



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3149

Introduced 2/6/2024, by Sen. Steve Stadelman

SYNOPSIS AS INTRODUCED:

New Act
430 ILCS 66/75

Creates the Firearm Hold Agreement Act. Provides that a Federal Firearms Licensee may enter into a firearm hold agreement with a firearm owner. Provides that the firearm hold agreement may not require the payment of a fee to the licensee in exchange for storing the firearm. Defines a "firearm hold agreement" as a private transaction between a Federal Firearms Licensee and an individual firearms owner in which the licensee takes physical possession of the owner's lawfully possessed, locked firearm at the owner's request, stores the locked firearm for an agreed-upon period of time, and returns the locked firearm to the owner according to the terms of the agreement. Provides that a Federal Firearms Licensee who takes physical possession of a locked firearm pursuant to a firearm hold agreement, and who stores the locked firearm, is immune from civil liability arising from taking possession of the firearm, storing the firearm, or returning the firearm to the owner, except: (1) when the licensee returns the firearm to a person the licensee knows, or reasonably should know, is a danger to self or others; and (2) in a civil action based upon the licensee's negligence or unlawful conduct. Provides that the Department of Human Services, subject to appropriation, shall create a grant program to fund the storage of firearms pursuant to firearm hold agreements. Provides that the Department shall establish grant eligibility criteria and an application and selection process for the program. Provides that grant funds may be used: (1) to train staff at a firearm retailer or firearm range on how to recognize a person who may be considering suicide; (2) to provide suicide prevention materials for distribution at a firearm retailer or firearm range; or (3) to provide voluntary, temporary firearm storage pursuant to a firearm hold agreement. Amends the Firearm Concealed Carry Act. Provides that an applicant for a new firearm concealed carry license shall receive training in the use of firearm hold agreements for firearm suicide prevention.

LRB103 36719 RLC 66829 b

A BILL FOR

1 AN ACT concerning firearms.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Firearm Hold Agreement Act.

6 Section 5. Definitions. In this Act:

7 "Certified licensee" has the meaning given the term in
8 Section 5-5 of the Firearm Dealer License Certification Act.

9 "Department" means the Department of Human Services.

10 "Firearm" has the meaning given the term in Section 1.1 of
11 the Firearm Owners Identification Card Act.

12 "Firearm hold agreement" means a private transaction
13 between a certified licensee and an individual firearms owner,
14 in which the licensee takes physical possession of the owner's
15 lawfully possessed, locked firearm at the owner's request,
16 stores the locked firearm for an agreed-upon period of time,
17 and returns the locked firearm to the owner according to the
18 terms of the agreement.

19 "Licensee" means a person, firm, corporation, or other
20 entity who has been given, and is currently in possession of, a
21 valid Federal Firearms License.

22 "Locked" means that a firearm is secured with an engaged
23 trigger or cable lock or in a locked container.

1 Section 10. Firearm hold agreement. A certified licensee
2 may enter into a firearm hold agreement with a firearm owner.
3 The firearm hold agreement may not require the payment of a fee
4 to the licensee in exchange for storing the firearm.

5 Section 15. Immunity from civil liability. A certified
6 licensee who takes physical possession of a locked firearm
7 pursuant to a firearm hold agreement, and who stores the
8 locked firearm, is immune from civil liability arising from
9 taking possession of the firearm, storing the firearm or
10 returning the firearm to the owner, except:

11 (1) when the licensee returns the firearm to a person
12 the licensee knows, or reasonably should know, is a danger
13 to self or others; and

14 (2) in a civil action based upon the licensee's
15 negligence or unlawful conduct.

16 Section 20. Department of Human Services grant program for
17 firearm storage. The Department of Human Services, subject to
18 appropriation, shall create a grant program to fund the
19 storage of firearms pursuant to firearm hold agreements. The
20 Department shall establish grant eligibility criteria and an
21 application and selection process for the program. A certified
22 licensee who intends to store or is storing a firearm pursuant
23 to a firearm hold agreement may apply to the Department for a

1 grant. Grant funds awarded under this Section may be used for
2 any of the following:

3 (1) to train staff at a firearm retailer or firearm
4 range on how to recognize a person who may be considering
5 suicide;

6 (2) to provide suicide prevention materials for
7 distribution at a firearm retailer or firearm range; or

8 (3) to provide voluntary, temporary firearm storage
9 pursuant to a firearm hold agreement.

10 The Department shall adopt rules to carry out the
11 provisions of this Section.

12 Section 90. The Firearm Concealed Carry Act is amended by
13 changing Section 75 as follows:

14 (430 ILCS 66/75)

15 Sec. 75. Applicant firearm training.

16 (a) Within 60 days of the effective date of this Act, the
17 Illinois State Police shall begin approval of firearm training
18 courses and shall make a list of approved courses available on
19 the Illinois State Police's website.

20 (b) An applicant for a new license shall provide proof of
21 completion of a firearms training course or combination of
22 courses approved by the Illinois State Police of at least 16
23 hours, which includes range qualification time under
24 subsection (c) of this Section, that covers the following:

- 1 (1) firearm safety;
- 2 (2) the basic principles of marksmanship;
- 3 (3) care, cleaning, loading, and unloading of a
- 4 concealable firearm;
- 5 (4) all applicable State and federal laws relating to
- 6 the ownership, storage, carry, and transportation of a
- 7 firearm; ~~and~~
- 8 (5) instruction on the appropriate and lawful
- 9 interaction with law enforcement while transporting or
- 10 carrying a concealed firearm; and
- 11 (6) the use of firearm hold agreements for firearm
- 12 suicide prevention.

13 (c) An applicant for a new license shall provide proof of
14 certification by a certified instructor that the applicant
15 passed a live fire exercise with a concealable firearm
16 consisting of:

- 17 (1) a minimum of 30 rounds; and
- 18 (2) 10 rounds from a distance of 5 yards; 10 rounds
- 19 from a distance of 7 yards; and 10 rounds from a distance
- 20 of 10 yards at a B-27 silhouette target approved by the
- 21 Illinois State Police.

22 (d) An applicant for renewal of a license shall provide
23 proof of completion of a firearms training course or
24 combination of courses approved by the Illinois State Police
25 of at least 3 hours.

26 (e) A certificate of completion for an applicant's firearm

1 training course shall not be issued to a student who:

2 (1) does not follow the orders of the certified
3 firearms instructor;

4 (2) in the judgment of the certified instructor,
5 handles a firearm in a manner that poses a danger to the
6 student or to others; or

7 (3) during the range firing portion of testing fails
8 to hit the target with 70% of the rounds fired.

9 (f) An instructor shall maintain a record of each
10 student's performance for at least 5 years, and shall make all
11 records available upon demand of authorized personnel of the
12 Illinois State Police.

13 (g) The Illinois State Police and certified firearms
14 instructors shall recognize up to 8 hours of training already
15 completed toward the 16 hour training requirement under this
16 Section if the training course is submitted to and approved by
17 the Illinois State Police. Any remaining hours that the
18 applicant completes must at least cover the classroom subject
19 matter of paragraph (4) of subsection (b) of this Section, and
20 the range qualification in subsection (c) of this Section.

21 (h) A person who has qualified to carry a firearm as an
22 active law enforcement or corrections officer, who has
23 successfully completed firearms training as required by his or
24 her law enforcement agency and is authorized by his or her
25 agency to carry a firearm; a person currently certified as a
26 firearms instructor by this Act or by the Illinois Law

1 Enforcement Training Standards Board; or a person who has
2 completed the required training and has been issued a firearm
3 control card by the Department of Financial and Professional
4 Regulation shall be exempt from the requirements of this
5 Section.

6 (i) The Illinois State Police and certified firearms
7 instructors shall recognize 8 hours of training as completed
8 toward the 16 hour training requirement under this Section, if
9 the applicant is an active, retired, or honorably discharged
10 member of the United States Armed Forces. Any remaining hours
11 that the applicant completes must at least cover the classroom
12 subject matter of paragraph (4) of subsection (b) of this
13 Section, and the range qualification in subsection (c) of this
14 Section.

15 (j) The Illinois State Police and certified firearms
16 instructors shall recognize up to 8 hours of training already
17 completed toward the 16 hour training requirement under this
18 Section if the training course is approved by the Illinois
19 State Police and was completed in connection with the
20 applicant's previous employment as a law enforcement or
21 corrections officer. Any remaining hours that the applicant
22 completes must at least cover the classroom subject matter of
23 paragraph (4) of subsection (b) of this Section, and the range
24 qualification in subsection (c) of this Section. A former law
25 enforcement or corrections officer seeking credit under this
26 subsection (j) shall provide evidence that he or she separated

1 from employment in good standing from each law enforcement
2 agency where he or she was employed. An applicant who was
3 discharged from a law enforcement agency for misconduct or
4 disciplinary reasons is not eligible for credit under this
5 subsection (j).

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