



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3625

by Rep. Michael D. Unes

SYNOPSIS AS INTRODUCED:

430 ILCS 66/40
430 ILCS 66/43 new

Amends the Firearm Concealed Carry Act. Provides that the Department of State Police shall by rule allow for non-resident license applications from any state or territory of the United States (rather than just those states or territories with laws related to firearm ownership, possession, and carrying, that are substantially similar to the requirements to obtain a license under the Act). Provides that a license to carry a firearm issued by a recognized state or territory shall be considered a license issued by this State to carry a concealed firearm provided: (1) the licensee remains eligible to possess firearms; (2) the foreign license to carry a firearm remains valid at all times the licensee is carrying a concealed firearm within this State; and (3) the licensee follows all the laws, rules, and regulations of this State regarding possession, transport, and carrying of firearms. Provides that the Department shall by rule adopt written criteria of minimum standards that must be maintained by any state or territory to become or remain recognized under the Act. Provides that the Department shall annually review and publish the recognized states and territories. Provides that any state or territory removed from the recognized list shall be terminated from recognition under the Act 90 days from the date of publication. Provides that additions to the recognition list shall be effective immediately upon publication.

LRB100 07019 SLF 17073 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 Section 40 and by adding Section 43 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) Non-resident applicants ~~A resident of a state or~~
17 ~~territory approved by the Department under subsection (b) of~~
18 ~~this Section may apply for a non-resident license. The~~
19 ~~applicant~~ shall apply to the Department and must meet all of
20 the qualifications established in Section 25 of this Act,
21 except for the Illinois residency requirement in item (xiv) of
22 paragraph (2) of subsection (a) of Section 4 of the Firearm
23 Owners Identification Card Act. The 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.)

1 (430 ILCS 66/43 new)

2 Sec. 43. Recognition of foreign licenses.

3 (a) As used in this Section, "recognition" or "recognized"
4 means the acceptance of a foreign state or territory's license
5 to carry a firearm as valid within this State.

6 (b) The Department shall compile and make available to the
7 public a list of states and territories that issue licenses to
8 carry firearms that are substantially similar to the
9 requirements in Section 25 of this Act, except for the Illinois
10 residency requirement in item (xiv) of paragraph (2) of
11 subsection (a) of Section 4 of the Firearm Owners
12 Identification Card Act.

13 (c) A license to carry a firearm issued by a recognized
14 state or territory shall be considered a license issued by this
15 State to carry a concealed firearm provided:

16 (1) the licensee remains eligible to possess firearms;

17 (2) the foreign license to carry a firearm remains
18 valid at all times the licensee is carrying a concealed
19 firearm within this State; and

20 (3) the licensee follows all the laws, rules, and
21 regulations of this State regarding possession, transport,
22 and carrying of firearms.

23 (d) The Department shall by rule adopt written criteria of
24 minimum standards that must be maintained by any state or
25 territory to become or remain recognized under this Act. The
26 Department shall have 90 days from the effective date of this

1 amendatory Act of the 100th General Assembly to publish
2 criteria and procedures required to implement recognition
3 under this Act. The Department shall on or before 180 days
4 after the effective date of this amendatory Act of the 100th
5 General Assembly publish the list of recognized states and
6 territories.

7 (e) The Department shall annually review and publish the
8 recognized states and territories. Any state or territory
9 removed from the recognized list shall be terminated from
10 recognition under this Act 90 days from the date of
11 publication. Additions to the recognition list shall be
12 effective immediately upon publication.