



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3191

Introduced 2/11/2020, by Sen. Craig Wilcox

SYNOPSIS AS INTRODUCED:

430 ILCS 66/40
430 ILCS 66/55
430 ILCS 66/60

Amends the Firearm Concealed Carry Act. Provides that notwithstanding whether the laws of the state or territory where the non-resident resides related to firearm ownership, possession, and carrying are substantially similar to the requirements to obtain a license under this Act, the Department of State Police shall allow for a non-resident license application if the applicant is employed by the United States Military permanently assigned in Illinois on Permanent Change of Station or Permanent Change of Assignment orders and who is not a resident of Illinois but maintains an address in Illinois. Provides that a non-resident applicant shall submit with his or her application a photocopy of Permanent Change of Station or Permanent Change of Assignment orders to an assignment in this State and an affirmation that the applicant possesses a currently valid Firearm Owner's Identification Card with the Firearm Owner's Identification Card number or notice that the applicant is applying for a Firearm Owner's Identification Card in conjunction with the license application. Provides that a non-resident licensee shall notify the Department of State Police within 30 days of moving to an address outside of this State, a Permanent Change of Station or Permanent Change of Assignment to a duty station outside this State, or a separation or retirement from the United States Military in addition to the notification requirements of the Act. Makes other changes.

LRB101 13183 RLC 62023 b

FISCAL NOTE ACT
MAY APPLY

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 Sections 40, 55, and 60 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 whether the laws of the state or
17 territory where the non-resident resides related to firearm
18 ownership, possession, and carrying are substantially similar
19 to the requirements to obtain a license under this Act, the
20 Department shall allow for a non-resident license application
21 if the applicant is employed by the United States Military
22 permanently assigned in Illinois on Permanent Change of Station
23 (PCS) or Permanent Change of Assignment (PCA) orders and who is

1 not a resident of this State but maintains an address in this
2 State. A non-resident applicant who qualifies under this
3 subsection (b-5) must meet all of the qualifications
4 established in Section 25 and shall submit:

5 (1) the application and documentation required under
6 subsection (b) of Section 30 and the applicable fee;

7 (2) a photocopy of proof of service document;

8 (3) a photocopy of Permanent Change of Station (PCS) or
9 Permanent Change of Assignment (PCA) orders to an
10 assignment in this State; and

11 (4) an affirmation that the applicant possesses a
12 currently valid Firearm Owner's Identification Card with
13 the Firearm Owner's Identification Card number or notice
14 that the applicant is applying for a Firearm Owner's
15 Identification Card in conjunction with the license
16 application.

17 In lieu of an Illinois driver's license or Illinois
18 identification card, a non-resident applicant under this
19 subsection (b-5) shall provide similar documentation from his
20 or her state or territory of residence.

21 (c) A resident of a state or territory approved by the
22 Department under subsection (b) of this Section may apply for a
23 non-resident license. The applicant shall apply to the
24 Department and must meet all of the qualifications established
25 in Section 25 of this Act, except for the Illinois residency
26 requirement in item (xiv) of paragraph (2) of subsection (a) of

1 Section 4 of the Firearm Owners Identification Card Act. The
2 applicant shall submit:

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

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

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

9 (B) if applicable, has a license or permit to carry
10 a firearm or concealed firearm issued by his or her
11 state or territory of residence and attach a copy of
12 the license or permit to the application;

13 (C) understands Illinois laws pertaining to the
14 possession and transport of firearms; and

15 (D) acknowledges that the applicant is subject to
16 the jurisdiction of the Department and Illinois courts
17 for any violation of this Act;

18 (3) a photocopy of any certificates or other evidence
19 of compliance with the training requirements under Section
20 75 of this Act; and

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

24 (d) In lieu of an Illinois driver's license or Illinois
25 identification card, a non-resident applicant shall provide
26 similar documentation from his or her state or territory of

1 residence. In lieu of a valid Firearm Owner's Identification
2 Card, except for a non-resident applicant under subsection
3 (b-5), the applicant shall submit documentation and
4 information required by the Department to obtain a Firearm
5 Owner's Identification Card, including an affidavit that the
6 non-resident meets the mental health standards to obtain a
7 firearm under Illinois law, and the Department shall ensure
8 that the applicant would meet the eligibility criteria to
9 obtain a Firearm Owner's Identification card if he or she was a
10 resident of this State.

11 (e) Nothing in this Act shall prohibit a non-resident from
12 transporting a concealed firearm within his or her vehicle in
13 Illinois, if the concealed firearm remains within his or her
14 vehicle and the non-resident:

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

17 (2) is eligible to carry a firearm in public under the
18 laws of his or her state or territory of residence, as
19 evidenced by the possession of a concealed carry license or
20 permit issued by his or her state of residence, if
21 applicable; and

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

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

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

3 (430 ILCS 66/55)

4 Sec. 55. Change of address or name; lost, destroyed, or
5 stolen licenses.

6 (a) A licensee shall notify the Department within 30 days
7 of moving or changing residence or any change of name. The
8 licensee shall submit the requisite fee and the Department may
9 require a notarized statement that the licensee has changed his
10 or her residence or his or her name, including the prior and
11 current address or name and the date the applicant moved or
12 changed his or her name.

13 (a-5) A non-resident licensee approved under subsection
14 (b-5) of Section 40 shall, in addition to meeting the
15 notification requirements in subsection (a), notify the
16 Department within 30 days of moving to an address outside of
17 this State, a Permanent Change of Station (PCS) or Permanent
18 Change of Assignment (PCA) to a duty station outside this
19 State, or a separation or retirement from the United States
20 Military.

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

25 (1) a notarized statement that the licensee no longer

1 possesses the license, and that it was lost, destroyed, or
2 stolen;

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

5 (3) the requisite fee.

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

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

10 (430 ILCS 66/60)

11 Sec. 60. Fees.

12 (a) All fees collected under this Act shall be deposited as
13 provided in this Section. Application, renewal, and
14 replacement fees shall be non-refundable.

15 (b) An applicant for a new license or a renewal shall
16 submit \$150 with the application, of which \$120 shall be
17 apportioned to the State Police Firearm Services Fund, \$20
18 shall be apportioned to the Mental Health Reporting Fund, and
19 \$10 shall be apportioned to the State Crime Laboratory Fund.

20 (c) Except as provided in subsection (c-5), a A
21 non-resident applicant for a new license or renewal shall
22 submit \$300 with the application, of which \$250 shall be
23 apportioned to the State Police Firearm Services Fund, \$40
24 shall be apportioned to the Mental Health Reporting Fund, and
25 \$10 shall be apportioned to the State Crime Laboratory Fund.

1 (c-5) A non-resident applicant for a new license or renewal
2 under subsection (b-5) of Section 40 shall submit \$150 with the
3 application, of which \$120 shall be apportioned to the State
4 Police Firearm Services Fund, \$20 shall be apportioned to the
5 Mental Health Reporting Fund, and \$10 shall be apportioned to
6 the State Crime Laboratory Fund.

7 (d) A licensee requesting a new license in accordance with
8 Section 55 shall submit \$75, of which \$60 shall be apportioned
9 to the State Police Firearm Services Fund, \$5 shall be
10 apportioned to the Mental Health Reporting Fund, and \$10 shall
11 be apportioned to the State Crime Laboratory Fund.

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