

SB1302



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB1302

Introduced 2/9/2017, by Sen. Neil Anderson

SYNOPSIS AS INTRODUCED:

430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Provides that the prohibition by a licensee under the Act from carrying a firearm into any building, parking area, or portion of a building under the control of an officer of the executive or legislative branch of government does not apply to any rest areas under the control of the Department of Transportation or to buildings located in rest areas under the control of the Department of Transportation. Effective immediately.

LRB100 09087 RLC 19240 b

A BILL FOR

1 AN ACT concerning safety.

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

4 Section 5. The Firearm Concealed Carry Act is amended by
5 changing Section 65 as follows:

6 (430 ILCS 66/65)

7 Sec. 65. Prohibited areas.

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

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

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

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

1 building under the control of an officer of the executive
2 or legislative branch of government, provided that nothing
3 in this paragraph shall prohibit a licensee from carrying a
4 concealed firearm onto the real property, bikeway, or trail
5 in a park regulated by the Department of Natural Resources
6 or any other designated public hunting area or building
7 where firearm possession is permitted as established by the
8 Department of Natural Resources under Section 1.8 of the
9 Wildlife Code. This paragraph (3) does not apply to any
10 rest areas under the control of the Department of
11 Transportation or to buildings located in rest areas under
12 the control of the Department of Transportation.

13 (4) Any building designated for matters before a
14 circuit court, appellate court, or the Supreme Court, or
15 any building or portion of a building under the control of
16 the Supreme Court.

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

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

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

25 (8) Any bus, train, or form of transportation paid for
26 in whole or in part with public funds, and any building,

1 real property, and parking area under the control of a
2 public transportation facility paid for in whole or in part
3 with public funds.

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

15 (10) Any public gathering or special event conducted on
16 property open to the public that requires the issuance of a
17 permit from the unit of local government, provided this
18 prohibition shall not apply to a licensee who must walk
19 through a public gathering in order to access his or her
20 residence, place of business, or vehicle.

21 (11) Any building or real property that has been issued
22 a Special Event Retailer's license as defined in Section
23 1-3.17.1 of the Liquor Control Act during the time
24 designated for the sale of alcohol by the Special Event
25 Retailer's license, or a Special use permit license as
26 defined in subsection (q) of Section 5-1 of the Liquor

1 Control Act during the time designated for the sale of
2 alcohol by the Special use permit license.

3 (12) Any public playground.

4 (13) Any public park, athletic area, or athletic
5 facility under the control of a municipality or park
6 district, provided nothing in this Section shall prohibit a
7 licensee from carrying a concealed firearm while on a trail
8 or bikeway if only a portion of the trail or bikeway
9 includes a public park.

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

12 (15) Any building, classroom, laboratory, medical
13 clinic, hospital, artistic venue, athletic venue,
14 entertainment venue, officially recognized
15 university-related organization property, whether owned or
16 leased, and any real property, including parking areas,
17 sidewalks, and common areas under the control of a public
18 or private community college, college, or university.

19 (16) Any building, real property, or parking area under
20 the control of a gaming facility licensed under the
21 Riverboat Gambling Act or the Illinois Horse Racing Act of
22 1975, including an inter-track wagering location licensee.

23 (17) Any stadium, arena, or the real property or
24 parking area under the control of a stadium, arena, or any
25 collegiate or professional sporting event.

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

1 the control of a public library.

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

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

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

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

17 (23) Any area where firearms are prohibited under
18 federal law.

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

21 (1) prohibiting persons from carrying a firearm within
22 a vehicle owned, leased, or controlled by the college or
23 university;

24 (2) developing resolutions, regulations, or policies
25 regarding student, employee, or visitor misconduct and
26 discipline, including suspension and expulsion;

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

5 (4) permitting the carrying or use of firearms for the
6 purpose of instruction and curriculum of officially
7 recognized programs, including but not limited to military
8 science and law enforcement training programs, or in any
9 designated area used for hunting purposes or target
10 shooting.

11 (a-10) The owner of private real property of any type may
12 prohibit the carrying of concealed firearms on the property
13 under his or her control. The owner must post a sign in
14 accordance with subsection (d) of this Section indicating that
15 firearms are prohibited on the property, unless the property is
16 a private residence.

17 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
18 this Section except under paragraph (22) or (23) of subsection
19 (a), any licensee prohibited from carrying a concealed firearm
20 into the parking area of a prohibited location specified in
21 subsection (a), (a-5), or (a-10) of this Section shall be
22 permitted to carry a concealed firearm on or about his or her
23 person within a vehicle into the parking area and may store a
24 firearm or ammunition concealed in a case within a locked
25 vehicle or locked container out of plain view within the
26 vehicle in the parking area. A licensee may carry a concealed

1 firearm in the immediate area surrounding his or her vehicle
2 within a prohibited parking lot area only for the limited
3 purpose of storing or retrieving a firearm within the vehicle's
4 trunk. For purposes of this subsection, "case" includes a glove
5 compartment or console that completely encloses the concealed
6 firearm or ammunition, the trunk of the vehicle, or a firearm
7 carrying box, shipping box, or other container.

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

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

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

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.