



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5118

Introduced 2/18/2020, by Rep. Terri Bryant

SYNOPSIS AS INTRODUCED:

430 ILCS 66/65
430 ILCS 66/105

Amends the Firearm Concealed Carry Act. Provides that the school board of a school district of a public elementary or secondary school or a non-public elementary or secondary school may develop a policy to permit the carrying of a firearm by an employee of the school, licensed under the Act, in any building or on any real property or parking area under the control of the public or non-public elementary or secondary school. Provides that the policy must contain safe storage provisions for the firearm. Those provisions must include securing the firearm in a locked box or container that cannot be accessed by students. Changes "private" elementary or secondary school references in the Act to "non-public" elementary or secondary school.

LRB101 15590 RLC 64936 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 Sections 65 and 105 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) Except as otherwise provided in subsection (a-3) of
11 this Section, any ~~Any~~ building, real property, and parking
12 area under the control of a public or non-public ~~private~~
13 elementary or secondary school.

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

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

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

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

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

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

23 (8) Any bus, train, or form of transportation paid for
24 in whole or in part with public funds, and any building,
25 real property, and parking area under the control of a
26 public transportation facility paid for in whole or in part

1 with public funds.

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

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

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

1 (12) Any public playground.

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

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

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

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

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

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

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

1 the control of an airport.

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

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

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

15 (23) Any area where firearms are prohibited under
16 federal law.

17 (a-3) The school board of a school district of a public
18 elementary or secondary school or a non-public elementary or
19 secondary school may develop a policy to permit the carrying of
20 a firearm by an employee of the school, licensed under this
21 Act, in any building or on any real property or parking area
22 under the control of the public or non-public elementary or
23 secondary school. The policy must contain safe storage
24 provisions for the firearm. Those provisions must include
25 securing the firearm in a locked box or container that cannot
26 be accessed by students.

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

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

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

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

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

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

25 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
26 this Section except under paragraph (22) or (23) of subsection

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

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

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

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

6 (Source: P.A. 101-31, eff. 6-28-19.)

7 (430 ILCS 66/105)

8 Sec. 105. Duty of school administrator. It is the duty of
9 the principal of a public elementary or secondary school, or
10 his or her designee, and the chief administrative officer of a
11 non-public ~~private~~ elementary or secondary school or a public
12 or private community college, college, or university, or his or
13 her designee, to report to the Department of State Police when
14 a student is determined to pose a clear and present danger to
15 himself, herself, or to others, within 24 hours of the
16 determination as provided in Section 6-103.3 of the Mental
17 Health and Developmental Disabilities Code. "Clear and present
18 danger" has the meaning as provided in paragraph (2) of the
19 definition of "clear and present danger" in Section 1.1 of the
20 Firearm Owners Identification Card Act.

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