



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3791

Introduced 2/17/2023, by Rep. Kevin John Olickal

SYNOPSIS AS INTRODUCED:

430 ILCS 66/5
430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Provides that nothing in the Act prohibits a forest preserve district from prohibiting persons from carrying a firearm into any botanic garden, campground, aquatic center, grounds of an aquatic center, boat launch, boating center, athletic venue, picnic grove, nature center, grounds of a nature center, pavilion, grounds of a pavilion, golf course, parking lot, driving range, adventure course, grounds of an adventure course, zipline building, grounds of a zipline, equestrian center, grounds of an equestrian center, exercise venue, grounds of an exercise venue, any Illinois nature preserve, land and water reserve, or any public or private gathering or special event conducted on property that requires the issuance of a permit. Defines "grounds".

LRB103 26127 RLC 52483 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 5 and 65 as follows:

6 (430 ILCS 66/5)

7 Sec. 5. Definitions. As used in this Act:

8 "Applicant" means a person who is applying for a license
9 to carry a concealed firearm under this Act.

10 "Board" means the Concealed Carry Licensing Review Board.

11 "Concealed firearm" means a loaded or unloaded handgun
12 carried on or about a person completely or mostly concealed
13 from view of the public or on or about a person within a
14 vehicle.

15 "Director" means the Director of the Illinois State
16 Police.

17 "Grounds" means 75 feet from the entrance to any
18 prohibited area on real property belonging to a forest
19 preserve as identified in subsection (a-6) of Section 65 or
20 any area enclosed by fencing located on real property
21 belonging by a forest preserve, whichever is greater.

22 "Handgun" means any device which is designed to expel a
23 projectile or projectiles by the action of an explosion,

1 expansion of gas, or escape of gas that is designed to be held
2 and fired by the use of a single hand. "Handgun" does not
3 include:

4 (1) a stun gun or taser;

5 (2) a machine gun as defined in item (i) of paragraph
6 (7) of subsection (a) of Section 24-1 of the Criminal Code
7 of 2012;

8 (3) a short-barreled rifle or shotgun as defined in
9 item (ii) of paragraph (7) of subsection (a) of Section
10 24-1 of the Criminal Code of 2012; or

11 (4) any pneumatic gun, spring gun, paint ball gun, or
12 B-B gun which expels a single globular projectile not
13 exceeding .18 inch in diameter, or which has a maximum
14 muzzle velocity of less than 700 feet per second, or which
15 expels breakable paint balls containing washable marking
16 colors.

17 "Law enforcement agency" means any federal, State, or
18 local law enforcement agency, including offices of State's
19 Attorneys and the Office of the Attorney General.

20 "License" means a license issued by the Illinois State
21 Police to carry a concealed handgun.

22 "Licensee" means a person issued a license to carry a
23 concealed handgun.

24 "Municipality" has the meaning ascribed to it in Section 1
25 of Article VII of the Illinois Constitution.

26 "Unit of local government" has the meaning ascribed to it

1 in Section 1 of Article VII of the Illinois Constitution.

2 (Source: P.A. 102-538, eff. 8-20-21.)

3 (430 ILCS 66/65)

4 Sec. 65. Prohibited areas.

5 (a) A licensee under this Act shall not knowingly carry a
6 firearm on or into:

7 (1) Any building, real property, and parking area
8 under the control of a public or private elementary or
9 secondary school.

10 (2) Any building, real property, and parking area
11 under the control of a pre-school or child care facility,
12 including any room or portion of a building under the
13 control of a pre-school or child care facility. Nothing in
14 this paragraph shall prevent the operator of a child care
15 facility in a family home from owning or possessing a
16 firearm in the home or license under this Act, if no child
17 under child care at the home is present in the home or the
18 firearm in the home is stored in a locked container when a
19 child under child care at the home is present in the home.

20 (3) Any building, parking area, or portion of a
21 building under the control of an officer of the executive
22 or legislative branch of government, provided that nothing
23 in this paragraph shall prohibit a licensee from carrying
24 a concealed firearm onto the real property, bikeway, or
25 trail in a park regulated by the Department of Natural

1 Resources or any other designated public hunting area or
2 building where firearm possession is permitted as
3 established by the Department of Natural Resources under
4 Section 1.8 of the Wildlife Code.

5 (4) Any building designated for matters before a
6 circuit court, appellate court, or the Supreme Court, or
7 any building or portion of a building under the control of
8 the Supreme Court.

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

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

14 (7) Any building, real property, and parking area
15 under the control of a public or private hospital or
16 hospital affiliate, mental health facility, or nursing
17 home.

18 (8) Any bus, train, or form of transportation paid for
19 in whole or in part with public funds, and any building,
20 real property, and parking area under the control of a
21 public transportation facility paid for in whole or in
22 part with public funds.

23 (9) Any building, real property, and parking area
24 under the control of an establishment that serves alcohol
25 on its premises, if more than 50% of the establishment's
26 gross receipts within the prior 3 months is from the sale

1 of alcohol. The owner of an establishment who knowingly
2 fails to prohibit concealed firearms on its premises as
3 provided in this paragraph or who knowingly makes a false
4 statement or record to avoid the prohibition on concealed
5 firearms under this paragraph is subject to the penalty
6 under subsection (c-5) of Section 10-1 of the Liquor
7 Control Act of 1934.

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

14 (11) Any building or real property that has been
15 issued a Special Event Retailer's license as defined in
16 Section 1-3.17.1 of the Liquor Control Act during the time
17 designated for the sale of alcohol by the Special Event
18 Retailer's license, or a Special use permit license as
19 defined in subsection (q) of Section 5-1 of the Liquor
20 Control Act during the time designated for the sale of
21 alcohol by the Special use permit license.

22 (12) Any public playground.

23 (13) Any public park, athletic area, or athletic
24 facility under the control of a municipality or park
25 district, provided nothing in this Section shall prohibit
26 a licensee from carrying a concealed firearm while on a

1 trail or bikeway if only a portion of the trail or bikeway
2 includes a public park.

3 (14) (Blank). ~~Any real property under the control of~~
4 ~~the Cook County Forest Preserve District.~~

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

12 (16) Any building, real property, or parking area
13 under the control of a gaming facility licensed under the
14 Illinois Gambling Act or the Illinois Horse Racing Act of
15 1975, including an inter-track wagering location licensee.

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

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

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

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

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

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

10 (23) Any area where firearms are prohibited under
11 federal law.

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

14 (1) prohibiting persons from carrying a firearm within
15 a vehicle owned, leased, or controlled by the college or
16 university;

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

20 (3) developing resolutions, regulations, or policies
21 regarding the storage or maintenance of firearms, which
22 must include designated areas where persons can park
23 vehicles that carry firearms; and

24 (4) permitting the carrying or use of firearms for the
25 purpose of instruction and curriculum of officially
26 recognized programs, including but not limited to military

1 science and law enforcement training programs, or in any
2 designated area used for hunting purposes or target
3 shooting.

4 (a-6) Nothing in this Act prohibits a forest preserve
5 district from prohibiting persons from carrying a firearm into
6 any botanic garden, campground, aquatic center, grounds of an
7 aquatic center, boat launch, boating center, athletic venue,
8 picnic grove, nature center, grounds of a nature center,
9 pavilion, grounds of a pavilion, golf course, parking lot,
10 driving range, adventure course, grounds of an adventure
11 course, zipline building, grounds of a zipline, equestrian
12 center, grounds of an equestrian center, exercise venue,
13 grounds of an exercise venue, any Illinois nature preserve,
14 land and water reserve, or any public or private gathering or
15 special event conducted on property that requires the issuance
16 of a permit.

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

23 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
24 this Section except under paragraph (22) or (23) of subsection
25 (a), any licensee prohibited from carrying a concealed firearm
26 into the parking area of a prohibited location specified in

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

15 (c) A licensee shall not be in violation of this Section
16 while he or she is traveling along a public right of way that
17 touches or crosses any of the premises under subsection (a),
18 (a-5), (a-6), or (a-10) of this Section if the concealed
19 firearm is carried on his or her person in accordance with the
20 provisions of this Act or is being transported in a vehicle by
21 the licensee in accordance with all other applicable
22 provisions of law.

23 (d) Signs stating that the carrying of firearms is
24 prohibited shall be clearly and conspicuously posted at the
25 entrance of a building, premises, or real property specified
26 in this Section as a prohibited area, unless the building or

1 premises is a private residence or forest preserve district.
2 Signs shall be of a uniform design as established by the
3 Illinois State Police and shall be 4 inches by 6 inches in
4 size. The Illinois State Police shall adopt rules for
5 standardized signs to be used under this subsection.
6 (Source: P.A. 101-31, eff. 6-28-19; 102-538, eff. 8-20-21.)