



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2936

Introduced 2/19/2021, by Rep. Patrick Windhorst

SYNOPSIS AS INTRODUCED:

430 ILCS 65/7 from Ch. 38, par. 83-7
430 ILCS 66/10
430 ILCS 66/50

Amends the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act. Provides that the Illinois State Police, by rule, shall provide that if a person has been issued a concealed carry license under the Firearm Concealed Carry Act, his or her Firearm Owner's Identification Card and concealed carry license shall expire at the same time. Provides that the Illinois State Police shall adjust the expiration of each person who has been issued both a Firearm Owner's Identification Card and concealed carry license so each expires on the same date. Provides that a person who has been issued a Firearm Owner's Identification Card and whose concealed carry license has been renewed by the Illinois State Police shall receive an automatic renewal of his or her Firearm Owner's Identification Card.

LRB102 12633 RLC 17972 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 Owners Identification Card Act is
5 amended by changing Section 7 as follows:

6 (430 ILCS 65/7) (from Ch. 38, par. 83-7)

7 Sec. 7. Validity of Firearm Owner's Identification Card.

8 (a) Except as provided in Section 8 of this Act or
9 subsection (b) of this Section, a Firearm Owner's
10 Identification Card issued under the provisions of this Act
11 shall be valid for the person to whom it is issued for a period
12 of 10 years from the date of issuance. The Illinois State
13 Police, by rule, shall provide that if a person has been issued
14 a concealed carry license under the Firearm Concealed Carry
15 Act, his or her Firearm Owner's Identification Card and
16 concealed carry license shall expire at the same time. The
17 Illinois State Police shall adjust the expiration of each
18 person who has been issued both a Firearm Owner's
19 Identification Card and concealed carry license so each
20 expires on the same date. A person who has been issued a
21 Firearm Owner's Identification Card and whose concealed carry
22 license has been renewed by the Illinois State Police shall
23 receive an automatic renewal of his or her Firearm Owner's

1 Identification Card.

2 (b) If a renewal application is submitted to the
3 Department before the expiration date of the applicant's
4 current Firearm Owner's Identification Card, the Firearm
5 Owner's Identification Card shall remain valid for a period of
6 60 business days, unless the person is subject to or becomes
7 subject to revocation under this Act.

8 (Source: P.A. 100-906, eff. 1-1-19.)

9 Section 10. The Firearm Concealed Carry Act is amended by
10 changing Sections 10 and 50 as follows:

11 (430 ILCS 66/10)

12 Sec. 10. Issuance of licenses to carry a concealed
13 firearm.

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

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

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

20 (3) has submitted the requisite fees; and

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

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

3 (c) A license shall be valid throughout the State for a
4 period of 10 ~~5~~ years from the date of issuance. A license shall
5 permit the licensee to:

6 (1) carry a loaded or unloaded concealed firearm,
7 fully concealed or partially concealed, on or about his or
8 her person; and

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

11 (d) The Department shall make applications for a license
12 available no later than 180 days after the effective date of
13 this Act. The Department shall establish rules for the
14 availability and submission of applications in accordance with
15 this Act.

16 (e) An application for a license submitted to the
17 Department that contains all the information and materials
18 required by this Act, including the requisite fee, shall be
19 deemed completed. Except as otherwise provided in this Act, no
20 later than 90 days after receipt of a completed application,
21 the Department shall issue or deny the applicant a license.

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

1 notice of denial must inform the applicant of his or her right
2 to an appeal through administrative and judicial review.

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

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

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

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

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

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

14 (h-1) If a licensee carrying a firearm or a non-resident
15 carrying a firearm in a vehicle under subsection (e) of
16 Section 40 of this Act is contacted by a law enforcement
17 officer or emergency services personnel, the law enforcement
18 officer or emergency services personnel may secure the firearm
19 or direct that it be secured during the duration of the contact
20 if the law enforcement officer or emergency services personnel
21 determines that it is necessary for the safety of any person
22 present, including the law enforcement officer or emergency
23 services personnel. The licensee or nonresident shall submit
24 to the order to secure the firearm. When the law enforcement
25 officer or emergency services personnel have determined that
26 the licensee or non-resident is not a threat to the safety of

1 any person present, including the law enforcement officer or
2 emergency services personnel, and if the licensee or
3 non-resident is physically and mentally capable of possessing
4 the firearm, the law enforcement officer or emergency services
5 personnel shall return the firearm to the licensee or
6 non-resident before releasing him or her from the scene and
7 breaking contact. If the licensee or non-resident is
8 transported for treatment to another location, the firearm
9 shall be turned over to any peace officer. The peace officer
10 shall provide a receipt which includes the make, model,
11 caliber, and serial number of the firearm.

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

25 (j) No later than 10 days after receipt of a completed
26 application, the Department shall enter the relevant

1 information about the applicant into the database under
2 subsection (i) of this Section which is accessible by law
3 enforcement agencies.

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

6 (430 ILCS 66/50)

7 Sec. 50. License renewal.

8 (a) This subsection (a) applies through the 180th day
9 following the effective date of this amendatory Act of the
10 101st General Assembly. Applications for renewal of a license
11 shall be made to the Department. A license shall be renewed for
12 a period of 5 years upon receipt of a completed renewal
13 application, completion of 3 hours of training required under
14 Section 75 of this Act, payment of the applicable renewal fee,
15 and completion of an investigation under Section 35 of this
16 Act. The renewal application shall contain the information
17 required in Section 30 of this Act, except that the applicant
18 need not resubmit a full set of fingerprints.

19 (b) This subsection (b) applies on and after the 181st day
20 following the effective date of this amendatory Act of the
21 101st General Assembly. Applications for renewal of a license
22 shall be made to the Department. A license shall be renewed for
23 a period of 10 ~~5~~ years from the date of expiration on the
24 applicant's current license upon the receipt of a completed
25 renewal application, completion of 3 hours of training

1 required under Section 75 of this Act, payment of the
2 applicable renewal fee, and completion of an investigation
3 under Section 35 of this Act. The renewal application shall
4 contain the information required in Section 30 of this Act,
5 except that the applicant need not resubmit a full set of
6 fingerprints.

7 (Source: P.A. 101-80, eff. 7-12-19.)