



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4601

Introduced 2/5/2020, by Rep. Norine K. Hammond

SYNOPSIS AS INTRODUCED:

430 ILCS 66/10

Amends the Firearm Concealed Carry Act. Provides that the Illinois State Police shall notify the applicant for a concealed carry license, electronically, if his or her application has been accepted. Provides that if an applicant for a concealed carry license submits his or her application electronically, the Illinois State Police shall notify the applicant electronically if his or her application is missing information or materials.

LRB101 16249 RLC 65622 b

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 10 as follows:

6 (430 ILCS 66/10)

7 Sec. 10. Issuance of licenses to carry a concealed firearm.

8 (a) The Department shall issue a license to carry a
9 concealed firearm under this Act to an applicant who:

10 (1) meets the qualifications of Section 25 of this Act;

11 (2) has provided the application and documentation
12 required in Section 30 of this Act;

13 (3) has submitted the requisite fees; and

14 (4) does not pose a danger to himself, herself, or
15 others, or a threat to public safety as determined by the
16 Concealed Carry Licensing Review Board in accordance with
17 Section 20.

18 (b) The Department shall issue a renewal, corrected, or
19 duplicate license as provided in this Act.

20 (c) A license shall be valid throughout the State for a
21 period of 5 years from the date of issuance. A license shall
22 permit the licensee to:

23 (1) carry a loaded or unloaded concealed firearm, fully

1 concealed or partially concealed, on or about his or her
2 person; and

3 (2) keep or carry a loaded or unloaded concealed
4 firearm on or about his or her person within a vehicle.

5 (d) The Department shall make applications for a license
6 available no later than 180 days after the effective date of
7 this Act. The Department shall establish rules for the
8 availability and submission of applications in accordance with
9 this Act.

10 (e) An application for a license submitted to the
11 Department that contains all the information and materials
12 required by this Act, including the requisite fee, shall be
13 deemed completed. Except as otherwise provided in this Act, no
14 later than 90 days after receipt of a completed application,
15 the Department shall issue or deny the applicant a license. The
16 Illinois State Police shall notify the applicant for a
17 concealed carry license, electronically, if his or her
18 application has been accepted. If an applicant for a concealed
19 carry license submits his or her application electronically,
20 the Illinois State Police shall notify the applicant
21 electronically if his or her application is missing information
22 or materials.

23 (f) The Department shall deny the applicant a license if
24 the applicant fails to meet the requirements under this Act or
25 the Department receives a determination from the Board that the
26 applicant is ineligible for a license. The Department must

1 notify the applicant stating the grounds for the denial. The
2 notice of denial must inform the applicant of his or her right
3 to an appeal through administrative and judicial review.

4 (g) A licensee shall possess a license at all times the
5 licensee carries a concealed firearm except:

6 (1) when the licensee is carrying or possessing a
7 concealed firearm on his or her land or in his or her
8 abode, legal dwelling, or fixed place of business, or on
9 the land or in the legal dwelling of another person as an
10 invitee with that person's permission;

11 (2) when the person is authorized to carry a firearm
12 under Section 24-2 of the Criminal Code of 2012, except
13 subsection (a-5) of that Section; or

14 (3) when the handgun is broken down in a
15 non-functioning state, is not immediately accessible, or
16 is unloaded and enclosed in a case.

17 (h) If an officer of a law enforcement agency initiates an
18 investigative stop, including but not limited to a traffic
19 stop, of a licensee or a non-resident carrying a concealed
20 firearm under subsection (e) of Section 40 of this Act, upon
21 the request of the officer the licensee or non-resident shall
22 disclose to the officer that he or she is in possession of a
23 concealed firearm under this Act, or present the license upon
24 the request of the officer if he or she is a licensee or
25 present upon the request of the officer evidence under
26 paragraph (2) of subsection (e) of Section 40 of this Act that

1 he or she is a non-resident qualified to carry under that
2 subsection. The disclosure requirement under this subsection
3 (h) is satisfied if the licensee presents his or her license to
4 the officer or the non-resident presents to the officer
5 evidence under paragraph (2) of subsection (e) of Section 40 of
6 this Act that he or she is qualified to carry under that
7 subsection. Upon the request of the officer, the licensee or
8 non-resident shall also identify the location of the concealed
9 firearm and permit the officer to safely secure the firearm for
10 the duration of the investigative stop. During a traffic stop,
11 any passenger within the vehicle who is a licensee or a
12 non-resident carrying under subsection (e) of Section 40 of
13 this Act must comply with the requirements of this subsection
14 (h).

15 (h-1) If a licensee carrying a firearm or a non-resident
16 carrying a firearm in a vehicle under subsection (e) of Section
17 40 of this Act is contacted by a law enforcement officer or
18 emergency services personnel, the law enforcement officer or
19 emergency services personnel may secure the firearm or direct
20 that it be secured during the duration of the contact if the
21 law enforcement officer or emergency services personnel
22 determines that it is necessary for the safety of any person
23 present, including the law enforcement officer or emergency
24 services personnel. The licensee or nonresident shall submit to
25 the order to secure the firearm. When the law enforcement
26 officer or emergency services personnel have determined that

1 the licensee or non-resident is not a threat to the safety of
2 any person present, including the law enforcement officer or
3 emergency services personnel, and if the licensee or
4 non-resident is physically and mentally capable of possessing
5 the firearm, the law enforcement officer or emergency services
6 personnel shall return the firearm to the licensee or
7 non-resident before releasing him or her from the scene and
8 breaking contact. If the licensee or non-resident is
9 transported for treatment to another location, the firearm
10 shall be turned over to any peace officer. The peace officer
11 shall provide a receipt which includes the make, model,
12 caliber, and serial number of the firearm.

13 (i) The Department shall maintain a database of license
14 applicants and licensees. The database shall be available to
15 all federal, State, and local law enforcement agencies, State's
16 Attorneys, the Attorney General, and authorized court
17 personnel. Within 180 days after the effective date of this
18 Act, the database shall be searchable and provide all
19 information included in the application, including the
20 applicant's previous addresses within the 10 years prior to the
21 license application and any information related to violations
22 of this Act. No law enforcement agency, State's Attorney,
23 Attorney General, or member or staff of the judiciary shall
24 provide any information to a requester who is not entitled to
25 it by law.

26 (j) No later than 10 days after receipt of a completed

1 application, the Department shall enter the relevant
2 information about the applicant into the database under
3 subsection (i) of this Section which is accessible by law
4 enforcement agencies.

5 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; 99-29,
6 eff. 7-10-15.)