



Rep. Sara Feigenholtz

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09800HB1157ham005

LRB098 08477 MRW 42283 a

1 AMENDMENT TO HOUSE BILL 1157

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1157, AS AMENDED, by  
3 inserting the following in its proper numeric sequence:

4 "Section 201. The Firearm Owners Identification Card Act is  
5 amended by changing Section 4 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

1 or she is under 21 years of age that he or she has the  
2 written consent of his or her parent or legal guardian  
3 to possess and acquire firearms and firearm ammunition  
4 and that he or she has never been convicted of a  
5 misdemeanor other than a traffic offense or adjudged  
6 delinquent, provided, however, that such parent or  
7 legal guardian is not an individual prohibited from  
8 having a Firearm Owner's Identification Card and files  
9 an affidavit with the Department as prescribed by the  
10 Department stating that he or she is not an individual  
11 prohibited from having a Card;

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

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

15 (iv) He or she has not been a patient in a mental  
16 institution within the past 5 years and he or she has  
17 not been adjudicated as a mental defective;

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

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

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

25 (viii) He or she has not been convicted within the  
26 past 5 years of battery, assault, aggravated assault,

1 violation of an order of protection, or a substantially  
2 similar offense in another jurisdiction, in which a  
3 firearm was used or possessed;

4 (ix) He or she has not been convicted of domestic  
5 battery, aggravated domestic battery, or a  
6 substantially similar offense in another jurisdiction  
7 committed before, on or after January 1, 2012 (the  
8 effective date of Public Act 97-158). If the applicant  
9 knowingly and intelligently waives the right to have an  
10 offense described in this clause (ix) tried by a jury,  
11 and by guilty plea or otherwise, results in a  
12 conviction for an offense in which a domestic  
13 relationship is not a required element of the offense  
14 but in which a determination of the applicability of 18  
15 U.S.C. 922(g) (9) is made under Section 112A-11.1 of the  
16 Code of Criminal Procedure of 1963, an entry by the  
17 court of a judgment of conviction for that offense  
18 shall be grounds for denying the issuance of a Firearm  
19 Owner's Identification Card under this Section;

20 (x) (Blank);

21 (xi) He or she is not an alien who has been  
22 admitted to the United States under a non-immigrant  
23 visa (as that term is defined in Section 101(a) (26) of  
24 the Immigration and Nationality Act (8 U.S.C.  
25 1101(a) (26))), or that he or she is an alien who has  
26 been lawfully admitted to the United States under a

1 non-immigrant visa if that alien is:

2 (1) admitted to the United States for lawful  
3 hunting or sporting purposes;

4 (2) an official representative of a foreign  
5 government who is:

6 (A) accredited to the United States  
7 Government or the Government's mission to an  
8 international organization having its  
9 headquarters in the United States; or

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

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

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

18 (5) one who has received a waiver from the  
19 Attorney General of the United States pursuant to  
20 18 U.S.C. 922 (y) (3);

21 (xii) He or she is not a minor subject to a  
22 petition filed under Section 5-520 of the Juvenile  
23 Court Act of 1987 alleging that the minor is a  
24 delinquent minor for the commission of an offense that  
25 if committed by an adult would be a felony;

26 (xiii) He or she is not an adult who had been

1 adjudicated a delinquent minor under the Juvenile  
2 Court Act of 1987 for the commission of an offense that  
3 if committed by an adult would be a felony; and

4 (xiv) He or she is a resident of the State of  
5 Illinois; and

6 (3) Upon request by the Department of State Police,  
7 sign a release on a form prescribed by the Department of  
8 State Police waiving any right to confidentiality and  
9 requesting the disclosure to the Department of State Police  
10 of limited mental health institution admission information  
11 from another state, the District of Columbia, any other  
12 territory of the United States, or a foreign nation  
13 concerning the applicant for the sole purpose of  
14 determining whether the applicant is or was a patient in a  
15 mental health institution and disqualified because of that  
16 status from receiving a Firearm Owner's Identification  
17 Card. No mental health care or treatment records may be  
18 requested. The information received shall be destroyed  
19 within one year of receipt.

20 (a-5) Each applicant for a Firearm Owner's Identification  
21 Card who is over the age of 18 shall furnish to the Department  
22 of State Police either his or her Illinois driver's license  
23 number or Illinois Identification Card number, except as  
24 provided in subsection (a-10).

25 (a-10) Each applicant for a Firearm Owner's Identification  
26 Card, who is employed as a law enforcement officer, an armed

1 security officer in Illinois, or by the United States Military  
2 permanently assigned in Illinois and who is not an Illinois  
3 resident, shall furnish to the Department of State Police his  
4 or her driver's license number or state identification card  
5 number from his or her state of residence. The Department of  
6 State Police may promulgate rules to enforce the provisions of  
7 this subsection (a-10).

8 (a-15) If an applicant applying for a Firearm Owner's  
9 Identification Card moves from the residence address named in  
10 the application, he or she shall immediately notify in a form  
11 and manner prescribed by the Department of State Police of that  
12 change of address.

13 (a-20) Each applicant for a Firearm Owner's Identification  
14 Card shall furnish to the Department of State Police his or her  
15 photograph. An applicant who is 21 years of age or older  
16 seeking a religious exemption to the photograph requirement  
17 must furnish with the application an approved copy of United  
18 States Department of the Treasury Internal Revenue Service Form  
19 4029. In lieu of a photograph, an applicant regardless of age  
20 seeking a religious exemption to the photograph requirement  
21 shall submit fingerprints on a form and manner prescribed by  
22 the Department with his or her application.

23 (a-25) Each applicant for a Firearm Owner's Identification  
24 Card shall disclose to the Department of State Police the name  
25 of any person with whom he or she resides or shares a  
26 residential abode that the applicant knows or reasonably should

1 know:

2 (1) has been a patient in a mental institution within  
3 the past 5 years;

4 (2) has been adjudicated as a mental defective;

5 (3) is a convicted felon;

6 (4) has been convicted of domestic battery, aggravated  
7 domestic battery, or a substantially similar offense; or

8 (5) is prohibited under this Act from obtaining a  
9 Firearm Owner's Identification Card or is otherwise  
10 prohibited from possessing a firearm.

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

17 (c) Upon such written consent, pursuant to Section 4,  
18 paragraph (a)(2)(i), the parent or legal guardian giving the  
19 consent shall be liable for any damages resulting from the  
20 applicant's use of firearms or firearm ammunition.

21 (Source: P.A. 97-158, eff. 1-1-12; 97-227, eff. 1-1-12; 97-813,  
22 eff. 7-13-12; 97-1131, eff. 1-1-13.)"