



Rep. Barbara Flynn Currie

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09800HB1157ham007

LRB098 08477 MRW 42284 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 130. The State Finance Act is amended by adding
5 Sections 5.826, 5.827, 5.828, 6z-98, 6z-99, and 6z-100 as
6 follows:

7 (30 ILCS 105/5.826 new)

8 Sec. 5.826. The Mental Health Services Improvement Fund.

9 (30 ILCS 105/5.827 new)

10 Sec. 5.827. The Mental Health Screening and Public Safety
11 Fund.

12 (30 ILCS 105/5.828 new)

13 Sec. 5.828. The NICS and LEADS Criminal Background Check
14 Improvement Fund.

1 (30 ILCS 105/6z-98 new)

2 Sec. 6z-98. Mental Health Services Improvement Fund.

3 (a) There is created in the State treasury a special fund
4 known as the Mental Health Services Improvement Fund. The Fund
5 shall receive revenue under Section 5 of the Firearm Owners
6 Identification Card Act. The Fund may also receive revenue from
7 grants, donations, appropriations, and any other legal source.

8 (b) The Department of Human Services shall use moneys in
9 the Fund to support mental health treatment programs. The
10 Department of Human Services shall distribute moneys in the
11 Fund to community mental health programs throughout the State
12 that the Department deems are in need of financial assistance.

13 (c) The Department shall report annually to the appropriate
14 Appropriations Committee on the amount of money received into
15 the Fund and how it is apportioned.

16 (d) Expenditures may be made from the Fund only as
17 appropriated by the General Assembly by law.

18 (e) Investment income that is attributable to the
19 investment of moneys in the Fund shall be retained in the Fund
20 for the uses specified in this Section.

21 (f) The Fund shall not be subject to administrative
22 chargebacks.

23 (30 ILCS 105/6z-99 new)

24 Sec. 6z-99. Mental Health Screening and Public Safety Fund.

1 (a) There is created in the State treasury a special fund
2 known as the Mental Health Screening and Public Safety Fund.
3 The Fund shall receive revenue under Section 5 of the Firearm
4 Owners Identification Card Act. The Fund may also receive
5 revenue from grants, donations, appropriations, and any other
6 legal source.

7 (b) The Department of Human Services shall use moneys in
8 the Fund to update mental health background check records in
9 coordination with the Department of State Police. Moneys in the
10 Fund may be used as determined by the Department of Human
11 Services to:

12 (1) assist the Illinois Association of Circuit Clerks
13 in reporting mental defect adjudications and ensuring that
14 persons ineligible to possess a Firearm Owner's
15 Identification Card return their Firearm Owner's
16 Identification Cards to the Department of State Police;

17 (2) assist the Department of State Police in updating a
18 searchable mental health background check database; and

19 (3) assist and educate private hospitals and nursing
20 homes on properly submitting mental health data to the
21 Department of Human Services for purposes of Firearm
22 Owner's Identification Card compliance.

23 (c) The Department shall report annually to the appropriate
24 Appropriations Committee on the amount of money received into
25 the Fund and how it is apportioned.

26 (d) Expenditures may be made from the Fund only as

1 appropriated by the General Assembly by law.

2 (e) Investment income that is attributable to the
3 investment of moneys in the Fund shall be retained in the Fund
4 for the uses specified in this Section.

5 (f) The Fund shall not be subject to administrative
6 chargebacks.

7 (30 ILCS 105/6z-100 new)

8 Sec. 6z-100. NICS and LEADS Criminal Background Check
9 Improvement Fund.

10 (a) There is created in the State treasury a special fund
11 known as NICS and LEADS Criminal Background Check Improvement
12 Fund. The Fund shall receive revenue under Section 5 of the
13 Firearm Owners Identification Card Act. The Fund may also
14 receive revenue from grants, donations, appropriations, and
15 any other legal source.

16 (b) The Department of State Police shall use moneys in the
17 Fund to:

18 (1) perform its duties and responsibilities under
19 subsection (e) of Section 3.1 of the Firearm Owners
20 Identification Card Act;

21 (2) update and improve the technology used for the Law
22 Enforcement Agencies Data System (LEADS) system; and

23 (3) support the Department's responsibilities in
24 managing background checks and public safety
25 record-keeping.

1 (c) The Department shall report annually to the appropriate
2 Appropriations Committee on the amount of money received into
3 the Fund and how it is apportioned.

4 (d) Expenditures may be made from the Fund only as
5 appropriated by the General Assembly by law.

6 (e) Investment income that is attributable to the
7 investment of moneys in the Fund shall be retained in the Fund
8 for the uses specified in this Section.

9 (f) The Fund shall not be subject to administrative
10 chargebacks.

11 Section 203. The Firearm Owners Identification Card Act is
12 amended by changing Section 5 as follows:

13 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

14 Sec. 5. The Department of State Police shall either approve
15 or deny all applications within 30 days from the date they are
16 received, and every applicant found qualified pursuant to
17 Section 8 of this Act by the Department shall be entitled to a
18 Firearm Owner's Identification Card upon the payment of a \$50
19 ~~\$10~~ fee. Any applicant who is an active duty member of the
20 Armed Forces of the United States, a member of the Illinois
21 National Guard, or a member of the Reserve Forces of the United
22 States is exempt from the application fee. \$6 of each fee
23 derived from the issuance of Firearm Owner's Identification
24 Cards, or renewals thereof, shall be deposited in the Wildlife

1 and Fish Fund in the State Treasury; \$1 of such fee shall be
2 deposited in the State Police Services Fund and \$13 ~~\$3~~ of such
3 fee shall be deposited in the Firearm Owner's Notification
4 Fund. Monies in the Firearm Owner's Notification Fund shall be
5 used exclusively to pay for the cost of sending notices of
6 expiration of Firearm Owner's Identification Cards under
7 Section 13.2 of this Act. Excess monies in the Firearm Owner's
8 Notification Fund shall be used to ensure the prompt and
9 efficient processing of applications received under Section 4
10 of this Act. \$10 of each fee derived from the issuance of
11 Firearm Owner's Identification Cards, or renewals thereof,
12 shall be deposited in the Mental Health Services Improvement
13 Fund, \$10 of each fee shall be deposited in the Mental Health
14 Screening and Public Safety Fund, and \$10 of each fee shall be
15 deposited in the NICS and LEADS Criminal Background Check
16 Improvement Fund.

17 (Source: P.A. 95-581, eff. 6-1-08; 96-91, eff. 7-27-09.)".