

# SB3134



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB3134

Introduced 2/19/2016, by Sen. Wm. Sam McCann

#### SYNOPSIS AS INTRODUCED:

430 ILCS 66/40

Amends the Firearm Concealed Carry Act. Provides that the Department of State Police shall allow non-resident license applications from any state or territory of the United States with laws related to firearm ownership, possession, and carrying.

LRB099 19987 SLF 44386 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 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) The Department shall by rule allow for non-resident  
12 license applications from any state or territory of the United  
13 States with laws related to firearm ownership, possession, and  
14 carrying, ~~that are substantially similar to the requirements to~~  
15 ~~obtain a license under this Act.~~

16 (c) A resident of a state or territory approved by the  
17 Department under subsection (b) of this Section may apply for a  
18 non-resident license. The applicant shall apply to the  
19 Department and must meet all of the qualifications established  
20 in Section 25 of this Act, except for the Illinois residency  
21 requirement in item (xiv) of paragraph (2) of subsection (a) of  
22 Section 4 of the Firearm Owners Identification Card Act. The  
23 applicant shall submit:

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

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

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

7                 (B) if applicable, has a license or permit to carry  
8                 a firearm or concealed firearm issued by his or her  
9                 state or territory of residence and attach a copy of  
10                the license or permit to the application;

11               (C) understands Illinois laws pertaining to the  
12               possession and transport of firearms; and

13               (D) acknowledges that the applicant is subject to  
14               the jurisdiction of the Department and Illinois courts  
15               for any violation of this Act;

16           (3) a photocopy of any certificates or other evidence  
17           of compliance with the training requirements under Section  
18           75 of this Act; and

19           (4) a head and shoulder color photograph in a size  
20           specified by the Department taken within the 30 days  
21           preceding the date of the application.

22           (d) In lieu of an Illinois driver's license or Illinois  
23           identification card, a non-resident applicant shall provide  
24           similar documentation from his or her state or territory of  
25           residence. In lieu of a valid Firearm Owner's Identification  
26           Card, the applicant shall submit documentation and information

1 required by the Department to obtain a Firearm Owner's  
2 Identification Card, including an affidavit that the  
3 non-resident meets the mental health standards to obtain a  
4 firearm under Illinois law, and the Department shall ensure  
5 that the applicant would meet the eligibility criteria to  
6 obtain a Firearm Owner's Identification card if he or she was a  
7 resident of this State.

8 (e) Nothing in this Act shall prohibit a non-resident from  
9 transporting a concealed firearm within his or her vehicle in  
10 Illinois, if the concealed firearm remains within his or her  
11 vehicle and the non-resident:

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

14 (2) is eligible to carry a firearm in public under the  
15 laws of his or her state or territory of residence, as  
16 evidenced by the possession of a concealed carry license or  
17 permit issued by his or her state of residence, if  
18 applicable; and

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

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

24 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; 99-78,  
25 eff. 7-20-15.)