



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

**HB4744**

Introduced 2/6/2024, by Rep. Laura Faver Dias

#### SYNOPSIS AS INTRODUCED:

5 ILCS 140/7  
430 ILCS 65/14.1 new  
430 ILCS 65/14.2 new  
430 ILCS 65/14.3 new  
430 ILCS 65/14.4 new  
430 ILCS 68/5-20

Provides that the Act may be referred to as the Voluntary Do Not Sell Firearms Act. Amends the Firearm Owners Identification Card Act. Provides that a person may voluntarily waive his or her firearm rights by filing a voluntary waiver, in a form determined by the Illinois State Police, with the clerk of a circuit court. Provides that the person shall also surrender any current Firearm Owner's Identification Card or concealed carry license that has been issued to the person. Provides that the clerk of the circuit court must request a physical or scanned copy of photo identification to verify the person's identity prior to accepting the form. Provides that the person filing the form may provide the name of a family member, mental health professional, substance use disorder professional, or other person to be contacted if the filer attempts to purchase a firearm while the voluntary waiver of firearm rights is in effect or if the filer applies to have the voluntary waiver revoked. Provides that a person who has filed a voluntary waiver of firearm rights may file a revocation of the voluntary waiver if at least 7 calendar days have passed since the voluntary waiver was initially filed. Provides that a person who knowingly makes a false statement regarding the person's identity on the voluntary waiver of firearm rights form or revocation of waiver of firearm rights form is guilty of a Class 2 felony. Provides that the Illinois State Police shall develop a voluntary waiver of firearm rights form, a revocation of voluntary waiver of firearm rights form, and instructions for the surrender of firearms. Provides that records produced pursuant to the amendatory Act are not subject to disclosure as public records under the Freedom of Information Act. Amends the Freedom of Information Act and the Firearm Dealer License Certification Act to make conforming changes. Effective immediately.

LRB103 37202 RLC 67321 b

A BILL FOR

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 1. This Act may be referred to as the Voluntary Do  
5 Not Sell Firearms Act.

6 Section 5. The Freedom of Information Act is amended by  
7 changing Section 7 as follows:

8 (5 ILCS 140/7)

9 Sec. 7. Exemptions.

10 (1) When a request is made to inspect or copy a public  
11 record that contains information that is exempt from  
12 disclosure under this Section, but also contains information  
13 that is not exempt from disclosure, the public body may elect  
14 to redact the information that is exempt. The public body  
15 shall make the remaining information available for inspection  
16 and copying. Subject to this requirement, the following shall  
17 be exempt from inspection and copying:

18 (a) Information specifically prohibited from  
19 disclosure by federal or State law or rules and  
20 regulations implementing federal or State law.

21 (b) Private information, unless disclosure is required  
22 by another provision of this Act, a State or federal law,

1 or a court order.

2 (b-5) Files, documents, and other data or databases  
3 maintained by one or more law enforcement agencies and  
4 specifically designed to provide information to one or  
5 more law enforcement agencies regarding the physical or  
6 mental status of one or more individual subjects.

7 (c) Personal information contained within public  
8 records, the disclosure of which would constitute a  
9 clearly unwarranted invasion of personal privacy, unless  
10 the disclosure is consented to in writing by the  
11 individual subjects of the information. "Unwarranted  
12 invasion of personal privacy" means the disclosure of  
13 information that is highly personal or objectionable to a  
14 reasonable person and in which the subject's right to  
15 privacy outweighs any legitimate public interest in  
16 obtaining the information. The disclosure of information  
17 that bears on the public duties of public employees and  
18 officials shall not be considered an invasion of personal  
19 privacy.

20 (d) Records in the possession of any public body  
21 created in the course of administrative enforcement  
22 proceedings, and any law enforcement or correctional  
23 agency for law enforcement purposes, but only to the  
24 extent that disclosure would:

25 (i) interfere with pending or actually and  
26 reasonably contemplated law enforcement proceedings

1 conducted by any law enforcement or correctional  
2 agency that is the recipient of the request;

3 (ii) interfere with active administrative  
4 enforcement proceedings conducted by the public body  
5 that is the recipient of the request;

6 (iii) create a substantial likelihood that a  
7 person will be deprived of a fair trial or an impartial  
8 hearing;

9 (iv) unavoidably disclose the identity of a  
10 confidential source, confidential information  
11 furnished only by the confidential source, or persons  
12 who file complaints with or provide information to  
13 administrative, investigative, law enforcement, or  
14 penal agencies; except that the identities of  
15 witnesses to traffic crashes, traffic crash reports,  
16 and rescue reports shall be provided by agencies of  
17 local government, except when disclosure would  
18 interfere with an active criminal investigation  
19 conducted by the agency that is the recipient of the  
20 request;

21 (v) disclose unique or specialized investigative  
22 techniques other than those generally used and known  
23 or disclose internal documents of correctional  
24 agencies related to detection, observation, or  
25 investigation of incidents of crime or misconduct, and  
26 disclosure would result in demonstrable harm to the

1 agency or public body that is the recipient of the  
2 request;

3 (vi) endanger the life or physical safety of law  
4 enforcement personnel or any other person; or

5 (vii) obstruct an ongoing criminal investigation  
6 by the agency that is the recipient of the request.

7 (d-5) A law enforcement record created for law  
8 enforcement purposes and contained in a shared electronic  
9 record management system if the law enforcement agency  
10 that is the recipient of the request did not create the  
11 record, did not participate in or have a role in any of the  
12 events which are the subject of the record, and only has  
13 access to the record through the shared electronic record  
14 management system.

15 (d-6) Records contained in the Officer Professional  
16 Conduct Database under Section 9.2 of the Illinois Police  
17 Training Act, except to the extent authorized under that  
18 Section. This includes the documents supplied to the  
19 Illinois Law Enforcement Training Standards Board from the  
20 Illinois State Police and Illinois State Police Merit  
21 Board.

22 (d-7) Information gathered or records created from the  
23 use of automatic license plate readers in connection with  
24 Section 2-130 of the Illinois Vehicle Code.

25 (e) Records that relate to or affect the security of  
26 correctional institutions and detention facilities.

1           (e-5) Records requested by persons committed to the  
2 Department of Corrections, Department of Human Services  
3 Division of Mental Health, or a county jail if those  
4 materials are available in the library of the correctional  
5 institution or facility or jail where the inmate is  
6 confined.

7           (e-6) Records requested by persons committed to the  
8 Department of Corrections, Department of Human Services  
9 Division of Mental Health, or a county jail if those  
10 materials include records from staff members' personnel  
11 files, staff rosters, or other staffing assignment  
12 information.

13           (e-7) Records requested by persons committed to the  
14 Department of Corrections or Department of Human Services  
15 Division of Mental Health if those materials are available  
16 through an administrative request to the Department of  
17 Corrections or Department of Human Services Division of  
18 Mental Health.

19           (e-8) Records requested by a person committed to the  
20 Department of Corrections, Department of Human Services  
21 Division of Mental Health, or a county jail, the  
22 disclosure of which would result in the risk of harm to any  
23 person or the risk of an escape from a jail or correctional  
24 institution or facility.

25           (e-9) Records requested by a person in a county jail  
26 or committed to the Department of Corrections or

1 Department of Human Services Division of Mental Health,  
2 containing personal information pertaining to the person's  
3 victim or the victim's family, including, but not limited  
4 to, a victim's home address, home telephone number, work  
5 or school address, work telephone number, social security  
6 number, or any other identifying information, except as  
7 may be relevant to a requester's current or potential case  
8 or claim.

9 (e-10) Law enforcement records of other persons  
10 requested by a person committed to the Department of  
11 Corrections, Department of Human Services Division of  
12 Mental Health, or a county jail, including, but not  
13 limited to, arrest and booking records, mug shots, and  
14 crime scene photographs, except as these records may be  
15 relevant to the requester's current or potential case or  
16 claim.

17 (f) Preliminary drafts, notes, recommendations,  
18 memoranda, and other records in which opinions are  
19 expressed, or policies or actions are formulated, except  
20 that a specific record or relevant portion of a record  
21 shall not be exempt when the record is publicly cited and  
22 identified by the head of the public body. The exemption  
23 provided in this paragraph (f) extends to all those  
24 records of officers and agencies of the General Assembly  
25 that pertain to the preparation of legislative documents.

26 (g) Trade secrets and commercial or financial

1 information obtained from a person or business where the  
2 trade secrets or commercial or financial information are  
3 furnished under a claim that they are proprietary,  
4 privileged, or confidential, and that disclosure of the  
5 trade secrets or commercial or financial information would  
6 cause competitive harm to the person or business, and only  
7 insofar as the claim directly applies to the records  
8 requested.

9 The information included under this exemption includes  
10 all trade secrets and commercial or financial information  
11 obtained by a public body, including a public pension  
12 fund, from a private equity fund or a privately held  
13 company within the investment portfolio of a private  
14 equity fund as a result of either investing or evaluating  
15 a potential investment of public funds in a private equity  
16 fund. The exemption contained in this item does not apply  
17 to the aggregate financial performance information of a  
18 private equity fund, nor to the identity of the fund's  
19 managers or general partners. The exemption contained in  
20 this item does not apply to the identity of a privately  
21 held company within the investment portfolio of a private  
22 equity fund, unless the disclosure of the identity of a  
23 privately held company may cause competitive harm.

24 Nothing contained in this paragraph (g) shall be  
25 construed to prevent a person or business from consenting  
26 to disclosure.



1           (h) Proposals and bids for any contract, grant, or  
2 agreement, including information which if it were  
3 disclosed would frustrate procurement or give an advantage  
4 to any person proposing to enter into a contractor  
5 agreement with the body, until an award or final selection  
6 is made. Information prepared by or for the body in  
7 preparation of a bid solicitation shall be exempt until an  
8 award or final selection is made.

9           (i) Valuable formulae, computer geographic systems,  
10 designs, drawings, and research data obtained or produced  
11 by any public body when disclosure could reasonably be  
12 expected to produce private gain or public loss. The  
13 exemption for "computer geographic systems" provided in  
14 this paragraph (i) does not extend to requests made by  
15 news media as defined in Section 2 of this Act when the  
16 requested information is not otherwise exempt and the only  
17 purpose of the request is to access and disseminate  
18 information regarding the health, safety, welfare, or  
19 legal rights of the general public.

20           (j) The following information pertaining to  
21 educational matters:

22           (i) test questions, scoring keys, and other  
23 examination data used to administer an academic  
24 examination;

25           (ii) information received by a primary or  
26 secondary school, college, or university under its

1 procedures for the evaluation of faculty members by  
2 their academic peers;

3 (iii) information concerning a school or  
4 university's adjudication of student disciplinary  
5 cases, but only to the extent that disclosure would  
6 unavoidably reveal the identity of the student; and

7 (iv) course materials or research materials used  
8 by faculty members.

9 (k) Architects' plans, engineers' technical  
10 submissions, and other construction related technical  
11 documents for projects not constructed or developed in  
12 whole or in part with public funds and the same for  
13 projects constructed or developed with public funds,  
14 including, but not limited to, power generating and  
15 distribution stations and other transmission and  
16 distribution facilities, water treatment facilities,  
17 airport facilities, sport stadiums, convention centers,  
18 and all government owned, operated, or occupied buildings,  
19 but only to the extent that disclosure would compromise  
20 security.

21 (l) Minutes of meetings of public bodies closed to the  
22 public as provided in the Open Meetings Act until the  
23 public body makes the minutes available to the public  
24 under Section 2.06 of the Open Meetings Act.

25 (m) Communications between a public body and an  
26 attorney or auditor representing the public body that

1 would not be subject to discovery in litigation, and  
2 materials prepared or compiled by or for a public body in  
3 anticipation of a criminal, civil, or administrative  
4 proceeding upon the request of an attorney advising the  
5 public body, and materials prepared or compiled with  
6 respect to internal audits of public bodies.

7 (n) Records relating to a public body's adjudication  
8 of employee grievances or disciplinary cases; however,  
9 this exemption shall not extend to the final outcome of  
10 cases in which discipline is imposed.

11 (o) Administrative or technical information associated  
12 with automated data processing operations, including, but  
13 not limited to, software, operating protocols, computer  
14 program abstracts, file layouts, source listings, object  
15 modules, load modules, user guides, documentation  
16 pertaining to all logical and physical design of  
17 computerized systems, employee manuals, and any other  
18 information that, if disclosed, would jeopardize the  
19 security of the system or its data or the security of  
20 materials exempt under this Section.

21 (p) Records relating to collective negotiating matters  
22 between public bodies and their employees or  
23 representatives, except that any final contract or  
24 agreement shall be subject to inspection and copying.

25 (q) Test questions, scoring keys, and other  
26 examination data used to determine the qualifications of

1 an applicant for a license or employment.

2 (r) The records, documents, and information relating  
3 to real estate purchase negotiations until those  
4 negotiations have been completed or otherwise terminated.  
5 With regard to a parcel involved in a pending or actually  
6 and reasonably contemplated eminent domain proceeding  
7 under the Eminent Domain Act, records, documents, and  
8 information relating to that parcel shall be exempt except  
9 as may be allowed under discovery rules adopted by the  
10 Illinois Supreme Court. The records, documents, and  
11 information relating to a real estate sale shall be exempt  
12 until a sale is consummated.

13 (s) Any and all proprietary information and records  
14 related to the operation of an intergovernmental risk  
15 management association or self-insurance pool or jointly  
16 self-administered health and accident cooperative or pool.  
17 Insurance or self-insurance (including any  
18 intergovernmental risk management association or  
19 self-insurance pool) claims, loss or risk management  
20 information, records, data, advice, or communications.

21 (t) Information contained in or related to  
22 examination, operating, or condition reports prepared by,  
23 on behalf of, or for the use of a public body responsible  
24 for the regulation or supervision of financial  
25 institutions, insurance companies, or pharmacy benefit  
26 managers, unless disclosure is otherwise required by State

1 law.

2 (u) Information that would disclose or might lead to  
3 the disclosure of secret or confidential information,  
4 codes, algorithms, programs, or private keys intended to  
5 be used to create electronic signatures under the Uniform  
6 Electronic Transactions Act.

7 (v) Vulnerability assessments, security measures, and  
8 response policies or plans that are designed to identify,  
9 prevent, or respond to potential attacks upon a  
10 community's population or systems, facilities, or  
11 installations, but only to the extent that disclosure  
12 could reasonably be expected to expose the vulnerability  
13 or jeopardize the effectiveness of the measures, policies,  
14 or plans, or the safety of the personnel who implement  
15 them or the public. Information exempt under this item may  
16 include such things as details pertaining to the  
17 mobilization or deployment of personnel or equipment, to  
18 the operation of communication systems or protocols, to  
19 cybersecurity vulnerabilities, or to tactical operations.

20 (w) (Blank).

21 (x) Maps and other records regarding the location or  
22 security of generation, transmission, distribution,  
23 storage, gathering, treatment, or switching facilities  
24 owned by a utility, by a power generator, or by the  
25 Illinois Power Agency.

26 (y) Information contained in or related to proposals,

1 bids, or negotiations related to electric power  
2 procurement under Section 1-75 of the Illinois Power  
3 Agency Act and Section 16-111.5 of the Public Utilities  
4 Act that is determined to be confidential and proprietary  
5 by the Illinois Power Agency or by the Illinois Commerce  
6 Commission.

7 (z) Information about students exempted from  
8 disclosure under Section 10-20.38 or 34-18.29 of the  
9 School Code, and information about undergraduate students  
10 enrolled at an institution of higher education exempted  
11 from disclosure under Section 25 of the Illinois Credit  
12 Card Marketing Act of 2009.

13 (aa) Information the disclosure of which is exempted  
14 under the Viatical Settlements Act of 2009.

15 (bb) Records and information provided to a mortality  
16 review team and records maintained by a mortality review  
17 team appointed under the Department of Juvenile Justice  
18 Mortality Review Team Act.

19 (cc) Information regarding interments, entombments, or  
20 inurnments of human remains that are submitted to the  
21 Cemetery Oversight Database under the Cemetery Care Act or  
22 the Cemetery Oversight Act, whichever is applicable.

23 (dd) Correspondence and records (i) that may not be  
24 disclosed under Section 11-9 of the Illinois Public Aid  
25 Code or (ii) that pertain to appeals under Section 11-8 of  
26 the Illinois Public Aid Code.

1 (ee) The names, addresses, or other personal  
2 information of persons who are minors and are also  
3 participants and registrants in programs of park  
4 districts, forest preserve districts, conservation  
5 districts, recreation agencies, and special recreation  
6 associations.

7 (ff) The names, addresses, or other personal  
8 information of participants and registrants in programs of  
9 park districts, forest preserve districts, conservation  
10 districts, recreation agencies, and special recreation  
11 associations where such programs are targeted primarily to  
12 minors.

13 (gg) Confidential information described in Section  
14 1-100 of the Illinois Independent Tax Tribunal Act of  
15 2012.

16 (hh) The report submitted to the State Board of  
17 Education by the School Security and Standards Task Force  
18 under item (8) of subsection (d) of Section 2-3.160 of the  
19 School Code and any information contained in that report.

20 (ii) Records requested by persons committed to or  
21 detained by the Department of Human Services under the  
22 Sexually Violent Persons Commitment Act or committed to  
23 the Department of Corrections under the Sexually Dangerous  
24 Persons Act if those materials: (i) are available in the  
25 library of the facility where the individual is confined;  
26 (ii) include records from staff members' personnel files,

1 staff rosters, or other staffing assignment information;  
2 or (iii) are available through an administrative request  
3 to the Department of Human Services or the Department of  
4 Corrections.

5 (jj) Confidential information described in Section  
6 5-535 of the Civil Administrative Code of Illinois.

7 (kk) The public body's credit card numbers, debit card  
8 numbers, bank account numbers, Federal Employer  
9 Identification Number, security code numbers, passwords,  
10 and similar account information, the disclosure of which  
11 could result in identity theft or impersonation or defrauding  
12 of a governmental entity or a person.

13 (ll) Records concerning the work of the threat  
14 assessment team of a school district, including, but not  
15 limited to, any threat assessment procedure under the  
16 School Safety Drill Act and any information contained in  
17 the procedure.

18 (mm) Information prohibited from being disclosed under  
19 subsections (a) and (b) of Section 15 of the Student  
20 Confidential Reporting Act.

21 (nn) Proprietary information submitted to the  
22 Environmental Protection Agency under the Drug Take-Back  
23 Act.

24 (oo) Records described in subsection (f) of Section  
25 3-5-1 of the Unified Code of Corrections.

26 (pp) Any and all information regarding burials,



1 interments, or entombments of human remains as required to  
2 be reported to the Department of Natural Resources  
3 pursuant either to the Archaeological and Paleontological  
4 Resources Protection Act or the Human Remains Protection  
5 Act.

6 (qq) ~~(pp)~~ Reports described in subsection (e) of  
7 Section 16-15 of the Abortion Care Clinical Training  
8 Program Act.

9 (rr) ~~(pp)~~ Information obtained by a certified local  
10 health department under the Access to Public Health Data  
11 Act.

12 (ss) ~~(pp)~~ For a request directed to a public body that  
13 is also a HIPAA-covered entity, all information that is  
14 protected health information, including demographic  
15 information, that may be contained within or extracted  
16 from any record held by the public body in compliance with  
17 State and federal medical privacy laws and regulations,  
18 including, but not limited to, the Health Insurance  
19 Portability and Accountability Act and its regulations, 45  
20 CFR Parts 160 and 164. As used in this paragraph,  
21 "HIPAA-covered entity" has the meaning given to the term  
22 "covered entity" in 45 CFR 160.103 and "protected health  
23 information" has the meaning given to that term in 45 CFR  
24 160.103.

25 (tt) Records produced pursuant to Sections 14.1, 14.2,  
26 14.3, and 14.4 of the Firearm Owners Identification Card

1           Act.

2           (1.5) Any information exempt from disclosure under the  
3           Judicial Privacy Act shall be redacted from public records  
4           prior to disclosure under this Act.

5           (2) A public record that is not in the possession of a  
6           public body but is in the possession of a party with whom the  
7           agency has contracted to perform a governmental function on  
8           behalf of the public body, and that directly relates to the  
9           governmental function and is not otherwise exempt under this  
10          Act, shall be considered a public record of the public body,  
11          for purposes of this Act.

12          (3) This Section does not authorize withholding of  
13          information or limit the availability of records to the  
14          public, except as stated in this Section or otherwise provided  
15          in this Act.

16          (Source: P.A. 102-38, eff. 6-25-21; 102-558, eff. 8-20-21;  
17          102-694, eff. 1-7-22; 102-752, eff. 5-6-22; 102-753, eff.  
18          1-1-23; 102-776, eff. 1-1-23; 102-791, eff. 5-13-22; 102-982,  
19          eff. 7-1-23; 102-1055, eff. 6-10-22; 103-154, eff. 6-30-23;  
20          103-423, eff. 1-1-24; 103-446, eff. 8-4-23; 103-462, eff.  
21          8-4-23; 103-540, eff. 1-1-24; 103-554, eff. 1-1-24; revised  
22          9-7-23.)

23          Section 10. The Firearm Owners Identification Card Act is  
24          amended by adding Sections 14.1, 14.2, 14.3, and 14.4 as  
25          follows:

1 (430 ILCS 65/14.1 new)

2 Sec. 14.1. Voluntary waiver of firearm rights.

3 (a) A person may voluntarily waive his or her firearm  
4 rights by filing a voluntary waiver, in a form determined by  
5 the Illinois State Police, with the clerk of a circuit court.  
6 The person shall also surrender any current Firearm Owner's  
7 Identification Card issued under this Act or concealed carry  
8 license issued under the Firearm Concealed Carry Act that has  
9 been issued to the person.

10 (b) The clerk of the circuit court must request a physical  
11 or scanned copy of photo identification to verify the person's  
12 identity prior to accepting the form.

13 (c) The person filing the form may provide the name of a  
14 family member, mental health professional, substance use  
15 disorder professional, or other person to be contacted if the  
16 filer attempts to purchase a firearm while the voluntary  
17 waiver of firearm rights is in effect or if the filer applies  
18 to have the voluntary waiver revoked.

19 (d) The clerk of the circuit court must immediately give  
20 notice to the person filing the form and any listed family  
21 member, mental health professional, substance use disorder  
22 professional, or other person if the filer's voluntary waiver  
23 of firearm rights has been accepted. The notice shall state:  
24 "Because you have filed this voluntary waiver of firearm  
25 rights, you may not purchase, receive, control, or possess any

1 firearm. You must immediately surrender any current Firearm  
2 Owner's Identification Card or concealed carry license that  
3 has been issued to you. Any firearms in your possession must be  
4 surrendered. You may revoke this voluntary waiver of firearm  
5 rights any time after at least 7 calendar days have elapsed  
6 since the time of filing." The notice shall also include  
7 instructions on the surrendering of firearms in a form  
8 determined by the Illinois State Police.

9 (e) By the end of the business day, the clerk of the  
10 circuit court must transmit the accepted form to the Illinois  
11 State Police. The Illinois State Police must enter the  
12 voluntary waiver of firearm rights into the national instant  
13 criminal background check system and any other federal or  
14 State computer-based systems used by law enforcement agencies  
15 or others to identify prohibited purchasers of firearms within  
16 24 hours of receipt of the form. Copies and records of the  
17 voluntary waiver of firearm rights shall not be disclosed  
18 except to law enforcement agencies. The Illinois State Police  
19 shall also temporarily suspend any Firearm Owner's  
20 Identification Card issued under this Act or concealed carry  
21 license issued under the Firearm Concealed Carry Act.

22 (f) A filer of a voluntary waiver of firearm rights may  
23 update the contact information for any family member, mental  
24 health professional, substance use disorder professional, or  
25 other person listed in the voluntary waiver by making an  
26 electronic or written request to the clerk of the same circuit

1 court with which the voluntary waiver of firearm rights was  
2 filed. The clerk of the circuit court must:

3 (A) request a physical or scanned copy of photo  
4 identification to verify the person's identity prior to  
5 updating the contact information on the form; and

6 (B) by the end of the business day, transmit the  
7 updated contact information to the Illinois State Police.

8 (g) A person who knowingly makes a false statement  
9 regarding the person's identity on the voluntary waiver of  
10 firearm rights form or revocation of waiver of firearm rights  
11 form is guilty of a Class 2 felony.

12 (430 ILCS 65/14.2 new)

13 Sec. 14.2. Revocation of voluntary waiver of firearm  
14 rights.

15 (a) A person who has filed a voluntary waiver of firearm  
16 rights may file a revocation of the voluntary waiver if at  
17 least 7 calendar days have passed since the voluntary waiver  
18 was initially filed.

19 (b) The revocation shall be filed in the same county where  
20 the voluntary waiver of firearm rights was filed.

21 (c) The clerk of the circuit court must request a physical  
22 or scanned copy of photo identification to verify the person's  
23 identity prior to accepting the form.

24 (d) By the end of the business day, the clerk of the  
25 circuit court must transmit the form to the Illinois State

1 Police and to any family member, mental health professional,  
2 substance use disorder professional, or other person listed on  
3 the voluntary waiver of firearm rights.

4 (e) Within 7 days of receiving a revocation of a voluntary  
5 waiver of firearm rights, the Illinois State Police shall:

6 (1) remove the person from the national instant  
7 criminal background check system, and any other federal or  
8 State computer-based systems used by law enforcement  
9 agencies or others to identify prohibited purchasers of  
10 firearms in which the person was entered, unless the  
11 person is otherwise ineligible to possess a firearm, and  
12 destroy all records of the voluntary waiver; and

13 (2) restore any Firearm Owner's Identification Card  
14 issued under this Act or concealed carry license issued  
15 under the Firearm Concealed Carry Act that had been  
16 suspended, and re-issue any such Firearm Owner's  
17 Identification Card or concealed carry license.

18 (430 ILCS 65/14.3 new)

19 Sec. 14.3. Voluntary waiver of firearm rights. Records  
20 produced pursuant to this amendatory Act of the 103rd General  
21 Assembly are not subject to disclosure as public records under  
22 the Freedom of Information Act.

23 (430 ILCS 65/14.4 new)

24 Sec. 14.4. Forms for voluntary waiver of firearm rights.

1       (a) The Illinois State Police shall develop a voluntary  
2 waiver of firearm rights form, a revocation of voluntary  
3 waiver of firearm rights form, and instructions for the  
4 surrender of firearms.

5       (b) The voluntary waiver of firearm rights form and  
6 revocation of voluntary waiver of firearm rights forms must  
7 include all information necessary for identification and entry  
8 of the person into the national instant criminal background  
9 check system, and any other federal or State computer-based  
10 systems used by law enforcement agencies or others to identify  
11 prohibited purchasers of firearms.

12       (c) The voluntary waiver of firearm rights form must  
13 include the following language: "Because you are filing a  
14 voluntary waiver of firearm rights, you will not be able to  
15 purchase, receive, control, or possess any firearm. You will  
16 be required to surrender any current Firearm Owner's  
17 Identification Card or concealed carry license that has been  
18 issued to you. Any firearms in your possession will also need  
19 to be surrendered. You may revoke a voluntary waiver of  
20 firearm rights any time after at least 7 calendar days have  
21 elapsed since the time of filing."

22       (d) The instructions for the surrender of firearms must  
23 provide instructions on the proper process for the  
24 surrendering of firearms during the period of the voluntary  
25 waiver of firearm rights.

26       (e) The voluntary waiver of firearm rights form, a

1 revocation of voluntary waiver of firearm rights form, and  
2 instructions for the surrender of firearms must be made  
3 available on the Illinois State Police website, the Illinois  
4 Courts website, and at all circuit court clerk offices.

5 Section 15. The Firearm Dealer License Certification Act  
6 is amended by changing Section 5-20 as follows:

7 (430 ILCS 68/5-20)

8 Sec. 5-20. Additional licensee requirements.

9 (a) A certified licensee shall make a photo copy of a  
10 buyer's or transferee's valid photo identification card  
11 whenever a firearm sale transaction takes place. The photo  
12 copy shall be attached to the documentation detailing the  
13 record of sale.

14 (b) A certified licensee shall post in a conspicuous  
15 position on the premises where the licensee conducts business  
16 a sign that contains the following warning in block letters  
17 not less than one inch in height:

18 "With few exceptions enumerated in the Firearm Owners  
19 Identification Card Act, it is unlawful for you to:

20 (A) store or leave an unsecured firearm in a place  
21 where a child can obtain access to it;

22 (B) sell or transfer your firearm to someone else  
23 without receiving approval for the transfer from the  
24 Illinois State Police, or



1 (C) fail to report the loss or theft of your  
2 firearm to local law enforcement within 72 hours."

3 This sign shall be created by the Illinois State Police and  
4 made available for printing or downloading from the Illinois  
5 State Police's website.

6 (b-1) A certified licensee shall make available a  
7 voluntary waiver of firearm rights form, as described in  
8 Section 14.4 of the Firearm Owners Identification Card Act,  
9 and as made available on the Illinois State Police website, on  
10 the premises where the licensee conducts business.

11 (c) No retail location established after the effective  
12 date of this Act shall be located within 500 feet of any  
13 school, pre-school, or day care facility in existence at its  
14 location before the retail location is established as measured  
15 from the nearest corner of the building holding the retail  
16 location to the corner of the school, pre-school, or day care  
17 facility building nearest the retail location at the time the  
18 retail location seeks licensure.

19 (Source: P.A. 102-538, eff. 8-20-21.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.