

ILLINOIS STATE POLICE

NOTICE OF EMERGENCY AMENDMENT

TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER II: ILLINOIS STATE POLICEPART 1230
FIREARM OWNER'S IDENTIFICATION CARD ACT

Section

- 1230.10 Definitions
1230.20 Application Procedures
1230.30 Duration and Renewal of Identification Card

EMERGENCY

- 1230.40 Sponsorship of a Minor
1230.50 Return of FOID Card – Applicant
1230.60 Return of Revoked FOID Card – Other
1230.70 Appeal
1230.80 Judicial Review (Repealed)
1230.90 Certification (Repealed)
1230.100 Reduction of Remittance (Repealed)
1230.110 Retention of Remittance
1230.120 Clear and Present Danger Reporting

- 1230.EXHIBIT A Application for Firearm Owner's Identification Card (Form FOID-1.2)
(Repealed)
1230.EXHIBIT B Certification (Repealed)

AUTHORITY: Implementing and authorized by the Firearm Owners Identification Card Act [430 ILCS 65] and authorized by Section 2605-120 of the Civil Administrative Code of Illinois [20 ILCS 2605].

SOURCE: Filed March 8, 1973; codified at 7 Ill. Reg. 9557; amended at 8 Ill. Reg. 21306, effective October 10, 1984; recodified from the Department of Law Enforcement to the Department of State Police at 10 Ill. Reg. 3279; amended at 17 Ill. Reg. 18856, effective October 18, 1993; amended at 22 Ill. Reg. 16629, effective September 8, 1998; amended at 27 Ill. Reg. 10308, effective June 26, 2003; amended at 38 Ill. Reg. 2301, effective December 31, 2013; emergency amendment at 44 Ill. Reg. 6166, effective April 6, 2020, for a maximum of 150 days.

Section 1230.30 Duration and Renewal of Identification CardEMERGENCY

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A FOID Card shall expire 10 years from the date of issuance. The first day of the month in which the related FOID Card Application was received is designated as the date of issuance for purposes of this Part. For the duration of the Gubernatorial Disaster Proclamation related to COVID-19 and for a period of 12 months following its termination by the Governor, any FOID Card that has expired or will expire shall remain valid provided that the submitted renewal application is completed accurately and in its entirety pursuant to the provisions of Section 4 of the Act and the applicant's FOID card is not subject to revocation pursuant to the provisions of Section 8 of the Act. Any FOID card renewed during the duration of the Gubernatorial Disaster Proclamation shall expire 10 years from the date of issuance.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 6166, effective April 6, 2020, for a maximum of 150 days)

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- 1) Heading of the Part: Firearm Concealed Carry Act Procedures
- 2) Code Citation: 20 Ill. Adm. Code 1231
- 3) Section Number: 1231.60 Emergency Action: Amendment
- 4) Statutory Authority: Implements the Firearm Concealed Carry Act [430 ILCS 66] and authorized by Section 95 of that Act.
- 5) Effective Date of Emergency Rule: April 6, 2020
- 6) If this emergency rulemaking is to expire before the end of the 150-day period, please specify the date on which it is to expire: This rulemaking is not set to expire before the end of the 150-day period. This rulemaking is set to expire at the end of the 180-day period in accordance with the Illinois Administrative Procedure Act [5 ILCS 100/5-45(gg)].
- 7) Date Filed with the Index Department: April 6, 2020
- 8) A copy of the emergency rule, including any material incorporated by reference, is on file in the Agency's principal office and is available for public inspection.
- 9) Reason for Emergency: The General Assembly finds that the adoption of rules to regulate Firearm Concealed Carry Act is deemed an emergency necessary for the public interest, safety, and welfare [430 ILCS 66].
- 10) A Complete Description of the Subjects and Issues Involved: The regulations implement the Firearm Concealed Carry Act [430 ILCS 66-1] by establishing criteria for issuing a concealed carry license, setting forth qualifications required for eligibility, and creating an application process for individuals subject to regulation under the Act. Additionally, the regulations create a mechanism for law enforcement objections and an objection review process. The regulations also set forth mechanisms for renewal, change requests, a fee schedule prohibitions on concealed carry in certain locations and mechanisms for suspension, revocation and invalidation. Finally, the regulations establish an appeal process for licensees and applicants to formally challenge determinations of the Department.
- 11) Are there any rules to this Part pending? No

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- 12) Statement of Statewide Policy Objective: These rules will not require a local government to establish, expend, or modify its activities in such a way as to necessitate additional expenditures from local revenues.
- 13) Information and questions regarding this emergency rule shall be directed to:

Ms. Yvette C. Loizon
Chief Legal Counsel
Illinois State Police
801 South 7th Street, Suite 1000-S
Springfield IL 62703

217/782-7658

The full text of the Emergency Amendment begins on the next page:

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TITLE 20: CORRECTIONS, CRIMINAL JUSTICE, AND LAW ENFORCEMENT
CHAPTER II: ILLINOIS STATE POLICE

PART 1231
FIREARM CONCEALED CARRY ACT PROCEDURES

SUBPART A: DEFINITIONS

Section
1231.10 Definitions

SUBPART B: INSTRUCTOR AND CURRICULUM APPROVAL

1231.20 Instructor Approval
1231.30 Instructor Approval Revocation
1231.40 Curriculum Approval
1231.50 Training Certification

SUBPART C: FIREARM CONCEALED CARRY LICENSURE

1231.60 Issuance of License
EMERGENCY
1231.70 Objections
1231.80 Review Board
1231.90 Qualifications for License
1231.100 Application
1231.110 Non-Resident Application
1231.120 Renewal
1231.130 Change Requests
1231.140 Fees
1231.150 Prohibited Areas
1231.160 FCCL Suspension, Revocation and Invalidation
1231.170 Appeals

SUBPART D: MISCELLANEOUS

1231.180 Law Enforcement Fingerprinting Registration

1231.APPENDIX A Prohibited Area Posting

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1231.APPENDIX B Prior Training Credit
1231.APPENDIX C Concealed Carry Firearm Training Certification Form (Repealed)

AUTHORITY: Implements the Firearm Concealed Carry Act [430 ILCS 66] and authorized by Section 95 of that Act.

SOURCE: Adopted by emergency rulemaking at 37 Ill. Reg. 15146, effective August 30, 2013, for a maximum of 150 days; adopted at 38 Ill. Reg. 2322, effective December 31, 2013; emergency amendment at 38 Ill. Reg. 9703, effective April 16, 2014, for a maximum of 150 days; emergency rule modified in response to JCAR Objection at 38 Ill. Reg. 13410, effective June 10, 2014, for the remainder of the 150 days; emergency amendment at 38 Ill. Reg. 16010, effective July 10, 2014, for a maximum of 150 days; amended at 38 Ill. Reg. 19282, effective September 12, 2014; emergency amendment at 44 Ill. Reg. 6170, effective April 6, 2020, for a maximum of 150 days.

SUBPART C: FIREARM CONCEALED CARRY LICENSURE

Section 1231.60 Issuance of License**EMERGENCY**

- a) An FCCL shall expire 5 years after the date of issuance. For the duration of the Gubernatorial Disaster Proclamation related to COVID-19 and for a period of 12 months following its termination by the Governor, any FCCL that has expired or will expire shall remain valid provided that the submitted renewal application is completed pursuant to the requirements of Sections 30, 40 and 50 of the Act, as well as Sections 4 and 8 of the FOID Act, and the applicant's FCCL card is not subject to revocation pursuant to the provisions of Section 70 of the Act. Any FCCL card renewed during the duration of the Gubernatorial Disaster Proclamation shall expire 5 years from the date of issuance.
- b) The Department shall, at least 60 days prior to the expiration of an FCCL, forward to the last known address of each person whose FCCL is to expire a notification of the expiration.
- c) The Department shall make applications available via its website no later than January 5, 2014. No later than July 1, 2014, the Department will provide an alternative to the web-based application process for Illinois residents who have limited or no access to the web-based application process.

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- d) FCCL applicants must obtain a digital signature through the Department of Central Management Services (see 14 Ill. Adm. Code 105) before applying for an FCCL. The Department will provide a link to the digital signature application through its website.
- e) Applicants submitting fingerprints shall do so electronically by submitting a full set of fingerprints to the Department in an electronic format using a Live Scan vendor licensed by the Department of Financial and Professional Regulation or a law enforcement agency registered by the Department. Manual fingerprints will not be accepted.
- f) Upon receiving a Live Scan Fingerprint Transaction Control Number (TCN) from the licensed Live Scan vendor or law enforcement agency, the applicant shall electronically complete and submit the FCCL to the Department.
- g) The TCN for FCCL applicants will have a unique purpose code for the FCCL application process. Concealed Carry Firearm Instructors may use the TCN previously obtained for the instructor application process. No other previously obtained TCNs may be used as they will not have the appropriate purpose code.
- h) The database of FCCL applicants maintained by the Department pursuant to Section 10(i) of Act shall be exempt from FOIA pursuant to FOIA Section 7.5(v) [5 ILCS 140/7.5(v)].
 - 1) Persons authorized to access the database shall register with the Department to obtain a unique password granting them secure access to the database.
 - 2) The entity employing persons requesting access to the database shall appoint a person to act as the entity's point of contact and shall enter into an agreement with the Department defining the security protocols of the database and access to the database.

(Source: Amended by emergency rulemaking at 44 Ill. Reg. 6170, effective April 6, 2020, for a maximum of 150 days)