



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3006

Introduced 2/19/2021, by Rep. Thomas M. Bennett

SYNOPSIS AS INTRODUCED:

430 ILCS 65/6
430 ILCS 66/10

from Ch. 38, par. 83-6

Amends the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act. Provides that if a person is eligible for both a Firearm Owner's Identification Card and a concealed carry license, the Illinois State Police shall create one card that may be used as both a Firearm Owner's Identification Card and a concealed carry license. A combined Firearm Owner's Identification Card and concealed carry license shall be considered a valid card for the purposes of the Acts. Provides that the Illinois State Police shall adopt rules to implement this provision.

LRB102 16969 RLC 22387 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 Owners Identification Card Act is
5 amended by changing Section 6 as follows:

6 (430 ILCS 65/6) (from Ch. 38, par. 83-6)

7 Sec. 6. Contents of Firearm Owner's Identification Card.

8 (a) A Firearm Owner's Identification Card, issued by the
9 Department of State Police at such places as the Director of
10 the Department shall specify, shall contain the applicant's
11 name, residence, date of birth, sex, physical description,
12 recent photograph, except as provided in subsection (c-5), and
13 signature. Each Firearm Owner's Identification Card must have
14 the expiration date boldly and conspicuously displayed on the
15 face of the card. Each Firearm Owner's Identification Card
16 must have printed on it the following: "CAUTION - This card
17 does not permit bearer to UNLAWFULLY carry or use firearms."
18 Before December 1, 2002, the Department may use a person's
19 digital photograph and signature from his or her Illinois
20 driver's license or Illinois Identification Card, if
21 available. On and after December 1, 2002, the Department shall
22 use a person's digital photograph and signature from his or
23 her Illinois driver's license or Illinois Identification Card,

1 if available. The Department shall decline to use a person's
2 digital photograph or signature if the digital photograph or
3 signature is the result of or associated with fraudulent or
4 erroneous data, unless otherwise provided by law.

5 (b) A person applying for a Firearm Owner's Identification
6 Card shall consent to the Department of State Police using the
7 applicant's digital driver's license or Illinois
8 Identification Card photograph, if available, and signature on
9 the applicant's Firearm Owner's Identification Card. The
10 Secretary of State shall allow the Department of State Police
11 access to the photograph and signature for the purpose of
12 identifying the applicant and issuing to the applicant a
13 Firearm Owner's Identification Card.

14 (c) The Secretary of State shall conduct a study to
15 determine the cost and feasibility of creating a method of
16 adding an identifiable code, background, or other means on the
17 driver's license or Illinois Identification Card to show that
18 an individual is not disqualified from owning or possessing a
19 firearm under State or federal law. The Secretary shall report
20 the findings of this study 12 months after the effective date
21 of this amendatory Act of the 92nd General Assembly.

22 (c-5) If a person qualifies for a photograph exemption, in
23 lieu of a photograph, the Firearm Owner's Identification Card
24 shall contain a copy of the card holder's fingerprints. Each
25 Firearm Owner's Identification Card described in this
26 subsection (c-5) must have printed on it the following: "This

1 card is only valid for firearm purchases through a federally
2 licensed firearms dealer when presented with photographic
3 identification, as prescribed by 18 U.S.C. 922(t)(1)(C)."

4 (d) If a person is eligible for both a Firearm Owner's
5 Identification Card and a concealed carry license, the
6 Illinois State Police shall create one card that may be used as
7 both a Firearm Owner's Identification Card and a concealed
8 carry license. A combined Firearm Owner's Identification Card
9 and concealed carry license shall be considered a valid card
10 for the purposes of this Act. The Illinois State Police shall
11 adopt rules to implement this subsection (d).

12 (Source: P.A. 97-1131, eff. 1-1-13.)

13 Section 10. The Firearm Concealed Carry Act is amended by
14 changing Section 10 as follows:

15 (430 ILCS 66/10)

16 Sec. 10. Issuance of licenses to carry a concealed
17 firearm.

18 (a) The Department shall issue a license to carry a
19 concealed firearm under this Act to an applicant who:

20 (1) meets the qualifications of Section 25 of this
21 Act;

22 (2) has provided the application and documentation
23 required in Section 30 of this Act;

24 (3) has submitted the requisite fees; and

1 (4) does not pose a danger to himself, herself, or
2 others, or a threat to public safety as determined by the
3 Concealed Carry Licensing Review Board in accordance with
4 Section 20.

5 (b) The Department shall issue a renewal, corrected, or
6 duplicate license as provided in this Act.

7 (c) A license shall be valid throughout the State for a
8 period of 5 years from the date of issuance. A license shall
9 permit the licensee to:

10 (1) carry a loaded or unloaded concealed firearm,
11 fully concealed or partially concealed, on or about his or
12 her person; and

13 (2) keep or carry a loaded or unloaded concealed
14 firearm on or about his or her person within a vehicle.

15 (d) The Department shall make applications for a license
16 available no later than 180 days after the effective date of
17 this Act. The Department shall establish rules for the
18 availability and submission of applications in accordance with
19 this Act.

20 (e) An application for a license submitted to the
21 Department that contains all the information and materials
22 required by this Act, including the requisite fee, shall be
23 deemed completed. Except as otherwise provided in this Act, no
24 later than 90 days after receipt of a completed application,
25 the Department shall issue or deny the applicant a license.

26 (f) The Department shall deny the applicant a license if

1 the applicant fails to meet the requirements under this Act or
2 the Department receives a determination from the Board that
3 the applicant is ineligible for a license. The Department must
4 notify the applicant stating the grounds for the denial. The
5 notice of denial must inform the applicant of his or her right
6 to an appeal through administrative and judicial review.

7 (g) A licensee shall possess a license at all times the
8 licensee carries a concealed firearm except:

9 (1) when the licensee is carrying or possessing a
10 concealed firearm on his or her land or in his or her
11 abode, legal dwelling, or fixed place of business, or on
12 the land or in the legal dwelling of another person as an
13 invitee with that person's permission;

14 (2) when the person is authorized to carry a firearm
15 under Section 24-2 of the Criminal Code of 2012, except
16 subsection (a-5) of that Section; or

17 (3) when the handgun is broken down in a
18 non-functioning state, is not immediately accessible, or
19 is unloaded and enclosed in a case.

20 (g-5) A combined Firearm Owner's Identification Card and
21 concealed carry license shall be considered a valid license
22 for the purposes of this Act.

23 (h) If an officer of a law enforcement agency initiates an
24 investigative stop, including but not limited to a traffic
25 stop, of a licensee or a non-resident carrying a concealed
26 firearm under subsection (e) of Section 40 of this Act, upon

1 the request of the officer the licensee or non-resident shall
2 disclose to the officer that he or she is in possession of a
3 concealed firearm under this Act, or present the license upon
4 the request of the officer if he or she is a licensee or
5 present upon the request of the officer evidence under
6 paragraph (2) of subsection (e) of Section 40 of this Act that
7 he or she is a non-resident qualified to carry under that
8 subsection. The disclosure requirement under this subsection
9 (h) is satisfied if the licensee presents his or her license to
10 the officer or the non-resident presents to the officer
11 evidence under paragraph (2) of subsection (e) of Section 40
12 of this Act that he or she is qualified to carry under that
13 subsection. Upon the request of the officer, the licensee or
14 non-resident shall also identify the location of the concealed
15 firearm and permit the officer to safely secure the firearm
16 for the duration of the investigative stop. During a traffic
17 stop, any passenger within the vehicle who is a licensee or a
18 non-resident carrying under subsection (e) of Section 40 of
19 this Act must comply with the requirements of this subsection
20 (h).

21 (h-1) If a licensee carrying a firearm or a non-resident
22 carrying a firearm in a vehicle under subsection (e) of
23 Section 40 of this Act is contacted by a law enforcement
24 officer or emergency services personnel, the law enforcement
25 officer or emergency services personnel may secure the firearm
26 or direct that it be secured during the duration of the contact

1 if the law enforcement officer or emergency services personnel
2 determines that it is necessary for the safety of any person
3 present, including the law enforcement officer or emergency
4 services personnel. The licensee or nonresident shall submit
5 to the order to secure the firearm. When the law enforcement
6 officer or emergency services personnel have determined that
7 the licensee or non-resident is not a threat to the safety of
8 any person present, including the law enforcement officer or
9 emergency services personnel, and if the licensee or
10 non-resident is physically and mentally capable of possessing
11 the firearm, the law enforcement officer or emergency services
12 personnel shall return the firearm to the licensee or
13 non-resident before releasing him or her from the scene and
14 breaking contact. If the licensee or non-resident is
15 transported for treatment to another location, the firearm
16 shall be turned over to any peace officer. The peace officer
17 shall provide a receipt which includes the make, model,
18 caliber, and serial number of the firearm.

19 (i) The Department shall maintain a database of license
20 applicants and licensees. The database shall be available to
21 all federal, State, and local law enforcement agencies,
22 State's Attorneys, the Attorney General, and authorized court
23 personnel. Within 180 days after the effective date of this
24 Act, the database shall be searchable and provide all
25 information included in the application, including the
26 applicant's previous addresses within the 10 years prior to

1 the license application and any information related to
2 violations of this Act. No law enforcement agency, State's
3 Attorney, Attorney General, or member or staff of the
4 judiciary shall provide any information to a requester who is
5 not entitled to it by law.

6 (j) No later than 10 days after receipt of a completed
7 application, the Department shall enter the relevant
8 information about the applicant into the database under
9 subsection (i) of this Section which is accessible by law
10 enforcement agencies.

11 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; 99-29,
12 eff. 7-10-15.)