



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

HB5585

by Rep. Robert W. Pritchard

#### SYNOPSIS AS INTRODUCED:

430 ILCS 66/5  
430 ILCS 66/10  
430 ILCS 66/65  
430 ILCS 66/75

Amends the Firearm Concealed Carry Act. Changes the definition of "concealed firearm" to include a stun gun carried on or about a person completely or mostly concealed from view of the public or on or about a person within a vehicle. Provides that if the applicant seeks a license for carrying a stun gun, the applicant must have instruction in the use of stun guns. Defines "stun gun".

LRB099 18669 RLC 45027 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 5, 10, 65, and 75 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 to  
9 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 or a  
12 stun gun carried on or about a person completely or mostly  
13 concealed from view of the public or on or about a person  
14 within a vehicle.

15 "Department" means the Department of State Police.

16 "Director" means the Director of State Police.

17 "Handgun" means any device which is designed to expel a  
18 projectile or projectiles by the action of an explosion,  
19 expansion of gas, or escape of gas that is designed to be held  
20 and fired by the use of a single hand. "Handgun" does not  
21 include:

22 (1) a stun gun or taser;

23 (2) a machine gun as defined in item (i) of paragraph

1 (7) of subsection (a) of Section 24-1 of the Criminal Code  
2 of 2012;

3 (3) a short-barreled rifle or shotgun as defined in  
4 item (ii) of paragraph (7) of subsection (a) of Section  
5 24-1 of the Criminal Code of 2012; or

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

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

15 "License" means a license issued by the Department of State  
16 Police to carry a concealed handgun.

17 "Licensee" means a person issued a license to carry a  
18 concealed handgun.

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

21 "Stun gun" means any device which is powered by electrical  
22 charging units, such as batteries, and which, upon contact with  
23 a human or clothing worn by a human, can send out current  
24 capable of disrupting the person's nervous system in such a  
25 manner as to render him or her incapable of normal functioning.

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. 98-63, eff. 7-9-13.)

3 (430 ILCS 66/10)

4 Sec. 10. Issuance of licenses to carry a concealed firearm.

5 (a) The Department shall issue a license to carry a  
6 concealed firearm under this Act to an applicant who:

7 (1) meets the qualifications of Section 25 of this Act;

8 (2) has provided the application and documentation  
9 required in Section 30 of this Act;

10 (3) has submitted the requisite fees; and

11 (4) does not pose a danger to himself, herself, or  
12 others, or a threat to public safety as determined by the  
13 Concealed Carry Licensing Review Board in accordance with  
14 Section 20.

15 (b) The Department shall issue a renewal, corrected, or  
16 duplicate license as provided in this Act.

17 (c) A license shall be valid throughout the State for a  
18 period of 5 years from the date of issuance. A license shall  
19 permit the licensee to:

20 (1) carry a loaded or unloaded concealed firearm, fully  
21 concealed or partially concealed, on or about his or her  
22 person; and

23 (2) keep or carry a loaded or unloaded concealed  
24 firearm on or about his or her person within a vehicle.

25 (d) The Department shall make applications for a license

1 available no later than 180 days after the effective date of  
2 this Act. The Department shall establish rules for the  
3 availability and submission of applications in accordance with  
4 this Act.

5 (e) An application for a license submitted to the  
6 Department that contains all the information and materials  
7 required by this Act, including the requisite fee, shall be  
8 deemed completed. Except as otherwise provided in this Act, no  
9 later than 90 days after receipt of a completed application,  
10 the Department shall issue or deny the applicant a license.

11 (f) The Department shall deny the applicant a license if  
12 the applicant fails to meet the requirements under this Act or  
13 the Department receives a determination from the Board that the  
14 applicant is ineligible for a license. The Department must  
15 notify the applicant stating the grounds for the denial. The  
16 notice of denial must inform the applicant of his or her right  
17 to an appeal through administrative and judicial review.

18 (g) A licensee shall possess a license at all times the  
19 licensee carries a concealed firearm except:

20 (1) when the licensee is carrying or possessing a  
21 concealed firearm on his or her land or in his or her  
22 abode, legal dwelling, or fixed place of business, or on  
23 the land or in the legal dwelling of another person as an  
24 invitee with that person's permission;

25 (2) when the person is authorized to carry a firearm  
26 under Section 24-2 of the Criminal Code of 2012, except

1 subsection (a-5) of that Section; or

2 (3) when the handgun is broken down in a  
3 non-functioning state, is not immediately accessible, or  
4 is unloaded and enclosed in a case.

5 (h) If an officer of a law enforcement agency initiates an  
6 investigative stop, including but not limited to a traffic  
7 stop, of a licensee or a non-resident carrying a concealed  
8 firearm under subsection (e) of Section 40 of this Act, upon  
9 the request of the officer the licensee or non-resident shall  
10 disclose to the officer that he or she is in possession of a  
11 concealed firearm under this Act, or present the license upon  
12 the request of the officer if he or she is a licensee or  
13 present upon the request of the officer evidence under  
14 paragraph (2) of subsection (e) of Section 40 of this Act that  
15 he or she is a non-resident qualified to carry under that  
16 subsection. The disclosure requirement under this subsection  
17 (h) is satisfied if the licensee presents his or her license to  
18 the officer or the non-resident presents to the officer  
19 evidence under paragraph (2) of subsection (e) of Section 40 of  
20 this Act that he or she is qualified to carry under that  
21 subsection. Upon the request of the officer, the licensee or  
22 non-resident shall also identify the location of the concealed  
23 firearm and permit the officer to safely secure the firearm for  
24 the duration of the investigative stop. During a traffic stop,  
25 any passenger within the vehicle who is a licensee or a  
26 non-resident carrying under subsection (e) of Section 40 of

1 this Act must comply with the requirements of this subsection  
2 (h).

3 (h-1) If a licensee carrying a firearm or stun gun or a  
4 non-resident carrying a firearm in a vehicle under subsection  
5 (e) of Section 40 of this Act is contacted by a law enforcement  
6 officer or emergency services personnel, the law enforcement  
7 officer or emergency services personnel may secure the firearm  
8 or stun gun or direct that it be secured during the duration of  
9 the contact if the law enforcement officer or emergency  
10 services personnel determines that it is necessary for the  
11 safety of any person present, including the law enforcement  
12 officer or emergency services personnel. The licensee or  
13 nonresident shall submit to the order to secure the firearm or  
14 stun gun. When the law enforcement officer or emergency  
15 services personnel have determined that the licensee or  
16 non-resident is not a threat to the safety of any person  
17 present, including the law enforcement officer or emergency  
18 services personnel, and if the licensee or non-resident is  
19 physically and mentally capable of possessing the firearm or  
20 stun gun, the law enforcement officer or emergency services  
21 personnel shall return the firearm or stun gun to the licensee  
22 or non-resident before releasing him or her from the scene and  
23 breaking contact. If the licensee or non-resident is  
24 transported for treatment to another location, the firearm or  
25 stun gun shall be turned over to any peace officer. The peace  
26 officer shall provide a receipt which includes the make, model,

1 caliber, and serial number of the firearm or stun gun.

2 (i) The Department shall maintain a database of license  
3 applicants and licensees. The database shall be available to  
4 all federal, State, and local law enforcement agencies, State's  
5 Attorneys, the Attorney General, and authorized court  
6 personnel. Within 180 days after the effective date of this  
7 Act, the database shall be searchable and provide all  
8 information included in the application, including the  
9 applicant's previous addresses within the 10 years prior to the  
10 license application and any information related to violations  
11 of this Act. No law enforcement agency, State's Attorney,  
12 Attorney General, or member or staff of the judiciary shall  
13 provide any information to a requester who is not entitled to  
14 it by law.

15 (j) No later than 10 days after receipt of a completed  
16 application, the Department shall enter the relevant  
17 information about the applicant into the database under  
18 subsection (i) of this Section which is accessible by law  
19 enforcement agencies.

20 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; 99-29,  
21 eff. 7-10-15.)

22 (430 ILCS 66/65)

23 Sec. 65. Prohibited areas.

24 (a) A licensee under this Act shall not knowingly carry a  
25 firearm or stun gun on or into:



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

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

15           (3) Any building, parking area, or portion of a  
16 building under the control of an officer of the executive  
17 or legislative branch of government, provided that nothing  
18 in this paragraph shall prohibit a licensee from carrying a  
19 concealed firearm onto the real property, bikeway, or trail  
20 in a park regulated by the Department of Natural Resources  
21 or any other designated public hunting area or building  
22 where firearm possession is permitted as established by the  
23 Department of Natural Resources under Section 1.8 of the  
24 Wildlife Code.

25           (4) Any building designated for matters before a  
26 circuit court, appellate court, or the Supreme Court, or

1 any building or portion of a building under the control of  
2 the Supreme Court.

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

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

8 (7) Any building, real property, and parking area under  
9 the control of a public or private hospital or hospital  
10 affiliate, mental health facility, or nursing home.

11 (8) Any bus, train, or form of transportation paid for  
12 in whole or in part with public funds, and any building,  
13 real property, and parking area under the control of a  
14 public transportation facility paid for in whole or in part  
15 with public funds.

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

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

7           (11) Any building or real property that has been issued  
8 a Special Event Retailer's license as defined in Section  
9 1-3.17.1 of the Liquor Control Act during the time  
10 designated for the sale of alcohol by the Special Event  
11 Retailer's license, or a Special use permit license as  
12 defined in subsection (q) of Section 5-1 of the Liquor  
13 Control Act during the time designated for the sale of  
14 alcohol by the Special use permit license.

15           (12) Any public playground.

16           (13) Any public park, athletic area, or athletic  
17 facility under the control of a municipality or park  
18 district, provided nothing in this Section shall prohibit a  
19 licensee from carrying a concealed firearm while on a trail  
20 or bikeway if only a portion of the trail or bikeway  
21 includes a public park.

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

24           (15) Any building, classroom, laboratory, medical  
25 clinic, hospital, artistic venue, athletic venue,  
26 entertainment venue, officially recognized

1 university-related organization property, whether owned or  
2 leased, and any real property, including parking areas,  
3 sidewalks, and common areas under the control of a public  
4 or private community college, college, or university.

5 (16) Any building, real property, or parking area under  
6 the control of a gaming facility licensed under the  
7 Riverboat Gambling Act or the Illinois Horse Racing Act of  
8 1975, including an inter-track wagering location licensee.

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

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

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

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

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

20 (22) Any street, driveway, parking area, property,  
21 building, or facility, owned, leased, controlled, or used  
22 by a nuclear energy, storage, weapons, or development site  
23 or facility regulated by the federal Nuclear Regulatory  
24 Commission. The licensee shall not under any circumstance  
25 store a firearm or ammunition or stun gun in his or her  
26 vehicle or in a compartment or container within a vehicle

1 located anywhere in or on the street, driveway, parking  
2 area, property, building, or facility described in this  
3 paragraph.

4 (23) Any area where firearms are prohibited under  
5 federal law.

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

8 (1) prohibiting persons from carrying a firearm within  
9 a vehicle owned, leased, or controlled by the college or  
10 university;

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

14 (3) developing resolutions, regulations, or policies  
15 regarding the storage or maintenance of firearms, which  
16 must include designated areas where persons can park  
17 vehicles that carry firearms; and

18 (4) permitting the carrying or use of firearms or stun  
19 guns for the purpose of instruction and curriculum of  
20 officially recognized programs, including but not limited  
21 to military science and law enforcement training programs,  
22 or in any designated area used for hunting purposes or  
23 target shooting.

24 (a-10) The owner of private real property of any type may  
25 prohibit the carrying of concealed firearms on the property  
26 under his or her control. The owner must post a sign in

1 accordance with subsection (d) of this Section indicating that  
2 firearms are prohibited on the property, unless the property is  
3 a private residence.

4 (b) Notwithstanding subsections (a), (a-5), and (a-10) of  
5 this Section except under paragraph (22) or (23) of subsection  
6 (a), any licensee prohibited from carrying a concealed firearm  
7 into the parking area of a prohibited location specified in  
8 subsection (a), (a-5), or (a-10) of this Section shall be  
9 permitted to carry a concealed firearm on or about his or her  
10 person within a vehicle into the parking area and may store a  
11 firearm or ammunition concealed in a case within a locked  
12 vehicle or locked container out of plain view within the  
13 vehicle in the parking area. A licensee may carry a concealed  
14 firearm in the immediate area surrounding his or her vehicle  
15 within a prohibited parking lot area only for the limited  
16 purpose of storing or retrieving a firearm within the vehicle's  
17 trunk. For purposes of this subsection, "case" includes a glove  
18 compartment or console that completely encloses the concealed  
19 firearm or ammunition, the trunk of the vehicle, or a firearm  
20 carrying box, shipping box, or other container.

21 (c) A licensee shall not be in violation of this Section  
22 while he or she is traveling along a public right of way that  
23 touches or crosses any of the premises under subsection (a),  
24 (a-5), or (a-10) of this Section if the concealed firearm is  
25 carried on his or her person in accordance with the provisions  
26 of this Act or is being transported in a vehicle by the

1 licensee in accordance with all other applicable provisions of  
2 law.

3 (d) Signs stating that the carrying of firearms or stun  
4 guns is prohibited shall be clearly and conspicuously posted at  
5 the entrance of a building, premises, or real property  
6 specified in this Section as a prohibited area, unless the  
7 building or premises is a private residence. Signs shall be of  
8 a uniform design as established by the Department and shall be  
9 4 inches by 6 inches in size. The Department shall adopt rules  
10 for standardized signs to be used under this subsection.

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

12 (430 ILCS 66/75)

13 Sec. 75. Applicant firearm training.

14 (a) Within 60 days of the effective date of this Act, the  
15 Department shall begin approval of firearm training courses and  
16 shall make a list of approved courses available on the  
17 Department's website.

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

23 (1) firearm safety;

24 (2) the basic principles of marksmanship;

25 (3) care, cleaning, loading, and unloading of a

1 concealable firearm;

2 (4) all applicable State and federal laws relating to  
3 the ownership, storage, carry, and transportation of a  
4 firearm; ~~and~~

5 (5) instruction on the appropriate and lawful  
6 interaction with law enforcement while transporting or  
7 carrying a concealed firearm; and

8 (6) if the applicant seeks a license for carrying a  
9 stun gun, instruction in the use of stun guns.

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

14 (1) a minimum of 30 rounds; and

15 (2) 10 rounds from a distance of 5 yards; 10 rounds  
16 from a distance of 7 yards; and 10 rounds from a distance  
17 of 10 yards at a B-27 silhouette target approved by the  
18 Department.

19 (d) An applicant for renewal of a license shall provide  
20 proof of completion of a firearms training course or  
21 combination of courses approved by the Department of at least 3  
22 hours.

23 (e) A certificate of completion for an applicant's firearm  
24 training course shall not be issued to a student who:

25 (1) does not follow the orders of the certified  
26 firearms instructor;



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

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

6           (f) An instructor shall maintain a record of each student's  
7 performance for at least 5 years, and shall make all records  
8 available upon demand of authorized personnel of the  
9 Department.

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

18          (h) A person who has qualified to carry a firearm or stun  
19 gun as an active law enforcement or corrections officer, who  
20 has successfully completed firearms or stun gun training as  
21 required by his or her law enforcement agency and is authorized  
22 by his or her agency to carry a firearm or stun gun; a person  
23 currently certified as a firearms instructor by this Act or by  
24 the Illinois Law Enforcement Training Standards Board; or a  
25 person who has completed the required training and has been  
26 issued a firearm control card by the Department of Financial

1 and Professional Regulation shall be exempt from the  
2 requirements of this Section.

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

11 (j) The Department and certified firearms instructors  
12 shall recognize up to 8 hours of training already completed  
13 toward the 16 hour training requirement under this Section if  
14 the training course is approved by the Department and was  
15 completed in connection with the applicant's previous  
16 employment as a law enforcement or corrections officer. Any  
17 remaining hours that the applicant completes must at least  
18 cover the classroom subject matter of paragraph (4) of  
19 subsection (b) of this Section, and the range qualification in  
20 subsection (c) of this Section. A former law enforcement or  
21 corrections officer seeking credit under this subsection (j)  
22 shall provide evidence that he or she separated from employment  
23 in good standing from each law enforcement agency where he or  
24 she was employed. An applicant who was discharged from a law  
25 enforcement agency for misconduct or disciplinary reasons is  
26 not eligible for credit under this subsection (j).

1 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13.)