



Sen. Julie A. Morrison

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10100SB0781sam001

LRB101 04541 SLF 58612 a

1 AMENDMENT TO SENATE BILL 781

2 AMENDMENT NO. _____. Amend Senate Bill 781 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Firearm Owners Identification Card Act is
5 amended by changing Section 9.5 as follows:

6 (430 ILCS 65/9.5)

7 Sec. 9.5. Revocation of Firearm Owner's Identification
8 Card.

9 (a) A person who receives a revocation notice under Section
10 9 of this Act shall, within 48 hours of receiving notice of the
11 revocation:

12 (1) surrender his or her Firearm Owner's
13 Identification Card to the local law enforcement agency
14 where the person resides. The local law enforcement agency
15 shall provide the person a receipt and transmit the Firearm
16 Owner's Identification Card to the Department of State

1 Police; and

2 (2) complete a Firearm Disposition Record on a form
3 prescribed by the Department of State Police and place his
4 or her firearms in the location or with the person reported
5 in the Firearm Disposition Record. The form shall require
6 the person to disclose:

7 (A) the make, model, and serial number of each
8 firearm owned by or under the custody and control of
9 the revoked person;

10 (B) the location where each firearm will be
11 maintained during the prohibited term; and

12 (C) if any firearm will be transferred to the
13 custody of another person, the name, address and
14 Firearm Owner's Identification Card number of the
15 transferee.

16 (b) The local law enforcement agency shall provide a copy
17 of the Firearm Disposition Record to the person whose Firearm
18 Owner's Identification Card has been revoked and to the
19 Department of State Police.

20 (c) If the person whose Firearm Owner's Identification Card
21 has been revoked fails to comply with the requirements of this
22 Section, the sheriff or law enforcement agency where the person
23 resides may petition the circuit court to issue a warrant to
24 search for and seize the Firearm Owner's Identification Card
25 and firearms in the possession or under the custody or control
26 of the person whose Firearm Owner's Identification Card has

1 been revoked.

2 (c-5) If a person whose Firearm Owner's Identification Card
3 has been revoked does not comply with subsection (a) within 5
4 business days, on the 6th day, the local law enforcement agency
5 or sheriff shall notify the Department of State Police of the
6 non-compliance and upon receiving notice, the Department of
7 State Police must relay that information to the Department of
8 Natural Resources within 24 hours.

9 (d) A violation of subsection (a) of this Section is a
10 Class A misdemeanor.

11 (e) The observation of a Firearm Owner's Identification
12 Card in the possession of a person whose Firearm Owner's
13 Identification Card has been revoked constitutes a sufficient
14 basis for the arrest of that person for violation of this
15 Section.

16 (f) Within 30 days after the effective date of this
17 amendatory Act of the 98th General Assembly, the Department of
18 State Police shall provide written notice of the requirements
19 of this Section to persons whose Firearm Owner's Identification
20 Cards have been revoked, suspended, or expired and who have
21 failed to surrender their cards to the Department.

22 (g) A person whose Firearm Owner's Identification Card has
23 been revoked and who received notice under subsection (f) shall
24 comply with the requirements of this Section within 48 hours of
25 receiving notice.

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

1 Section 10. The Wildlife Code is amended by changing
2 Section 3.36 as follows:

3 (520 ILCS 5/3.36) (from Ch. 61, par. 3.36)

4 Sec. 3.36. Revocation and suspension.

5 (a) Whenever a license or permit is issued to any person
6 under this Act, and the holder thereof is found guilty of any
7 misrepresentation in obtaining such license or permit or of a
8 violation of Section 48-3 of the Criminal Code of 2012 or a
9 violation of any of the provisions of this Act, including
10 administrative rules, his license or permit may be revoked by
11 the Department, and the Department may refuse to issue any
12 permit or license to such person and may suspend the person
13 from engaging in the activity requiring the permit or license
14 for a period of time not to exceed 5 years following such
15 revocation.

16 Department revocation procedures shall be established by
17 Administrative rule.

18 (a-5) When a license or permit is issued under this Act and
19 the person is found to be in violation of subsection (a) of
20 Section 9.5 of the Firearm Owners Identification Card Act, his
21 or her license or permit shall be revoked by the Department.
22 The Department shall refuse to issue any permit or license to
23 the person and may suspend the person from engaging in any
24 activity that requires the permit or license until the person

1 is eligible to hold a Firearm Owner's Identification Card.

2 (b) Whenever any person who has not been issued a license
3 or a permit under the provisions of this Code is found guilty
4 of a violation of Section 48-3 of the Criminal Code of 2012 or
5 a violation of the provisions of this Code, including
6 administrative rules, the Department may refuse to issue any
7 permit or license to that person, and suspend that person from
8 engaging in the activity requiring the permit or license for a
9 period of time not to exceed 5 years.

10 (c) Any person who knowingly or intentionally violates any
11 of the provisions of this Act, including administrative rules,
12 during such period when his license or permit is revoked or
13 denied by virtue of this Section or during the time he is
14 suspended under subsection (b), shall be guilty of a Class A
15 misdemeanor. The penalties for a violation of Section 48-3 of
16 the Criminal Code of 2012 shall be as provided in that Section.

17 (d) Licenses and permits authorized to be issued under the
18 provisions of this Act shall be prepared by the Department and
19 be in such form as prescribed by the Department. The
20 information required on each license shall be completed thereon
21 by the issuing agent or his sub-agent at the time of issuance
22 and each license shall be signed by the licensee, or initialed
23 by the designated purchaser and then signed immediately upon
24 receipt by the licensee, and countersigned by the issuing agent
25 or his sub-agent at the time of issuance. All such licenses
26 shall be supplied by the Department, subject to such rules and

1 regulations as the Department may prescribe. Any license not
2 properly prepared, obtained and signed as required by this Act
3 shall be void.

4 (e) A person whose license or permit to engage in any
5 activity regulated by this Code has been suspended or revoked
6 may not, during the period of the suspension or revocation or
7 until obtaining such a license or permit, (i) be in the company
8 of any person engaging in the activity covered by the
9 suspension or revocation or (ii) serve as a guide, outfitter,
10 or facilitator for a person who is engaged or prepared to
11 engage in the activity covered by the suspension or revocation.

12 (f) No person may be issued or obtain a license or permit
13 or engage in any activity regulated by this Code during the
14 time that the person's privilege to engage in the same or
15 similar activities is suspended or revoked by another state, by
16 a federal agency, or by a province of Canada.

17 (Source: P.A. 98-402, eff. 8-16-13.)".