

1 AN ACT concerning firearms.

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 Sections 4 and 8 as follows:

6 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

7 Sec. 4. (a) Each applicant for a Firearm Owner's  
8 Identification Card must:

9 (1) Make application on blank forms prepared and  
10 furnished at convenient locations throughout the State by  
11 the Department of State Police, or by electronic means, if  
12 and when made available by the Department of State Police;  
13 and

14 (2) Submit evidence to the Department of State Police  
15 that:

16 (i) He or she is 21 years of age or over, or if he  
17 or she is under 21 years of age that he or she has the  
18 written consent of his or her parent or legal guardian  
19 to possess and acquire firearms and firearm ammunition  
20 and that he or she has never been convicted of a  
21 misdemeanor other than a traffic offense or adjudged  
22 delinquent, provided, however, that such parent or  
23 legal guardian is not an individual prohibited from

1           having a Firearm Owner's Identification Card and files  
2           an affidavit with the Department as prescribed by the  
3           Department stating that he or she is not an individual  
4           prohibited from having a Card;

5           (ii) He or she has not been convicted of a felony  
6           under the laws of this or any other jurisdiction;

7           (iii) He or she is not addicted to narcotics;

8           (iv) He or she has not been a patient in a mental  
9           institution within the past 5 years and he or she has  
10          not been adjudicated as a mental defective. This clause  
11          (iv) does not apply to an active law enforcement  
12          officer employed by a unit of local government, so long  
13          as the officer has not been involuntarily admitted as  
14          an inpatient in a mental institution or has not been an  
15          inpatient in a mental institution for more than 30  
16          days;

17          (v) He or she is not intellectually disabled;

18          (vi) He or she is not an alien who is unlawfully  
19          present in the United States under the laws of the  
20          United States;

21          (vii) He or she is not subject to an existing order  
22          of protection prohibiting him or her from possessing a  
23          firearm;

24          (viii) He or she has not been convicted within the  
25          past 5 years of battery, assault, aggravated assault,  
26          violation of an order of protection, or a substantially

1 similar offense in another jurisdiction, in which a  
2 firearm was used or possessed;

3 (ix) He or she has not been convicted of domestic  
4 battery, aggravated domestic battery, or a  
5 substantially similar offense in another jurisdiction  
6 committed before, on or after January 1, 2012 (the  
7 effective date of Public Act 97-158) ~~this amendatory~~  
8 ~~Act of the 97th General Assembly;~~

9 (x) (Blank);

10 (xi) He or she is not an alien who has been  
11 admitted to the United States under a non-immigrant  
12 visa (as that term is defined in Section 101(a)(26) of  
13 the Immigration and Nationality Act (8 U.S.C.  
14 1101(a)(26))), or that he or she is an alien who has  
15 been lawfully admitted to the United States under a  
16 non-immigrant visa if that alien is:

17 (1) admitted to the United States for lawful  
18 hunting or sporting purposes;

19 (2) an official representative of a foreign  
20 government who is:

21 (A) accredited to the United States  
22 Government or the Government's mission to an  
23 international organization having its  
24 headquarters in the United States; or

25 (B) en route to or from another country to  
26 which that alien is accredited;

1           (3) an official of a foreign government or  
2 distinguished foreign visitor who has been so  
3 designated by the Department of State;

4           (4) a foreign law enforcement officer of a  
5 friendly foreign government entering the United  
6 States on official business; or

7           (5) one who has received a waiver from the  
8 Attorney General of the United States pursuant to  
9 18 U.S.C. 922 (y) (3);

10           (xii) He or she is not a minor subject to a  
11 petition filed under Section 5-520 of the Juvenile  
12 Court Act of 1987 alleging that the minor is a  
13 delinquent minor for the commission of an offense that  
14 if committed by an adult would be a felony; and

15           (xiii) He or she is not an adult who had been  
16 adjudicated a delinquent minor under the Juvenile  
17 Court Act of 1987 for the commission of an offense that  
18 if committed by an adult would be a felony; and

19           (3) Upon request by the Department of State Police,  
20 sign a release on a form prescribed by the Department of  
21 State Police waiving any right to confidentiality and  
22 requesting the disclosure to the Department of State Police  
23 of limited mental health institution admission information  
24 from another state, the District of Columbia, any other  
25 territory of the United States, or a foreign nation  
26 concerning the applicant for the sole purpose of

1           determining whether the applicant is or was a patient in a  
2           mental health institution and disqualified because of that  
3           status from receiving a Firearm Owner's Identification  
4           Card. No mental health care or treatment records may be  
5           requested. The information received shall be destroyed  
6           within one year of receipt.

7           (a-5) Each applicant for a Firearm Owner's Identification  
8           Card who is over the age of 18 shall furnish to the Department  
9           of State Police either his or her driver's license number or  
10          Illinois Identification Card number.

11          (a-10) Each applicant for a Firearm Owner's Identification  
12          Card, who is employed as an armed security officer at a nuclear  
13          energy, storage, weapons, or development facility regulated by  
14          the Nuclear Regulatory Commission and who is not an Illinois  
15          resident, shall furnish to the Department of State Police his  
16          or her driver's license number or state identification card  
17          number from his or her state of residence. The Department of  
18          State Police may promulgate rules to enforce the provisions of  
19          this subsection (a-10).

20          (b) Each application form shall include the following  
21          statement printed in bold type: "Warning: Entering false  
22          information on an application for a Firearm Owner's  
23          Identification Card is punishable as a Class 2 felony in  
24          accordance with subsection (d-5) of Section 14 of the Firearm  
25          Owners Identification Card Act."

26          (c) Upon such written consent, pursuant to Section 4,

1 paragraph (a)(2)(i), the parent or legal guardian giving the  
2 consent shall be liable for any damages resulting from the  
3 applicant's use of firearms or firearm ammunition.

4 (Source: P.A. 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; revised  
5 10-4-11.)

6 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

7 Sec. 8. The Department of State Police has authority to  
8 deny an application for or to revoke and seize a Firearm  
9 Owner's Identification Card previously issued under this Act  
10 only if the Department finds that the applicant or the person  
11 to whom such card was issued is or was at the time of issuance:

12 (a) A person under 21 years of age who has been convicted  
13 of a misdemeanor other than a traffic offense or adjudged  
14 delinquent;

15 (b) A person under 21 years of age who does not have the  
16 written consent of his parent or guardian to acquire and  
17 possess firearms and firearm ammunition, or whose parent or  
18 guardian has revoked such written consent, or where such parent  
19 or guardian does not qualify to have a Firearm Owner's  
20 Identification Card;

21 (c) A person convicted of a felony under the laws of this  
22 or any other jurisdiction;

23 (d) A person addicted to narcotics;

24 (e) A person who has been a patient of a mental institution  
25 within the past 5 years or has been adjudicated as a mental

1 defective. This paragraph (e) does not apply to an active law  
2 enforcement officer employed by a unit of local government, so  
3 long as the officer has not been involuntarily admitted as an  
4 inpatient in a mental institution or has not been an inpatient  
5 in a mental institution for more than 30 days;

6 (f) A person whose mental condition is of such a nature  
7 that it poses a clear and present danger to the applicant, any  
8 other person or persons or the community;

9 For the purposes of this Section, "mental condition" means  
10 a state of mind manifested by violent, suicidal, threatening or  
11 assaultive behavior.

12 (g) A person who is intellectually disabled;

13 (h) A person who intentionally makes a false statement in  
14 the Firearm Owner's Identification Card application;

15 (i) An alien who is unlawfully present in the United States  
16 under the laws of the United States;

17 (i-5) An alien who has been admitted to the United States  
18 under a non-immigrant visa (as that term is defined in Section  
19 101(a)(26) of the Immigration and Nationality Act (8 U.S.C.  
20 1101(a)(26))), except that this subsection (i-5) does not apply  
21 to any alien who has been lawfully admitted to the United  
22 States under a non-immigrant visa if that alien is:

23 (1) admitted to the United States for lawful hunting or  
24 sporting purposes;

25 (2) an official representative of a foreign government  
26 who is:

1 (A) accredited to the United States Government or  
2 the Government's mission to an international  
3 organization having its headquarters in the United  
4 States; or

5 (B) en route to or from another country to which  
6 that alien is accredited;

7 (3) an official of a foreign government or  
8 distinguished foreign visitor who has been so designated by  
9 the Department of State;

10 (4) a foreign law enforcement officer of a friendly  
11 foreign government entering the United States on official  
12 business; or

13 (5) one who has received a waiver from the Attorney  
14 General of the United States pursuant to 18 U.S.C.  
15 922 (y) (3);

16 (j) (Blank);

17 (k) A person who has been convicted within the past 5 years  
18 of battery, assault, aggravated assault, violation of an order  
19 of protection, or a substantially similar offense in another  
20 jurisdiction, in which a firearm was used or possessed;

21 (l) A person who has been convicted of domestic battery,  
22 aggravated domestic battery, or a substantially similar  
23 offense in another jurisdiction committed before, on or after  
24 January 1, 2012 (the effective date of Public Act 97-158) ~~this~~  
25 ~~amendatory Act of the 97th General Assembly;~~

26 (m) (Blank);



1           (n) A person who is prohibited from acquiring or possessing  
2 firearms or firearm ammunition by any Illinois State statute or  
3 by federal law;

4           (o) A minor subject to a petition filed under Section 5-520  
5 of the Juvenile Court Act of 1987 alleging that the minor is a  
6 delinquent minor for the commission of an offense that if  
7 committed by an adult would be a felony; or

8           (p) An adult who had been adjudicated a delinquent minor  
9 under the Juvenile Court Act of 1987 for the commission of an  
10 offense that if committed by an adult would be a felony.

11           (Source: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227,  
12 eff. 1-1-12; revised 10-4-11.)

13           Section 99. Effective date. This Act takes effect upon  
14 becoming law.