



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2048

by Rep. Charles Meier

#### SYNOPSIS AS INTRODUCED:

5 ILCS 100/5-45 from Ch. 127, par. 1005-45  
430 ILCS 66/40  
430 ILCS 66/60  
520 ILCS 5/3.4b new

Amends the Firearm Concealed Carry Act. Provides that notwithstanding whether the laws of the state or territory where the non-resident resides related to firearm ownership, possession, and carrying are substantially similar to the requirements to obtain a license under the Act, the Department of State Police shall, no later than 120 days after the effective date of the amendatory Act, allow for a non-resident license application if the applicant is an active duty member of the Armed Forces of the United States who is stationed in the State and lives in the State. Provides that a non-resident active duty member of the Armed Forces of the United States who is stationed in the State and lives in the State shall apply to the Department and must meet all of the qualifications under the Act and shall submit: (1) the application and documentation required and the applicable fee; (2) a photocopy of a valid military identification card or Official Proof of Service Letter; and (3) a photocopy of permanent change-of-station orders to an assignment in the State. Provides for emergency rulemaking to implement the amendatory Act. Establishes fees. Amends the Wildlife Code. Provides that persons licensed to possess a concealed firearm under the Firearm Concealed Carry Act and current or retired police officers authorized by law to possess a concealed firearm shall be exempt from the Code that prohibits possession of those firearms. Makes conforming changes to the Illinois Administrative Procedure Act. Effective immediately.

LRB101 05531 SLF 50547 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 Illinois Administrative Procedure Act is  
5 amended by changing Section 5-45 as follows:

6 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

7 Sec. 5-45. Emergency rulemaking.

8 (a) "Emergency" means the existence of any situation that  
9 any agency finds reasonably constitutes a threat to the public  
10 interest, safety, or welfare.

11 (b) If any agency finds that an emergency exists that  
12 requires adoption of a rule upon fewer days than is required by  
13 Section 5-40 and states in writing its reasons for that  
14 finding, the agency may adopt an emergency rule without prior  
15 notice or hearing upon filing a notice of emergency rulemaking  
16 with the Secretary of State under Section 5-70. The notice  
17 shall include the text of the emergency rule and shall be  
18 published in the Illinois Register. Consent orders or other  
19 court orders adopting settlements negotiated by an agency may  
20 be adopted under this Section. Subject to applicable  
21 constitutional or statutory provisions, an emergency rule  
22 becomes effective immediately upon filing under Section 5-65 or  
23 at a stated date less than 10 days thereafter. The agency's

1 finding and a statement of the specific reasons for the finding  
2 shall be filed with the rule. The agency shall take reasonable  
3 and appropriate measures to make emergency rules known to the  
4 persons who may be affected by them.

5 (c) An emergency rule may be effective for a period of not  
6 longer than 150 days, but the agency's authority to adopt an  
7 identical rule under Section 5-40 is not precluded. No  
8 emergency rule may be adopted more than once in any 24-month  
9 period, except that this limitation on the number of emergency  
10 rules that may be adopted in a 24-month period does not apply  
11 to (i) emergency rules that make additions to and deletions  
12 from the Drug Manual under Section 5-5.16 of the Illinois  
13 Public Aid Code or the generic drug formulary under Section  
14 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)  
15 emergency rules adopted by the Pollution Control Board before  
16 July 1, 1997 to implement portions of the Livestock Management  
17 Facilities Act, (iii) emergency rules adopted by the Illinois  
18 Department of Public Health under subsections (a) through (i)  
19 of Section 2 of the Department of Public Health Act when  
20 necessary to protect the public's health, (iv) emergency rules  
21 adopted pursuant to subsection (n) of this Section, (v)  
22 emergency rules adopted pursuant to subsection (o) of this  
23 Section, or (vi) emergency rules adopted pursuant to subsection  
24 (c-5) of this Section. Two or more emergency rules having  
25 substantially the same purpose and effect shall be deemed to be  
26 a single rule for purposes of this Section.

1 (c-5) To facilitate the maintenance of the program of group  
2 health benefits provided to annuitants, survivors, and retired  
3 employees under the State Employees Group Insurance Act of  
4 1971, rules to alter the contributions to be paid by the State,  
5 annuitants, survivors, retired employees, or any combination  
6 of those entities, for that program of group health benefits,  
7 shall be adopted as emergency rules. The adoption of those  
8 rules shall be considered an emergency and necessary for the  
9 public interest, safety, and welfare.

10 (d) In order to provide for the expeditious and timely  
11 implementation of the State's fiscal year 1999 budget,  
12 emergency rules to implement any provision of Public Act 90-587  
13 or 90-588 or any other budget initiative for fiscal year 1999  
14 may be adopted in accordance with this Section by the agency  
15 charged with administering that provision or initiative,  
16 except that the 24-month limitation on the adoption of  
17 emergency rules and the provisions of Sections 5-115 and 5-125  
18 do not apply to rules adopted under this subsection (d). The  
19 adoption of emergency rules authorized by this subsection (d)  
20 shall be deemed to be necessary for the public interest,  
21 safety, and welfare.

22 (e) In order to provide for the expeditious and timely  
23 implementation of the State's fiscal year 2000 budget,  
24 emergency rules to implement any provision of Public Act 91-24  
25 or any other budget initiative for fiscal year 2000 may be  
26 adopted in accordance with this Section by the agency charged

1 with administering that provision or initiative, except that  
2 the 24-month limitation on the adoption of emergency rules and  
3 the provisions of Sections 5-115 and 5-125 do not apply to  
4 rules adopted under this subsection (e). The adoption of  
5 emergency rules authorized by this subsection (e) shall be  
6 deemed to be necessary for the public interest, safety, and  
7 welfare.

8 (f) In order to provide for the expeditious and timely  
9 implementation of the State's fiscal year 2001 budget,  
10 emergency rules to implement any provision of Public Act 91-712  
11 or any other budget initiative for fiscal year 2001 may be  
12 adopted in accordance with this Section by the agency charged  
13 with administering that provision or initiative, except that  
14 the 24-month limitation on the adoption of emergency rules and  
15 the provisions of Sections 5-115 and 5-125 do not apply to  
16 rules adopted under this subsection (f). The adoption of  
17 emergency rules authorized by this subsection (f) shall be  
18 deemed to be necessary for the public interest, safety, and  
19 welfare.

20 (g) In order to provide for the expeditious and timely  
21 implementation of the State's fiscal year 2002 budget,  
22 emergency rules to implement any provision of Public Act 92-10  
23 or any other budget initiative for fiscal year 2002 may be  
24 adopted in accordance with this Section by the agency charged  
25 with administering that provision or initiative, except that  
26 the 24-month limitation on the adoption of emergency rules and

1 the provisions of Sections 5-115 and 5-125 do not apply to  
2 rules adopted under this subsection (g). The adoption of  
3 emergency rules authorized by this subsection (g) shall be  
4 deemed to be necessary for the public interest, safety, and  
5 welfare.

6 (h) In order to provide for the expeditious and timely  
7 implementation of the State's fiscal year 2003 budget,  
8 emergency rules to implement any provision of Public Act 92-597  
9 or any other budget initiative for fiscal year 2003 may be  
10 adopted in accordance with this Section by the agency charged  
11 with administering that provision or initiative, except that  
12 the 24-month limitation on the adoption of emergency rules and  
13 the provisions of Sections 5-115 and 5-125 do not apply to  
14 rules adopted under this subsection (h). The adoption of  
15 emergency rules authorized by this subsection (h) shall be  
16 deemed to be necessary for the public interest, safety, and  
17 welfare.

18 (i) In order to provide for the expeditious and timely  
19 implementation of the State's fiscal year 2004 budget,  
20 emergency rules to implement any provision of Public Act 93-20  
21 or any other budget initiative for fiscal year 2004 may be  
22 adopted in accordance with this Section by the agency charged  
23 with administering that provision or initiative, except that  
24 the 24-month limitation on the adoption of emergency rules and  
25 the provisions of Sections 5-115 and 5-125 do not apply to  
26 rules adopted under this subsection (i). The adoption of

1 emergency rules authorized by this subsection (i) shall be  
2 deemed to be necessary for the public interest, safety, and  
3 welfare.

4 (j) In order to provide for the expeditious and timely  
5 implementation of the provisions of the State's fiscal year  
6 2005 budget as provided under the Fiscal Year 2005 Budget  
7 Implementation (Human Services) Act, emergency rules to  
8 implement any provision of the Fiscal Year 2005 Budget  
9 Implementation (Human Services) Act may be adopted in  
10 accordance with this Section by the agency charged with  
11 administering that provision, except that the 24-month  
12 limitation on the adoption of emergency rules and the  
13 provisions of Sections 5-115 and 5-125 do not apply to rules  
14 adopted under this subsection (j). The Department of Public Aid  
15 may also adopt rules under this subsection (j) necessary to  
16 administer the Illinois Public Aid Code and the Children's  
17 Health Insurance Program Act. The adoption of emergency rules  
18 authorized by this subsection (j) shall be deemed to be  
19 necessary for the public interest, safety, and welfare.

20 (k) In order to provide for the expeditious and timely  
21 implementation of the provisions of the State's fiscal year  
22 2006 budget, emergency rules to implement any provision of  
23 Public Act 94-48 or any other budget initiative for fiscal year  
24 2006 may be adopted in accordance with this Section by the  
25 agency charged with administering that provision or  
26 initiative, except that the 24-month limitation on the adoption

1 of emergency rules and the provisions of Sections 5-115 and  
2 5-125 do not apply to rules adopted under this subsection (k).  
3 The Department of Healthcare and Family Services may also adopt  
4 rules under this subsection (k) necessary to administer the  
5 Illinois Public Aid Code, the Senior Citizens and Persons with  
6 Disabilities Property Tax Relief Act, the Senior Citizens and  
7 Disabled Persons Prescription Drug Discount Program Act (now  
8 the Illinois Prescription Drug Discount Program Act), and the  
9 Children's Health Insurance Program Act. The adoption of  
10 emergency rules authorized by this subsection (k) shall be  
11 deemed to be necessary for the public interest, safety, and  
12 welfare.

13 (l) In order to provide for the expeditious and timely  
14 implementation of the provisions of the State's fiscal year  
15 2007 budget, the Department of Healthcare and Family Services  
16 may adopt emergency rules during fiscal year 2007, including  
17 rules effective July 1, 2007, in accordance with this  
18 subsection to the extent necessary to administer the  
19 Department's responsibilities with respect to amendments to  
20 the State plans and Illinois waivers approved by the federal  
21 Centers for Medicare and Medicaid Services necessitated by the  
22 requirements of Title XIX and Title XXI of the federal Social  
23 Security Act. The adoption of emergency rules authorized by  
24 this subsection (l) shall be deemed to be necessary for the  
25 public interest, safety, and welfare.

26 (m) In order to provide for the expeditious and timely



1 implementation of the provisions of the State's fiscal year  
2 2008 budget, the Department of Healthcare and Family Services  
3 may adopt emergency rules during fiscal year 2008, including  
4 rules effective July 1, 2008, in accordance with this  
5 subsection to the extent necessary to administer the  
6 Department's responsibilities with respect to amendments to  
7 the State plans and Illinois waivers approved by the federal  
8 Centers for Medicare and Medicaid Services necessitated by the  
9 requirements of Title XIX and Title XXI of the federal Social  
10 Security Act. The adoption of emergency rules authorized by  
11 this subsection (m) shall be deemed to be necessary for the  
12 public interest, safety, and welfare.

13 (n) In order to provide for the expeditious and timely  
14 implementation of the provisions of the State's fiscal year  
15 2010 budget, emergency rules to implement any provision of  
16 Public Act 96-45 or any other budget initiative authorized by  
17 the 96th General Assembly for fiscal year 2010 may be adopted  
18 in accordance with this Section by the agency charged with  
19 administering that provision or initiative. The adoption of  
20 emergency rules authorized by this subsection (n) shall be  
21 deemed to be necessary for the public interest, safety, and  
22 welfare. The rulemaking authority granted in this subsection  
23 (n) shall apply only to rules promulgated during Fiscal Year  
24 2010.

25 (o) In order to provide for the expeditious and timely  
26 implementation of the provisions of the State's fiscal year

1 2011 budget, emergency rules to implement any provision of  
2 Public Act 96-958 or any other budget initiative authorized by  
3 the 96th General Assembly for fiscal year 2011 may be adopted  
4 in accordance with this Section by the agency charged with  
5 administering that provision or initiative. The adoption of  
6 emergency rules authorized by this subsection (o) is deemed to  
7 be necessary for the public interest, safety, and welfare. The  
8 rulemaking authority granted in this subsection (o) applies  
9 only to rules promulgated on or after July 1, 2010 (the  
10 effective date of Public Act 96-958) through June 30, 2011.

11 (p) In order to provide for the expeditious and timely  
12 implementation of the provisions of Public Act 97-689,  
13 emergency rules to implement any provision of Public Act 97-689  
14 may be adopted in accordance with this subsection (p) by the  
15 agency charged with administering that provision or  
16 initiative. The 150-day limitation of the effective period of  
17 emergency rules does not apply to rules adopted under this  
18 subsection (p), and the effective period may continue through  
19 June 30, 2013. The 24-month limitation on the adoption of  
20 emergency rules does not apply to rules adopted under this  
21 subsection (p). The adoption of emergency rules authorized by  
22 this subsection (p) is deemed to be necessary for the public  
23 interest, safety, and welfare.

24 (q) In order to provide for the expeditious and timely  
25 implementation of the provisions of Articles 7, 8, 9, 11, and  
26 12 of Public Act 98-104, emergency rules to implement any

1 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104  
2 may be adopted in accordance with this subsection (q) by the  
3 agency charged with administering that provision or  
4 initiative. The 24-month limitation on the adoption of  
5 emergency rules does not apply to rules adopted under this  
6 subsection (q). The adoption of emergency rules authorized by  
7 this subsection (q) is deemed to be necessary for the public  
8 interest, safety, and welfare.

9 (r) In order to provide for the expeditious and timely  
10 implementation of the provisions of Public Act 98-651,  
11 emergency rules to implement Public Act 98-651 may be adopted  
12 in accordance with this subsection (r) by the Department of  
13 Healthcare and Family Services. The 24-month limitation on the  
14 adoption of emergency rules does not apply to rules adopted  
15 under this subsection (r). The adoption of emergency rules  
16 authorized by this subsection (r) is deemed to be necessary for  
17 the public interest, safety, and welfare.

18 (s) In order to provide for the expeditious and timely  
19 implementation of the provisions of Sections 5-5b.1 and 5A-2 of  
20 the Illinois Public Aid Code, emergency rules to implement any  
21 provision of Section 5-5b.1 or Section 5A-2 of the Illinois  
22 Public Aid Code may be adopted in accordance with this  
23 subsection (s) by the Department of Healthcare and Family  
24 Services. The rulemaking authority granted in this subsection  
25 (s) shall apply only to those rules adopted prior to July 1,  
26 2015. Notwithstanding any other provision of this Section, any

1 emergency rule adopted under this subsection (s) shall only  
2 apply to payments made for State fiscal year 2015. The adoption  
3 of emergency rules authorized by this subsection (s) is deemed  
4 to be necessary for the public interest, safety, and welfare.

5 (t) In order to provide for the expeditious and timely  
6 implementation of the provisions of Article II of Public Act  
7 99-6, emergency rules to implement the changes made by Article  
8 II of Public Act 99-6 to the Emergency Telephone System Act may  
9 be adopted in accordance with this subsection (t) by the  
10 Department of State Police. The rulemaking authority granted in  
11 this subsection (t) shall apply only to those rules adopted  
12 prior to July 1, 2016. The 24-month limitation on the adoption  
13 of emergency rules does not apply to rules adopted under this  
14 subsection (t). The adoption of emergency rules authorized by  
15 this subsection (t) is deemed to be necessary for the public  
16 interest, safety, and welfare.

17 (u) In order to provide for the expeditious and timely  
18 implementation of the provisions of the Burn Victims Relief  
19 Act, emergency rules to implement any provision of the Act may  
20 be adopted in accordance with this subsection (u) by the  
21 Department of Insurance. The rulemaking authority granted in  
22 this subsection (u) shall apply only to those rules adopted  
23 prior to December 31, 2015. The adoption of emergency rules  
24 authorized by this subsection (u) is deemed to be necessary for  
25 the public interest, safety, and welfare.

26 (v) In order to provide for the expeditious and timely

1 implementation of the provisions of Public Act 99-516,  
2 emergency rules to implement Public Act 99-516 may be adopted  
3 in accordance with this subsection (v) by the Department of  
4 Healthcare and Family Services. The 24-month limitation on the  
5 adoption of emergency rules does not apply to rules adopted  
6 under this subsection (v). The adoption of emergency rules  
7 authorized by this subsection (v) is deemed to be necessary for  
8 the public interest, safety, and welfare.

9 (w) In order to provide for the expeditious and timely  
10 implementation of the provisions of Public Act 99-796,  
11 emergency rules to implement the changes made by Public Act  
12 99-796 may be adopted in accordance with this subsection (w) by  
13 the Adjutant General. The adoption of emergency rules  
14 authorized by this subsection (w) is deemed to be necessary for  
15 the public interest, safety, and welfare.

16 (x) In order to provide for the expeditious and timely  
17 implementation of the provisions of Public Act 99-906,  
18 emergency rules to implement subsection (i) of Section 16-115D,  
19 subsection (g) of Section 16-128A, and subsection (a) of  
20 Section 16-128B of the Public Utilities Act may be adopted in  
21 accordance with this subsection (x) by the Illinois Commerce  
22 Commission. The rulemaking authority granted in this  
23 subsection (x) shall apply only to those rules adopted within  
24 180 days after June 1, 2017 (the effective date of Public Act  
25 99-906). The adoption of emergency rules authorized by this  
26 subsection (x) is deemed to be necessary for the public

1 interest, safety, and welfare.

2 (y) In order to provide for the expeditious and timely  
3 implementation of the provisions of Public Act 100-23 ~~this~~  
4 ~~amendatory Act of the 100th General Assembly~~, emergency rules  
5 to implement the changes made by Public Act 100-23 ~~this~~  
6 ~~amendatory Act of the 100th General Assembly~~ to Section 4.02 of  
7 the Illinois Act on the Aging, Sections 5.5.4 and 5-5.4i of the  
8 Illinois Public Aid Code, Section 55-30 of the Alcoholism and  
9 Other Drug Abuse and Dependency Act, and Sections 74 and 75 of  
10 the Mental Health and Developmental Disabilities  
11 Administrative Act may be adopted in accordance with this  
12 subsection (y) by the respective Department. The adoption of  
13 emergency rules authorized by this subsection (y) is deemed to  
14 be necessary for the public interest, safety, and welfare.

15 (z) In order to provide for the expeditious and timely  
16 implementation of the provisions of Public Act 100-554 ~~this~~  
17 ~~amendatory Act of the 100th General Assembly~~, emergency rules  
18 to implement the changes made by Public Act 100-554 ~~this~~  
19 ~~amendatory Act of the 100th General Assembly~~ to Section 4.7 of  
20 the Lobbyist Registration Act may be adopted in accordance with  
21 this subsection (z) by the Secretary of State. The adoption of  
22 emergency rules authorized by this subsection (z) is deemed to  
23 be necessary for the public interest, safety, and welfare.

24 (aa) In order to provide for the expeditious and timely  
25 initial implementation of the changes made to Articles 5, 5A,  
26 12, and 14 of the Illinois Public Aid Code under the provisions

1 of Public Act 100-581 ~~this amendatory Act of the 100th General~~  
2 ~~Assembly~~, the Department of Healthcare and Family Services may  
3 adopt emergency rules in accordance with this subsection (aa).  
4 The 24-month limitation on the adoption of emergency rules does  
5 not apply to rules to initially implement the changes made to  
6 Articles 5, 5A, 12, and 14 of the Illinois Public Aid Code  
7 adopted under this subsection (aa). The adoption of emergency  
8 rules authorized by this subsection (aa) is deemed to be  
9 necessary for the public interest, safety, and welfare.

10 (bb) In order to provide for the expeditious and timely  
11 implementation of the provisions of Public Act 100-587 ~~this~~  
12 ~~amendatory Act of the 100th General Assembly~~, emergency rules  
13 to implement the changes made by Public Act 100-587 ~~this~~  
14 ~~amendatory Act of the 100th General Assembly~~ to Section 4.02 of  
15 the Illinois Act on the Aging, Sections 5.5.4 and 5-5.4i of the  
16 Illinois Public Aid Code, subsection (b) of Section 55-30 of  
17 the Alcoholism and Other Drug Abuse and Dependency Act, Section  
18 5-104 of the Specialized Mental Health Rehabilitation Act of  
19 2013, and Section 75 and subsection (b) of Section 74 of the  
20 Mental Health and Developmental Disabilities Administrative  
21 Act may be adopted in accordance with this subsection (bb) by  
22 the respective Department. The adoption of emergency rules  
23 authorized by this subsection (bb) is deemed to be necessary  
24 for the public interest, safety, and welfare.

25 (cc) ~~(bb)~~ In order to provide for the expeditious and  
26 timely implementation of the provisions of Public Act 100-587

1 ~~this amendatory Act of the 100th General Assembly~~, emergency  
2 rules may be adopted in accordance with this subsection (cc)  
3 ~~(bb)~~ to implement the changes made by Public Act 100-587 ~~this~~  
4 ~~amendatory Act of the 100th General Assembly~~ to: Sections  
5 14-147.5 and 14-147.6 of the Illinois Pension Code by the Board  
6 created under Article 14 of the Code; Sections 15-185.5 and  
7 15-185.6 of the Illinois Pension Code by the Board created  
8 under Article 15 of the Code; and Sections 16-190.5 and  
9 16-190.6 of the Illinois Pension Code by the Board created  
10 under Article 16 of the Code. The adoption of emergency rules  
11 authorized by this subsection (cc) ~~(bb)~~ is deemed to be  
12 necessary for the public interest, safety, and welfare.

13 (dd) ~~(aa)~~ In order to provide for the expeditious and  
14 timely implementation of the provisions of Public Act 100-864  
15 ~~this amendatory Act of the 100th General Assembly~~, emergency  
16 rules to implement the changes made by Public Act 100-864 ~~this~~  
17 ~~amendatory Act of the 100th General Assembly~~ to Section 3.35 of  
18 the Newborn Metabolic Screening Act may be adopted in  
19 accordance with this subsection (dd) ~~(aa)~~ by the Secretary of  
20 State. The adoption of emergency rules authorized by this  
21 subsection (dd) ~~(aa)~~ is deemed to be necessary for the public  
22 interest, safety, and welfare.

23 (ee) In order to provide for the expeditious and timely  
24 implementation of the provisions of this amendatory Act of the  
25 101st General Assembly, emergency rules to implement the  
26 changes made by this amendatory Act of the 101st General



1 Assembly to Section 40 of the Firearm Concealed Carry Act may  
2 be adopted in accordance with this subsection (ee) by the  
3 Secretary of State. The adoption of emergency rules authorized  
4 by this subsection (ee) is deemed to be necessary for the  
5 public interest, safety, and welfare.

6 (Source: P.A. 99-2, eff. 3-26-15; 99-6, eff. 1-1-16; 99-143,  
7 eff. 7-27-15; 99-455, eff. 1-1-16; 99-516, eff. 6-30-16;  
8 99-642, eff. 7-28-16; 99-796, eff. 1-1-17; 99-906, eff. 6-1-17;  
9 100-23, eff. 7-6-17; 100-554, eff. 11-16-17; 100-581, eff.  
10 3-12-18; 100-587, Article 95, Section 95-5, eff. 6-4-18;  
11 100-587, Article 110, Section 110-5, eff. 6-4-18; 100-864, eff.  
12 8-14-18; revised 10-18-18.)

13 Section 10. The Firearm Concealed Carry Act is amended by  
14 changing Sections 40 and 60 as follows:

15 (430 ILCS 66/40)

16 Sec. 40. Non-resident license applications.

17 (a) For the purposes of this Section, "non-resident" means  
18 a person who has not resided within this State for more than 30  
19 days and resides in another state or territory.

20 (b) The Department shall by rule allow for non-resident  
21 license applications from any state or territory of the United  
22 States with laws related to firearm ownership, possession, and  
23 carrying, that are substantially similar to the requirements to  
24 obtain a license under this Act.

1           (c) A resident of a state or territory approved by the  
2 Department under subsection (b) of this Section may apply for a  
3 non-resident license. The applicant shall apply to the  
4 Department and must meet all of the qualifications established  
5 in Section 25 of this Act, except for the Illinois residency  
6 requirement in item (xiv) of paragraph (2) of subsection (a) of  
7 Section 4 of the Firearm Owners Identification Card Act. The  
8 applicant shall submit:

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

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

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

15               (B) if applicable, has a license or permit to carry  
16 a firearm or concealed firearm issued by his or her  
17 state or territory of residence and attach a copy of  
18 the license or permit to the application;

19               (C) understands Illinois laws pertaining to the  
20 possession and transport of firearms; and

21               (D) acknowledges that the applicant is subject to  
22 the jurisdiction of the Department and Illinois courts  
23 for any violation of this Act;

24           (3) a photocopy of any certificates or other evidence  
25 of compliance with the training requirements under Section  
26 75 of this Act; and

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

4           (d) In lieu of an Illinois driver's license or Illinois  
5           identification card, a non-resident applicant shall provide  
6           similar documentation from his or her state or territory of  
7           residence. In lieu of a valid Firearm Owner's Identification  
8           Card, the applicant shall submit documentation and information  
9           required by the Department to obtain a Firearm Owner's  
10          Identification Card, including an affidavit that the  
11          non-resident meets the mental health standards to obtain a  
12          firearm under Illinois law, and the Department shall ensure  
13          that the applicant would meet the eligibility criteria to  
14          obtain a Firearm Owner's Identification card if he or she was a  
15          resident of this State.

16          (e) Nothing in this Act shall prohibit a non-resident from  
17          transporting a concealed firearm within his or her vehicle in  
18          Illinois, if the concealed firearm remains within his or her  
19          vehicle and the non-resident:

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

22               (2) is eligible to carry a firearm in public under the  
23               laws of his or her state or territory of residence, as  
24               evidenced by the possession of a concealed carry license or  
25               permit issued by his or her state of residence, if  
26               applicable; and

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

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

6 (f) Notwithstanding whether the laws of the state or  
7 territory where the non-resident resides related to firearm  
8 ownership, possession, and carrying are substantially similar  
9 to the requirements to obtain a license under this Act, the  
10 Department shall, no later than 120 days after the effective  
11 date of this amendatory Act of the 101st General Assembly,  
12 allow for a non-resident license application if the applicant  
13 is an active duty member of the Armed Forces of the United  
14 States who is stationed in this State and lives in this State.  
15 A non-resident active duty member of the Armed Forces of the  
16 United States who is stationed in this State and lives in this  
17 State shall apply to the Department and must meet all of the  
18 qualifications established in Section 25 and shall submit:

19 (1) the application and documentation required under  
20 subsection (b) of Section 30 and the applicable fee;

21 (2) a photocopy of a valid military identification card  
22 or Official Proof of Service Letter; and

23 (3) a photocopy of permanent change-of-station orders  
24 to an assignment in this State.

25 In lieu of an Illinois driver's license or Illinois  
26 identification card, a non-resident applicant under this

1 subsection (f) shall provide similar documentation from his or  
2 her state or territory of residence. A non-resident licensee  
3 approved under this subsection (f) shall notify the Department  
4 30 days following a permanent change of station move to an  
5 assignment outside of this State and shall surrender his or her  
6 license to the Department. A license issued under this  
7 subsection (f) shall expire on the earlier date of: (i) 5 years  
8 from the date of issuance; or (ii) the date the licensee's  
9 assignment in this State terminates. The Department may adopt  
10 rules necessary to implement this amendatory Act of the 101st  
11 General Assembly through the use of emergency rulemaking in  
12 accordance with Section 5-45 of the Illinois Administrative  
13 Procedure Act for a period not to exceed 180 days after the  
14 effective date of this amendatory Act of the 101st General  
15 Assembly.

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

18 (430 ILCS 66/60)

19 Sec. 60. Fees.

20 (a) All fees collected under this Act shall be deposited as  
21 provided in this Section. Application, renewal, and  
22 replacement fees shall be non-refundable.

23 (b) An applicant for a new license or a renewal shall  
24 submit \$150 with the application, of which \$120 shall be  
25 apportioned to the State Police Firearm Services Fund, \$20

1 shall be apportioned to the Mental Health Reporting Fund, and  
2 \$10 shall be apportioned to the State Crime Laboratory Fund.

3 (c) A non-resident applicant for a new license or renewal  
4 shall submit \$300 with the application, of which \$250 shall be  
5 apportioned to the State Police Firearm Services Fund, \$40  
6 shall be apportioned to the Mental Health Reporting Fund, and  
7 \$10 shall be apportioned to the State Crime Laboratory Fund.

8 (d) A licensee requesting a new license in accordance with  
9 Section 55 shall submit \$75, of which \$60 shall be apportioned  
10 to the State Police Firearm Services Fund, \$5 shall be  
11 apportioned to the Mental Health Reporting Fund, and \$10 shall  
12 be apportioned to the State Crime Laboratory Fund.

13 (e) An applicant for a new license or a renewal who is a  
14 non-resident active duty member of the Armed Forces of the  
15 United States stationed in this State shall submit \$150 with  
16 the application, of which \$120 shall be apportioned to the  
17 State Police Firearm Services Fund, \$20 shall be apportioned to  
18 the Mental Health Reporting Fund, and \$10 shall be apportioned  
19 to the State Crime Laboratory Fund.

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

21 Section 15. The Wildlife Code is amended by adding Section  
22 3.4b as follows:

23 (520 ILCS 5/3.4b new)

24 Sec. 3.4b. Exemption. Persons licensed to possess a

1 concealed firearm under the Firearm Concealed Carry Act and  
2 current or retired police officers authorized by law to possess  
3 a concealed firearm shall be exempt from provisions of this  
4 Code prohibiting possession of those firearms. However,  
5 nothing in this Section authorizes the use of those firearms  
6 except as authorized in the Firearm Concealed Carry Act, this  
7 Code, or other law.

8 Section 99. Effective date. This Act takes effect upon  
9 becoming law.