



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3909

Introduced 2/22/2021, by Rep. Michelle Mussman

#### SYNOPSIS AS INTRODUCED:

430 ILCS 65/9.5

Amends the Firearm Owners Identification Card Act. Provides that a person who receives a revocation or suspension notice under the Act (currently, only revocation notice) shall, within 48 hours of receiving notice of the revocation or suspension: (1) surrender his or her Firearm Owner's Identification Card to the local law enforcement agency where the person resides; and (2) complete a Firearm Disposition Record on a form prescribed by the Department of State Police and place his or her firearms in the location or with the person reported in the Firearm Disposition Record. Provides that the Firearm Disposition Record shall contain a statement to be signed by the transferee that the transferee: (1) is aware of, and will abide by, current law regarding the unlawful transfer of a firearm; (2) is aware of the penalties for violating the law as it pertains to unlawful transfer of a firearm; and (3) intends to retain possession of the firearm or firearms until it is determined that the transferor is legally eligible to possess a firearm and has an active Firearm Owners Identification Card, if applicable, or until a new person is chosen to hold the firearm or firearms. Makes conforming changes.

LRB102 13299 KMF 18643 b

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 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 or suspension of Firearm Owner's  
8 Identification Card.

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

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  
16 Firearm Owner's Identification Card to the Department of  
17 State Police; and

18 (2) complete a Firearm Disposition Record on a form  
19 prescribed by the Department of State Police and place his  
20 or her firearms in the location or with the person  
21 reported in the Firearm Disposition Record. The form shall  
22 require the person to disclose:

23 (A) the make, model, and serial number of each

1 firearm owned by or under the custody and control of  
2 the revoked or suspended person;

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

5 (C) if any firearm will be transferred to the  
6 custody of another person, the name, address and  
7 Firearm Owner's Identification Card number of the  
8 transferee.

9 (a-5) The Firearm Disposition Record shall contain a  
10 statement to be signed by the transferee that the transferee:

11 (1) is aware of, and will abide by, current law  
12 regarding the unlawful transfer of a firearm;

13 (2) is aware of the penalties for violating the law as  
14 it pertains to unlawful transfer of a firearm; and

15 (3) intends to retain possession of the firearm or  
16 firearms until it is determined that the transferor is  
17 legally eligible to possess a firearm and has an active  
18 Firearm Owners Identification Card, if applicable, or  
19 until a new person is chosen to hold the firearm or  
20 firearms.

21 (b) The local law enforcement agency shall provide a copy  
22 of the Firearm Disposition Record to the person whose Firearm  
23 Owner's Identification Card has been revoked or suspended, the  
24 transferee, and to the Department of State Police.

25 (c) If the person whose Firearm Owner's Identification  
26 Card has been revoked or suspended fails to comply with the

1 requirements of this Section, the sheriff or law enforcement  
2 agency where the person resides may petition the circuit court  
3 to issue a warrant to search for and seize the Firearm Owner's  
4 Identification Card and firearms in the possession or under  
5 the custody or control of the person whose Firearm Owner's  
6 Identification Card has been revoked or suspended.

7 (d) A violation of subsection (a) of this Section is a  
8 Class A misdemeanor.

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

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

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

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