



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3354

Introduced 2/22/2021, by Rep. Charles Meier

SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45
430 ILCS 66/40
430 ILCS 66/60

from Ch. 127, par. 1005-45

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 the Act, the Illinois State Police shall, no later than 120 days after the effective date of the amendatory Act, allow for a non-resident license application if the applicant is an active duty member of the Armed Forces of the United States who is stationed in the State and lives in the State. Provides that a non-resident active duty member of the Armed Forces of the United States who is stationed in the State and lives in the State shall apply to the Illinois State Police and must meet all of the qualifications under the Act and shall submit: (1) the application and documentation required and the applicable fee; (2) a photocopy of a valid military identification card or Official Proof of Service Letter; and (3) a photocopy of permanent change-of-station orders to an assignment in the State. Provides for emergency rulemaking to implement the amendatory Act. Establishes fees. Makes conforming changes to the Illinois Administrative Procedure Act. Effective immediately.

LRB102 16961 RLC 22379 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 Illinois Administrative Procedure Act is
5 amended by changing Section 5-45 as follows:

6 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

7 Sec. 5-45. Emergency rulemaking.

8 (a) "Emergency" means the existence of any situation that
9 any agency finds reasonably constitutes a threat to the public
10 interest, safety, or welfare.

11 (b) If any agency finds that an emergency exists that
12 requires adoption of a rule upon fewer days than is required by
13 Section 5-40 and states in writing its reasons for that
14 finding, the agency may adopt an emergency rule without prior
15 notice or hearing upon filing a notice of emergency rulemaking
16 with the Secretary of State under Section 5-70. The notice
17 shall include the text of the emergency rule and shall be
18 published in the Illinois Register. Consent orders or other
19 court orders adopting settlements negotiated by an agency may
20 be adopted under this Section. Subject to applicable
21 constitutional or statutory provisions, an emergency rule
22 becomes effective immediately upon filing under Section 5-65
23 or at a stated date less than 10 days thereafter. The agency's

1 finding and a statement of the specific reasons for the
2 finding shall be filed with the rule. The agency shall take
3 reasonable and appropriate measures to make emergency rules
4 known to the persons who may be affected by them.

5 (c) An emergency rule may be effective for a period of not
6 longer than 150 days, but the agency's authority to adopt an
7 identical rule under Section 5-40 is not precluded. No
8 emergency rule may be adopted more than once in any 24-month
9 period, except that this limitation on the number of emergency
10 rules that may be adopted in a 24-month period does not apply
11 to (i) emergency rules that make additions to and deletions
12 from the Drug Manual under Section 5-5.16 of the Illinois
13 Public Aid Code or the generic drug formulary under Section
14 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)
15 emergency rules adopted by the Pollution Control Board before
16 July 1, 1997 to implement portions of the Livestock Management
17 Facilities Act, (iii) emergency rules adopted by the Illinois
18 Department of Public Health under subsections (a) through (i)
19 of Section 2 of the Department of Public Health Act when
20 necessary to protect the public's health, (iv) emergency rules
21 adopted pursuant to subsection (n) of this Section, (v)
22 emergency rules adopted pursuant to subsection (o) of this
23 Section, or (vi) emergency rules adopted pursuant to
24 subsection (c-5) of this Section. Two or more emergency rules
25 having substantially the same purpose and effect shall be
26 deemed to be a single rule for purposes of this Section.

1 (c-5) To facilitate the maintenance of the program of
2 group health benefits provided to annuitants, survivors, and
3 retired employees under the State Employees Group Insurance
4 Act of 1971, rules to alter the contributions to be paid by the
5 State, annuitants, survivors, retired employees, or any
6 combination of those entities, for that program of group
7 health benefits, shall be adopted as emergency rules. The
8 adoption of those rules shall be considered an emergency and
9 necessary for the public interest, safety, and welfare.

10 (d) In order to provide for the expeditious and timely
11 implementation of the State's fiscal year 1999 budget,
12 emergency rules to implement any provision of Public Act
13 90-587 or 90-588 or any other budget initiative for fiscal
14 year 1999 may be adopted in accordance with this Section by the
15 agency charged with administering that provision or
16 initiative, except that the 24-month limitation on the
17 adoption of emergency rules and the provisions of Sections
18 5-115 and 5-125 do not apply to rules adopted under this
19 subsection (d). The adoption of emergency rules authorized by
20 this subsection (d) shall be deemed to be necessary for the
21 public interest, safety, and welfare.

22 (e) In order to provide for the expeditious and timely
23 implementation of the State's fiscal year 2000 budget,
24 emergency rules to implement any provision of Public Act 91-24
25 or any other budget initiative for fiscal year 2000 may be
26 adopted in accordance with this Section by the agency charged

1 with administering that provision or initiative, except that
2 the 24-month limitation on the adoption of emergency rules and
3 the provisions of Sections 5-115 and 5-125 do not apply to
4 rules adopted under this subsection (e). The adoption of
5 emergency rules authorized by this subsection (e) shall be
6 deemed to be necessary for the public interest, safety, and
7 welfare.

8 (f) In order to provide for the expeditious and timely
9 implementation of the State's fiscal year 2001 budget,
10 emergency rules to implement any provision of Public Act
11 91-712 or any other budget initiative for fiscal year 2001 may
12 be adopted in accordance with this Section by the agency
13 charged with administering that provision or initiative,
14 except that the 24-month limitation on the adoption of
15 emergency rules and the provisions of Sections 5-115 and 5-125
16 do not apply to rules adopted under this subsection (f). The
17 adoption of emergency rules authorized by this subsection (f)
18 shall be deemed to be necessary for the public interest,
19 safety, and welfare.

20 (g) In order to provide for the expeditious and timely
21 implementation of the State's fiscal year 2002 budget,
22 emergency rules to implement any provision of Public Act 92-10
23 or any other budget initiative for fiscal year 2002 may be
24 adopted in accordance with this Section by the agency charged
25 with administering that provision or initiative, except that
26 the 24-month limitation on the adoption of emergency rules and

1 the provisions of Sections 5-115 and 5-125 do not apply to
2 rules adopted under this subsection (g). The adoption of
3 emergency rules authorized by this subsection (g) shall be
4 deemed to be necessary for the public interest, safety, and
5 welfare.

6 (h) In order to provide for the expeditious and timely
7 implementation of the State's fiscal year 2003 budget,
8 emergency rules to implement any provision of Public Act
9 92-597 or any other budget initiative for fiscal year 2003 may
10 be adopted in accordance with this Section by the agency
11 charged with administering that provision or initiative,
12 except that the 24-month limitation on the adoption of
13 emergency rules and the provisions of Sections 5-115 and 5-125
14 do not apply to rules adopted under this subsection (h). The
15 adoption of emergency rules authorized by this subsection (h)
16 shall be deemed to be necessary for the public interest,
17 safety, and welfare.

18 (i) In order to provide for the expeditious and timely
19 implementation of the State's fiscal year 2004 budget,
20 emergency rules to implement any provision of Public Act 93-20
21 or any other budget initiative for fiscal year 2004 may be
22 adopted in accordance with this Section by the agency charged
23 with administering that provision or initiative, except that
24 the 24-month limitation on the adoption of emergency rules and
25 the provisions of Sections 5-115 and 5-125 do not apply to
26 rules adopted under this subsection (i). The adoption of

1 emergency rules authorized by this subsection (i) shall be
2 deemed to be necessary for the public interest, safety, and
3 welfare.

4 (j) In order to provide for the expeditious and timely
5 implementation of the provisions of the State's fiscal year
6 2005 budget as provided under the Fiscal Year 2005 Budget
7 Implementation (Human Services) Act, emergency rules to
8 implement any provision of the Fiscal Year 2005 Budget
9 Implementation (Human Services) Act may be adopted in
10 accordance with this Section by the agency charged with
11 administering that provision, except that the 24-month
12 limitation on the adoption of emergency rules and the
13 provisions of Sections 5-115 and 5-125 do not apply to rules
14 adopted under this subsection (j). The Department of Public
15 Aid may also adopt rules under this subsection (j) necessary
16 to administer the Illinois Public Aid Code and the Children's
17 Health Insurance Program Act. The adoption of emergency rules
18 authorized by this subsection (j) shall be deemed to be
19 necessary for the public interest, safety, and welfare.

20 (k) In order to provide for the expeditious and timely
21 implementation of the provisions of the State's fiscal year
22 2006 budget, emergency rules to implement any provision of
23 Public Act 94-48 or any other budget initiative for fiscal
24 year 2006 may be adopted in accordance with this Section by the
25 agency charged with administering that provision or
26 initiative, except that the 24-month limitation on the

1 adoption of emergency rules and the provisions of Sections
2 5-115 and 5-125 do not apply to rules adopted under this
3 subsection (k). The Department of Healthcare and Family
4 Services may also adopt rules under this subsection (k)
5 necessary to administer the Illinois Public Aid Code, the
6 Senior Citizens and Persons with Disabilities Property Tax
7 Relief Act, the Senior Citizens and Disabled Persons
8 Prescription Drug Discount Program Act (now the Illinois
9 Prescription Drug Discount Program Act), and the Children's
10 Health Insurance Program Act. The adoption of emergency rules
11 authorized by this subsection (k) shall be deemed to be
12 necessary for the public interest, safety, and welfare.

13 (l) In order to provide for the expeditious and timely
14 implementation of the provisions of the State's fiscal year
15 2007 budget, the Department of Healthcare and Family Services
16 may adopt emergency rules during fiscal year 2007, including
17 rules effective July 1, 2007, in accordance with this
18 subsection to the extent necessary to administer the
19 Department's responsibilities with respect to amendments to
20 the State plans and Illinois waivers approved by the federal
21 Centers for Medicare and Medicaid Services necessitated by the
22 requirements of Title XIX and Title XXI of the federal Social
23 Security Act. The adoption of emergency rules authorized by
24 this subsection (l) shall be deemed to be necessary for the
25 public interest, safety, and welfare.

26 (m) In order to provide for the expeditious and timely

1 implementation of the provisions of the State's fiscal year
2 2008 budget, the Department of Healthcare and Family Services
3 may adopt emergency rules during fiscal year 2008, including
4 rules effective July 1, 2008, in accordance with this
5 subsection to the extent necessary to administer the
6 Department's responsibilities with respect to amendments to
7 the State plans and Illinois waivers approved by the federal
8 Centers for Medicare and Medicaid Services necessitated by the
9 requirements of Title XIX and Title XXI of the federal Social
10 Security Act. The adoption of emergency rules authorized by
11 this subsection (m) shall be deemed to be necessary for the
12 public interest, safety, and welfare.

13 (n) In order to provide for the expeditious and timely
14 implementation of the provisions of the State's fiscal year
15 2010 budget, emergency rules to implement any provision of
16 Public Act 96-45 or any other budget initiative authorized by
17 the 96th General Assembly for fiscal year 2010 may be adopted
18 in accordance with this Section by the agency charged with
19 administering that provision or initiative. The adoption of
20 emergency rules authorized by this subsection (n) shall be
21 deemed to be necessary for the public interest, safety, and
22 welfare. The rulemaking authority granted in this subsection
23 (n) shall apply only to rules promulgated during Fiscal Year
24 2010.

25 (o) In order to provide for the expeditious and timely
26 implementation of the provisions of the State's fiscal year

1 2011 budget, emergency rules to implement any provision of
2 Public Act 96-958 or any other budget initiative authorized by
3 the 96th General Assembly for fiscal year 2011 may be adopted
4 in accordance with this Section by the agency charged with
5 administering that provision or initiative. The adoption of
6 emergency rules authorized by this subsection (o) is deemed to
7 be necessary for the public interest, safety, and welfare. The
8 rulemaking authority granted in this subsection (o) applies
9 only to rules promulgated on or after July 1, 2010 (the
10 effective date of Public Act 96-958) through June 30, 2011.

11 (p) In order to provide for the expeditious and timely
12 implementation of the provisions of Public Act 97-689,
13 emergency rules to implement any provision of Public Act
14 97-689 may be adopted in accordance with this subsection (p)
15 by the agency charged with administering that provision or
16 initiative. The 150-day limitation of the effective period of
17 emergency rules does not apply to rules adopted under this
18 subsection (p), and the effective period may continue through
19 June 30, 2013. The 24-month limitation on the adoption of
20 emergency rules does not apply to rules adopted under this
21 subsection (p). The adoption of emergency rules authorized by
22 this subsection (p) is deemed to be necessary for the public
23 interest, safety, and welfare.

24 (q) In order to provide for the expeditious and timely
25 implementation of the provisions of Articles 7, 8, 9, 11, and
26 12 of Public Act 98-104, emergency rules to implement any

1 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
2 may be adopted in accordance with this subsection (q) by the
3 agency charged with administering that provision or
4 initiative. The 24-month limitation on the adoption of
5 emergency rules does not apply to rules adopted under this
6 subsection (q). The adoption of emergency rules authorized by
7 this subsection (q) is deemed to be necessary for the public
8 interest, safety, and welfare.

9 (r) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 98-651,
11 emergency rules to implement Public Act 98-651 may be adopted
12 in accordance with this subsection (r) by the Department of
13 Healthcare and Family Services. The 24-month limitation on the
14 adoption of emergency rules does not apply to rules adopted
15 under this subsection (r). The adoption of emergency rules
16 authorized by this subsection (r) is deemed to be necessary
17 for the public interest, safety, and welfare.

18 (s) In order to provide for the expeditious and timely
19 implementation of the provisions of Sections 5-5b.1 and 5A-2
20 of the Illinois Public Aid Code, emergency rules to implement
21 any provision of Section 5-5b.1 or Section 5A-2 of the
22 Illinois Public Aid Code may be adopted in accordance with
23 this subsection (s) by the Department of Healthcare and Family
24 Services. The rulemaking authority granted in this subsection
25 (s) shall apply only to those rules adopted prior to July 1,
26 2015. Notwithstanding any other provision of this Section, any

1 emergency rule adopted under this subsection (s) shall only
2 apply to payments made for State fiscal year 2015. The
3 adoption of emergency rules authorized by this subsection (s)
4 is deemed to be necessary for the public interest, safety, and
5 welfare.

6 (t) In order to provide for the expeditious and timely
7 implementation of the provisions of Article II of Public Act
8 99-6, emergency rules to implement the changes made by Article
9 II of Public Act 99-6 to the Emergency Telephone System Act may
10 be adopted in accordance with this subsection (t) by the
11 Department of State Police. The rulemaking authority granted
12 in this subsection (t) shall apply only to those rules adopted
13 prior to July 1, 2016. The 24-month limitation on the adoption
14 of emergency rules does not apply to rules adopted under this
15 subsection (t). The adoption of emergency rules authorized by
16 this subsection (t) is deemed to be necessary for the public
17 interest, safety, and welfare.

18 (u) In order to provide for the expeditious and timely
19 implementation of the provisions of the Burn Victims Relief
20 Act, emergency rules to implement any provision of the Act may
21 be adopted in accordance with this subsection (u) by the
22 Department of Insurance. The rulemaking authority granted in
23 this subsection (u) shall apply only to those rules adopted
24 prior to December 31, 2015. The adoption of emergency rules
25 authorized by this subsection (u) is deemed to be necessary
26 for the public interest, safety, and welfare.

1 (v) In order to provide for the expeditious and timely
2 implementation of the provisions of Public Act 99-516,
3 emergency rules to implement Public Act 99-516 may be adopted
4 in accordance with this subsection (v) by the Department of
5 Healthcare and Family Services. The 24-month limitation on the
6 adoption of emergency rules does not apply to rules adopted
7 under this subsection (v). The adoption of emergency rules
8 authorized by this subsection (v) is deemed to be necessary
9 for the public interest, safety, and welfare.

10 (w) In order to provide for the expeditious and timely
11 implementation of the provisions of Public Act 99-796,
12 emergency rules to implement the changes made by Public Act
13 99-796 may be adopted in accordance with this subsection (w)
14 by the Adjutant General. The adoption of emergency rules
15 authorized by this subsection (w) is deemed to be necessary
16 for the public interest, safety, and welfare.

17 (x) In order to provide for the expeditious and timely
18 implementation of the provisions of Public Act 99-906,
19 emergency rules to implement subsection (i) of Section
20 16-115D, subsection (g) of Section 16-128A, and subsection (a)
21 of Section 16-128B of the Public Utilities Act may be adopted
22 in accordance with this subsection (x) by the Illinois
23 Commerce Commission. The rulemaking authority granted in this
24 subsection (x) shall apply only to those rules adopted within
25 180 days after June 1, 2017 (the effective date of Public Act
26 99-906). The adoption of emergency rules authorized by this

1 subsection (x) is deemed to be necessary for the public
2 interest, safety, and welfare.

3 (y) In order to provide for the expeditious and timely
4 implementation of the provisions of Public Act 100-23,
5 emergency rules to implement the changes made by Public Act
6 100-23 to Section 4.02 of the Illinois Act on the Aging,
7 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
8 Section 55-30 of the Alcoholism and Other Drug Abuse and
9 Dependency Act, and Sections 74 and 75 of the Mental Health and
10 Developmental Disabilities Administrative Act may be adopted
11 in accordance with this subsection (y) by the respective
12 Department. The adoption of emergency rules authorized by this
13 subsection (y) is deemed to be necessary for the public
14 interest, safety, and welfare.

15 (z) In order to provide for the expeditious and timely
16 implementation of the provisions of Public Act 100-554,
17 emergency rules to implement the changes made by Public Act
18 100-554 to Section 4.7 of the Lobbyist Registration Act may be
19 adopted in accordance with this subsection (z) by the
20 Secretary of State. The adoption of emergency rules authorized
21 by this subsection (z) is deemed to be necessary for the public
22 interest, safety, and welfare.

23 (aa) In order to provide for the expeditious and timely
24 initial implementation of the changes made to Articles 5, 5A,
25 12, and 14 of the Illinois Public Aid Code under the provisions
26 of Public Act 100-581, the Department of Healthcare and Family

1 Services may adopt emergency rules in accordance with this
2 subsection (aa). The 24-month limitation on the adoption of
3 emergency rules does not apply to rules to initially implement
4 the changes made to Articles 5, 5A, 12, and 14 of the Illinois
5 Public Aid Code adopted under this subsection (aa). The
6 adoption of emergency rules authorized by this subsection (aa)
7 is deemed to be necessary for the public interest, safety, and
8 welfare.

9 (bb) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 100-587,
11 emergency rules to implement the changes made by Public Act
12 100-587 to Section 4.02 of the Illinois Act on the Aging,
13 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
14 subsection (b) of Section 55-30 of the Alcoholism and Other
15 Drug Abuse and Dependency Act, Section 5-104 of the
16 Specialized Mental Health Rehabilitation Act of 2013, and
17 Section 75 and subsection (b) of Section 74 of the Mental
18 Health and Developmental Disabilities Administrative Act may
19 be adopted in accordance with this subsection (bb) by the
20 respective Department. The adoption of emergency rules
21 authorized by this subsection (bb) is deemed to be necessary
22 for the public interest, safety, and welfare.

23 (cc) In order to provide for the expeditious and timely
24 implementation of the provisions of Public Act 100-587,
25 emergency rules may be adopted in accordance with this
26 subsection (cc) to implement the changes made by Public Act

1 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois
2 Pension Code by the Board created under Article 14 of the Code;
3 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by
4 the Board created under Article 15 of the Code; and Sections
5 16-190.5 and 16-190.6 of the Illinois Pension Code by the
6 Board created under Article 16 of the Code. The adoption of
7 emergency rules authorized by this subsection (cc) is deemed
8 to be necessary for the public interest, safety, and welfare.

9 (dd) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 100-864,
11 emergency rules to implement the changes made by Public Act
12 100-864 to Section 3.35 of the Newborn Metabolic Screening Act
13 may be adopted in accordance with this subsection (dd) by the
14 Secretary of State. The adoption of emergency rules authorized
15 by this subsection (dd) is deemed to be necessary for the
16 public interest, safety, and welfare.

17 (ee) In order to provide for the expeditious and timely
18 implementation of the provisions of Public Act 100-1172,
19 emergency rules implementing the Illinois Underground Natural
20 Gas Storage Safety Act may be adopted in accordance with this
21 subsection by the Department of Natural Resources. The
22 adoption of emergency rules authorized by this subsection is
23 deemed to be necessary for the public interest, safety, and
24 welfare.

25 (ff) In order to provide for the expeditious and timely
26 initial implementation of the changes made to Articles 5A and

1 14 of the Illinois Public Aid Code under the provisions of
2 Public Act 100-1181, the Department of Healthcare and Family
3 Services may on a one-time-only basis adopt emergency rules in
4 accordance with this subsection (ff). The 24-month limitation
5 on the adoption of emergency rules does not apply to rules to
6 initially implement the changes made to Articles 5A and 14 of
7 the Illinois Public Aid Code adopted under this subsection
8 (ff). The adoption of emergency rules authorized by this
9 subsection (ff) is deemed to be necessary for the public
10 interest, safety, and welfare.

11 (gg) In order to provide for the expeditious and timely
12 implementation of the provisions of Public Act 101-1,
13 emergency rules may be adopted by the Department of Labor in
14 accordance with this subsection (gg) to implement the changes
15 made by Public Act 101-1 to the Minimum Wage Law. The adoption
16 of emergency rules authorized by this subsection (gg) is
17 deemed to be necessary for the public interest, safety, and
18 welfare.

19 (hh) In order to provide for the expeditious and timely
20 implementation of the provisions of Public Act 101-10,
21 emergency rules may be adopted in accordance with this
22 subsection (hh) to implement the changes made by Public Act
23 101-10 to subsection (j) of Section 5-5.2 of the Illinois
24 Public Aid Code. The adoption of emergency rules authorized by
25 this subsection (hh) is deemed to be necessary for the public
26 interest, safety, and welfare.

1 (ii) In order to provide for the expeditious and timely
2 implementation of the provisions of Public Act 101-10,
3 emergency rules to implement the changes made by Public Act
4 101-10 to Sections 5-5.4 and 5-5.4i of the Illinois Public Aid
5 Code may be adopted in accordance with this subsection (ii) by
6 the Department of Public Health. The adoption of emergency
7 rules authorized by this subsection (ii) is deemed to be
8 necessary for the public interest, safety, and welfare.

9 (jj) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 101-10,
11 emergency rules to implement the changes made by Public Act
12 101-10 to Section 74 of the Mental Health and Developmental
13 Disabilities Administrative Act may be adopted in accordance
14 with this subsection (jj) by the Department of Human Services.
15 The adoption of emergency rules authorized by this subsection
16 (jj) is deemed to be necessary for the public interest,
17 safety, and welfare.

18 (kk) In order to provide for the expeditious and timely
19 implementation of the Cannabis Regulation and Tax Act and
20 Public Act 101-27, the Department of Revenue, the Department
21 of Public Health, the Department of Agriculture, the
22 Department of State Police, and the Department of Financial
23 and Professional Regulation may adopt emergency rules in
24 accordance with this subsection (kk). The rulemaking authority
25 granted in this subsection (kk) shall apply only to rules
26 adopted before December 31, 2021. Notwithstanding the

1 provisions of subsection (c), emergency rules adopted under
2 this subsection (kk) shall be effective for 180 days. The
3 adoption of emergency rules authorized by this subsection (kk)
4 is deemed to be necessary for the public interest, safety, and
5 welfare.

6 (ll) In order to provide for the expeditious and timely
7 implementation of the provisions of the Leveling the Playing
8 Field for Illinois Retail Act, emergency rules may be adopted
9 in accordance with this subsection (ll) to implement the
10 changes made by the Leveling the Playing Field for Illinois
11 Retail Act. The adoption of emergency rules authorized by this
12 subsection (ll) is deemed to be necessary for the public
13 interest, safety, and welfare.

14 (mm) In order to provide for the expeditious and timely
15 implementation of the provisions of Section 25-70 of the
16 Sports Wagering Act, emergency rules to implement Section
17 25-70 of the Sports Wagering Act may be adopted in accordance
18 with this subsection (mm) by the Department of the Lottery as
19 provided in the Sports Wagering Act. The adoption of emergency
20 rules authorized by this subsection (mm) is deemed to be
21 necessary for the public interest, safety, and welfare.

22 (nn) In order to provide for the expeditious and timely
23 implementation of the Sports Wagering Act, emergency rules to
24 implement the Sports Wagering Act may be adopted in accordance
25 with this subsection (nn) by the Illinois Gaming Board. The
26 adoption of emergency rules authorized by this subsection (nn)

1 is deemed to be necessary for the public interest, safety, and
2 welfare.

3 (oo) In order to provide for the expeditious and timely
4 implementation of the provisions of subsection (c) of Section
5 20 of the Video Gaming Act, emergency rules to implement the
6 provisions of subsection (c) of Section 20 of the Video Gaming
7 Act may be adopted in accordance with this subsection (oo) by
8 the Illinois Gaming Board. The adoption of emergency rules
9 authorized by this subsection (oo) is deemed to be necessary
10 for the public interest, safety, and welfare.

11 (pp) In order to provide for the expeditious and timely
12 implementation of the provisions of Section 50 of the Sexual
13 Assault Evidence Submission Act, emergency rules to implement
14 Section 50 of the Sexual Assault Evidence Submission Act may
15 be adopted in accordance with this subsection (pp) by the
16 Department of State Police. The adoption of emergency rules
17 authorized by this subsection (pp) is deemed to be necessary
18 for the public interest, safety, and welfare.

19 (qq) In order to provide for the expeditious and timely
20 implementation of the provisions of the Illinois Works Jobs
21 Program Act, emergency rules may be adopted in accordance with
22 this subsection (qq) to implement the Illinois Works Jobs
23 Program Act. The adoption of emergency rules authorized by
24 this subsection (qq) is deemed to be necessary for the public
25 interest, safety, and welfare.

26 (rr) In order to provide for the expeditious and timely

1 implementation of the provisions of this amendatory Act of the
2 102nd General Assembly, emergency rules to implement the
3 changes made by this amendatory Act of the 102nd General
4 Assembly to Section 40 of the Firearm Concealed Carry Act may
5 be adopted in accordance with this subsection (rr) by the
6 Illinois State Police. The adoption of emergency rules
7 authorized by this subsection (rr) is deemed to be necessary
8 for the public interest, safety, and welfare.

9 (Source: P.A. 100-23, eff. 7-6-17; 100-554, eff. 11-16-17;
10 100-581, eff. 3-12-18; 100-587, Article 95, Section 95-5, eff.
11 6-4-18; 100-587, Article 110, Section 110-5, eff. 6-4-18;
12 100-864, eff. 8-14-18; 100-1172, eff. 1-4-19; 100-1181, eff.
13 3-8-19; 101-1, eff. 2-19-19; 101-10, Article 20, Section 20-5,
14 eff. 6-5-19; 101-10, Article 35, Section 35-5, eff. 6-5-19;
15 101-27, eff. 6-25-19; 101-31, Article 15, Section 15-5, eff.
16 6-28-19; 101-31, Article 25, Section 25-900, eff. 6-28-19;
17 101-31, Article 35, Section 35-3, eff. 6-28-19; 101-377, eff.
18 8-16-19; 101-601, eff. 12-10-19.)

19 Section 10. The Firearm Concealed Carry Act is amended by
20 changing Sections 40 and 60 as follows:

21 (430 ILCS 66/40)

22 Sec. 40. Non-resident license applications.

23 (a) For the purposes of this Section, "non-resident" means
24 a person who has not resided within this State for more than 30

1 days and resides in another state or territory.

2 (b) The Department shall by rule allow for non-resident
3 license applications from any state or territory of the United
4 States with laws related to firearm ownership, possession, and
5 carrying, that are substantially similar to the requirements
6 to obtain a license under this Act.

7 (c) A resident of a state or territory approved by the
8 Department under subsection (b) of this Section may apply for
9 a non-resident license. The applicant shall apply to the
10 Department and must meet all of the qualifications established
11 in Section 25 of this Act, except for the Illinois residency
12 requirement in item (xiv) of paragraph (2) of subsection (a)
13 of Section 4 of the Firearm Owners Identification Card Act.
14 The applicant shall submit:

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

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

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

21 (B) if applicable, has a license or permit to
22 carry a firearm or concealed firearm issued by his or
23 her state or territory of residence and attach a copy
24 of the license or permit to the application;

25 (C) understands Illinois laws pertaining to the
26 possession and transport of firearms; and

1 (D) acknowledges that the applicant is subject to
2 the jurisdiction of the Department and Illinois courts
3 for any violation of this Act;

4 (3) a photocopy of any certificates or other evidence
5 of compliance with the training requirements under Section
6 75 of this Act; and

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

10 (d) In lieu of an Illinois driver's license or Illinois
11 identification card, a non-resident applicant shall provide
12 similar documentation from his or her state or territory of
13 residence. In lieu of a valid Firearm Owner's Identification
14 Card, the applicant shall submit documentation and information
15 required by the Department to obtain a Firearm Owner's
16 Identification Card, including an affidavit that the
17 non-resident meets the mental health standards to obtain a
18 firearm under Illinois law, and the Department shall ensure
19 that the applicant would meet the eligibility criteria to
20 obtain a Firearm Owner's Identification card if he or she was a
21 resident of this State.

22 (e) Nothing in this Act shall prohibit a non-resident from
23 transporting a concealed firearm within his or her vehicle in
24 Illinois, if the concealed firearm remains within his or her
25 vehicle and the non-resident:

26 (1) is not prohibited from owning or possessing a

1 firearm under federal law;

2 (2) is eligible to carry a firearm in public under the
3 laws of his or her state or territory of residence, as
4 evidenced by the possession of a concealed carry license
5 or permit issued by his or her state of residence, if
6 applicable; and

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

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

12 (f) Notwithstanding whether the laws of the state or
13 territory where the non-resident resides related to firearm
14 ownership, possession, and carrying are substantially similar
15 to the requirements to obtain a license under this Act, the
16 Illinois State Police shall, no later than 120 days after the
17 effective date of this amendatory Act of the 102nd General
18 Assembly, allow for a non-resident license application if the
19 applicant is an active duty member of the Armed Forces of the
20 United States who is stationed in this State and lives in this
21 State. A non-resident active duty member of the Armed Forces
22 of the United States who is stationed in this State and lives
23 in this State shall apply to the Illinois State Police and must
24 meet all of the qualifications established in Section 25 and
25 shall submit:

26 (1) the application and documentation required under

1 subsection (b) of Section 30 and the applicable fee;

2 (2) a photocopy of a valid military identification
3 card or Official Proof of Service Letter; and

4 (3) a photocopy of permanent change-of-station orders
5 to an assignment in this State.

6 In lieu of an Illinois driver's license or Illinois
7 identification card, a non-resident applicant under this
8 subsection (f) shall provide similar documentation from his or
9 her state or territory of residence. A non-resident licensee
10 approved under this subsection (f) shall notify the Illinois
11 State Police 30 days following a permanent change of station
12 move to an assignment outside of this State and shall
13 surrender his or her license to the Illinois State Police. A
14 license issued under this subsection (f) shall expire on the
15 earlier date of: (i) 5 years from the date of issuance; or (ii)
16 the date the licensee's assignment in this State terminates.
17 The Illinois State Police may adopt rules necessary to
18 implement this amendatory Act of the 102nd General Assembly
19 through the use of emergency rulemaking in accordance with
20 Section 5-45 of the Illinois Administrative Procedure Act for
21 a period not to exceed 180 days after the effective date of
22 this amendatory Act of the 102nd General Assembly.

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

1 Sec. 60. Fees.

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

5 (b) An applicant for a new license or a renewal shall
6 submit \$150 with the application, of which \$120 shall be
7 apportioned to the State Police Firearm Services Fund, \$20
8 shall be apportioned to the Mental Health Reporting Fund, and
9 \$10 shall be apportioned to the State Crime Laboratory Fund.

10 (c) A non-resident applicant for a new license or renewal
11 shall submit \$300 with the application, of which \$250 shall be
12 apportioned to the State Police Firearm Services Fund, \$40
13 shall be apportioned to the Mental Health Reporting Fund, and
14 \$10 shall be apportioned to the State Crime Laboratory Fund.

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

20 (e) An applicant for a new license or a renewal who is a
21 non-resident active duty member of the Armed Forces of the
22 United States stationed in this State shall submit \$150 with
23 the application, of which \$120 shall be apportioned to the
24 State Police Firearm Services Fund, \$20 shall be apportioned
25 to the Mental Health Reporting Fund, and \$10 shall be
26 apportioned to the State Crime Laboratory Fund.

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

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.