

SB3846



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3846

Introduced 1/21/2022, by Sen. Dale Fowler

SYNOPSIS AS INTRODUCED:

430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Provides that the prohibition against a licensee carrying a firearm into any building, parking area, or portion of a building under the control of an officer of the executive or legislative branch of government does not apply to any rest areas under the control of the Department of Transportation or to buildings located in rest areas under the control of the Department of Transportation. Eliminates a provision that a licensee 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. Eliminates a provision that a licensee shall not knowingly carry a firearm in any public park, athletic area, or athletic facility under the control of a municipality or park district. Effective immediately.

LRB102 21942 RLC 31065 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 preschool ~~pre-school~~ or child care
15 facility, including any room or portion of a building
16 under the control of a preschool ~~pre-school~~ or child care
17 facility. Nothing in this paragraph shall prevent the
18 operator of a child care facility in a family home from
19 owning or possessing a firearm in the home or license
20 under this Act, if no child under child care at the home is
21 present in the home or the firearm in the home is stored in
22 a locked container when a child under child care at the
23 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. This paragraph does not
11 apply to any rest areas under the control of the
12 Department of Transportation or to buildings located in
13 rest areas under the control of the Department of
14 Transportation.

15 (4) Any building designated for matters before a
16 circuit court, appellate court, or the Supreme Court, or
17 any building or portion of a building under the control of
18 the Supreme Court.

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

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

24 (7) Any building, real property, and parking area
25 under the control of a public or private hospital or
26 hospital affiliate, mental health facility, or nursing

1 home.

2 (8) (Blank). ~~Any bus, train, or form of transportation~~
3 ~~paid for in whole or in part with public funds, and any~~
4 ~~building, real property, and parking area under the~~
5 ~~control of a public transportation facility paid for in~~
6 ~~whole or in part with public funds.~~

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

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

24 (11) Any building or real property that has been
25 issued a Special Event Retailer's license as defined in
26 Section 1-3.17.1 of the Liquor Control Act during the time

1 designated for the sale of alcohol by the Special Event
2 Retailer's license, or a Special use permit license as
3 defined in subsection (q) of Section 5-1 of the Liquor
4 Control Act during the time designated for the sale of
5 alcohol by the Special use permit license.

6 (12) Any public playground.

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

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

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

22 (16) Any building, real property, or parking area
23 under the control of a gaming facility licensed under the
24 Illinois Gambling Act or the Illinois Horse Racing Act of
25 1975, including an inter-track wagering location licensee.

26 (17) Any stadium, arena, or the real property or

1 parking area under the control of a stadium, arena, or any
2 collegiate or professional sporting event.

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

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

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

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

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

20 (23) Any area where firearms are prohibited under
21 federal law.

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

24 (1) prohibiting persons from carrying a firearm within
25 a vehicle owned, leased, or controlled by the college or
26 university;

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

4 (3) developing resolutions, regulations, or policies
5 regarding the storage or maintenance of firearms, which
6 must include designated areas where persons can park
7 vehicles that carry firearms; and

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

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

20 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
21 this Section except under paragraph (22) or (23) of subsection
22 (a), any licensee prohibited from carrying a concealed firearm
23 into the parking area of a prohibited location specified in
24 subsection (a), (a-5), or (a-10) of this Section shall be
25 permitted to carry a concealed firearm on or about his or her
26 person within a vehicle into the parking area and may store a

1 firearm or ammunition concealed in a case within a locked
2 vehicle or locked container out of plain view within the
3 vehicle in the parking area. A licensee may carry a concealed
4 firearm in the immediate area surrounding his or her vehicle
5 within a prohibited parking lot area only for the limited
6 purpose of storing or retrieving a firearm within the
7 vehicle's trunk. For purposes of this subsection, "case"
8 includes a glove compartment or console that completely
9 encloses the concealed firearm or ammunition, the trunk of the
10 vehicle, or a firearm carrying box, shipping box, or other
11 container.

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

20 (d) Signs stating that the carrying of firearms is
21 prohibited shall be clearly and conspicuously posted at the
22 entrance of a building, premises, or real property specified
23 in this Section as a prohibited area, unless the building or
24 premises is a private residence. Signs shall be of a uniform
25 design as established by the Illinois State Police and shall
26 be 4 inches by 6 inches in size. The Illinois State Police

1 shall adopt rules for standardized signs to be used under this
2 subsection.

3 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.