



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB5272

Introduced 2/9/2024, by Rep. Stephanie A. Kifowit

#### SYNOPSIS AS INTRODUCED:

430 ILCS 66/40

Amends the Firearm Concealed Carry Act. Provides that the Illinois State Police shall by rule allow for non-resident firearm concealed carry license applications of members of the Illinois National Guard who reside in another state or territory of the United States regardless as to whether the laws of their state or territory of residence related to firearm ownership, possession, and carrying are substantially similar to the requirements to obtain a firearm concealed carry license under the Act.

LRB103 37563 RLC 67689 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 Section 40 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) Except as otherwise provided in subsection (b-1), the  
12 ~~The~~ Illinois State Police shall by rule allow for non-resident  
13 license applications from any state or territory of the United  
14 States with laws related to firearm ownership, possession, and  
15 carrying, that are substantially similar to the requirements  
16 to obtain a license under this Act.

17 (b-1) The Illinois State Police shall by rule allow for  
18 non-resident license applications of members of the Illinois  
19 National Guard who reside in another state or territory of the  
20 United States regardless as to whether the laws of their state  
21 or territory of residence related to firearm ownership,  
22 possession, and carrying are substantially similar to the  
23 requirements to obtain a license under this Act.

1 (c) A resident of a state or territory approved by the  
2 Illinois State Police under subsection (b) or (b-1) of this  
3 Section may apply for a non-resident license. The applicant  
4 shall apply to the Illinois State Police and must meet all of  
5 the qualifications established in Section 25 of this Act,  
6 except for the Illinois residency requirement in item (xiv) of  
7 paragraph (2) of subsection (a) of Section 4 of the Firearm  
8 Owners Identification Card Act. The applicant shall submit:

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

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

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

15 (B) if applicable, has a license or permit to  
16 carry a firearm or concealed firearm issued by his or  
17 her state or territory of residence and attach a copy  
18 of the license or permit to the application;

19 (C) understands Illinois laws pertaining to the  
20 possession and transport of firearms; and

21 (D) acknowledges that the applicant is subject to  
22 the jurisdiction of the Illinois State Police and  
23 Illinois courts for any violation of this Act;

24 (3) a photocopy of any certificates or other evidence  
25 of compliance with the training requirements under Section  
26 75 of this Act; and

1           (4) a head and shoulder color photograph in a size  
2           specified by the Illinois State Police taken within the 30  
3           days preceding the date of the application.

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

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

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

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

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

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

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