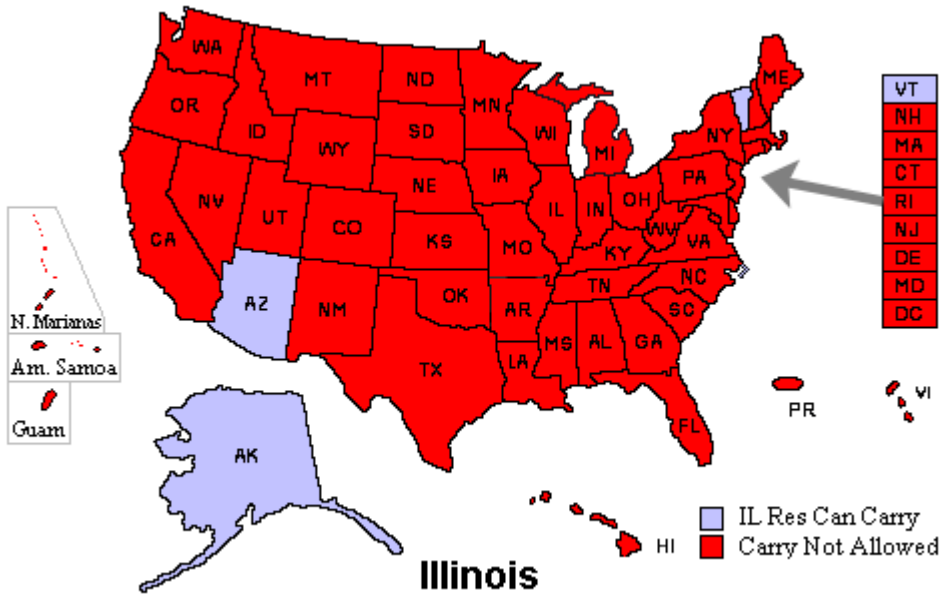


Illinois

Non Issue

Must Inform Officer: N/A



Links

[State CCW Site](#)

[FOID Card FAQ's](#)

[Apply for FOID Card](#)

[State FAQ Site](#)

[State Statutes](#)

[State Admin Rules](#)

[State Attorney General](#)

[ISP FAQ's on Transporting Firearms](#)

[Secretary of State](#)

Last Updated: 10/7/11

Permits/Licenses This State Honors

Illinois Does not honor any other states Permits/Licenses

Illinois residents can carry in Alaska, Arizona and Vermont. AK, AZ and VT allow anyone who can legally own a firearm to carry it concealed without any type of permit/license. You must be 21 years of age.

Firearms Owners Identification Card (FOID Card)

The FOID card was created in 1968, by the FOID Act, as a way to identify those persons eligible to possess and acquire firearms and firearm ammunition as part of a public safety initiative in the State of Illinois.

Q. Who needs a FOID card?

- A.** Unless specifically exempted by statute, any Illinois resident who acquires or possesses firearm or firearm ammunition within the State must have in their possession a valid Firearm Owner's Identification (FOID) card issued in his or her name.

Q. Where can I obtain a FOID application?

- A.** A FOID application can be downloaded from the Illinois State Police website at <http://www.isp.state.il.us/foid/foidapp.cfm> or applications may be obtained at most retail stores where firearms are sold.

How to Apply for A Permit

Illinois does not issue any type of Permit/License to carry a firearm concealed.

Non-Resident Permits

Illinois does not issue any type of Permit/License to carry a firearm concealed.

Places Off-Limits Even With A Permit/License

Non carry state. Carrying firearms in Illinois is very difficult unless unloaded and stored so they are not accessible.

Where You Can Carry A Firearm

720 ILCS 5/24-1 (a) A Person Commits the Offense of Unlawful Use of Weapons When He Knowingly:

(4) Carries or possesses in any vehicle or concealed on or about his person except when on his land or in his own abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission

Carry In State Parks/State & National Forests/WMA/Road Side Rest Areas

Carry Allowed in these Areas:

State Parks: N/A

State/National Forests: N/A

WMA's: N/A

Road Side Rest Areas: N/A

RV/Car Carry Without A Permit/License

[720 ILCS 5/24-1](#)

(4) Carries or possesses in any vehicle or concealed on or about his person except when on his land or in his own abode, legal dwelling, or fixed place of business, or on the land or in the legal dwelling of another person as an invitee with that person's permission, any pistol, revolver, stun gun or taser or other firearm, except that this subsection (a) (4) does not apply to or affect transportation of weapons that meet one of the following conditions:

- (i)** are broken down in a non-functioning state; or
- (ii)** are not immediately accessible; or
- (iii)** are unloaded and enclosed in a case,

Note: The Illinois Supreme Court ruled on 10/8/2009 (Docket # 106367) that the Center Console of a vehicle was a case and anyone with a FOID Card could carry an unloaded firearm in the closed Center Console. This applied to one case and other laws also apply to carrying firearms in vehicles. I would use extreme caution when carrying firearms in vehicles in Illinois. If you are a non resident of Illinois you do not have a FOID Card issued by the State of Illinois. Those with a FOID Card can transport a firearm differently than those who do not. I would follow the wording in the Q&A below. You can Read the IL Supreme Ct Decision [Here](#).

I have also been informed that carrying a firearm in a center console would violate 520 ILCS 5/2.33 of the game laws and is a minor non-criminal citation. This law is very specific on transporting firearms and has www.handgunlaw.us

stood up in the courts. If you are charged under the game law for not having a cased firearm you can not continue your journey with it as you would still be breaking the law. The firearm will be taken and you will have to go to the authorities to get it back.

Transporting Firearms Through Illinois (From the Illinois State Police)

This is from the IL State Police FAQ's on Transporting Firearm through Illinois:

How can I legally transport a firearm on my person or in my vehicle?

Three statutory codes regulate the possession, transfer, and transportation of firearms — the Criminal Code, the Wildlife Code, and the Firearm Owner's Identification Act. Under Unlawful Use of Weapons (UW) in the

Criminal Code, persons who have been issued a valid FOID card may transport a firearm anywhere in their vehicle or on their person as long as the firearm is unloaded and enclosed in a case, firearm carrying box, shipping box, or other container. Firearms that are not immediately accessible or are broken down in a non-functioning state may also be carried or transported under the Criminal Code. The **Wildlife Code**, however, is more restrictive. It requires that all firearms transported in or on any vehicle be unloaded and in a case.

What constitutes a legal "case"?

The Criminal Code refers to "a case, firearm carrying box, shipping box, or other container." However, the Wildlife Code is more specific, defining case as *"a container specifically designed for the purpose of housing a gun or bow and arrow device which completely encloses such gun or bow and arrow device by being zipped, snapped, buckled, tied, or otherwise fastened with no portion of the gun or bow and arrow device exposed."*

How do the differences in these two laws affect me for the purposes of the Unlawful Use of Weapons law?

It is recommended that persons transport their firearms only unloaded and in a case in order to be fully compliant with all statutes. A firearm transported in a container other than a case while engaged in activities covered by the Wildlife Code could subject an individual to a charge of Class B Misdemeanor under the Wildlife Code, but would not be considered Unlawful Use of Weapons if the container were a "firearm carrying box, shipping box, or other container" as provided in the Criminal Code.

If I fail to zip up the case entirely, will I be guilty of a felony?

No, as long as the firearm is unloaded, and none of the aggravating factors of the Unlawful Use of Weapons law are present. The way to avoid this situation is to make sure firearm cases are completely zipped or otherwise completely fastened shut.

What is immediately accessible?

The test is if a reasonable person would conclude that the firearm is located within relatively quick reach. It is a Class 4 Felony to have an uncased, loaded firearm immediately accessible. It is recommended that firearms be unloaded and enclosed in a case, and possessed by an individual with a valid FOID card when being transported.

What is broken down in a non-functioning state?

The firearm is disassembled, making it inoperable, e.g., slide or barrel removed.

How can I legally transport my firearm in my Sports Utility Vehicle (SUV), pickup truck, van, station wagon, or even a motorcycle?

The surest way is to have the firearm unloaded and enclosed in a case, and to make sure your FOID card is valid.

How do I transport a firearm through an Illinois community with an ordinance that prohibits firearms or handguns?

Illinois' Unlawful Use of Weapons law does not preempt local ordinances from banning firearms. Persons carrying or transporting firearms through such communities could be subject to local firearm ordinances. Federal law does attempt to provide limited protection in these circumstances, but when transporting firearms in unfamiliar communities, it is a good idea to check with authorities on local law.

How can I legally transport ammunition?

Illinois law requires that residents possessing ammunition must have a valid FOID card. Transporting an unloaded, uncased firearm with ammunition immediately accessible is a Class 4 Felony, unless the firearm is not immediately accessible or is broken down in a non-functioning state. The location of ammunition being transported, including ammunition being transported in loaded magazines, is not regulated if the firearm is possessed or transported lawfully.

Is it illegal to have ammunition in the case with the firearm?

No, if the firearm is unloaded and is properly enclosed in a case and the individual possessing the firearm and ammunition is in possession of a valid FOID card.

Can I keep a firearm in my hotel room when I travel?

Yes, assuming no local ordinance applies. The critical question is how the firearm was carried into the room and transported in a vehicle. Those actions must be done lawfully.

State Preemption

430 ILCS 65/13.1 (from Ch. 38, par. 83-13.1)

Sec. 13.1.

The provisions of any ordinance enacted by any municipality which requires registration or imposes greater restrictions or limitations on the acquisition, possession and transfer of firearms than are imposed by this Act, are not invalidated or affected by this Act.

(Source: P. A. 76-1939.)

Deadly Force Laws

Criminal Offenses

720 ILCS 5/ Criminal Code of 1961.

720 ILCS 5/Art. 7 heading

Article 7. Justifiable Use Of Force; Exoneration

Sec. 7-1. Use of force in defense of person.

Sec. 7-2. Use of force in defense of dwelling.

Sec. 7-3. Use of force in defense of other property.

Sec. 7-4. Use of force by aggressor.

Sec. 7-5. Peace officer's use of force in making arrest.

Sec. 7-6. Private person's use of force in making arrest.

Sec. 7-7. Private person's use of force in resisting arrest.

Sec. 7-8. Force likely to cause death or great bodily harm.

Sec. 7-9. Use of force to prevent escape.

Sec. 7-11. Compulsion.

Sec. 7-12. Entrapment.

Sec. 7-13. Necessity.

Sec. 7-14. Affirmative defense.

Knife Laws State/Cities

To access **State/Local Knife Laws** Click [“Here”](#)

Carry in Restaurants That Serve Alcohol

No carry is allowed anywhere in Illinois. Those carrying under LEOSA can carry in places that serve alcohol.

Note: A “YES” above means you can carry into places like described below. “NO” means you can't. Handgunlaw.us definition of “Restaurant Carry” is carry in a restaurant that serves alcohol. Places like Friday's, Chili's or Red Lobster. This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

720 ILCS 5/24-1 The use of a product “...containing a non-lethal noxious liquid gas or substance designed solely for personal defense carried by a person 18 years of age or older”
(non-lethal is the key word in this Illinois Law)

720 ILCS 5/24-1 Stun Guns in Illinois are illegal.

Local Restrictions on Magazines:

Aurora

(§ 29-49) bans the possession, sale, or acquisition of large capacity feeding devices (magazines with a capacity of more than 15 rounds).

Chicago

(§ 8-20-030(i) and 8-24-025) bans the transfer, acquisition or possession of assault ammunition (any ammunition magazine having a capacity of more than 12 rounds).

Franklin Park

(§ 3-13G-3) bans the transfer, acquisition, possession, manufacture or distribution of assault ammunition (any detachable ammunition magazine having a capacity of more than 16 rounds).

Oak Park

(§§ 27-2-1 and 27-1-2) bans the possession and sale of large capacity feeding devices (magazines with a capacity of more than 10 rounds).

Riverdale

(§ 5.120.180 and 5.120.190) bans the possession, transfer, acquisition or manufacture of assault ammunition (a detachable magazine box with a capacity of “more than 35 rounds centerfire.”).

LEOSA State Information

[LEOSA Information from IROCC](#)

Attorney General Opinions/Court Cases

[Illinois Supreme Court Decision Stating Car Console is a Storage Box](#)

[Illinois Supreme Court Decision Visitors to State Don't Need FOID Card](#)

Airport Carry/Misc. Information

Airport Carry: N/A

Training Valid for: N/A

Time Period to Establish Residency: N/A

Minimum Age for Permit/License: N/A

Permit/License Info Public Information: YES (FOID Card Info)

State Fire arm Laws: 720 ILCS 5/24-1

State Deadly Force Laws: 720 ILCS 5/7-1 - 5/7-14

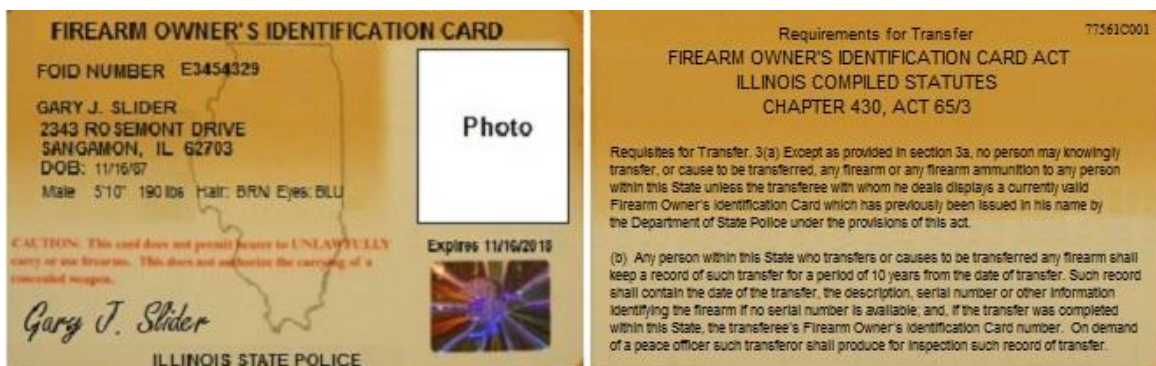
State Knife Laws: 720 ILCS 5/24-1 & 720 ILCS 5/33A-1

Chemical/Electric Weapons Laws: 720 ILCS 5/24-1

Body Armor Laws: 720 ILCS 5/33F

Does Your Permit Cover Other Weapons Besides Firearms? N/A

Firearm Owners Identification Card Image



This image has been digitally assembled from 2 or more images. It may not be 100% accurate but gives a good representation of the actual FOID Card.

Notes

What Does IL Consider A Loaded Firearm?

From the IL DNR [Hunting and Trapping Regulations](#)

Q. How may I safely and legally transport ammunition in a vehicle?

A. The location of ammunition being transported, including ammunition being transported in loaded magazines, is not regulated as long as the firearm is unloaded and encased, and the resident possessing the firearm/ammunition holds a valid F.O.I.D. card.

Updates to this Page

- 8/19/09 – All Links checked and updated if needed.
- 10/13/09 – IL Supreme Court Ruling that Car Console is a Storage Box.
- 11/18/09 – Section Added about carrying on your own property or property of others with permission.
- 2/3/10 – Where you can carry header to law omitted by error. Added.
- 2/10/10 – LEOSA Link Added
- 4/13/10 – Note Added on Carry in Center console to Transporting and RV/Car Carry Sections.
- 5/9/10 – AK and VT added as states that IL residents can carry in. Wording added to explain this added to the “Permits/Licenses This State Honors” Section.
- 8/3/10 – AZ added as state that IL residents can carry in.
- 8/10/10 – Dead LEOSA Link Removed. All Links Checked.
- 8/23/10 – LEOSA Information Link Added.
- 1/1/11 – Notes Section Added. FOID Card Image Added.
- 1/5/11 - RV/Car Carry Section Updated. Link added to ISP FAQ's on Transporting Firearms in IL.
- 1/10/11 – Link to IL State Police & FOID Card FAQ's Added. Carrying Firearms in a Vehicle Wording Updated.
- 4/5/11 – Hunting/Trapping Link Repaired. All Links Checked.
- 4/14/11 – Supreme Court Decision on visitors not needing FOID Card Added.
- 7/5/11 – FOID Card Info now Private.
- 9/9/11 – All Links Checked and Updated if Needed.
- 10/7/11 – Back of FOID Card Added to Image Section