
20 mail or by a private express carrier authorized by federal law
21 to ship ammunition. Any resident purchasing ammunition within
22 or outside the State of Illinois must provide the seller with a
23 copy of his or her valid Firearm Owner's Identification Card or
24 valid concealed carry license and either his or her Illinois
25 driver's license or Illinois State Identification Card prior to
26 the shipment of the ammunition. The ammunition may be shipped

1 only to an address on either of those 2 documents.

2 (c) The provisions of this Section regarding the transfer
3 of firearm ammunition shall not apply to those persons
4 specified in paragraph (b) of Section 2 of this Act.

5 (Source: P.A. 97-1135, eff. 12-4-12; 98-508, eff. 8-19-13.)

6 (430 ILCS 65/3a) (from Ch. 38, par. 83-3a)

7 Sec. 3a. (a) Any resident of Illinois who has obtained a
8 firearm owner's identification card pursuant to this Act and
9 who is not otherwise prohibited from obtaining, possessing or
10 using a firearm may purchase or obtain a rifle or shotgun or
11 ammunition for a rifle or shotgun in Iowa, Missouri, Indiana,
12 Wisconsin or Kentucky.

13 (b) Any resident of Iowa, Missouri, Indiana, Wisconsin or
14 Kentucky or a non-resident with a valid non-resident hunting
15 license, who is 18 years of age or older and who is not
16 prohibited by the laws of Illinois, the state of his domicile,
17 or the United States from obtaining, possessing or using a
18 firearm, may purchase or obtain a rifle, shotgun or ammunition
19 for a rifle or shotgun in Illinois.

20 (b-5) Any non-resident who is participating in a sanctioned
21 competitive shooting event, who is 18 years of age or older and
22 who is not prohibited by the laws of Illinois, the state of his
23 or her domicile, or the United States from obtaining,
24 possessing, or using a firearm, may purchase or obtain a
25 shotgun or shotgun ammunition in Illinois for the purpose of

1 participating in that event. A person may purchase or obtain a
2 shotgun or shotgun ammunition under this subsection only at the
3 site where the sanctioned competitive shooting event is being
4 held.

5 (b-10) Any non-resident registered participant of a
6 competitive shooting event held at the World Shooting Complex
7 sanctioned by a national governing body, who is not prohibited
8 by the laws of Illinois, the state of his or her domicile, or
9 the United States from obtaining, possessing, or using a
10 firearm may purchase or obtain a rifle, shotgun, or other long
11 gun or ammunition for a rifle, shotgun, or other long gun at
12 the competitive shooting event. The sanctioning body shall
13 provide a list of registered participants as required under
14 subparagraph (5) of paragraph (g) of subsection (A) of Section
15 24-3 of the Criminal Code of 2012.

16 (c) Any transaction under this Section is subject to the
17 provisions of the Gun Control Act of 1968 (18 U.S.C. 922
18 (b)(3)).

19 (Source: P.A. 94-253, eff. 7-29-05.)

20 (430 ILCS 65/10) (from Ch. 38, par. 83-10)

21 Sec. 10. Appeal to director; hearing; relief from firearm
22 prohibitions.

23 (a) Whenever an application for a Firearm Owner's
24 Identification Card is denied, whenever the Department fails to
25 act on an application within 30 days of its receipt, or

1 whenever such a Card is revoked or seized as provided for in
2 Section 8 of this Act, the aggrieved party may appeal to the
3 Director of State Police for a hearing upon such denial,
4 revocation or seizure, unless the denial, revocation, or
5 seizure was based upon a forcible felony, stalking, aggravated
6 stalking, domestic battery, any violation of the Illinois
7 Controlled Substances Act, the Methamphetamine Control and
8 Community Protection Act, or the Cannabis Control Act that is
9 classified as a Class 2 or greater felony, any felony violation
10 of Article 24 of the Criminal Code of 1961 or the Criminal Code
11 of 2012, or any adjudication as a delinquent minor for the
12 commission of an offense that if committed by an adult would be
13 a felony, in which case the aggrieved party may petition the
14 circuit court in writing in the county of his or her residence
15 for a hearing upon such denial, revocation, or seizure.

16 (b) At least 30 days before any hearing in the circuit
17 court, the petitioner shall serve the relevant State's Attorney
18 with a copy of the petition. The State's Attorney may object to
19 the petition and present evidence. At the hearing the court
20 shall determine whether substantial justice has been done.
21 Should the court determine that substantial justice has not
22 been done, the court shall issue an order directing the
23 Department of State Police to issue a Card. However, the court
24 shall not issue the order if the petitioner is otherwise
25 prohibited from obtaining, possessing, or using a firearm under
26 federal law.

1 (c) Any person prohibited from possessing a firearm under
2 Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or
3 acquiring a Firearm Owner's Identification Card under Section 8
4 of this Act may apply to the Director of State Police or
5 petition the circuit court in the county where the petitioner
6 resides, whichever is applicable in accordance with subsection
7 (a) of this Section, requesting relief from such prohibition
8 and the Director or court may grant such relief if it is
9 established by the applicant to the court's or Director's
10 satisfaction that:

11 (0.05) when in the circuit court, the State's Attorney
12 has been served with a written copy of the petition at
13 least 30 days before any such hearing in the circuit court
14 and at the hearing the State's Attorney was afforded an
15 opportunity to present evidence and object to the petition;

16 (1) the applicant has not been convicted of a forcible
17 felony under the laws of this State or any other
18 jurisdiction within 20 years of the applicant's
19 application for a Firearm Owner's Identification Card, or
20 at least 20 years have passed since the end of any period
21 of imprisonment imposed in relation to that conviction;

22 (2) the circumstances regarding a criminal conviction,
23 where applicable, the applicant's criminal history and his
24 reputation are such that the applicant will not be likely
25 to act in a manner dangerous to public safety;

26 (3) granting relief would not be contrary to the public

1 interest; and

2 (4) granting relief would not be contrary to federal
3 law.

4 (c-5) (1) An active law enforcement officer employed by a
5 unit of government, who is denied, revoked, or has his or her
6 Firearm Owner's Identification Card seized under subsection
7 (e) of Section 8 of this Act may apply to the Director of State
8 Police requesting relief if the officer did not act in a manner
9 threatening to the officer, another person, or the public as
10 determined by the treating clinical psychologist or physician,
11 and as a result of his or her work is referred by the employer
12 for or voluntarily seeks mental health evaluation or treatment
13 by a licensed clinical psychologist, psychiatrist, or
14 qualified examiner, and:

15 (A) the officer has not received treatment
16 involuntarily at a mental health facility, regardless of
17 the length of admission; or has not been voluntarily
18 admitted to a mental health facility for more than 30 days
19 and not for more than one incident within the past 5 years;
20 and

21 (B) the officer has not left the mental institution
22 against medical advice.

23 (2) The Director of State Police shall grant expedited
24 relief to active law enforcement officers described in
25 paragraph (1) of this subsection (c-5) upon a determination by
26 the Director that the officer's possession of a firearm does

1 not present a threat to themselves, others, or public safety.
2 The Director shall act on the request for relief within 30
3 business days of receipt of:

4 (A) a notarized statement from the officer in the form
5 prescribed by the Director detailing the circumstances
6 that led to the hospitalization;

7 (B) all documentation regarding the admission,
8 evaluation, treatment and discharge from the treating
9 licensed clinical psychologist or psychiatrist of the
10 officer;

11 (C) a psychological fitness for duty evaluation of the
12 person completed after the time of discharge; and

13 (D) written confirmation in the form prescribed by the
14 Director from the treating licensed clinical psychologist
15 or psychiatrist that the provisions set forth in paragraph
16 (1) of this subsection (c-5) have been met, the person
17 successfully completed treatment, and their professional
18 opinion regarding the person's ability to possess
19 firearms.

20 (3) Officers eligible for the expedited relief in paragraph
21 (2) of this subsection (c-5) have the burden of proof on
22 eligibility and must provide all information required. The
23 Director may not consider granting expedited relief until the
24 proof and information is received.

25 (4) "Clinical psychologist", "psychiatrist", and
26 "qualified examiner" shall have the same meaning as provided in

1 Chapter I + of the Mental Health and Developmental Disabilities
2 Code.

3 (c-10) (1) An applicant, who is denied, revoked, or has his
4 or her Firearm Owner's Identification Card seized under
5 subsection (e) of Section 8 of this Act based upon a
6 determination of a developmental disability or an intellectual
7 disability may apply to the Director of State Police requesting
8 relief.

9 (2) The Director shall act on the request for relief within
10 60 business days of receipt of written certification, in the
11 form prescribed by the Director, from a physician or clinical
12 psychologist, or qualified examiner, that the aggrieved
13 party's developmental disability or intellectual disability
14 condition is determined by a physician, clinical psychologist,
15 or qualified to be mild. If a fact-finding conference is
16 scheduled to obtain additional information concerning the
17 circumstances of the denial or revocation, the 60 business days
18 the Director has to act shall be tolled until the completion of
19 the fact-finding conference.

20 (3) The Director may grant relief if the aggrieved party's
21 developmental disability or intellectual disability is mild as
22 determined by a physician, clinical psychologist, or qualified
23 examiner and it is established by the applicant to the
24 Director's satisfaction that:

25 (A) granting relief would not be contrary to the public
26 interest; and

1 (B) granting relief would not be contrary to federal
2 law.

3 (4) The Director may not grant relief if the condition is
4 determined by a physician, clinical psychologist, or qualified
5 examiner to be moderate, severe, or profound.

6 (5) The changes made to this Section by this amendatory Act
7 of the 99th General Assembly apply to requests for relief
8 pending on or before the effective date of this amendatory Act,
9 except that the 60-day period for the Director to act on
10 requests pending before the effective date shall begin on the
11 effective date of this amendatory Act.

12 (d) When a minor is adjudicated delinquent for an offense
13 which if committed by an adult would be a felony, the court
14 shall notify the Department of State Police.

15 (e) The court shall review the denial of an application or
16 the revocation of a Firearm Owner's Identification Card of a
17 person who has been adjudicated delinquent for an offense that
18 if committed by an adult would be a felony if an application
19 for relief has been filed at least 10 years after the
20 adjudication of delinquency and the court determines that the
21 applicant should be granted relief from disability to obtain a
22 Firearm Owner's Identification Card. If the court grants
23 relief, the court shall notify the Department of State Police
24 that the disability has been removed and that the applicant is
25 eligible to obtain a Firearm Owner's Identification Card.

26 (f) Any person who is subject to the disabilities of 18

1 U.S.C. 922(d) (4) and 922(g) (4) of the federal Gun Control Act
2 of 1968 because of an adjudication or commitment that occurred
3 under the laws of this State or who was determined to be
4 subject to the provisions of subsections (e), (f), or (g) of
5 Section 8 of this Act may apply to the Department of State
6 Police requesting relief from that prohibition. The Director
7 shall grant the relief if it is established by a preponderance
8 of the evidence that the person will not be likely to act in a
9 manner dangerous to public safety and that granting relief
10 would not be contrary to the public interest. In making this
11 determination, the Director shall receive evidence concerning
12 (i) the circumstances regarding the firearms disabilities from
13 which relief is sought; (ii) the petitioner's mental health and
14 criminal history records, if any; (iii) the petitioner's
15 reputation, developed at a minimum through character witness
16 statements, testimony, or other character evidence; and (iv)
17 changes in the petitioner's condition or circumstances since
18 the disqualifying events relevant to the relief sought. If
19 relief is granted under this subsection or by order of a court
20 under this Section, the Director shall as soon as practicable
21 but in no case later than 15 business days, update, correct,
22 modify, or remove the person's record in any database that the
23 Department of State Police makes available to the National
24 Instant Criminal Background Check System and notify the United
25 States Attorney General that the basis for the record being
26 made available no longer applies. The Department of State

1 Police shall adopt rules for the administration of this
2 Section.

3 (Source: P.A. 97-1131, eff. 1-1-13; 97-1150, eff. 1-25-13;
4 97-1167, eff. 6-1-13; 98-63, eff. 7-9-13; revised 12-10-14.)

5 (430 ILCS 65/13.2) (from Ch. 38, par. 83-13.2)

6 Sec. 13.2. Notification of expiration of Firearm Owner's
7 Identification Card; lost or stolen card.

8 (a) The Department of State Police shall, 60 days prior to
9 the expiration of a Firearm Owner's Identification Card,
10 forward by first class mail to each person whose card is to
11 expire a notification of the expiration of the card and an
12 application which may be used to apply for renewal of the card.
13 It is the obligation of the holder of a Firearm Owner's
14 Identification Card to notify the Department of State Police of
15 any address change since the issuance of the Firearm Owner's
16 Identification Card. Whenever any person moves from the
17 residence address named on his or her card, the person shall
18 within 21 calendar days thereafter notify in a form and manner
19 prescribed by the Department of his or her old and new
20 residence addresses and the card number held by him or her. Any
21 person whose legal name has changed from the name on the card
22 that he or she has been previously issued must apply for a
23 corrected card within 30 calendar days after the change. The
24 cost for a corrected card shall be \$5 which shall be deposited
25 into the State Police Firearm Services Fund.

1 (b) Whenever a person loses a Firearm Owner's
2 Identification Card or whenever the person's Firearm Owner's
3 Identification Card is stolen the person may notify the
4 Department of State Police, in a form and manner prescribed by
5 the Department, that the person's card has been lost or stolen.
6 The cost for a duplicate card shall be a \$5 fee, which fee
7 shall be deposited into the State Police Firearm Services Fund.
8 (Source: P.A. 97-1131, eff. 1-1-13; 98-63, eff. 7-9-13.)

9 Section 15. The Firearm Concealed Carry Act is amended by
10 changing Sections 5, 10, 15, 20, 30, 40, 55, 65, 70, 75, and 87
11 and by adding Sections 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, and
12 20.7 as follows:

13 (430 ILCS 66/5)

14 Sec. 5. Definitions. As used in this Act:

15 "Applicant" means a person who is applying for a license to
16 carry a concealed firearm under this Act.

17 "Board" means the Concealed Carry Licensing Review Board.

18 "Chairperson" means the person assigned by the Governor to
19 serve as the Chairperson of the Board and any Acting
20 Chairperson appointed by the Chairperson, or, if the
21 Chairperson is unable to select this substitute, by the
22 majority vote of the remaining commissioners, to serve in the
23 absence of the Chairperson for individual periods of up to 30
24 days.

1 "Commissioner" means any person appointed by the Governor
2 to serve as a member of the Board.

3 "Concealed firearm" means a loaded or unloaded handgun
4 carried on or about a person completely or mostly concealed
5 from view of the public or on or about a person within a
6 vehicle.

7 "Department" means the Department of State Police.

8 "Director" means the Director of State Police.

9 "Handgun" means any device which is designed to expel a
10 projectile or projectiles by the action of an explosion,
11 expansion of gas, or escape of gas that is designed to be held
12 and fired by the use of a single hand. "Handgun" does not
13 include:

14 (1) a stun gun or taser;

15 (2) a machine gun as defined in item (i) of paragraph
16 (7) of subsection (a) of Section 24-1 of the Criminal Code
17 of 2012;

18 (3) a short-barreled rifle or shotgun as defined in
19 item (ii) of paragraph (7) of subsection (a) of Section
20 24-1 of the Criminal Code of 2012; or

21 (4) any pneumatic gun, spring gun, paint ball gun, or
22 B-B gun which expels a single globular projectile not
23 exceeding .18 inch in diameter, or which has a maximum
24 muzzle velocity of less than 700 feet per second, or which
25 expels breakable paint balls containing washable marking
26 colors.

1 "Law enforcement agency" means any federal, State, or local
2 law enforcement agency, including offices of State's Attorneys
3 and the Office of the Attorney General.

4 "License" means a license issued by the Department of State
5 Police to carry a concealed handgun.

6 "Licensee" means a person issued a license to carry a
7 concealed handgun.

8 "Municipality" has the meaning ascribed to it in Section 1
9 of Article VII of the Illinois Constitution.

10 "Unit of local government" has the meaning ascribed to it
11 in Section 1 of Article VII of the Illinois Constitution.

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

13 (430 ILCS 66/10)

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

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

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

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

20 (3) has submitted the requisite fees; and

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

25 (b) The Department shall issue a renewal, corrected, or

1 duplicate license as provided in this Act.

2 (c) A license shall be valid throughout the State for a
3 period of 5 years from the date of issuance. A license shall
4 permit the licensee to:

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

8 (2) keep or carry a loaded or unloaded concealed
9 firearm on or about his or her person within a vehicle.

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

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

21 (f) The Department shall deny the applicant a license if
22 the applicant fails to meet the requirements under this Act or
23 the Department receives a determination from the Board that the
24 applicant is ineligible for a license. The Department must
25 notify the applicant stating detailed ~~the~~ grounds for the
26 denial and the applicant's right to receive copies of all

1 documents and other evidence that was provided to the
2 Department concerning the application. The notice of denial
3 must inform the applicant of his or her right to an appeal
4 through administrative and judicial review.

5 The notification of denial shall be provided as follows:

6 (1) the notice of denial and the written decision of
7 the Board under subsection (f) of Section 20 of this Act
8 shall be sent via certified United States mail by the
9 Department, with signature required and return receipt
10 requested, to the address listed on the application;

11 (2) the appeal period under Section 87 of this Act
12 shall begin to accrue on the date the denial letter is
13 delivered to the address listed on the application; and

14 (3) in any administrative or judicial proceeding
15 concerning the denial of the application, the Department
16 shall provide the following:

17 (A) proof that the denial letter was delivered to
18 the correct address;

19 (B) a copy of the signature of the person who
20 received the letter; and

21 (C) proof of the date on which it was delivered.

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

24 (1) when the licensee is carrying or possessing a
25 concealed firearm on his or her land or in his or her
26 abode, legal dwelling, or fixed place of business, or on

1 the land or in the legal dwelling of another person as an
2 invitee with that person's permission;

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

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

9 (h) If an officer of a law enforcement agency initiates an
10 investigative stop, including but not limited to a traffic
11 stop, of a licensee or a non-resident carrying a concealed
12 firearm under subsection (e) of Section 40 of this Act, upon
13 the request of the officer the licensee or non-resident shall
14 disclose to the officer that he or she is in possession of a
15 concealed firearm under this Act, present the license upon the
16 request of the officer if he or she is a licensee or present
17 upon the request of the officer evidence under paragraph (2) of
18 subsection (e) of Section 40 of this Act that he or she is a
19 non-resident qualified to carry under that subsection, ~~and~~
20 identify the location of the concealed firearm, and permit the
21 officer to safely secure the firearm for the duration of the
22 investigative stop. During a traffic stop, any passenger within
23 the vehicle who is a licensee or a non-resident carrying under
24 subsection (e) of Section 40 of this Act must comply with the
25 requirements of this subsection (h). A licensee who presents
26 his or her license to the officer, or a non-resident who

1 presents evidence under paragraph (2) of subsection (e) of
2 Section 40 of this Act that he or she is a non-resident
3 qualified to carry under that subsection to the officer, shall
4 be deemed to have disclosed that he or she is carrying a
5 concealed firearm as required under this subsection (h). The
6 licensee or non-resident who is presenting his or her license
7 or evidence must identify the location of the concealed firearm
8 upon request by a law enforcement officer.

9 (h-1) If a licensee carrying a firearm or a non-resident
10 carrying a firearm in a vehicle under subsection (e) of Section
11 40 of this Act is contacted by a law enforcement officer or
12 emergency services personnel, the law enforcement officer or
13 emergency services personnel may secure the firearm or direct
14 that it be secured during the duration of the contact if the
15 law enforcement officer or emergency services personnel
16 determines that it is necessary for the safety of any person
17 present, including the law enforcement officer or emergency
18 services personnel. The licensee or nonresident shall submit to
19 the order to secure the firearm. When the law enforcement
20 officer or emergency services personnel have determined that
21 the licensee or non-resident is not a threat to the safety of
22 any person present, including the law enforcement officer or
23 emergency services personnel, and if the licensee or
24 non-resident is physically and mentally capable of possessing
25 the firearm, the law enforcement officer or emergency services
26 personnel shall return the firearm to the licensee or

1 non-resident before releasing him or her from the scene and
2 breaking contact. If the licensee or non-resident is
3 transported for treatment to another location, the firearm
4 shall be turned over to any peace officer. The peace officer
5 shall provide a receipt which includes the make, model,
6 caliber, and serial number of the firearm.

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.)

1 (430 ILCS 66/15)

2 Sec. 15. Objections by law enforcement agencies.

3 (a) Any law enforcement agency may submit an objection to a
4 license applicant based upon a reasonable suspicion that the
5 applicant is a danger to himself or herself or others, or a
6 threat to public safety. The objection shall be made by the
7 chief law enforcement officer of the law enforcement agency, or
8 his or her designee, and must include any information relevant
9 to the objection. If a law enforcement agency submits an
10 objection within 30 days after the entry of an applicant into
11 the database, the Department shall submit the objection and all
12 information available to the Board under State and federal law
13 related to the application to the Board within 10 days of
14 completing all necessary background checks. If an applicant is
15 denied a license, a copy of any and all objections made by law
16 enforcement agencies shall be made available to the applicant.

17 (b) If an applicant has 5 or more arrests for any reason,
18 that have been entered into the Criminal History Records
19 Information (CHRI) System, within the 7 years preceding the
20 date of application for a license, or has 3 or more arrests
21 within the 7 years preceding the date of application for a
22 license for any combination of gang-related offenses, the
23 Department shall object and submit the applicant's arrest
24 record to the extent the Board is allowed to receive that
25 information under State and federal law, the application
26 materials, and any additional information submitted by a law

1 enforcement agency to the Board. For purposes of this
2 subsection, "gang-related offense" is an offense described in
3 Section 12-6.4, Section 24-1.8, Section 25-5, Section 33-4, or
4 Section 33G-4, or in paragraph (1) of subsection (a) of Section
5 12-6.2, paragraph (2) of subsection (b) of Section 16-30,
6 paragraph (2) of subsection (b) of Section 31-4, or item (iii)
7 of paragraph (1.5) of subsection (i) of Section 48-1 of the
8 Criminal Code of 2012.

9 (c) The referral of an objection under this Section to the
10 Board shall toll the 90-day period for the Department to issue
11 or deny the applicant a license under subsection (e) of Section
12 10 of this Act, during the period of review and until the Board
13 issues its decision. Upon the referral, applicants shall be
14 given notice by the Department that the application is
15 undergoing review by the Board. The notice shall include the
16 next date upon which the Board is expected to convene, and
17 shall inform the applicant that the 90-day time period has been
18 tolled.

19 (d) If no objection is made by a law enforcement agency or
20 the Department under this Section, the Department shall process
21 the application in accordance with this Act.

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

23 (430 ILCS 66/20)

24 Sec. 20. Concealed Carry Licensing Review Board.

25 (a) There is hereby created within the Department of State

1 Police a Concealed Carry Licensing Review Board to consider any
2 objection to an applicant's eligibility to obtain a license
3 under this Act submitted by a law enforcement agency or the
4 Department under Section 15 of this Act. The Board shall
5 consist of 7 commissioners to be appointed by the Governor,
6 with the advice and consent of the Senate, with 3 commissioners
7 residing within the First Judicial District and one
8 commissioner residing within each of the 4 remaining Judicial
9 Districts. No more than 4 commissioners shall be members of the
10 same political party. The Governor shall designate one
11 commissioner as the Chairperson. The Board shall consist of:

12 (1) one commissioner with at least 5 years of service
13 as a federal judge;

14 (2) 2 commissioners with at least 5 years of experience
15 serving as an attorney with the United States Department of
16 Justice;

17 (3) 3 commissioners with at least 5 years of experience
18 as a federal agent or employee with investigative
19 experience or duties related to criminal justice under the
20 United States Department of Justice, Drug Enforcement
21 Administration, Department of Homeland Security, or
22 Federal Bureau of Investigation; and

23 (4) one member with at least 5 years of experience as a
24 licensed physician or clinical psychologist with expertise
25 in the diagnosis and treatment of mental illness.

26 (b) The initial terms of the commissioners shall end on

1 January 12, 2015. Thereafter, the commissioners shall hold
2 office for 4 years, with terms expiring on the second Monday in
3 January of the fourth year. Commissioners may be reappointed.
4 Vacancies in the office of commissioner shall be filled in the
5 same manner as the original appointment, for the remainder of
6 the unexpired term. The Governor may remove a commissioner for
7 incompetence, neglect of duty, malfeasance, or inability to
8 serve. Commissioners shall receive compensation in an amount
9 equal to the compensation of members of the Executive Ethics
10 Commission and may be reimbursed for reasonable expenses
11 actually incurred in the performance of their Board duties,
12 from funds appropriated for that purpose.

13 (c) The Board shall meet at the call of the Chairperson
14 ~~chairperson~~ as often as necessary to consider objections to
15 applications for a license under this Act. If necessary to
16 ensure the participation of a commissioner, the Board shall
17 allow a commissioner to participate in a Board meeting by
18 electronic communication. Any commissioner participating
19 electronically shall be deemed present for purposes of
20 establishing a quorum and voting.

21 (d) The Board shall adopt rules for the review of
22 objections and the conduct of hearings consistent with this
23 Section and Sections 20.1, 20.2, 20.3, 20.4, 20.5, 20.6, and
24 20.7 of this Act. The Board shall maintain a record of its
25 decisions and all materials considered in making its decisions.
26 All Board decisions and voting records shall be kept

1 confidential and all materials considered by the Board shall be
2 exempt from inspection except upon order of a court.

3 (e) In considering an objection of a law enforcement agency
4 or the Department, the Board shall review the materials
5 received with the objection from the law enforcement agency or
6 the Department. By a vote of at least 4 commissioners, the
7 Board may request additional information from the law
8 enforcement agency, Department, or the applicant, or the
9 testimony of the law enforcement agency, Department, or the
10 applicant. The Board may require that the applicant submit
11 electronic fingerprints to the Department for an updated
12 background check where the Board determines it lacks sufficient
13 information to determine eligibility. The Board may only
14 consider information submitted by the Department, a law
15 enforcement agency, or the applicant. The Board shall review
16 each objection and determine by a majority of commissioners
17 whether an applicant is eligible for a license. If the law
18 enforcement agency retracts their objection prior to the
19 Board's decision, the Board shall no longer consider the
20 objection.

21 (f) The Board shall issue a written decision within 30 days
22 of receipt of the objection from the Department. The decision
23 shall specifically reference all documents and evidence
24 submitted to the Board by the Department, law enforcement
25 agencies, and the applicant. The decision shall include the
26 names of all witnesses who testified at the hearing.

1 The However, the Board need not issue its written a
2 decision within the 30-day time period 30 days if:

3 (1) the Board requests information from the applicant,
4 including but not limited to electronic fingerprints to be
5 submitted to the Department, in accordance with subsection
6 (e) of this Section, in which case the Board shall issue
7 its written make a decision within 30 days of receipt of
8 the required information from the applicant;

9 (2) the applicant agrees, in writing, to allow the
10 Board additional time to consider an objection before
11 issuing a written decision; or

12 (3) the Board notifies the applicant and the Department
13 that the Board needs an additional 30 days to issue its
14 written a decision.

15 (g) If the Board determines by a preponderance of the
16 evidence that the applicant poses a danger to himself or
17 herself or others, or is a threat to public safety, then the
18 Board shall affirm the objection of the law enforcement agency
19 or the Department, ~~and~~ shall notify the Department that the
20 applicant is ineligible for a license, and shall provide the
21 Department with a written copy of the decision as outlined in
22 subsection (f) of this Section. The Board shall notify the
23 applicant and shall provide the applicant with a reason for the
24 ineligibility of the license. If the Board does not determine
25 by a preponderance of the evidence that the applicant poses a
26 danger to himself or herself or others, or is a threat to

1 public safety, then the Board shall notify the Department that
2 the applicant is eligible for a license and shall forward a
3 copy of its written decision to the Department.

4 (h) Meetings of the Board shall not be subject to the Open
5 Meetings Act and records of the Board shall not be subject to
6 the Freedom of Information Act, except upon order of the court.
7 However, all documents and evidence provided to the Board,
8 including a list of the names of all witnesses who provided
9 testimony to the Board, shall be made available to the
10 applicant and the applicant's designated attorney, if any. To
11 the extent that the Board has reviewed the medical records of
12 an applicant, or any other records subject to any law or rule
13 providing for the applicant's privacy, copies of the those
14 records shall be provided only to the applicant and the
15 disclosure of the records shall comply with all applicable
16 privacy laws, rules, and regulations. Upon a Board decision
17 denying an application, a copy of the written decision of the
18 Board shall be attached to the notice of denial required under
19 subsection (f) of Section 10 of this Act, and mailed to the
20 applicant.

21 (i) The Board shall report monthly to the Governor and the
22 General Assembly on the number of objections received and
23 provide details of the circumstances in which the Board has
24 determined to deny licensure based on law enforcement or
25 Department objections under Section 15 of this Act. The report
26 shall not contain any identifying information about the

1 applicants.

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

3 (430 ILCS 66/20.1 new)

4 Sec. 20.1. Meetings of the Board.

5 (a) Meetings of the Board shall be called at the request of
6 the Chairperson, as often as reasonably necessary to satisfy
7 the Board's obligations under this Act. Whenever practicable,
8 the Chairperson shall give commissioners a minimum of 5
9 calendar days' advance notice prior to the date of a meeting.

10 (b) The Chairperson shall preside over all meetings of the
11 Board.

12 (c) A quorum of the Board shall be 4 members. If a quorum
13 is in attendance at a meeting, other commissioners may attend
14 telephonically or electronically (including via video
15 conference).

16 (d) An electronic database shall be maintained for the
17 purpose of providing commissioners with information on
18 objections they are reviewing and through which commissioners
19 can cast votes on issues placed before them. Votes shall be
20 cast by the commissioners during a meeting, within the time
21 period the Chairperson declares open for the purpose of voting
22 on a particular issue. In the event of a tie vote brought about
23 due to absence or abstention of a commissioner, the Board shall
24 request of the applicant, under subsection (f) of Section 20 of
25 this Act, another 30 days to consider the objection, and may

1 also request any additional information necessary to resolve
2 the tie vote. Final dispositions shall be set by the
3 Chairperson at Board meetings.

4 (e) Under subsection (e) of Section 20 of this Act, the
5 Board may only consider information submitted by the
6 Department, a law enforcement agency, or the applicant. Other
7 persons shall not attempt to provide or provide information
8 concerning an applicant to the Board. If any commissioner
9 receives any information regarding an applicant from a source
10 other than the Department, that information shall be promptly
11 forwarded to the Chairperson and shall not be considered by the
12 Board.

13 (430 ILCS 66/20.2 new)

14 Sec. 20.2. Consideration of objections.

15 (a) The Board shall review all objections presented by
16 local law enforcement agencies or the Department. In its review
17 of objections, the Board shall consider only the following
18 information:

19 (1) any material properly submitted by the objecting
20 local law enforcement agency or the Department under
21 Section 15 of this Act;

22 (2) any material properly submitted by the applicant;
23 and

24 (3) any additional information requested by the Board
25 under subsection (b) of this Section.

1 (b) The Board may request additional information from the
2 objecting law enforcement agency, the Department, or the
3 applicant. If the applicant has not previously submitted
4 electronic fingerprints to the Department and there is a
5 question of whether the objection pertains to the applicant
6 that the submission of electronic fingerprints may resolve, the
7 applicant shall be required to submit his or her fingerprints
8 within 30 days after receipt of a notice from the Board that
9 the fingerprints shall be required. If the applicant or law
10 enforcement does not provide the fingerprints or other
11 information requested by the Board within the timeframe under
12 this Act, the Board shall enter a final disposition based
13 solely on consideration of the information already properly
14 submitted.

15 (c) The Board, by a vote of at least 4 commissioners, may
16 request testimony at a hearing from a representative of the
17 objecting law enforcement agency, from a representative of the
18 Department, or from the applicant or the applicant's counsel;
19 however, hearings shall be limited to circumstances that cannot
20 be resolved to the Board's satisfaction through written
21 communication with the parties.

22 (d) If the Board votes to hold a hearing on the objection,
23 the Board shall notify the applicant and the objecting party in
24 writing of the need for, as well as the date, time, and
25 location of, the hearing.

26 (e) The Board shall review an objection to determine

1 whether the objection appears sustainable on its face or in
2 light of any information the Board has obtained under
3 subsection (b) or (c) of this Section. Within 10 calendar days
4 after determining that an objection appears sustainable, the
5 Board shall send the applicant notice of the objection,
6 including the basis of the objection and the agency submitting
7 the objection. This determination of a sustainable objection is
8 not a final administrative decision of the Board and shall not
9 be reported as such to the Department. The applicant shall have
10 30 days after receipt of the notice to submit any additional
11 material in response to the objection that the applicant wants
12 the Board to consider. The Board shall consider any additional
13 information received during the 30-day period. Once the 30-day
14 period has elapsed, the Board shall not consider any additional
15 information received. The applicant may be granted additional
16 time to submit a response only if the applicant makes a timely
17 request to the Board. Unless it is determined that a hearing is
18 necessary under subsection (c) of this Section, the objection
19 shall be considered, along with any additional information
20 received, at the next meeting held at the call of the
21 Chairperson. If a hearing is held, then the objection shall be
22 considered following the hearing.

23 (430 ILCS 66/20.3 new)

24 Sec. 20.3. Decisions of the Board.

25 (a) The Board shall make a record, electronically or by

1 other reliable means, of the final votes cast by each
2 individual commissioner during meetings held at the call of the
3 Chairperson.

4 (b) Upon a vote to overrule an objection, the Board shall
5 send the Department notice of its decision that the applicant
6 does not pose a danger to himself or herself or others and is
7 not a threat to public safety via an electronic transmission
8 using the electronic computer database established for
9 recording votes to objections.

10 (c) If, upon consideration of an objection and any
11 information obtained under Section 20 or 20.2 of this Act, the
12 Board determines by a preponderance of the evidence that the
13 applicant poses a danger to himself or herself or to others, or
14 is a threat to public safety, and is therefore ineligible for a
15 license, the Board shall notify the applicant. The Board shall
16 provide the applicant with a reason for the ineligibility for
17 the license. The Board shall also notify the Department of its
18 determination using the electronic computer database. The
19 Board shall make a record of the basis for its finding that the
20 applicant is ineligible for a license.

21 (d) Upon electronic transmission to the Department of a
22 final decision by the Board that an applicant is ineligible for
23 a license under Section 20 of this Act, the Board decision
24 shall be final and subject to judicial review under the
25 Administrative Review Law.

1 (430 ILCS 66/20.4 new)

2 Sec. 20.4. Conflicts of interest.

3 (a) No commissioner, including the Chairperson, shall
4 participate in any Board business, including, but not limited
5 to, voting, when that commissioner has a conflict of interest.

6 (b) For the purposes of this Section, whether a
7 commissioner has a conflict of interest shall be determined by
8 the following guidelines:

9 (1) A commissioner has a conflict of interest in a
10 matter if the commissioner's interest, through business,
11 investment, personal relationship, or family relationship,
12 reasonably creates the appearance of impropriety in the
13 performance of his or her duties on the Board.

14 (2) Examples of conflicts of interest include, but are
15 not limited to, the following:

16 (A) using public office for direct or indirect
17 private gain;

18 (B) giving preferential treatment to any
19 organization or person;

20 (C) losing independence or impartiality of action;

21 (D) making a government decision outside official
22 channels; or

23 (E) otherwise adversely affecting the confidence
24 of the public in the integrity of the Board.

25 (c) Prior to the Board taking any action on a matter in
26 which a commissioner has or may have a conflict of interest,

1 the interested commissioner shall disclose that interest to the
2 other commissioners.

3 (d) A commissioner may use any of the following procedures
4 to determine whether his or her own interest or the interest of
5 another commissioner constitutes a conflict of interest:

6 (1) the commissioner may request the advice of the
7 Board's Executive Director, who shall promptly render a
8 recommendation to the Board; or

9 (2) the commissioner may ask the Board to determine
10 whether the interest constitutes a conflict of interest.

11 (A) The Board shall ask the commissioner with the
12 potential conflict of interest to leave the meeting
13 during any discussion or deliberation regarding
14 whether a conflict of interest exists.

15 (B) A majority of the non-interested commissioners
16 present at a meeting at which a quorum is present shall
17 determine whether a conflict of interest exists.

18 (C) The interested commissioner shall be counted
19 for purposes of determining whether a quorum is
20 present, but shall not participate in the
21 deliberations or vote regarding whether a conflict of
22 interest exists.

23 (e) Prior to any determination of a conflict of interest
24 and, even if, after a determination, a conflict of interest is
25 found not to exist, the reporting commissioner may indicate his
26 or her decision to abstain from any Board action regarding the

1 matter as to which the potential conflict of interest exists
2 and, when appropriate, to absent himself or herself from any
3 Board discussion and determination of the pending matter.

4 (f) If the Board determines that a conflict of interest
5 exists, the commissioner with the conflict of interest shall
6 not participate in the Board's discussion and determination of
7 the matter. In addition, when appropriate, the commissioner
8 with the conflict of interest shall absent himself or herself
9 from any deliberations and determinations.

10 (430 ILCS 66/20.5 new)

11 Sec. 20.5. Department liaison to the Board.

12 (a) Under Section 20 of this Act, the Board, independently
13 from the Department, shall serve to review objections by law
14 enforcement agencies. The Department shall not in any way
15 influence the vote of the Board.

16 (b) The Department shall designate an employee to provide
17 logistical and administrative assistance only regarding the
18 electronic computer database established for recording votes
19 regarding objections, as may be required or requested by the
20 Executive Director of the Board.

21 (430 ILCS 66/20.6 new)

22 Sec. 20.6. Hearings of the Board.

23 (a) Hearings of the Board may be conducted when a quorum of
24 the commissioners is present in person, by video,

1 telephonically or by other electronic means. The hearing shall
2 be recorded.

3 (b) The Board shall determine the date, time, and location
4 of any hearing. The Board shall make reasonable efforts to hold
5 the hearing at a date, time and location convenient to all
6 parties.

7 (c) The Chairperson shall preside over the hearing.

8 (d) Any testimony requested by the Board shall be under
9 oath or affirmation.

10 (e) Applicants and law enforcement agencies requested to
11 participate in hearings of the Board may be represented by
12 counsel and present evidence relating to the local law
13 enforcement or Department objection. Hearings shall be closed
14 to the public.

15 (f) The procedures for admissibility of evidence shall be
16 as described in Section 10-40 of the Illinois Administrative
17 Procedure Act and as ordered by the Chairperson.

18 (g) Deliberations of the Board, upon conclusion of a
19 hearing held under this Section, shall be held in executive
20 session without the applicant or other participants in the
21 hearing present and shall not be subject to either the Open
22 Meetings Act or the Freedom of Information Act.

23 (h) No later than 35 days from the date of any final
24 administrative decision by the Board concerning eligibility
25 for a license, the applicant may make a written request to the
26 Board for a transcript of the recording made at the hearing.

1 The cost of transcription shall be the responsibility of the
2 applicant. Fees shall not exceed the actual cost for the
3 preparation of the transcript. The record need not be
4 transcribed unless the Board receives a written request and fee
5 from the applicant in accordance with this Section.

6 (430 ILCS 66/20.7 new)

7 Sec. 20.7. Board reporting. Under subsection (i) of Section
8 20 of this Act, the Board shall report monthly to the Governor
9 and to the General Assembly the following information:

10 (1) the number of objections it has received;

11 (2) the number of objections it has affirmed; and

12 (3) the number of times a decision to deny an applicant
13 a license was because the applicant poses a danger to
14 himself or herself, the applicant poses a danger to others,
15 or the applicant poses a threat to public safety.

16 (430 ILCS 66/30)

17 Sec. 30. Contents of license application.

18 (a) The license application shall be in writing, under
19 penalty of perjury, on a standard form adopted by the
20 Department and shall be accompanied by the documentation
21 required in this Section and the applicable fee. Each
22 application form shall include the following statement printed
23 in bold type: "Warning: Entering false information on this form
24 is punishable as perjury under Section 32-2 of the Criminal

1 Code of 2012."

2 (b) The application shall contain the following:

3 (1) the applicant's name, current address, date and
4 year of birth, place of birth, height, weight, hair color,
5 eye color, maiden name or any other name the applicant has
6 used or identified with, and any address where the
7 applicant resided for more than 30 days within the 10 years
8 preceding the date of the license application;

9 (2) the applicant's valid driver's license number or
10 valid state identification card number;

11 (3) a waiver of the applicant's privacy and
12 confidentiality rights and privileges under all federal
13 and state laws, including those limiting access to juvenile
14 court, criminal justice, psychological, or psychiatric
15 records or records relating to any institutionalization of
16 the applicant, and an affirmative request that a person
17 having custody of any of these records provide it or
18 information concerning it to the Department. The waiver
19 only applies to records sought in connection with
20 determining whether the applicant qualifies for a license
21 to carry a concealed firearm under this Act, or whether the
22 applicant remains in compliance with the Firearm Owners
23 Identification Card Act;

24 (4) an affirmation that the applicant possesses a
25 currently valid Firearm Owner's Identification Card and
26 card number if possessed or notice the applicant is

1 applying for a Firearm Owner's Identification Card in
2 conjunction with the license application;

3 (5) an affirmation that the applicant has not been
4 convicted or found guilty of:

5 (A) a felony;

6 (B) a misdemeanor involving the use or threat of
7 physical force or violence to any person within the 5
8 years preceding the date of the application; or

9 (C) 2 or more violations related to driving while
10 under the influence of alcohol, other drug or drugs,
11 intoxicating compound or compounds, or any combination
12 thereof, within the 5 years preceding the date of the
13 license application; and

14 (6) whether the applicant has failed a drug test for a
15 drug for which the applicant did not have a prescription,
16 within the previous year, and if so, the provider of the
17 test, the specific substance involved, and the date of the
18 test;

19 (7) written consent for the Department to review and
20 use the applicant's Illinois digital driver's license or
21 Illinois identification card photograph and signature,
22 with the exception of non-resident military members
23 described in subsection (c) of this Section;

24 (8) a full set of fingerprints submitted to the
25 Department in electronic format, provided the Department
26 may accept an application submitted without a set of

1 fingerprints in which case the Department shall be granted
2 30 days in addition to the 90 days provided under
3 subsection (e) of Section 10 of this Act to issue or deny a
4 license;

5 (9) a head and shoulder color photograph in a size
6 specified by the Department taken within the 30 days
7 preceding the date of the license application; and

8 (10) a photocopy of any certificates or other evidence
9 of compliance with the training requirements under this
10 Act.

11 (c) Non-residents who are members of the United States
12 Armed Forces and permanently assigned in this State, shall
13 comply with subsection (b) of this Section and shall also
14 furnish valid military identification and assignment orders
15 establishing permanent assignment in this State to the
16 Department of State Police. The Department may on an annual
17 basis request verification of assignment orders. Upon a change
18 of assignment outside this State, non-resident members shall
19 surrender their license back to the Department.

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

21 (430 ILCS 66/40)

22 Sec. 40. Non-resident license applications.

23 (a) For the purposes of this Section, "non-resident" means
24 a person who has not resided within this State for more than 30
25 days and resides in another state or territory. "Non-resident"

1 does not include members of the United States Armed Forces
2 permanently assigned in this State with assignment orders
3 establishing permanent assignment in this State.

4 (b) The Department shall by rule allow for non-resident
5 license applications from any state or territory of the United
6 States with laws related to firearm ownership, possession, and
7 carrying, that are substantially similar to the requirements to
8 obtain a license under this Act.

9 (c) A resident of a state or territory approved by the
10 Department under subsection (b) of this Section may apply for a
11 non-resident license. The applicant shall apply to the
12 Department and must meet all of the qualifications established
13 in Section 25 of this Act, except for the Illinois residency
14 requirement in item (xiv) of paragraph (2) of subsection (a) of
15 Section 4 of the Firearm Owners Identification Card Act. The
16 applicant shall submit:

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

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

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

23 (B) if applicable, has a license or permit to carry
24 a firearm or concealed firearm issued by his or her
25 state or territory of residence and attach a copy of
26 the license or permit to the application;

1 (C) understands Illinois laws pertaining to the
2 possession and transport of firearms; ~~and~~ and

3 (D) acknowledges that the applicant is subject to
4 the jurisdiction of the Department and Illinois courts
5 for any violation of this Act; ~~and~~

6 (3) a photocopy of any certificates or other evidence
7 of compliance with the training requirements under Section
8 75 of this Act; and

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

12 (d) In lieu of an Illinois driver's license or Illinois
13 identification card, a non-resident applicant shall provide
14 similar documentation from his or her state or territory of
15 residence. In lieu of a valid Firearm Owner's Identification
16 Card, the applicant shall submit documentation and information
17 required by the Department to obtain a Firearm Owner's
18 Identification Card, including an affidavit that the
19 non-resident meets the mental health standards to obtain a
20 firearm under Illinois law, and the Department shall ensure
21 that the applicant would meet the eligibility criteria to
22 obtain a Firearm Owner's Identification card if he or she was a
23 resident of this State.

24 (e) Nothing in this Act shall prohibit a non-resident from
25 transporting a concealed firearm within his or her vehicle in
26 Illinois, if the concealed firearm remains within his or her

1 vehicle and the non-resident:

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

4 (2) is eligible to carry a firearm in public under the
5 laws of his or her state or territory of residence, as
6 evidenced by the possession of a concealed carry license or
7 permit issued by his or her state of residence, if
8 applicable; and

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

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

14 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; revised
15 12-10-14.)

16 (430 ILCS 66/55)

17 Sec. 55. Change of address or name; lost, destroyed, or
18 stolen licenses.

19 (a) A licensee shall notify the Department within 30 days
20 of moving or changing residence or any change of name. The
21 licensee shall submit the requisite fee and the Department may
22 require a notarized statement that the licensee has changed his
23 or her residence or his or her name, including the prior and
24 current address or name and the date the applicant moved or
25 changed his or her name.+

1 (1) (blank); and ~~a notarized statement that the~~
2 ~~licensee has changed his or her residence or his or her~~
3 ~~name, including the prior and current address or name and~~
4 ~~the date the applicant moved or changed his or her name,~~
5 and

6 (2) (blank). ~~the requisite fee.~~

7 (b) A licensee shall notify the Department within 10 days
8 of discovering that a license has been lost, destroyed, or
9 stolen. A lost, destroyed, or stolen license is invalid. To
10 request a replacement license, the licensee shall submit:

11 (1) a notarized statement that the licensee no longer
12 possesses the license, and that it was lost, destroyed, or
13 stolen;

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

16 (3) the requisite fee.

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

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

21 (430 ILCS 66/65)

22 Sec. 65. Prohibited areas.

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

25 (1) Any building, real property, and parking area under

1 the control of a public or private elementary or secondary
2 school.

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

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

23 (4) Any building designated for matters before a
24 circuit court, appellate court, or the Supreme Court, or
25 any building or portion of a building under the control of
26 the Supreme Court.

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

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

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

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

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

25 (10) Any public gathering or special event conducted on
26 property open to the public that requires the issuance of a

1 permit from the unit of local government, provided this
2 prohibition shall not apply to a licensee who must walk
3 through a public gathering in order to access his or her
4 residence, place of business, or vehicle.

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

13 (12) Any public playground.

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

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

22 (15) Any building, classroom, laboratory, medical
23 clinic, hospital, artistic venue, athletic venue,
24 entertainment venue, officially recognized
25 university-related organization property, whether owned or
26 leased, and any real property, including parking areas,

1 sidewalks, and common areas under the control of a public
2 or private community college, college, or university.

3 (16) Any building, real property, or parking area under
4 the control of a gaming facility licensed under the
5 Riverboat Gambling Act or the Illinois Horse Racing Act of
6 1975, including an inter-track wagering location licensee.

7 (17) Any stadium, arena, or the real property or
8 parking area under the control of a stadium, arena, or any
9 collegiate or professional sporting event.

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

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

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

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

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

1 (23) Any area where firearms are prohibited under
2 federal law.

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

5 (1) prohibiting persons from carrying a firearm within
6 a vehicle owned, leased, or controlled by the college or
7 university;

8 (2) developing resolutions, regulations, or policies
9 regarding student, employee, or visitor misconduct and
10 discipline, including suspension and expulsion;

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

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

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

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

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

1 law.

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

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

11 (430 ILCS 66/70)

12 Sec. 70. Violations.

13 (a) A license issued or renewed under this Act shall be
14 revoked if, at any time, the licensee is found to be ineligible
15 for a license under this Act or the licensee no longer meets
16 the eligibility requirements of the Firearm Owners
17 Identification Card Act. The notification and appeals
18 processes for revoked licenses shall be the same as those for
19 denied applications under Sections 10, 15, and 87 of this Act.

20 (b) A license shall be suspended if an order of protection,
21 including an emergency order of protection, plenary order of
22 protection, or interim order of protection under Article 112A
23 of the Code of Criminal Procedure of 1963 or under the Illinois
24 Domestic Violence Act of 1986, is issued against a licensee for
25 the duration of the order, or if the Department is made aware

1 of a similar order issued against the licensee in any other
2 jurisdiction. If an order of protection is issued against a
3 licensee, the licensee shall surrender the license, as
4 applicable, to the court at the time the order is entered or to
5 the law enforcement agency or entity serving process at the
6 time the licensee is served the order. The court, law
7 enforcement agency, or entity responsible for serving the order
8 of protection shall notify the Department within 7 days and
9 transmit the license to the Department.

10 (c) A license is invalid upon expiration of the license,
11 unless the licensee has submitted an application to renew the
12 license, and the applicant is otherwise eligible to possess a
13 license under this Act.

14 (d) A licensee shall not carry a concealed firearm while
15 under the influence of alcohol, other drug or drugs,
16 intoxicating compound or combination of compounds, or any
17 combination thereof, under the standards set forth in
18 subsection (a) of Section 11-501 of the Illinois Vehicle Code.

19 A licensee in violation of this subsection (d) shall be
20 guilty of a Class A misdemeanor for a first or second violation
21 and a Class 4 felony for a third violation. The Department may
22 suspend a license for up to 6 months for a second violation and
23 shall permanently revoke a license for a third violation.

24 (e) Except as otherwise provided, a licensee in violation
25 of this Act shall be guilty of a Class B misdemeanor. A second
26 or subsequent violation is a Class A misdemeanor. The

1 Department may suspend a license for up to 6 months for a
2 second violation and shall permanently revoke a license for 3
3 or more violations of Section 65 of this Act. Any person
4 convicted of a violation under this Section shall pay a \$150
5 fee to be deposited into the Mental Health Reporting Fund, plus
6 any applicable court costs or fees.

7 (f) A licensee convicted or found guilty of a violation of
8 this Act who has a valid license and is otherwise eligible to
9 carry a concealed firearm shall only be subject to the
10 penalties under this Section and shall not be subject to the
11 penalties under Section 21-6, paragraph (4), (8), or (10) of
12 subsection (a) of Section 24-1, or subparagraph (A-5) or (B-5)
13 of paragraph (3) of subsection (a) of Section 24-1.6 of the
14 Criminal Code of 2012. Except as otherwise provided in this
15 subsection, nothing in this subsection prohibits the licensee
16 from being subjected to penalties for violations other than
17 those specified in this Act.

18 (g) A licensee whose license is revoked, suspended, or
19 denied shall, within 48 hours of receiving notice of the
20 revocation, suspension, or denial, surrender his or her
21 concealed carry license to the local law enforcement agency
22 where the person resides. The local law enforcement agency
23 shall provide the licensee a receipt and transmit the concealed
24 carry license to the Department of State Police. If the
25 licensee whose concealed carry license has been revoked,
26 suspended, or denied fails to comply with the requirements of

1 this subsection, the law enforcement agency where the person
2 resides may petition the circuit court to issue a warrant to
3 search for and seize the concealed carry license in the
4 possession and under the custody or control of the licensee
5 whose concealed carry license has been revoked, suspended, or
6 denied. The observation of a concealed carry license in the
7 possession of a person whose license has been revoked,
8 suspended, or denied constitutes a sufficient basis for the
9 arrest of that person for violation of this subsection. A
10 violation of this subsection is a Class A misdemeanor.

11 (h) A license issued or renewed under this Act shall be
12 revoked if, at any time, the licensee is found ineligible for a
13 Firearm Owner's Identification Card, or the licensee no longer
14 possesses a valid Firearm Owner's Identification Card. A
15 licensee whose license is revoked under this subsection (h)
16 shall surrender his or her concealed carry license as provided
17 for in subsection (g) of this Section.

18 This subsection shall not apply to a person who has filed
19 an application with the State Police for renewal of a Firearm
20 Owner's Identification Card and who is not otherwise ineligible
21 to obtain a Firearm Owner's Identification Card.

22 (i) A certified firearms instructor who knowingly provides
23 or offers to provide a false certification that an applicant
24 has completed firearms training as required under this Act is
25 guilty of a Class A misdemeanor. A person guilty of a violation
26 of this subsection (i) is not eligible for court supervision.

1 The Department shall permanently revoke the firearms
2 instructor certification of a person convicted under this
3 subsection (i).

4 (Source: P.A. 98-63, eff. 7-9-13; 98-756, eff. 7-16-14; 98-899,
5 eff. 8-15-14.)

6 (430 ILCS 66/75)

7 Sec. 75. Applicant firearm training.

8 (a) Within 60 days of the effective date of this Act, the
9 Department shall begin approval of firearm training courses and
10 shall make a list of approved courses available on the
11 Department's website.

12 (b) An applicant for a new license shall provide proof of
13 completion of a firearms training course or combination of
14 courses approved by the Department of at least 16 hours, which
15 includes range qualification time under subsection (c) of this
16 Section, that covers the following:

17 (1) firearm safety;

18 (2) the basic principles of marksmanship;

19 (3) care, cleaning, loading, and unloading of a
20 concealable firearm;

21 (4) all applicable State and federal laws relating to
22 the ownership, storage, carry, and transportation of a
23 firearm; and

24 (5) instruction on the appropriate and lawful
25 interaction with law enforcement while transporting or

1 carrying a concealed firearm.

2 (c) An applicant for a new license shall provide proof of
3 certification by a certified instructor that the applicant
4 passed a live fire exercise with a concealable firearm
5 consisting of:

6 (1) a minimum of 30 rounds; and

7 (2) 10 rounds from a distance of 5 yards; 10 rounds
8 from a distance of 7 yards; and 10 rounds from a distance
9 of 10 yards at a B-27 silhouette target approved by the
10 Department.

11 (d) An applicant for renewal of a license shall provide
12 proof of completion of a firearms training course or
13 combination of courses approved by the Department of at least 3
14 hours.

15 (e) A certificate of completion for an applicant's firearm
16 training course shall not be issued to a student who:

17 (1) does not follow the orders of the certified
18 firearms instructor;

19 (2) in the judgment of the certified instructor,
20 handles a firearm in a manner that poses a danger to the
21 student or to others; or

22 (3) during the range firing portion of testing fails to
23 hit the target with 70% of the rounds fired.

24 (f) An instructor shall maintain a record of each student's
25 performance for at least 5 years, and shall make all records
26 available upon demand of authorized personnel of the

1 Department.

2 (g) The Department and certified firearms instructors
3 shall recognize up to 8 hours of training already completed
4 toward the 16 hour training requirement under this Section if
5 the training course is submitted to and approved by the
6 Department. Any remaining hours that the applicant completes
7 must at least cover the classroom subject matter of paragraph
8 (4) of subsection (b) of this Section, and the range
9 qualification in subsection (c) of this Section.

10 (h) A person who has qualified to carry a firearm as an
11 active full-time law enforcement or corrections officer, who
12 has successfully completed firearms training as required by his
13 or her law enforcement agency and is authorized by his or her
14 agency to carry a firearm; a person currently certified as a
15 firearms instructor by this Act or by the Illinois Law
16 Enforcement Training Standards Board; or a person who has
17 completed the required training and has been issued a firearm
18 control card by the Department of Financial and Professional
19 Regulation shall be exempt from the requirements of this
20 Section.

21 (i) The Department and certified firearms instructors
22 shall recognize 8 hours of training as completed toward the 16
23 hour training requirement under this Section, if the applicant
24 is an active, retired, or honorably discharged member of the
25 United States Armed Forces. Any remaining hours that the
26 applicant completes must at least cover the classroom subject

1 matter of paragraph (4) of subsection (b) of this Section, and
2 the range qualification in subsection (c) of this Section.

3 (j) The Department and certified firearms instructors
4 shall recognize up to 8 hours of training already completed
5 toward the 16 hour training requirement under this Section if
6 the training course is approved by the Department and was
7 completed in connection with the applicant's previous
8 employment as a full-time law enforcement or corrections
9 officer. Any remaining hours that the applicant completes must
10 at least cover the classroom subject matter of paragraph (4) of
11 subsection (b) of this Section, and the range qualification in
12 subsection (c) of this Section. A former law enforcement or
13 corrections officer seeking credit under this subsection (j)
14 shall provide evidence that he or she separated from employment
15 in good standing from each law enforcement agency where he or
16 she was employed. An applicant who was discharged from a law
17 enforcement agency for misconduct or disciplinary reasons is
18 not eligible for credit under this subsection (j).

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

20 (430 ILCS 66/37)

21 Sec. 87. Administrative and judicial review.

22 (a) Whenever an application for a concealed carry license
23 is denied, whenever the Department fails to act on an
24 application within 90 days of its receipt, or whenever a
25 license is revoked or suspended as provided in this Act, the

1 aggrieved party may appeal to the Director for a hearing upon
2 the denial, revocation, suspension, or failure to act on the
3 application, unless the denial was made by the Concealed Carry
4 Licensing Review Board, in which case the aggrieved party may
5 petition the circuit court in writing in the county of his or
6 her residence for a hearing upon the denial. An applicant may
7 appeal a denial of an application for a concealed carry license
8 by the Department to the Director for a hearing within 70
9 calendar days after the denial.

10 (b) All final administrative decisions of the Department or
11 the Concealed Carry Licensing Review Board under this Act shall
12 be subject to judicial review under the provisions of the
13 Administrative Review Law except that a petition for
14 administrative or judicial review shall be filed within 70
15 calendar days from the date the notice of denial was received
16 by the applicant. If an applicant brings a petition for
17 judicial review under this Act, the petition must be decided
18 without remand to the Department. The term "administrative
19 decision" is defined as in Section 3-101 of the Code of Civil
20 Procedure.

21 (c) Immediately upon receiving notice that the application
22 has been denied, the applicant or the applicant's attorney, if
23 any, may formally request copies of all documents and evidence
24 considered by the Department in making its determination. The
25 Department shall provide the requested documents and evidence
26 within 14 calendar days of receiving the written request.

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

2 Section 20. The Wildlife Code is amended by changing
3 Section 2.26 as follows:

4 (520 ILCS 5/2.26) (from Ch. 61, par. 2.26)

5 Sec. 2.26. Deer hunting permits. In this Section, "bona
6 fide equity shareholder" means an individual who (1) purchased,
7 for market price, publicly sold stock shares in a corporation,
8 purchased shares of a privately-held corporation for a value
9 equal to the percentage of the appraised value of the corporate
10 assets represented by the ownership in the corporation, or is a
11 member of a closely-held family-owned corporation and has
12 purchased or been gifted with shares of stock in the
13 corporation accurately reflecting his or her percentage of
14 ownership and (2) intends to retain the ownership of the shares
15 of stock for at least 5 years.

16 In this Section, "bona fide equity member" means an
17 individual who (1) (i) became a member upon the formation of
18 the limited liability company or (ii) has purchased a
19 distributional interest in a limited liability company for a
20 value equal to the percentage of the appraised value of the LLC
21 assets represented by the distributional interest in the LLC
22 and subsequently becomes a member of the company pursuant to
23 Article 30 of the Limited Liability Company Act and who (2)
24 intends to retain the membership for at least 5 years.

1 In this Section, "bona fide equity partner" means an
2 individual who (1) (i) became a partner, either general or
3 limited, upon the formation of a partnership or limited
4 partnership, or (ii) has purchased, acquired, or been gifted a
5 partnership interest accurately representing his or her
6 percentage distributional interest in the profits, losses, and
7 assets of a partnership or limited partnership, (2) intends to
8 retain ownership of the partnership interest for at least 5
9 years, and (3) is a resident of Illinois.

10 Any person attempting to take deer shall first obtain a
11 "Deer Hunting Permit" issued by the Department in accordance
12 with its administrative rules. Those rules must provide for the
13 issuance of the following types of resident deer archery
14 permits: (i) a combination permit, consisting of one either-sex
15 permit and one antlerless-only permit, (ii) a single
16 antlerless-only permit, and (iii) a single either-sex permit.
17 The fee for a Deer Hunting Permit to take deer with either bow
18 and arrow or gun shall not exceed \$25.00 for residents of the
19 State. The Department may by administrative rule provide for
20 non-resident deer hunting permits for which the fee will not
21 exceed \$300 in 2005, \$350 in 2006, and \$400 in 2007 and
22 thereafter except as provided below for non-resident
23 landowners and non-resident archery hunters. The Department
24 may by administrative rule provide for a non-resident archery
25 deer permit consisting of not more than 2 harvest tags at a
26 total cost not to exceed \$325 in 2005, \$375 in 2006, and \$425

1 in 2007 and thereafter. Permits shall be issued without charge
2 to:

3 (a) Illinois landowners residing in Illinois who own at
4 least 40 acres of Illinois land and wish to hunt their land
5 only,

6 (b) resident tenants of at least 40 acres of commercial
7 agricultural land where they will hunt, and

8 (c) Bona fide equity shareholders of a corporation,
9 bona fide equity members of a limited liability company, or
10 bona fide equity partners of a general or limited
11 partnership which owns at least 40 acres of land in a
12 county in Illinois who wish to hunt on the corporation's,
13 company's, or partnership's land only. One permit shall be
14 issued without charge to one bona fide equity shareholder,
15 one bona fide equity member, or one bona fide equity
16 partner for each 40 acres of land owned by the corporation,
17 company, or partnership in a county; however, the number of
18 permits issued without charge to bona fide equity
19 shareholders of any corporation or bona fide equity members
20 of a limited liability company in any county shall not
21 exceed 15, and shall not exceed 3 in the case of bona fide
22 equity partners of a partnership.

23 Bona fide landowners or tenants who do not wish to hunt
24 only on the land they own, rent, or lease or bona fide equity
25 shareholders, bona fide equity members, or bona fide equity
26 partners who do not wish to hunt only on the land owned by the

1 corporation, limited liability company, or partnership shall
2 be charged the same fee as the applicant who is not a
3 landowner, tenant, bona fide equity shareholder, bona fide
4 equity member, or bona fide equity partner. Nonresidents of
5 Illinois who own at least 40 acres of land and wish to hunt on
6 their land only shall be charged a fee set by administrative
7 rule. The method for obtaining these permits shall be
8 prescribed by administrative rule.

9 The deer hunting permit issued without fee shall be valid
10 on all farm lands which the person to whom it is issued owns,
11 leases or rents, except that in the case of a permit issued to
12 a bona fide equity shareholder, bona fide equity member, or
13 bona fide equity partner, the permit shall be valid on all
14 lands owned by the corporation, limited liability company, or
15 partnership in the county.

16 The standards and specifications for use of guns and bow
17 and arrow for deer hunting shall be established by
18 administrative rule.

19 No person may have in his or her possession any firearm not
20 authorized by administrative rule for a specific hunting season
21 when taking deer. However, a person with a valid concealed
22 carry license issued under the Firearm Concealed Carry Act may
23 carry a handgun on or about his or her person while hunting
24 deer.

25 Persons having a firearm deer hunting permit shall be
26 permitted to take deer only during the period from 1/2 hour

1 before sunrise to 1/2 hour after sunset, and only during those
2 days for which an open season is established for the taking of
3 deer by use of shotgun, handgun, or muzzle loading rifle.

4 Persons having an archery deer hunting permit shall be
5 permitted to take deer only during the period from 1/2 hour
6 before sunrise to 1/2 hour after sunset, and only during those
7 days for which an open season is established for the taking of
8 deer by use of bow and arrow.

9 It shall be unlawful for any person to take deer by use of
10 dogs, horses, automobiles, aircraft or other vehicles, or by
11 the use or aid of bait or baiting of any kind. For the purposes
12 of this Section, "bait" means any material, whether liquid or
13 solid, including food, salt, minerals, and other products,
14 except pure water, that can be ingested, placed, or scattered
15 in such a manner as to attract or lure white-tailed deer.
16 "Baiting" means the placement or scattering of bait to attract
17 deer. An area is considered as baited during the presence of
18 and for 10 consecutive days following the removal of bait.
19 Nothing in this Section shall prohibit the use of a dog to
20 track wounded deer. Any person using a dog for tracking wounded
21 deer must maintain physical control of the dog at all times by
22 means of a maximum 50 foot lead attached to the dog's collar or
23 harness. Tracking wounded deer is permissible at night, but at
24 no time outside of legal deer hunting hours or seasons shall
25 any person handling or accompanying a dog being used for
26 tracking wounded deer be in possession of any firearm or

1 archery device. Persons tracking wounded deer with a dog during
2 the firearm deer seasons shall wear blaze orange as required.
3 Dog handlers tracking wounded deer with a dog are exempt from
4 hunting license and deer permit requirements so long as they
5 are accompanied by the licensed deer hunter who wounded the
6 deer.

7 It shall be unlawful to possess or transport any wild deer
8 which has been injured or killed in any manner upon a public
9 highway or public right-of-way of this State unless exempted by
10 administrative rule.

11 Persons hunting deer must have gun unloaded and no bow and
12 arrow device shall be carried with the arrow in the nocked
13 position during hours when deer hunting is unlawful.

14 It shall be unlawful for any person, having taken the legal
15 limit of deer by gun, to further participate with gun in any
16 deer hunting party.

17 It shall be unlawful for any person, having taken the legal
18 limit of deer by bow and arrow, to further participate with bow
19 and arrow in any deer hunting party.

20 The Department may prohibit upland game hunting during the
21 gun deer season by administrative rule.

22 The Department shall not limit the number of non-resident
23 either sex archery deer hunting permits to less than 20,000.

24 Any person who violates any of the provisions of this
25 Section, including administrative rules, shall be guilty of a
26 Class B misdemeanor.

1 For the purposes of calculating acreage under this Section,
2 the Department shall, after determining the total acreage of
3 the applicable tract or tracts of land, round remaining
4 fractional portions of an acre greater than or equal to half of
5 an acre up to the next whole acre.

6 For the purposes of taking white-tailed deer, nothing in
7 this Section shall be construed to prevent the manipulation,
8 including mowing or cutting, of standing crops as a normal
9 agricultural or soil stabilization practice, food plots, or
10 normal agricultural practices, including planting, harvesting,
11 and maintenance such as cultivating or the use of products
12 designed for scent only and not capable of ingestion, solid or
13 liquid, placed or scattered, in such a manner as to attract or
14 lure deer. Such manipulation for the purpose of taking
15 white-tailed deer may be further modified by administrative
16 rule.

17 (Source: P.A. 97-564, eff. 8-25-11; 97-907, eff. 8-7-12;
18 98-180, eff. 8-5-13.)

19 Section 25. The Criminal Code of 2012 is amended by
20 changing Sections 24-1 and 24-3 as follows:

21 (720 ILCS 5/24-1) (from Ch. 38, par. 24-1)

22 Sec. 24-1. Unlawful Use of Weapons.

23 (a) A person commits the offense of unlawful use of weapons
24 when he knowingly:

1 (1) Sells, manufactures, purchases, possesses or
2 carries any bludgeon, black-jack, slung-shot, sand-club,
3 sand-bag, metal knuckles or other knuckle weapon
4 regardless of its composition, throwing star, or any knife,
5 commonly referred to as a switchblade knife, which has a
6 blade that opens automatically by hand pressure applied to
7 a button, spring or other device in the handle of the
8 knife, or a ballistic knife, which is a device that propels
9 a knifelike blade as a projectile by means of a coil
10 spring, elastic material or compressed gas; or

11 (2) Carries or possesses with intent to use the same
12 unlawfully against another, a dagger, dirk, billy,
13 dangerous knife, razor, stiletto, broken bottle or other
14 piece of glass, stun gun or taser or any other dangerous or
15 deadly weapon or instrument of like character; or

16 (3) Carries on or about his person or in any vehicle, a
17 tear gas gun projector or bomb or any object containing
18 noxious liquid gas or substance, other than an object
19 containing a non-lethal noxious liquid gas or substance
20 designed solely for personal defense carried by a person 18
21 years of age or older; or

22 (4) Carries or possesses in any vehicle or concealed on
23 or about his person except when on his land or in his own
24 abode, legal dwelling, or fixed place of business, or on
25 the land or in the legal dwelling of another person as an
26 invitee with that person's permission, any pistol,

1 revolver, stun gun or taser or other firearm, except that
2 this subsection (a) (4) does not apply to or affect
3 transportation of weapons that meet one of the following
4 conditions:

5 (i) are broken down in a non-functioning state; or

6 (ii) are not immediately accessible; or

7 (iii) are unloaded and enclosed in a case, firearm
8 carrying box, shipping box, or other container by a
9 person who has been issued a currently valid Firearm
10 Owner's Identification Card; or

11 (iv) are carried or possessed in accordance with
12 the Firearm Concealed Carry Act by a person who has
13 been issued a currently valid license under the Firearm
14 Concealed Carry Act; or

15 (5) Sets a spring gun; or

16 (6) Possesses any device or attachment of any kind
17 designed, used or intended for use in silencing the report
18 of any firearm; or

19 (7) Sells, manufactures, purchases, possesses or
20 carries:

21 (i) a machine gun, which shall be defined for the
22 purposes of this subsection as any weapon, which
23 shoots, is designed to shoot, or can be readily
24 restored to shoot, automatically more than one shot
25 without manually reloading by a single function of the
26 trigger, including the frame or receiver of any such

1 weapon, or sells, manufactures, purchases, possesses,
2 or carries any combination of parts designed or
3 intended for use in converting any weapon into a
4 machine gun, or any combination or parts from which a
5 machine gun can be assembled if such parts are in the
6 possession or under the control of a person;

7 (ii) any rifle having one or more barrels less than
8 16 inches in length or a shotgun having one or more
9 barrels less than 18 inches in length or any weapon
10 made from a rifle or shotgun, whether by alteration,
11 modification, or otherwise, if such a weapon as
12 modified has an overall length of less than 26 inches;
13 or

14 (iii) any bomb, bomb-shell, grenade, bottle or
15 other container containing an explosive substance of
16 over one-quarter ounce for like purposes, such as, but
17 not limited to, black powder bombs and Molotov
18 cocktails or artillery projectiles; or

19 (8) Carries or possesses any firearm, stun gun or taser
20 or other deadly weapon in any place which is licensed to
21 sell intoxicating beverages, or at any public gathering
22 held pursuant to a license issued by any governmental body
23 or any public gathering at which an admission is charged,
24 excluding a place where a showing, demonstration or lecture
25 involving the exhibition of unloaded firearms is
26 conducted.

1 This subsection (a) (8) does not apply to any auction or
2 raffle of a firearm held pursuant to a license or permit
3 issued by a governmental body, nor does it apply to persons
4 engaged in firearm safety training courses; or

5 (9) Carries or possesses in a vehicle or on or about
6 his person any pistol, revolver, stun gun or taser or
7 firearm or ballistic knife, when he is hooded, robed or
8 masked in such manner as to conceal his identity; or

9 (10) Carries or possesses on or about his person, upon
10 any public street, alley, or other public lands within the
11 corporate limits of a city, village or incorporated town,
12 except when an invitee thereon or therein, for the purpose
13 of the display of such weapon or the lawful commerce in
14 weapons, or except when on his land or in his own abode,
15 legal dwelling, or fixed place of business, or on the land
16 or in the legal dwelling of another person as an invitee
17 with that person's permission, any pistol, revolver, stun
18 gun or taser or other firearm, except that this subsection
19 (a) (10) does not apply to or affect transportation of
20 weapons that meet one of the following conditions:

21 (i) are broken down in a non-functioning state; or

22 (ii) are not immediately accessible; or

23 (iii) are unloaded and enclosed in a case, firearm
24 carrying box, shipping box, or other container by a
25 person who has been issued a currently valid Firearm
26 Owner's Identification Card; or -

1 (iv) are carried or possessed in accordance with
2 the Firearm Concealed Carry Act by a person who has
3 been issued a currently valid license under the Firearm
4 Concealed Carry Act.

5 A "stun gun or taser", as used in this paragraph (a)
6 means (i) any device which is powered by electrical
7 charging units, such as, batteries, and which fires one or
8 several barbs attached to a length of wire and which, upon
9 hitting a human, can send out a current capable of
10 disrupting the person's nervous system in such a manner as
11 to render him incapable of normal functioning or (ii) any
12 device which is powered by electrical charging units, such
13 as batteries, and which, upon contact with a human or
14 clothing worn by a human, can send out current capable of
15 disrupting the person's nervous system in such a manner as
16 to render him incapable of normal functioning; or

17 (11) Sells, manufactures or purchases any explosive
18 bullet. For purposes of this paragraph (a) "explosive
19 bullet" means the projectile portion of an ammunition
20 cartridge which contains or carries an explosive charge
21 which will explode upon contact with the flesh of a human
22 or an animal. "Cartridge" means a tubular metal case having
23 a projectile affixed at the front thereof and a cap or
24 primer at the rear end thereof, with the propellant
25 contained in such tube between the projectile and the cap;
26 or

1 (12) (Blank); or

2 (13) Carries or possesses on or about his or her person
3 while in a building occupied by a unit of government, a
4 billy club, other weapon of like character, or other
5 instrument of like character intended for use as a weapon.
6 For the purposes of this Section, "billy club" means a
7 short stick or club commonly carried by police officers
8 which is either telescopic or constructed of a solid piece
9 of wood or other man-made material.

10 (b) Sentence. A person convicted of a violation of
11 subsection 24-1(a)(1) through (5), subsection 24-1(a)(10),
12 subsection 24-1(a)(11), or subsection 24-1(a)(13) commits a
13 Class A misdemeanor. A person convicted of a violation of
14 subsection 24-1(a)(8) or 24-1(a)(9) commits a Class 4 felony; a
15 person convicted of a violation of subsection 24-1(a)(6) or
16 24-1(a)(7)(ii) or (iii) commits a Class 3 felony. A person
17 convicted of a violation of subsection 24-1(a)(7)(i) commits a
18 Class 2 felony and shall be sentenced to a term of imprisonment
19 of not less than 3 years and not more than 7 years, unless the
20 weapon is possessed in the passenger compartment of a motor
21 vehicle as defined in Section 1-146 of the Illinois Vehicle
22 Code, or on the person, while the weapon is loaded, in which
23 case it shall be a Class X felony. A person convicted of a
24 second or subsequent violation of subsection 24-1(a)(4),
25 24-1(a)(3), 24-1(a)(9), or 24-1(a)(10) commits a Class 3
26 felony. The possession of each weapon in violation of this

1 Section constitutes a single and separate violation.

2 (c) Violations in specific places.

3 (1) A person who violates subsection 24-1(a)(6) or
4 24-1(a)(7) in any school, regardless of the time of day or
5 the time of year, in residential property owned, operated
6 or managed by a public housing agency or leased by a public
7 housing agency as part of a scattered site or mixed-income
8 development, in a public park, in a courthouse, on the real
9 property comprising any school, regardless of the time of
10 day or the time of year, on residential property owned,
11 operated or managed by a public housing agency or leased by
12 a public housing agency as part of a scattered site or
13 mixed-income development, on the real property comprising
14 any public park, on the real property comprising any
15 courthouse, in any conveyance owned, leased or contracted
16 by a school to transport students to or from school or a
17 school related activity, in any conveyance owned, leased,
18 or contracted by a public transportation agency, or on any
19 public way within 1,000 feet of the real property
20 comprising any school, public park, courthouse, public
21 transportation facility, or residential property owned,
22 operated, or managed by a public housing agency or leased
23 by a public housing agency as part of a scattered site or
24 mixed-income development commits a Class 2 felony and shall
25 be sentenced to a term of imprisonment of not less than 3
26 years and not more than 7 years.

1 (1.5) A person who violates subsection 24-1(a)(4),
2 24-1(a)(9), or 24-1(a)(10) in any school, regardless of the
3 time of day or the time of year, in residential property
4 owned, operated, or managed by a public housing agency or
5 leased by a public housing agency as part of a scattered
6 site or mixed-income development, in a public park, in a
7 courthouse, on the real property comprising any school,
8 regardless of the time of day or the time of year, on
9 residential property owned, operated, or managed by a
10 public housing agency or leased by a public housing agency
11 as part of a scattered site or mixed-income development, on
12 the real property comprising any public park, on the real
13 property comprising any courthouse, in any conveyance
14 owned, leased, or contracted by a school to transport
15 students to or from school or a school related activity, in
16 any conveyance owned, leased, or contracted by a public
17 transportation agency, or on any public way within 1,000
18 feet of the real property comprising any school, public
19 park, courthouse, public transportation facility, or
20 residential property owned, operated, or managed by a
21 public housing agency or leased by a public housing agency
22 as part of a scattered site or mixed-income development
23 commits a Class 3 felony.

24 (2) A person who violates subsection 24-1(a)(1),
25 24-1(a)(2), or 24-1(a)(3) in any school, regardless of the
26 time of day or the time of year, in residential property

1 owned, operated or managed by a public housing agency or
2 leased by a public housing agency as part of a scattered
3 site or mixed-income development, in a public park, in a
4 courthouse, on the real property comprising any school,
5 regardless of the time of day or the time of year, on
6 residential property owned, operated or managed by a public
7 housing agency or leased by a public housing agency as part
8 of a scattered site or mixed-income development, on the
9 real property comprising any public park, on the real
10 property comprising any courthouse, in any conveyance
11 owned, leased or contracted by a school to transport
12 students to or from school or a school related activity, in
13 any conveyance owned, leased, or contracted by a public
14 transportation agency, or on any public way within 1,000
15 feet of the real property comprising any school, public
16 park, courthouse, public transportation facility, or
17 residential property owned, operated, or managed by a
18 public housing agency or leased by a public housing agency
19 as part of a scattered site or mixed-income development
20 commits a Class 4 felony. "Courthouse" means any building
21 that is used by the Circuit, Appellate, or Supreme Court of
22 this State for the conduct of official business.

23 (3) Paragraphs (1), (1.5), and (2) of this subsection
24 (c) shall not apply to law enforcement officers or security
25 officers of such school, college, or university or to
26 students carrying or possessing firearms for use in

1 training courses, parades, hunting, target shooting on
2 school ranges, or otherwise with the consent of school
3 authorities and which firearms are transported unloaded
4 enclosed in a suitable case, box, or transportation
5 package.

6 (4) For the purposes of this subsection (c), "school"
7 means any public or private elementary or secondary school,
8 community college, college, or university.

9 (5) For the purposes of this subsection (c), "public
10 transportation agency" means a public or private agency
11 that provides for the transportation or conveyance of
12 persons by means available to the general public, except
13 for transportation by automobiles not used for conveyance
14 of the general public as passengers; and "public
15 transportation facility" means a terminal or other place
16 where one may obtain public transportation.

17 (d) The presence in an automobile other than a public
18 omnibus of any weapon, instrument or substance referred to in
19 subsection (a)(7) is prima facie evidence that it is in the
20 possession of, and is being carried by, all persons occupying
21 such automobile at the time such weapon, instrument or
22 substance is found, except under the following circumstances:
23 (i) if such weapon, instrument or instrumentality is found upon
24 the person of one of the occupants therein; or (ii) if such
25 weapon, instrument or substance is found in an automobile
26 operated for hire by a duly licensed driver in the due, lawful

1 and proper pursuit of his trade, then such presumption shall
2 not apply to the driver.

3 (e) Exemptions. Crossbows, Common or Compound bows and
4 Underwater Spearguns are exempted from the definition of
5 ballistic knife as defined in paragraph (1) of subsection (a)
6 of this Section.

7 (Source: P.A. 95-331, eff. 8-21-07; 95-809, eff. 1-1-09;
8 95-885, eff. 1-1-09; 96-41, eff. 1-1-10; 96-328, eff. 8-11-09;
9 96-742, eff. 8-25-09; 96-1000, eff. 7-2-10.)

10 (720 ILCS 5/24-3) (from Ch. 38, par. 24-3)

11 Sec. 24-3. Unlawful sale or delivery of firearms.

12 (A) A person commits the offense of unlawful sale or
13 delivery of firearms when he or she knowingly does any of the
14 following:

15 (a) Sells or gives any firearm of a size which may be
16 concealed upon the person to any person under 18 years of
17 age.

18 (b) Sells or gives any firearm to a person under 21
19 years of age who has been convicted of a misdemeanor other
20 than a traffic offense or adjudged delinquent.

21 (c) Sells or gives any firearm to any narcotic addict.

22 (d) Sells or gives any firearm to any person who has
23 been convicted of a felony under the laws of this or any
24 other jurisdiction.

25 (e) Sells or gives any firearm to any person who has

1 been a patient in a mental institution within the past 5
2 years. In this subsection (e):

3 "Mental institution" means any hospital,
4 institution, clinic, evaluation facility, mental
5 health center, or part thereof, which is used primarily
6 for the care or treatment of persons with mental
7 illness.

8 "Patient in a mental institution" means the person
9 was admitted, either voluntarily or involuntarily, to
10 a mental institution for mental health treatment,
11 unless the treatment was voluntary and solely for an
12 alcohol abuse disorder and no other secondary
13 substance abuse disorder or mental illness.

14 (f) Sells or gives any firearms to any person who is
15 intellectually disabled.

16 (g) Delivers any firearm of a size which may be
17 concealed upon the person, incidental to a sale, without
18 withholding delivery of such firearm for at least 72 hours
19 after application for its purchase has been made, or
20 delivers any rifle, shotgun or other long gun, or a stun
21 gun or taser, incidental to a sale, without withholding
22 delivery of such rifle, shotgun or other long gun, or a
23 stun gun or taser for at least 24 hours after application
24 for its purchase has been made. However, this paragraph (g)
25 does not apply to: (1) the sale of a firearm to a law
26 enforcement officer if the seller of the firearm knows that

1 the person to whom he or she is selling the firearm is a
2 law enforcement officer or the sale of a firearm to a
3 person who desires to purchase a firearm for use in
4 promoting the public interest incident to his or her
5 employment as a bank guard, armed truck guard, or other
6 similar employment; (2) a mail order sale of a firearm from
7 a federally licensed firearms dealer to a nonresident of
8 Illinois under which the firearm is mailed to a federally
9 licensed firearms dealer ~~point~~ outside the boundaries of
10 Illinois; (3) the sale of a firearm to a nonresident of
11 Illinois while at a firearm showing or display recognized
12 by the Illinois Department of State Police; ~~or~~ (4) the sale
13 of a firearm to a dealer licensed as a federal firearms
14 dealer under Section 923 of the federal Gun Control Act of
15 1968 (18 U.S.C. 923); or (5) the transfer or sale of any
16 rifle, shotgun, or other long gun to a resident registered
17 participant or non-resident registered participant by any
18 dealer licensed as a federal firearms dealer under Section
19 923 of the federal Gun Control Act of 1968 at competitive
20 shooting events held at the World Shooting Complex
21 sanctioned by a national governing body. For purposes of
22 transfers or sales under subparagraph (5) of this paragraph
23 (d), the Department of Natural Resources shall give notice
24 to the Department of State Police at least 30 calendar days
25 prior to any competitive shooting events at the World
26 Shooting Complex sanctioned by a national governing body.

1 The notification shall be made on a form prescribed by the
2 Department of State Police. The sanctioning body shall
3 provide a list of all registered participants at least 24
4 hours before the events to the Department of State Police.
5 Any changes to the list of registered participants shall be
6 forwarded to the Department of State Police as soon as
7 practicable. Nothing in this paragraph (g) relieves a
8 federally licensed firearm dealer from the requirements of
9 conducting a NICS background check through the Illinois
10 Point of Contact under 18 U.S.C. 922(t). For purposes of
11 this paragraph (g), "application" means when the buyer and
12 seller reach an agreement to purchase a firearm. For
13 purposes of this paragraph (g), "national governing body"
14 means a group of persons who adopt rules and formulate
15 policy on behalf of a national firearm sporting
16 organization.

17 (h) While holding any license as a dealer, importer,
18 manufacturer or pawnbroker under the federal Gun Control
19 Act of 1968, manufactures, sells or delivers to any
20 unlicensed person a handgun having a barrel, slide, frame
21 or receiver which is a die casting of zinc alloy or any
22 other nonhomogeneous metal which will melt or deform at a
23 temperature of less than 600 degrees Fahrenheit. For
24 purposes of this paragraph, (1) "firearm" is defined as in
25 the Firearm Owners Identification Card Act; and (2)
26 "handgun" is defined as a firearm designed to be held and

1 fired by the use of a single hand, and includes a
2 combination of parts from which such a firearm can be
3 assembled.

4 (i) Sells or gives a firearm of any size to any person
5 under 18 years of age who does not possess a valid Firearm
6 Owner's Identification Card.

7 (j) Sells or gives a firearm while engaged in the
8 business of selling firearms at wholesale or retail without
9 being licensed as a federal firearms dealer under Section
10 923 of the federal Gun Control Act of 1968 (18 U.S.C. 923).
11 In this paragraph (j):

12 A person "engaged in the business" means a person who
13 devotes time, attention, and labor to engaging in the
14 activity as a regular course of trade or business with the
15 principal objective of livelihood and profit, but does not
16 include a person who makes occasional repairs of firearms
17 or who occasionally fits special barrels, stocks, or
18 trigger mechanisms to firearms.

19 "With the principal objective of livelihood and
20 profit" means that the intent underlying the sale or
21 disposition of firearms is predominantly one of obtaining
22 livelihood and pecuniary gain, as opposed to other intents,
23 such as improving or liquidating a personal firearms
24 collection; however, proof of profit shall not be required
25 as to a person who engages in the regular and repetitive
26 purchase and disposition of firearms for criminal purposes

1 or terrorism.

2 (k) Sells or transfers ownership of a firearm to a
3 person who does not display to the seller or transferor of
4 the firearm either: (1) a currently valid Firearm Owner's
5 Identification Card that has previously been issued in the
6 transferee's name by the Department of State Police under
7 the provisions of the Firearm Owners Identification Card
8 Act; or (2) a currently valid license to carry a concealed
9 firearm that has previously been issued in the transferee's
10 name by the Department of State Police under the Firearm
11 Concealed Carry Act. This paragraph (k) does not apply to
12 the transfer of a firearm to a person who is exempt from
13 the requirement of possessing a Firearm Owner's
14 Identification Card under Section 2 of the Firearm Owners
15 Identification Card Act. For the purposes of this Section,
16 a currently valid Firearm Owner's Identification Card
17 means (i) a Firearm Owner's Identification Card that has
18 not expired or (ii) an approval number issued in accordance
19 with subsection (a-10) of subsection 3 or Section 3.1 of
20 the Firearm Owners Identification Card Act shall be proof
21 that the Firearm Owner's Identification Card was valid.

22 (1) In addition to the other requirements of this
23 paragraph (k), all persons who are not federally
24 licensed firearms dealers must also have complied with
25 subsection (a-10) of Section 3 of the Firearm Owners
26 Identification Card Act by determining the validity of

1 a purchaser's Firearm Owner's Identification Card.

2 (2) All sellers or transferors who have complied
3 with the requirements of subparagraph (1) of this
4 paragraph (k) shall not be liable for damages in any
5 civil action arising from the use or misuse by the
6 transferee of the firearm transferred, except for
7 willful or wanton misconduct on the part of the seller
8 or transferor.

9 (1) Not being entitled to the possession of a firearm,
10 delivers the firearm, knowing it to have been stolen or
11 converted. It may be inferred that a person who possesses a
12 firearm with knowledge that its serial number has been
13 removed or altered has knowledge that the firearm is stolen
14 or converted.

15 (B) Paragraph (h) of subsection (A) does not include
16 firearms sold within 6 months after enactment of Public Act
17 78-355 (approved August 21, 1973, effective October 1, 1973),
18 nor is any firearm legally owned or possessed by any citizen or
19 purchased by any citizen within 6 months after the enactment of
20 Public Act 78-355 subject to confiscation or seizure under the
21 provisions of that Public Act. Nothing in Public Act 78-355
22 shall be construed to prohibit the gift or trade of any firearm
23 if that firearm was legally held or acquired within 6 months
24 after the enactment of that Public Act.

25 (C) Sentence.

26 (1) Any person convicted of unlawful sale or delivery

1 of firearms in violation of paragraph (c), (e), (f), (g),
2 or (h) of subsection (A) commits a Class 4 felony.

3 (2) Any person convicted of unlawful sale or delivery
4 of firearms in violation of paragraph (b) or (i) of
5 subsection (A) commits a Class 3 felony.

6 (3) Any person convicted of unlawful sale or delivery
7 of firearms in violation of paragraph (a) of subsection (A)
8 commits a Class 2 felony.

9 (4) Any person convicted of unlawful sale or delivery
10 of firearms in violation of paragraph (a), (b), or (i) of
11 subsection (A) in any school, on the real property
12 comprising a school, within 1,000 feet of the real property
13 comprising a school, at a school related activity, or on or
14 within 1,000 feet of any conveyance owned, leased, or
15 contracted by a school or school district to transport
16 students to or from school or a school related activity,
17 regardless of the time of day or time of year at which the
18 offense was committed, commits a Class 1 felony. Any person
19 convicted of a second or subsequent violation of unlawful
20 sale or delivery of firearms in violation of paragraph (a),
21 (b), or (i) of subsection (A) in any school, on the real
22 property comprising a school, within 1,000 feet of the real
23 property comprising a school, at a school related activity,
24 or on or within 1,000 feet of any conveyance owned, leased,
25 or contracted by a school or school district to transport
26 students to or from school or a school related activity,

1 regardless of the time of day or time of year at which the
2 offense was committed, commits a Class 1 felony for which
3 the sentence shall be a term of imprisonment of no less
4 than 5 years and no more than 15 years.

5 (5) Any person convicted of unlawful sale or delivery
6 of firearms in violation of paragraph (a) or (i) of
7 subsection (A) in residential property owned, operated, or
8 managed by a public housing agency or leased by a public
9 housing agency as part of a scattered site or mixed-income
10 development, in a public park, in a courthouse, on
11 residential property owned, operated, or managed by a
12 public housing agency or leased by a public housing agency
13 as part of a scattered site or mixed-income development, on
14 the real property comprising any public park, on the real
15 property comprising any courthouse, or on any public way
16 within 1,000 feet of the real property comprising any
17 public park, courthouse, or residential property owned,
18 operated, or managed by a public housing agency or leased
19 by a public housing agency as part of a scattered site or
20 mixed-income development commits a Class 2 felony.

21 (6) Any person convicted of unlawful sale or delivery
22 of firearms in violation of paragraph (j) of subsection (A)
23 commits a Class A misdemeanor. A second or subsequent
24 violation is a Class 4 felony.

25 (7) Any person convicted of unlawful sale or delivery
26 of firearms in violation of paragraph (k) of subsection (A)

1 commits a Class 4 felony, except that a violation of
2 subparagraph (l) of paragraph (k) of subsection (A) shall
3 not be punishable as a crime or petty offense. A third or
4 subsequent conviction for a violation of paragraph (k) of
5 subsection (A) is a Class 1 felony.

6 (8) A person 18 years of age or older convicted of
7 unlawful sale or delivery of firearms in violation of
8 paragraph (a) or (i) of subsection (A), when the firearm
9 that was sold or given to another person under 18 years of
10 age was used in the commission of or attempt to commit a
11 forcible felony, shall be fined or imprisoned, or both, not
12 to exceed the maximum provided for the most serious
13 forcible felony so committed or attempted by the person
14 under 18 years of age who was sold or given the firearm.

15 (9) Any person convicted of unlawful sale or delivery
16 of firearms in violation of paragraph (d) of subsection (A)
17 commits a Class 3 felony.

18 (10) Any person convicted of unlawful sale or delivery
19 of firearms in violation of paragraph (l) of subsection (A)
20 commits a Class 2 felony if the delivery is of one firearm.
21 Any person convicted of unlawful sale or delivery of
22 firearms in violation of paragraph (l) of subsection (A)
23 commits a Class 1 felony if the delivery is of not less
24 than 2 and not more than 5 firearms at the same time or
25 within a one year period. Any person convicted of unlawful
26 sale or delivery of firearms in violation of paragraph (l)

1 of subsection (A) commits a Class X felony for which he or
2 she shall be sentenced to a term of imprisonment of not
3 less than 6 years and not more than 30 years if the
4 delivery is of not less than 6 and not more than 10
5 firearms at the same time or within a 2 year period. Any
6 person convicted of unlawful sale or delivery of firearms
7 in violation of paragraph (1) of subsection (A) commits a
8 Class X felony for which he or she shall be sentenced to a
9 term of imprisonment of not less than 6 years and not more
10 than 40 years if the delivery is of not less than 11 and
11 not more than 20 firearms at the same time or within a 3
12 year period. Any person convicted of unlawful sale or
13 delivery of firearms in violation of paragraph (1) of
14 subsection (A) commits a Class X felony for which he or she
15 shall be sentenced to a term of imprisonment of not less
16 than 6 years and not more than 50 years if the delivery is
17 of not less than 21 and not more than 30 firearms at the
18 same time or within a 4 year period. Any person convicted
19 of unlawful sale or delivery of firearms in violation of
20 paragraph (1) of subsection (A) commits a Class X felony
21 for which he or she shall be sentenced to a term of
22 imprisonment of not less than 6 years and not more than 60
23 years if the delivery is of 31 or more firearms at the same
24 time or within a 5 year period.

25 (D) For purposes of this Section:

26 "School" means a public or private elementary or secondary

1 school, community college, college, or university.

2 "School related activity" means any sporting, social,
3 academic, or other activity for which students' attendance or
4 participation is sponsored, organized, or funded in whole or in
5 part by a school or school district.

6 (E) A prosecution for a violation of paragraph (k) of
7 subsection (A) of this Section may be commenced within 6 years
8 after the commission of the offense. A prosecution for a
9 violation of this Section other than paragraph (g) of
10 subsection (A) of this Section may be commenced within 5 years
11 after the commission of the offense defined in the particular
12 paragraph.

13 (Source: P.A. 97-227, eff. 1-1-12; 97-347, eff. 1-1-12; 97-813,
14 eff. 7-13-12; 97-1167, eff. 6-1-13; 98-508, eff. 8-19-13.)

15 Section 30. The Mental Health and Developmental
16 Disabilities Confidentiality Act is amended by changing
17 Section 12 as follows:

18 (740 ILCS 110/12) (from Ch. 91 1/2, par. 812)

19 Sec. 12. (a) If the United States Secret Service or the
20 Department of State Police requests information from a mental
21 health or developmental disability facility, as defined in
22 Section 1-107 and 1-114 of the Mental Health and Developmental
23 Disabilities Code, relating to a specific recipient and the
24 facility director determines that disclosure of such

1 information may be necessary to protect the life of, or to
2 prevent the infliction of great bodily harm to, a public
3 official, or a person under the protection of the United States
4 Secret Service, only the following information may be
5 disclosed: the recipient's name, address, and age and the date
6 of any admission to or discharge from a facility; and any
7 information which would indicate whether or not the recipient
8 has a history of violence or presents a danger of violence to
9 the person under protection. Any information so disclosed shall
10 be used for investigative purposes only and shall not be
11 publicly disseminated. Any person participating in good faith
12 in the disclosure of such information in accordance with this
13 provision shall have immunity from any liability, civil,
14 criminal or otherwise, if such information is disclosed relying
15 upon the representation of an officer of the United States
16 Secret Service or the Department of State Police that a person
17 is under the protection of the United States Secret Service or
18 is a public official.

19 For the purpose of this subsection (a), the term "public
20 official" means the Governor, Lieutenant Governor, Attorney
21 General, Secretary of State, State Comptroller, State
22 Treasurer, member of the General Assembly, member of the United
23 States Congress, Judge of the United States as defined in 28
24 U.S.C. 451, Justice of the United States as defined in 28
25 U.S.C. 451, United States Magistrate Judge as defined in 28
26 U.S.C. 639, Bankruptcy Judge appointed under 28 U.S.C. 152, or

1 Supreme, Appellate, Circuit, or Associate Judge of the State of
2 Illinois. The term shall also include the spouse, child or
3 children of a public official.

4 (b) The Department of Human Services (acting as successor
5 to the Department of Mental Health and Developmental
6 Disabilities) and all public or private hospitals and mental
7 health facilities are required, as hereafter described in this
8 subsection, to furnish the Department of State Police only such
9 information as may be required for the sole purpose of
10 determining whether an individual who may be or may have been a
11 patient is disqualified because of that status from receiving
12 or retaining a Firearm Owner's Identification Card or falls
13 within the federal prohibitors under subsection (e), (f), (g),
14 (r), (s), or (t) of Section 8 of the Firearm Owners
15 Identification Card Act, or falls within the federal
16 prohibitors in 18 U.S.C. 922(g) and (n). All physicians,
17 clinical psychologists, or qualified examiners at public or
18 private mental health facilities or parts thereof as defined in
19 this subsection shall, in the form and manner required by the
20 Department, provide notice directly to the Department of Human
21 Services, or to his or her employer who shall then report to
22 the Department, within 24 hours after determining that a person
23 ~~patient as described in clause (2) of the definition of~~
24 ~~"patient" in Section 1.1 of the Firearm Owners Identification~~
25 ~~Card Act~~ poses a clear and present danger to himself, herself,
26 or others, or within 7 days after a person 14 years or older is

1 determined to be developmentally disabled by a physician,
2 clinical psychologist, or qualified examiner as described in
3 Section 1.1 of the Firearm Owners Identification Card Act. If a
4 person is a patient as described in clause (1) of the
5 definition of "patient" in Section 1.1 of the Firearm Owners
6 Identification Card Act, this ~~This~~ information shall be
7 furnished ~~within 24 hours after the physician, clinical~~
8 ~~psychologist, or qualified examiner has made a determination,~~
9 ~~or~~ within 7 days after admission to a public or private
10 hospital or mental health facility or the provision of services
11 ~~to a patient described in clause (1) of the definition of~~
12 ~~"patient" in Section 1.1 of the Firearm Owners Identification~~
13 ~~Card Act.~~ Any such information disclosed under this subsection
14 shall remain privileged and confidential, and shall not be
15 redisclosed, except as required by subsection (e) of Section
16 3.1 of the Firearm Owners Identification Card Act, nor utilized
17 for any other purpose. The method of requiring the providing of
18 such information shall guarantee that no information is
19 released beyond what is necessary for this purpose. In
20 addition, the information disclosed shall be provided by the
21 Department within the time period established by Section 24-3
22 of the Criminal Code of 2012 regarding the delivery of
23 firearms. The method used shall be sufficient to provide the
24 necessary information within the prescribed time period, which
25 may include periodically providing lists to the Department of
26 Human Services or any public or private hospital or mental

1 health facility of Firearm Owner's Identification Card
2 applicants on which the Department or hospital shall indicate
3 the identities of those individuals who are to its knowledge
4 disqualified from having a Firearm Owner's Identification Card
5 for reasons described herein. The Department may provide for a
6 centralized source of information for the State on this subject
7 under its jurisdiction. The identity of the person reporting
8 under this subsection shall not be disclosed to the subject of
9 the report. For the purposes of this subsection, the physician,
10 clinical psychologist, or qualified examiner making the
11 determination and his or her employer shall not be held
12 criminally, civilly, or professionally liable for making or not
13 making the notification required under this subsection, except
14 for willful or wanton misconduct.

15 Any person, institution, or agency, under this Act,
16 participating in good faith in the reporting or disclosure of
17 records and communications otherwise in accordance with this
18 provision or with rules, regulations or guidelines issued by
19 the Department shall have immunity from any liability, civil,
20 criminal or otherwise, that might result by reason of the
21 action. For the purpose of any proceeding, civil or criminal,
22 arising out of a report or disclosure in accordance with this
23 provision, the good faith of any person, institution, or agency
24 so reporting or disclosing shall be presumed. The full extent
25 of the immunity provided in this subsection (b) shall apply to
26 any person, institution or agency that fails to make a report

1 or disclosure in the good faith belief that the report or
2 disclosure would violate federal regulations governing the
3 confidentiality of alcohol and drug abuse patient records
4 implementing 42 U.S.C. 290dd-3 and 290ee-3.

5 For purposes of this subsection (b) only, the following
6 terms shall have the meaning prescribed:

7 (1) (Blank).

8 (1.3) "Clear and present danger" has the meaning as
9 defined in Section 1.1 of the Firearm Owners Identification
10 Card Act.

11 (1.5) "Developmentally disabled" has the meaning as
12 defined in Section 1.1 of the Firearm Owners Identification
13 Card Act.

14 (2) "Patient" has the meaning as defined in Section 1.1
15 of the Firearm Owners Identification Card Act.

16 (3) "Mental health facility" has the meaning as defined
17 in Section 1.1 of the Firearm Owners Identification Card
18 Act.

19 (c) Upon the request of a peace officer who takes a person
20 into custody and transports such person to a mental health or
21 developmental disability facility pursuant to Section 3-606 or
22 4-404 of the Mental Health and Developmental Disabilities Code
23 or who transports a person from such facility, a facility
24 director shall furnish said peace officer the name, address,
25 age and name of the nearest relative of the person transported
26 to or from the mental health or developmental disability

1 facility. In no case shall the facility director disclose to
2 the peace officer any information relating to the diagnosis,
3 treatment or evaluation of the person's mental or physical
4 health.

5 For the purposes of this subsection (c), the terms "mental
6 health or developmental disability facility", "peace officer"
7 and "facility director" shall have the meanings ascribed to
8 them in the Mental Health and Developmental Disabilities Code.

9 (d) Upon the request of a peace officer or prosecuting
10 authority who is conducting a bona fide investigation of a
11 criminal offense, or attempting to apprehend a fugitive from
12 justice, a facility director may disclose whether a person is
13 present at the facility. Upon request of a peace officer or
14 prosecuting authority who has a valid forcible felony warrant
15 issued, a facility director shall disclose: (1) whether the
16 person who is the subject of the warrant is present at the
17 facility and (2) the date of that person's discharge or future
18 discharge from the facility. The requesting peace officer or
19 prosecuting authority must furnish a case number and the
20 purpose of the investigation or an outstanding arrest warrant
21 at the time of the request. Any person, institution, or agency
22 participating in good faith in disclosing such information in
23 accordance with this subsection (d) is immune from any
24 liability, civil, criminal or otherwise, that might result by
25 reason of the action.

26 (Source: P.A. 97-1150, eff. 1-25-13; 98-63, eff. 7-9-13.)".