



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB6004

by Rep. John E. Bradley

SYNOPSIS AS INTRODUCED:

50 ILCS 710/1
430 ILCS 66/65
430 ILCS 66/75

from Ch. 85, par. 515

Amends the Peace Officer Firearm Training Act. Includes in the definition of "peace officer" any sworn State's Attorney or authorized Assistant State's Attorney, except that any person who is deemed a peace officer solely by virtue of his or her employment as a State's Attorney or Assistant State's Attorney shall not be authorized to make arrests for offenses. Amends the Firearm Concealed Carry Act. Provides that notwithstanding the provisions prohibiting a licensee from carrying a firearm into certain places, except those places where firearms are prohibited by federal law and property used by a nuclear energy, storage, weapons, or development site or facility regulated by the federal Nuclear Regulatory Commission, a licensee who is a State's Attorney prohibited from carrying a concealed firearm into an area of a prohibited location shall be permitted to carry a concealed firearm on or about his or her person if he or she has completed the required training to be qualified to carry a firearm as a peace officer, notwithstanding that he or she is not otherwise certified as a sworn peace officer. Exempts from the firearm training requirements, a sworn State's Attorney or Assistant State's Attorney authorized by the State's Attorney, who has completed the required training to be qualified to carry a firearm as a peace officer. Effective immediately.

LRB098 18265 RLC 53398 b

1 AN ACT concerning firearms.

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

4 Section 5. The Peace Officer Firearm Training Act is
5 amended by changing Section 1 as follows:

6 (50 ILCS 710/1) (from Ch. 85, par. 515)

7 Sec. 1. Definitions. As used in this Act:

8 (a) "Peace officer" means (i) any person who by virtue of
9 his office or public employment is vested by law with a primary
10 duty to maintain public order or to make arrests for offenses,
11 whether that duty extends to all offenses or is limited to
12 specific offenses, and who is employed in such capacity by any
13 county or municipality or (ii) any retired law enforcement
14 officers qualified under federal law to carry a concealed
15 weapon. "Peace officer" includes any sworn State's Attorney or
16 authorized Assistant State's Attorney, except that any person
17 who is deemed a peace officer solely by virtue of his or her
18 employment as a State's Attorney or Assistant State's Attorney
19 shall not be authorized to make arrests for offenses.

20 (b) "Firearms" means any weapon or device defined as a
21 firearm in Section 1.1 of "An Act relating to the acquisition,
22 possession and transfer of firearms and firearm ammunition, to
23 provide a penalty for the violation thereof and to make an

1 appropriation in connection therewith", approved August 3,
2 1967, as amended.

3 (Source: P.A. 94-103, eff. 7-1-05.)

4 Section 10. The Firearm Concealed Carry Act is amended by
5 changing Sections 65 and 75 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 under
11 the control of a public or private elementary or secondary
12 school.

13 (2) Any building, real property, and parking area under
14 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
24 building under the control of an officer of the executive

1 or legislative branch of government, provided that nothing
2 in this paragraph shall prohibit a licensee from carrying a
3 concealed firearm onto the real property, bikeway, or trail
4 in a park regulated by the Department of Natural Resources
5 or any other designated public hunting area or building
6 where firearm possession is permitted as established by the
7 Department of Natural Resources under Section 1.8 of the
8 Wildlife Code.

9 (4) Any building designated for matters before a
10 circuit court, appellate court, or the Supreme Court, or
11 any building or portion of a building under the control of
12 the Supreme Court.

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

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

18 (7) Any building, real property, and parking area under
19 the control of a public or private hospital or hospital
20 affiliate, mental health facility, or nursing home.

21 (8) Any bus, train, or form of transportation paid for
22 in whole or in part with public funds, and any building,
23 real property, and parking area under the control of a
24 public transportation facility paid for in whole or in part
25 with public funds.

26 (9) Any building, real property, and parking area under

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

11 (10) Any public gathering or special event conducted on
12 property open to the public that requires the issuance of a
13 permit from the unit of local government, provided this
14 prohibition shall not apply to a licensee who must walk
15 through a public gathering in order to access his or her
16 residence, place of business, or vehicle.

17 (11) Any building or real property that has been issued
18 a Special Event Retailer's license as defined in Section
19 1-3.17.1 of the Liquor Control Act during the time
20 designated for the sale of alcohol by the Special Event
21 Retailer's license, or a Special use permit license as
22 defined in subsection (q) of Section 5-1 of the Liquor
23 Control Act during the time designated for the sale of
24 alcohol by the Special use permit license.

25 (12) Any public playground.

26 (13) Any public park, athletic area, or athletic

1 facility under the control of a municipality or park
2 district, provided nothing in this Section shall prohibit a
3 licensee from carrying a concealed firearm while on a trail
4 or bikeway if only a portion of the trail or bikeway
5 includes a public park.

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

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

15 (16) Any building, real property, or parking area under
16 the control of a gaming facility licensed under the
17 Riverboat Gambling Act or the Illinois Horse Racing Act of
18 1975, including an inter-track wagering location licensee.

19 (17) Any stadium, arena, or the real property or
20 parking area under the control of a stadium, arena, or any
21 collegiate or professional sporting event.

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

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

26 (20) Any building, real property, or parking area under

1 the control of an amusement park.

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

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

13 (23) Any area where firearms are prohibited under
14 federal law.

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

17 (1) prohibiting persons from carrying a firearm within
18 a vehicle owned, leased, or controlled by the college or
19 university;

20 (2) developing resolutions, regulations, or policies
21 regarding student, employee, or visitor misconduct and
22 discipline, including suspension and expulsion;

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

1 (4) permitting the carrying or use of firearms for the
2 purpose of instruction and curriculum of officially
3 recognized programs, including but not limited to military
4 science and law enforcement training programs, or in any
5 designated area used for hunting purposes or target
6 shooting.

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

13 (b) Notwithstanding subsections (a), (a-5), and (a-10) of
14 this Section except under paragraph (22) or (23) of subsection
15 (a), any licensee prohibited from carrying a concealed firearm
16 into the parking area of a prohibited location specified in
17 subsection (a), (a-5), or (a-10) of this Section shall be
18 permitted to carry a concealed firearm on or about his or her
19 person within a vehicle into the parking area and may store a
20 firearm or ammunition concealed in a case within a locked
21 vehicle or locked container out of plain view within the
22 vehicle in the parking area. A licensee may carry a concealed
23 firearm in the immediate area surrounding his or her vehicle
24 within a prohibited parking lot area only for the limited
25 purpose of storing or retrieving a firearm within the vehicle's
26 trunk, provided the licensee ensures the concealed firearm is

1 unloaded prior to exiting the vehicle. For purposes of this
2 subsection, "case" includes a glove compartment or console that
3 completely encloses the concealed firearm or ammunition, the
4 trunk of the vehicle, or a firearm carrying box, shipping box,
5 or other container.

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

14 (c-5) Notwithstanding subsections (a), (a-5), and (a-10)
15 of this Section except under paragraph (22) or (23) of
16 subsection (a), a licensee who is a State's Attorney prohibited
17 from carrying a concealed firearm into an area of a prohibited
18 location specified in subsection (a), (a-5), or (a-10) of this
19 Section shall be permitted to carry a concealed firearm on or
20 about his or her person if he or she has completed the required
21 training to be qualified to carry a firearm as a peace officer,
22 notwithstanding that he or she is not otherwise certified as a
23 sworn peace officer.

24 (d) Signs stating that the carrying of firearms is
25 prohibited shall be clearly and conspicuously posted at the
26 entrance of a building, premises, or real property specified in

1 this Section as a prohibited area, unless the building or
2 premises is a private residence. Signs shall be of a uniform
3 design as established by the Department and shall be 4 inches
4 by 6 inches in size. The Department shall adopt rules for
5 standardized signs to be used under this subsection.

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

7 (430 ILCS 66/75)

8 Sec. 75. Applicant firearm training.

9 (a) Within 60 days of the effective date of this Act, the
10 Department shall begin approval of firearm training courses and
11 shall make a list of approved courses available on the
12 Department's website.

13 (b) An applicant for a new license shall provide proof of
14 completion of a firearms training course or combination of
15 courses approved by the Department of at least 16 hours, which
16 includes range qualification time under subsection (c) of this
17 Section, that covers the following:

18 (1) firearm safety;

19 (2) the basic principles of marksmanship;

20 (3) care, cleaning, loading, and unloading of a
21 concealable firearm;

22 (4) all applicable State and federal laws relating to
23 the ownership, storage, carry, and transportation of a
24 firearm; and

25 (5) instruction on the appropriate and lawful

1 interaction with law enforcement while transporting or
2 carrying a concealed firearm.

3 (c) An applicant for a new license shall provide proof of
4 certification by a certified instructor that the applicant
5 passed a live fire exercise with a concealable firearm
6 consisting of:

7 (1) a minimum of 30 rounds; and

8 (2) 10 rounds from a distance of 5 yards; 10 rounds
9 from a distance of 7 yards; and 10 rounds from a distance
10 of 10 yards at a B-27 silhouette target approved by the
11 Department.

12 (d) An applicant for renewal of a license shall provide
13 proof of completion of a firearms training course or
14 combination of courses approved by the Department of at least 3
15 hours.

16 (e) A certificate of completion for an applicant's firearm
17 training course shall not be issued to a student who:

18 (1) does not follow the orders of the certified
19 firearms instructor;

20 (2) in the judgment of the certified instructor,
21 handles a firearm in a manner that poses a danger to the
22 student or to others; or

23 (3) during the range firing portion of testing fails to
24 hit the target with 70% of the rounds fired.

25 (f) An instructor shall maintain a record of each student's
26 performance for at least 5 years, and shall make all records

1 available upon demand of authorized personnel of the
2 Department.

3 (g) The Department and certified firearms instructors
4 shall recognize up to 8 hours of training already completed
5 toward the 16 hour training requirement under this Section if
6 the training course is submitted to and approved by the
7 Department. Any remaining hours that the applicant completes
8 must at least cover the classroom subject matter of paragraph
9 (4) of subsection (b) of this Section, and the range
10 qualification in subsection (c) of this Section.

11 (h) A person who has qualified to carry a firearm as an
12 active law enforcement or corrections officer, who has
13 successfully completed firearms training as required by his or
14 her law enforcement agency and is authorized by his or her
15 agency to carry a firearm; a person currently certified as a
16 firearms instructor by this Act or by the Illinois Law
17 Enforcement Training Standards Board; ~~or~~ a person who has
18 completed the required training and has been issued a firearm
19 control card by the Department of Financial and Professional
20 Regulation; or a sworn State's Attorney or Assistant State's
21 Attorney authorized by the State's Attorney, who has completed
22 the required training to be qualified to carry a firearm as a
23 peace officer shall be exempt from the requirements of this
24 Section.

25 (i) The Department and certified firearms instructors
26 shall recognize 8 hours of training as completed toward the 16

1 hour training requirement under this Section, if the applicant
2 is an active, retired, or honorably discharged member of the
3 United States Armed Forces. Any remaining hours that the
4 applicant completes must at least cover the classroom subject
5 matter of paragraph (4) of subsection (b) of this Section, and
6 the range qualification in subsection (c) of this Section.

7 (j) The Department and certified firearms instructors
8 shall recognize up to 8 hours of training already completed
9 toward the 16 hour training requirement under this Section if
10 the training course is approved by the Department and was
11 completed in connection with the applicant's previous
12 employment as a law enforcement or corrections officer. Any
13 remaining hours that the applicant completes must at least
14 cover the classroom subject matter of paragraph (4) of
15 subsection (b) of this Section, and the range qualification in
16 subsection (c) of this Section. A former law enforcement or
17 corrections officer seeking credit under this subsection (j)
18 shall provide evidence that he or she separated from employment
19 in good standing from each law enforcement agency where he or
20 she was employed. An applicant who was discharged from a law
21 enforcement agency for misconduct or disciplinary reasons is
22 not eligible for credit under this subsection (j).

23 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.