

SB1763



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB1763

Introduced 2/26/2021, by Sen. Neil Anderson

SYNOPSIS AS INTRODUCED:

430 ILCS 66/65

Amends the Firearm Concealed Carry Act. Provides that the prohibition by a licensee under the Act from carrying a firearm into any building, parking area, or portion of a building under the control of an officer of the executive or legislative branch of government does not apply to any rest areas under the control of the Department of Transportation or to buildings located in rest areas under the control of the Department of Transportation. Effective immediately.

LRB102 14244 RLC 19596 b

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 65 as follows:

6 (430 ILCS 66/65)

7 Sec. 65. Prohibited areas.

8 (a) A licensee under this Act shall not knowingly carry a
9 firearm on or into:

10 (1) Any building, real property, and parking area
11 under the control of a public or private elementary or
12 secondary school.

13 (2) Any building, real property, and parking area
14 under the control of a pre-school or child care facility,
15 including any room or portion of a building under the
16 control of a pre-school or child care facility. Nothing in
17 this paragraph shall prevent the operator of a child care
18 facility in a family home from owning or possessing a
19 firearm in the home or license under this Act, if no child
20 under child care at the home is present in the home or the
21 firearm in the home is stored in a locked container when a
22 child under child care at the home is present in the home.

23 (3) Any building, parking area, or portion of a

1 building under the control of an officer of the executive
2 or legislative branch of government, provided that nothing
3 in this paragraph shall prohibit a licensee from carrying
4 a concealed firearm onto the real property, bikeway, or
5 trail in a park regulated by the Department of Natural
6 Resources or any other designated public hunting area or
7 building where firearm possession is permitted as
8 established by the Department of Natural Resources under
9 Section 1.8 of the Wildlife Code. This paragraph (3) does
10 not apply to any rest areas under the control of the
11 Department of Transportation or to buildings located in
12 rest areas under the control of the Department of
13 Transportation.

14 (4) Any building designated for matters before a
15 circuit court, appellate court, or the Supreme Court, or
16 any building or portion of a building under the control of
17 the Supreme Court.

18 (5) Any building or portion of a building under the
19 control of a unit of local government.

20 (6) Any building, real property, and parking area
21 under the control of an adult or juvenile detention or
22 correctional institution, prison, or jail.

23 (7) Any building, real property, and parking area
24 under the control of a public or private hospital or
25 hospital affiliate, mental health facility, or nursing
26 home.

1 (8) Any bus, train, or form of transportation paid for
2 in whole or in part with public funds, and any building,
3 real property, and parking area under the control of a
4 public transportation facility paid for in whole or in
5 part with public funds.

6 (9) Any building, real property, and parking area
7 under the control of an establishment that serves alcohol
8 on its premises, if more than 50% of the establishment's
9 gross receipts within the prior 3 months is from the sale
10 of alcohol. The owner of an establishment who knowingly
11 fails to prohibit concealed firearms on its premises as
12 provided in this paragraph or who knowingly makes a false
13 statement or record to avoid the prohibition on concealed
14 firearms under this paragraph is subject to the penalty
15 under subsection (c-5) of Section 10-1 of the Liquor
16 Control Act of 1934.

17 (10) Any public gathering or special event conducted
18 on property open to the public that requires the issuance
19 of a permit from the unit of local government, provided
20 this prohibition shall not apply to a licensee who must
21 walk through a public gathering in order to access his or
22 her residence, place of business, or vehicle.

23 (11) Any building or real property that has been
24 issued a Special Event Retailer's license as defined in
25 Section 1-3.17.1 of the Liquor Control Act during the time
26 designated for the sale of alcohol by the Special Event

1 Retailer's license, or a Special use permit license as
2 defined in subsection (q) of Section 5-1 of the Liquor
3 Control Act during the time designated for the sale of
4 alcohol by the Special use permit license.

5 (12) Any public playground.

6 (13) Any public park, athletic area, or athletic
7 facility under the control of a municipality or park
8 district, provided nothing in this Section shall prohibit
9 a licensee from carrying a concealed firearm while on a
10 trail or bikeway if only a portion of the trail or bikeway
11 includes a public park.

12 (14) Any real property under the control of the Cook
13 County Forest Preserve District.

14 (15) Any building, classroom, laboratory, medical
15 clinic, hospital, artistic venue, athletic venue,
16 entertainment venue, officially recognized
17 university-related organization property, whether owned or
18 leased, and any real property, including parking areas,
19 sidewalks, and common areas under the control of a public
20 or private community college, college, or university.

21 (16) Any building, real property, or parking area
22 under the control of a gaming facility licensed under the
23 Illinois Gambling Act or the Illinois Horse Racing Act of
24 1975, including an inter-track wagering location licensee.

25 (17) Any stadium, arena, or the real property or
26 parking area under the control of a stadium, arena, or any

1 collegiate or professional sporting event.

2 (18) Any building, real property, or parking area
3 under the control of a public library.

4 (19) Any building, real property, or parking area
5 under the control of an airport.

6 (20) Any building, real property, or parking area
7 under the control of an amusement park.

8 (21) Any building, real property, or parking area
9 under the control of a zoo or museum.

10 (22) Any street, driveway, parking area, property,
11 building, or facility, owned, leased, controlled, or used
12 by a nuclear energy, storage, weapons, or development site
13 or facility regulated by the federal Nuclear Regulatory
14 Commission. The licensee shall not under any circumstance
15 store a firearm or ammunition in his or her vehicle or in a
16 compartment or container within a vehicle located anywhere
17 in or on the street, driveway, parking area, property,
18 building, or facility described in this paragraph.

19 (23) Any area where firearms are prohibited under
20 federal law.

21 (a-5) Nothing in this Act shall prohibit a public or
22 private community college, college, or university from:

23 (1) prohibiting persons from carrying a firearm within
24 a vehicle owned, leased, or controlled by the college or
25 university;

26 (2) developing resolutions, regulations, or policies

1 regarding student, employee, or visitor misconduct and
2 discipline, including suspension and expulsion;

3 (3) developing resolutions, regulations, or policies
4 regarding the storage or maintenance of firearms, which
5 must include designated areas where persons can park
6 vehicles that carry firearms; and

7 (4) permitting the carrying or use of firearms for the
8 purpose of instruction and curriculum of officially
9 recognized programs, including but not limited to military
10 science and law enforcement training programs, or in any
11 designated area used for hunting purposes or target
12 shooting.

13 (a-10) The owner of private real property of any type may
14 prohibit the carrying of concealed firearms on the property
15 under his or her control. The owner must post a sign in
16 accordance with subsection (d) of this Section indicating that
17 firearms are prohibited on the property, unless the property
18 is a private residence.

19 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
20 this Section except under paragraph (22) or (23) of subsection
21 (a), any licensee prohibited from carrying a concealed firearm
22 into the parking area of a prohibited location specified in
23 subsection (a), (a-5), or (a-10) of this Section shall be
24 permitted to carry a concealed firearm on or about his or her
25 person within a vehicle into the parking area and may store a
26 firearm or ammunition concealed in a case within a locked

1 vehicle or locked container out of plain view within the
2 vehicle in the parking area. A licensee may carry a concealed
3 firearm in the immediate area surrounding his or her vehicle
4 within a prohibited parking lot area only for the limited
5 purpose of storing or retrieving a firearm within the
6 vehicle's trunk. For purposes of this subsection, "case"
7 includes a glove compartment or console that completely
8 encloses the concealed firearm or ammunition, the trunk of the
9 vehicle, or a firearm carrying box, shipping box, or other
10 container.

11 (c) A licensee shall not be in violation of this Section
12 while he or she is traveling along a public right of way that
13 touches or crosses any of the premises under subsection (a),
14 (a-5), or (a-10) of this Section if the concealed firearm is
15 carried on his or her person in accordance with the provisions
16 of this Act or is being transported in a vehicle by the
17 licensee in accordance with all other applicable provisions of
18 law.

19 (d) Signs stating that the carrying of firearms is
20 prohibited shall be clearly and conspicuously posted at the
21 entrance of a building, premises, or real property specified
22 in this Section as a prohibited area, unless the building or
23 premises is a private residence. Signs shall be of a uniform
24 design as established by the Department and shall be 4 inches
25 by 6 inches in size. The Department shall adopt rules for
26 standardized signs to be used under this subsection.

1 (Source: P.A. 101-31, eff. 6-28-19.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.