



Rep. Cynthia Soto

Filed: 5/17/2012

FISCAL NOTE ACT
MAY APPLY

09700SB1034ham003

LRB097 04765 RLC 69652 a

1 AMENDMENT TO SENATE BILL 1034

2 AMENDMENT NO. _____. Amend Senate Bill 1034, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 2, on page 1, by replacing lines 8 and 9 with the following:
5 "conviction of a violation of subsection (b) or (c) of Section
6 11-1.50 or Section 12-1, 12-2, 12-3, 12-3.05, 12-3.1, 12-3.2,
7 12-3.3, 12-3.4, 12-3.5, or 12-5 of the Criminal Code of 1961";
8 and

9 on page 2, line 5, by inserting after "922." the following:
10 "The written determination described in this Section shall be
11 included in the defendant's record of arrest and conviction in
12 the manner and form prescribed by the Department of State
13 Police."; and

14 on page 2, by inserting immediately below line 5 the following:

15 "Section 6. The Mental Health and Developmental

1 Disabilities Code is amended by adding Section 6-103.1 as
2 follows:

3 (405 ILCS 5/6-103.1 new)

4 Sec. 6-103.1. Adjudication as a mental defective. When a
5 person has been adjudicated as a mental defective as defined in
6 Section 1.1 of the Firearm Owners Identification Card Act, the
7 court shall direct the circuit court clerk, or if the
8 adjudication is made by a board, commission, or other lawful
9 authority, the board, commission or other lawful authority
10 shall direct the secretary of that board, commission or other
11 lawful authority, to immediately notify the Department of State
12 Police, Firearm Owner's Identification (FOID) Office, in a form
13 and manner prescribed by the Department of State Police and
14 shall forward a copy of the court order or adjudication to the
15 Department."; and

16 on page 11, line 22, by inserting "who is 21 years of age or
17 older" after "applicant"; and

18 on page 11, line 26, by replacing "the applicant" with "an
19 applicant regardless of age seeking a religious exemption to
20 the photograph requirement"; and

21 on page 29, by replacing lines 24 and 25 with the following:

22 "subsection (b) or (c) of Section 11-1.50 or Section 12-1,

1 12-2, 12-3, 12-3.05, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-3.5, or
2 12-5 of the Criminal Code of 1961, the State may, at"; and

3 on page 31, by replacing lines 17 and 18 with the following:
4 "conviction of a violation of subsection (b) or (c) of Section
5 11-1.50 or Section 12-1, 12-2, 12-3, 12-3.05, 12-3.1, 12-3.2,
6 12-3.3, 12-3.4, 12-3.5, or 12-5 of the Criminal Code of 1961";
7 and

8 on page 55, by replacing lines 2 through 4 with the following:

9 " (9) if convicted of a felony or if convicted of a
10 misdemeanor listed in subsection (a) of Section 112A-11.1
11 of the Code of Criminal Procedure of 1963 when the court
12 has made a determination under that Section that the
13 defendant is related or situated to the victim of the
14 offense in the manner specified in 18 U.S.C.
15 921(a)(33)(A)(ii), physically".