



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1858

Introduced 2/26/2021, by Sen. 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.

LRB102 04000 RLC 14016 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)
11 of this Section, any ~~Any~~ building, real property, and
12 parking area under the control of a public or non-public
13 ~~private~~ elementary or secondary school.

14 (2) Any building, real property, and parking area
15 under 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
5 a concealed firearm onto the real property, bikeway, or
6 trail in a park regulated by the Department of Natural
7 Resources or any other designated public hunting area or
8 building where firearm possession is permitted as
9 established by the Department of Natural Resources under
10 Section 1.8 of the 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
18 under the control of an adult or juvenile detention or
19 correctional institution, prison, or jail.

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

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

1 public transportation facility paid for in whole or in
2 part with public funds.

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

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

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

1 alcohol by the Special use permit license.

2 (12) Any public playground.

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

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

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

18 (16) Any building, real property, or parking area
19 under the control of a gaming facility licensed under the
20 Illinois Gambling Act or the Illinois Horse Racing Act of
21 1975, including an inter-track wagering location licensee.

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

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

1 (19) Any building, real property, or parking area
2 under the control of an airport.

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

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

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

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

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

1 be accessed by students.

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

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

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

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

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

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

26 (b) Notwithstanding subsections (a), (a-5), and (a-10) of

1 this Section except under paragraph (22) or (23) of subsection
2 (a), any licensee prohibited from carrying a concealed firearm
3 into the parking area of a prohibited location specified in
4 subsection (a), (a-5), or (a-10) of this Section shall be
5 permitted to carry a concealed firearm on or about his or her
6 person within a vehicle into the parking area and may store a
7 firearm or ammunition concealed in a case within a locked
8 vehicle or locked container out of plain view within the
9 vehicle in the parking area. A licensee may carry a concealed
10 firearm in the immediate area surrounding his or her vehicle
11 within a prohibited parking lot area only for the limited
12 purpose of storing or retrieving a firearm within the
13 vehicle's trunk. For purposes of this subsection, "case"
14 includes a glove compartment or console that completely
15 encloses the concealed firearm or ammunition, the trunk of the
16 vehicle, or a firearm carrying box, shipping box, or other
17 container.

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

26 (d) Signs stating that the carrying of firearms is

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

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

9 (430 ILCS 66/105)

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

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