



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB5219

by Rep. Tim Butler

#### SYNOPSIS AS INTRODUCED:

430 ILCS 66/40

Amends the Firearm Concealed Carry Act. Provides that notwithstanding other provisions of the Act, the Illinois State Police shall by rule allow for a non-resident license application by a non-resident applicant who is a certified firearms instructor under the Act whether or not the instructor is from a state or territory of the United States with laws related to firearm ownership, possession, and carrying, that are substantially similar to the requirements to obtain a license under the Act.

LRB101 16847 RLC 66246 b

1 AN ACT concerning safety.

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

4 Section 5. The Firearm Concealed Carry Act is amended by  
5 changing Section 40 as follows:

6 (430 ILCS 66/40)

7 Sec. 40. Non-resident license applications.

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

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

16 (b-5) Notwithstanding subsection (b), the Illinois State  
17 Police shall by rule allow for a non-resident license  
18 application by a non-resident applicant who is a certified  
19 firearms instructor under Section 80 whether or not the  
20 instructor is from a state or territory of the United States  
21 with laws related to firearm ownership, possession, and  
22 carrying, that are substantially similar to the requirements to  
23 obtain a license under this Act.

1 (c) A resident of a state or territory approved by the  
2 Department under subsection (b) of this Section may apply for a  
3 non-resident license. The applicant shall apply to the  
4 Department and must meet all of the qualifications established  
5 in Section 25 of this Act, except for the Illinois residency  
6 requirement in item (xiv) of paragraph (2) of subsection (a) of  
7 Section 4 of the Firearm Owners Identification Card Act. The  
8 applicant shall submit:

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

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

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

15 (B) if applicable, has a license or permit to carry  
16 a firearm or concealed firearm issued by his or her  
17 state or territory of residence and attach a copy of  
18 the license or permit to the application;

19 (C) understands Illinois laws pertaining to the  
20 possession and transport of firearms; and

21 (D) acknowledges that the applicant is subject to  
22 the jurisdiction of the Department and Illinois courts  
23 for any violation of this Act;

24 (3) a photocopy of any certificates or other evidence  
25 of compliance with the training requirements under Section  
26 75 of this Act; and

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

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

16          (e) Nothing in this Act shall prohibit a non-resident from  
17          transporting a concealed firearm within his or her vehicle in  
18          Illinois, if the concealed firearm remains within his or her  
19          vehicle and the non-resident:

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

22                 (2) is eligible to carry a firearm in public under the  
23                 laws of his or her state or territory of residence, as  
24                 evidenced by the possession of a concealed carry license or  
25                 permit issued by his or her state of residence, if  
26                 applicable; and

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

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

6           (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; 99-78,  
7 eff. 7-20-15.)