

1 AN ACT concerning regulation.

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

4 Section 5. If and only if Senate Bill 1657 of the 100th  
5 General Assembly becomes law in the form in which it passed the  
6 Senate on April 27, 2017, then the Gun Dealer Licensing Act is  
7 amended by changing Sections 35, 70, and 150 as follows:

8 (100 SB1657eng, Sec. 35)

9 Sec. 35. Issuance of license; renewal; fees.

10 (a) The Department shall, upon the applicant's  
11 satisfactory completion of the requirements under this Act and  
12 receipt of the fee, issue the license indicating the name and  
13 business location of the licensee and the date of expiration.  
14 On or before December 31, 2019, the Department shall issue  
15 dealer and dealership licenses to all qualified applicants  
16 whose business existed in that location on the effective date  
17 of this Act, and who submitted the application to the  
18 Department on or after January 1, 2019 but before October 1,  
19 2019. If an applicant submits an application for a license  
20 before October 1, 2019 and the Department does not issue or  
21 deny the license on or before December 31, 2019, or the  
22 Department does not issue or deny a license within 90 days to  
23 an applicant who submits an application for a license or

1 renewal of a license on October 1, 2019 or thereafter, the  
2 applicant or licensee shall not be in violation of this Act on  
3 the basis of continuing to operate the business.

4 (b) The expiration date, ~~renewal period,~~ and conditions for  
5 renewal and restoration of each license shall be set by rule.  
6 The renewal period of each license shall be 5 years. The holder  
7 may renew the license during the 90 days preceding its  
8 expiration by paying the required fee and by meeting conditions  
9 that the Department may specify. As a condition of renewal of a  
10 dealer's license, the Department shall receive from the  
11 applicant a copy of his or her valid and unexpired concealed  
12 carry license, or shall verify the validity of the applicant's  
13 Firearm Owner's Identification Card through the Department of  
14 State Police in a manner prescribed by rule by the Department  
15 of State Police. A dealership or dealer operating on an expired  
16 license is considered to be practicing without a license.

17 (c) A dealership that has permitted a license to expire may  
18 have it restored by submitting an application to the  
19 Department, successfully completing an inspection by the  
20 Department, and by paying the required restoration fee and all  
21 lapsed renewal fees.

22 (d) A dealer that has permitted a license to expire may  
23 have it restored by submitting an application to the  
24 Department, paying the required restoration fee and all lapsed  
25 renewal fees and by providing evidence of competence to resume  
26 practice satisfactory to the Department and the Board, which

1 shall include a copy of the license holder's valid and  
2 unexpired concealed carry license, or verification of the  
3 continued validity of the license holder's Firearm Owner's  
4 Identification Card through the Department of State Police in a  
5 manner prescribed by rule by the Department of State Police,  
6 and may include passing a written examination.

7 (e) Any dealer whose license has expired while he or she  
8 has been engaged (1) in the federal service in active duty with  
9 the Army of the United States, the United States Navy, the  
10 Marine Corps, the Air Force, the Coast Guard, or the State  
11 Militia called into the service or training of the United  
12 States of America, or (2) in training or education under the  
13 supervision of the United States preliminary to induction into  
14 the military service, may have his or her license restored  
15 without paying any lapsed renewal fees or restoration fee, if  
16 within 2 years after termination of that service, training or  
17 education, other than by dishonorable discharge, he or she  
18 furnishes the Department with an affidavit to the effect that  
19 he or she has been so engaged and that his or her service,  
20 training or education has been so terminated.

21 (f) A license shall not be denied any applicant because of  
22 the race, religion, creed, national origin, political beliefs  
23 or activities, age, sex, sexual orientation, or physical  
24 disability that does not affect a person's ability to practice  
25 with reasonable judgment, skill, or safety.

26 (Source: 100SB1657eng.)

1 (100 SB1657eng, Sec. 70)

2 Sec. 70. Requirements; prohibitions.

3 (a) The Department of Financial and Professional  
4 Regulation shall implement the provisions of this Section by  
5 rule.

6 (b) A licensee shall maintain operating documents which  
7 shall include procedures for the oversight of the licensee and  
8 procedures to ensure accurate recordkeeping.

9 (c) By the date of application, a licensee shall implement  
10 appropriate security measures, as provided by rule, to deter  
11 and prevent the theft of firearms and unauthorized entrance  
12 into areas containing firearms. The rules may provide for:

13 (1) the manner of securing firearms when the location  
14 is both open and closed for business;

15 (2) alarm systems for licensees; and

16 (3) other reasonable requirements to deter illegal  
17 sales and reduce the risk of burglaries and other crimes or  
18 accidents at licensees' business establishments.

19 (d) Beginning January 1, 2021, if ~~if~~ a licensee operates  
20 the business at a permanent physical location that is open to  
21 the public, that location shall be equipped with a video  
22 surveillance system sufficient to monitor the critical areas of  
23 the business premises, including, but not limited to, all  
24 places where firearms are stored, handled, sold, transferred,  
25 or carried. A video surveillance system of the licensee's

1 business premises may not be installed in a bathroom and may  
2 not monitor the bathrooms located in the business premises. The  
3 video surveillance system shall operate without interruption  
4 whenever the licensee is open for business. Whenever the  
5 licensee is not open for business, the system shall be  
6 triggered by a motion detector and begin recording immediately  
7 upon detection of any motion within the monitored area. The  
8 stored images shall be maintained on the business premises of  
9 the licensee for a period of not less than 90 days from the  
10 date of recording and shall only be available for inspection on  
11 the premises by the licensee, the licensee's dealership agents,  
12 the Department, or federal, State, and local law enforcement  
13 upon request, and neither the stored images, copies, records,  
14 or reproductions of the stored images shall leave the custody  
15 of the licensee except under a court order, subpoena, or search  
16 warrant. The licensee shall post a sign in a conspicuous place  
17 at each entrance to the premises that states in block letters  
18 not less than one inch in height:

19 "THESE PREMISES ARE UNDER VIDEO SURVEILLANCE. YOUR IMAGE  
20 MAY BE RECORDED."

21 (e) The area where the licensee stores firearms that are  
22 inventory of the licensee shall only be accessed by dealership  
23 agents, Department of Financial and Professional Regulation  
24 staff performing inspections, law enforcement or other  
25 emergency personnel, and contractors working on jobs unrelated  
26 to firearms, such as installing or maintaining security devices

1 or performing electrical wiring.

2 (f) A licensee shall operate its business and conduct all  
3 sales and transfers of firearms in compliance with all federal  
4 and State laws, and maintain all records as required by federal  
5 and State laws.

6 (g) A licensee shall make a photo copy of a buyer's or  
7 transferee's valid photo I.D. card whenever a sale transaction  
8 takes place. The photo copy shall be attached to the  
9 documentation detailing the record of sale.

10 (h) A licensee shall post in a conspicuous position on the  
11 premises where the licensee conducts business a sign that  
12 contains the following warning in block letters not less than  
13 one inch in height:

14 "With few exceptions, it is unlawful for you to:

15 (1) store or leave an unsecured firearm in a place  
16 where a child can obtain access to it,

17 (2) sell or transfer your firearm to someone else  
18 without receiving approval for the transfer from the  
19 Department of State Police, or

20 (3) fail to report the loss or theft of your  
21 firearm to local law enforcement within 72 hours."

22 A licensee shall post any additional warnings or provide  
23 any other information regarding firearms laws and the safe  
24 storage of firearms to consumers as required by the Department  
25 by rule.

26 (i) Before issuance, renewal, or restoration of a

1 dealership license, the Department shall inspect the premises  
2 of the proposed business to ensure compliance with this Act.  
3 Licensees shall have their places of business open for  
4 inspection by the Department and law enforcement during all  
5 hours of operation, provided that the Department may conduct no  
6 more than one unannounced inspection per dealer or dealership  
7 per year without good cause. Licensees shall make all records,  
8 documents, and firearms accessible for inspection upon the  
9 request of law enforcement and the Department.

10 (j) The premises where the licensee conducts business shall  
11 not be located in any district or area that is within 500 feet  
12 of any school, pre-school, or day-care facility. This  
13 subsection (j) does not apply to a licensee whose business  
14 existed in that location on the effective date of this Act, and  
15 does not limit the authority of a local government to impose  
16 and enforce additional limits on the location of a business  
17 regulated under this Act.

18 (Source: 100SB1657eng.)

19 (100SB1657eng, Sec. 150)

20 Sec. 150. Fees; deposit of fees and fines. The Department  
21 shall by rule provide for fees for the administration and  
22 enforcement of this Act, and those fees are nonrefundable. An  
23 application fee or renewal fee for a dealership license or a  
24 dealer license shall not exceed \$1,000 for the 5-year period.  
25 All of the fees, penalties, and fines collected under this Act

1 shall be deposited into the General Professions Dedicated Fund  
2 and shall be appropriated to the Department for the ordinary  
3 and contingent expenses of the Department in the administration  
4 and enforcement of this Act.

5 (Source: 100SB1657eng.)

6 Section 99. Effective date. This Act takes effect upon  
7 Senate Bill 1657 of the 100th General Assembly becoming law.