

SB1637



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1637

Introduced 2/20/2015, by Sen. Sue Rezin

SYNOPSIS AS INTRODUCED:

430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Provides that the prohibition on carrying a concealed firearm into a courthouse does not apply to a licensee who is a circuit or associate judge, State's Attorney, or Assistant State's Attorney; provided that the judge, State's Attorney, or Assistant State's Attorney does not carry a concealed firearm at any time while in a courtroom. Provides that the firearm, when it is not carried on the person of the judge, State's Attorney, or Assistant State's Attorney, shall be stored in a secure area in a locked compartment designated by the sheriff, or if in a building only under the control of the court in a locked compartment designated by the chief judge or resident judge.

LRB099 00376 RLC 27813 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 under
11 the control of a public or private elementary or secondary
12 school.

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

23 (3) Any building, parking area, or portion of a

1 building under the control of an officer of the executive
2 or legislative branch of government, provided that nothing
3 in this paragraph shall prohibit a licensee from carrying a
4 concealed firearm onto the real property, bikeway, or trail
5 in a park regulated by the Department of Natural Resources
6 or any other designated public hunting area or building
7 where firearm possession is permitted as established by the
8 Department of Natural Resources under Section 1.8 of the
9 Wildlife Code.

10 (4) Any building designated for matters before a
11 circuit court, appellate court, or the Supreme Court, or
12 any building or portion of a building under the control of
13 the Supreme Court. This paragraph (4) does not apply to a
14 licensee who is a circuit or associate judge, State's
15 Attorney, or Assistant State's Attorney; provided that the
16 judge, State's Attorney, or Assistant State's Attorney
17 does not carry a concealed firearm at any time while in a
18 courtroom. The firearm, when it is not carried on the
19 person of the judge, State's Attorney, or Assistant State's
20 Attorney, shall be stored in a secure area in a locked
21 compartment designated by the sheriff, or if in a building
22 only under the control of the court in a locked compartment
23 designated by the chief judge or resident judge.

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

26 (6) Any building, real property, and parking area under

1 the control of an adult or juvenile detention or
2 correctional institution, prison, or jail.

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

6 (8) Any bus, train, or form of transportation paid for
7 in whole or in part with public funds, and any building,
8 real property, and parking area under the control of a
9 public transportation facility paid for in whole or in part
10 with public funds.

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

22 (10) Any public gathering or special event conducted on
23 property open to the public that requires the issuance of a
24 permit from the unit of local government, provided this
25 prohibition shall not apply to a licensee who must walk
26 through a public gathering in order to access his or her

1 residence, place of business, or vehicle.

2 (11) Any building or real property that has been issued
3 a Special Event Retailer's license as defined in Section
4 1-3.17.1 of the Liquor Control Act during the time
5 designated for the sale of alcohol by the Special Event
6 Retailer's license, or a Special use permit license as
7 defined in subsection (q) of Section 5-1 of the Liquor
8 Control Act during the time designated for the sale of
9 alcohol by the Special use permit license.

10 (12) Any public playground.

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

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

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

26 (16) Any building, real property, or parking area under

1 the control of a gaming facility licensed under the
2 Riverboat Gambling Act or the Illinois Horse Racing Act of
3 1975, including an inter-track wagering location licensee.

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

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

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

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

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

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

24 (23) Any area where firearms are prohibited under
25 federal law.

26 (a-5) Nothing in this Act shall prohibit a public or

1 private community college, college, or university from:

2 (1) prohibiting persons from carrying a firearm within
3 a vehicle owned, leased, or controlled by the college or
4 university;

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

8 (3) developing resolutions, regulations, or policies
9 regarding the storage or maintenance of firearms, which
10 must include designated areas where persons can park
11 vehicles that carry firearms; and

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

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

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

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

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

25 (d) Signs stating that the carrying of firearms is
26 prohibited shall be clearly and conspicuously posted at the

1 entrance of a building, premises, or real property specified in
2 this Section as a prohibited area, unless the building or
3 premises is a private residence. Signs shall be of a uniform
4 design as established by the Department and shall be 4 inches
5 by 6 inches in size. The Department shall adopt rules for
6 standardized signs to be used under this subsection.

7 (Source: P.A. 98-63, eff. 7-9-13.)