



Rep. Edward J. Acevedo

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09800HB1157ham006

LRB098 08477 MRW 42280 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 205. The Firearm Owners Identification Card Act is
5 amended by changing Section 8 as follows:

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

7 Sec. 8. Grounds for denial and revocation.

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

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

16 (b) A person under 21 years of age who does not have the

1 written consent of his parent or guardian to acquire and
2 possess firearms and firearm ammunition, or whose parent or
3 guardian has revoked such written consent, or where such parent
4 or guardian does not qualify to have a Firearm Owner's
5 Identification Card;

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

8 (d) A person addicted to narcotics;

9 (e) A person who has been a patient of a mental institution
10 within the past 5 years or has been adjudicated as a mental
11 defective;

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

15 For the purposes of this Section, "mental condition" means
16 a state of mind manifested by violent, suicidal, threatening or
17 assaultive behavior.

18 (g) A person who is intellectually disabled;

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

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

23 (i-5) An alien who has been admitted to the United States
24 under a non-immigrant visa (as that term is defined in Section
25 101(a)(26) of the Immigration and Nationality Act (8 U.S.C.
26 1101(a)(26))), except that this subsection (i-5) does not apply

1 to any alien who has been lawfully admitted to the United
2 States under a non-immigrant visa if that alien is:

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

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

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

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

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

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

19 (5) one who has received a waiver from the Attorney
20 General of the United States pursuant to 18 U.S.C.
21 922 (y) (3);

22 (j) (Blank);

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

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

18 (m) (Blank);

19 (n) A person who is prohibited from acquiring or possessing
20 firearms or firearm ammunition by any Illinois State statute or
21 by federal law;

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

26 (p) An adult who had been adjudicated a delinquent minor

1 under the Juvenile Court Act of 1987 for the commission of an
2 offense that if committed by an adult would be a felony; or

3 (q) A person who is not a resident of the State of
4 Illinois, except as provided in subsection (a-10) of Section 4.

5 (B) The Department of State Police may revoke and seize a
6 Firearm Owner's Identification Card previously issued under
7 this Act of a person who fails to report the loss or theft of a
8 firearm a second time to the local law enforcement agency
9 within 72 hours after obtaining knowledge of the second loss or
10 theft.

11 (Source: P.A. 96-701, eff. 1-1-10; 97-158, eff. 1-1-12; 97-227,
12 eff. 1-1-12; 97-813, eff. 7-13-12; 97-1131, eff. 1-1-13.)

13 Section 310. The Criminal Code of 2012 is amended by adding
14 Section 24-4.1 as follows:

15 (720 ILCS 5/24-4.1 new)

16 Sec. 24-4.1. Report of lost or stolen firearms.

17 (a) If a person who possesses a valid Firearm Owner's
18 Identification Card and who possesses or acquires a firearm
19 thereafter loses or misplaces the firearm, or if the firearm is
20 stolen from the person, the person must report the loss or
21 theft to the local law enforcement agency within 72 hours after
22 obtaining knowledge of the loss or theft.

23 (b) Sentence. A person who violates this Section is guilty
24 of a petty offense for a first violation. A second or

1 subsequent violation of this Section is a Class A
2 misdemeanor."