

HB0787



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0787

Introduced 2/10/2021, by Rep. Patrick Windhorst

SYNOPSIS AS INTRODUCED:

430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Eliminates provision that a licensee under the Act shall not knowingly carry a firearm on any bus, train, or form of transportation paid for in whole or in part with public funds, and any building, real property, and parking area under the control of a public transportation facility paid for in whole or in part with public funds.

LRB102 04207 RLC 14224 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
11 under the control of a public or private elementary or
12 secondary school.

13 (2) Any building, real property, and parking area
14 under 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
4 a concealed firearm onto the real property, bikeway, or
5 trail in a park regulated by the Department of Natural
6 Resources or any other designated public hunting area or
7 building where firearm possession is permitted as
8 established by the Department of Natural Resources under
9 Section 1.8 of the Wildlife Code.

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

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

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

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

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

1 ~~whole or in part with public funds.~~

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

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

19 (11) Any building or real property that has been
20 issued a Special Event Retailer's license as defined in
21 Section 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
5 a licensee from carrying a concealed firearm while on a
6 trail 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
18 under 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
25 under the control of a public library.

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

1 under the control of an airport.

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

4 (21) Any building, real property, or parking area
5 under 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-5) Nothing in this Act shall prohibit a public or
18 private community college, college, or university from:

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

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

25 (3) developing resolutions, regulations, or policies
26 regarding the storage or maintenance of firearms, which

1 must include designated areas where persons can park
2 vehicles that carry firearms; and

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

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

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

1 purpose of storing or retrieving a firearm within the
2 vehicle's trunk. For purposes of this subsection, "case"
3 includes a glove compartment or console that completely
4 encloses the concealed firearm or ammunition, the trunk of the
5 vehicle, or a firearm carrying box, shipping box, or other
6 container.

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

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

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