



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB1946

Introduced 2/26/2021, by Sen. Darren Bailey

#### 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 Illinois 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 (PCS) or Permanent Change of Assignment (PCA) orders and who is not a resident of this State but maintains an address in this State. Provides that a non-resident applicant for a new license or renewal shall submit \$150 with the application, of which \$120 shall be apportioned to the State Police Firearm Services Fund, \$20 shall be apportioned to the Mental Health Reporting Fund, and \$10 shall be apportioned to the State Crime Laboratory Fund.

LRB102 12493 RLC 17830 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  
15 to 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 Illinois State Police shall allow for a non-resident license  
21 application if the applicant is employed by the United States  
22 Military permanently assigned in Illinois on Permanent Change  
23 of Station (PCS) or Permanent Change of Assignment (PCA)

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

6 (1) the application and documentation required under  
7 subsection (b) of Section 30 of this Act and the  
8 applicable fee;

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

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

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

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

23 (c) A resident of a state or territory approved by the  
24 Department under subsection (b) of this Section may apply for  
25 a non-resident license. The applicant shall apply to the  
26 Department and must meet all of the qualifications established

1 in Section 25 of this Act, except for the Illinois residency  
2 requirement in item (xiv) of paragraph (2) of subsection (a)  
3 of Section 4 of the Firearm Owners Identification Card Act.  
4 The applicant shall submit:

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

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

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

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

15 (C) understands Illinois laws pertaining to the  
16 possession and transport of firearms; and

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

20 (3) a photocopy of any certificates or other evidence  
21 of compliance with the training requirements under Section  
22 75 of this Act; and

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

26 (d) In lieu of an Illinois driver's license or Illinois

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

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

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

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

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

25 If the non-resident leaves his or her vehicle unattended,  
26 he or she shall store the firearm within a locked vehicle or

1 locked container within the vehicle in accordance with  
2 subsection (b) of Section 65 of this Act.

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

5 (430 ILCS 66/55)

6 Sec. 55. Change of address or name; lost, destroyed, or  
7 stolen licenses.

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

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

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

1 request a replacement license, the licensee shall submit:

2 (1) a notarized statement that the licensee no longer  
3 possesses the license, and that it was lost, destroyed, or  
4 stolen;

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

7 (3) the requisite fee.

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

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

12 (430 ILCS 66/60)

13 Sec. 60. Fees.

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

17 (b) An applicant for a new license or a renewal shall  
18 submit \$150 with the application, of which \$120 shall be  
19 apportioned to the State Police Firearm Services Fund, \$20  
20 shall be apportioned to the Mental Health Reporting Fund, and  
21 \$10 shall be apportioned to the State Crime Laboratory Fund.

22 (c) Except as provided in subsection (c-5) of this  
23 Section, a ~~A~~ non-resident applicant for a new license or  
24 renewal shall submit \$300 with the application, of which \$250  
25 shall be apportioned to the State Police Firearm Services

1 Fund, \$40 shall be apportioned to the Mental Health Reporting  
2 Fund, and \$10 shall be apportioned to the State Crime  
3 Laboratory Fund.

4 (c-5) A non-resident applicant for a new license or  
5 renewal under subsection (b-5) of Section 40 of this Act 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 (d) A licensee requesting a new license in accordance with  
11 Section 55 shall submit \$75, of which \$60 shall be apportioned  
12 to the State Police Firearm Services Fund, \$5 shall be  
13 apportioned to the Mental Health Reporting Fund, and \$10 shall  
14 be apportioned to the State Crime Laboratory Fund.

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