

HB5428



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5428

by Rep. Jack D. Franks

SYNOPSIS AS INTRODUCED:

430 ILCS 66/30

Amends the Firearm Concealed Carry Act. Provides that the waiver of the applicant's privacy and confidentiality rights and privileges under federal and State laws only applies to records sought in connection with determining whether the applicant qualifies for a license to carry a concealed firearm under the Act. Effective immediately.

LRB098 18024 RLC 53153 b

A BILL FOR

1 AN ACT concerning safety.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Firearm Concealed Carry Act is amended by
5 changing Section 30 as follows:

6 (430 ILCS 66/30)

7 Sec. 30. Contents of license application.

8 (a) The license application shall be in writing, under
9 penalty of perjury, on a standard form adopted by the
10 Department and shall be accompanied by the documentation
11 required in this Section and the applicable fee. Each
12 application form shall include the following statement printed
13 in bold type: "Warning: Entering false information on this form
14 is punishable as perjury under Section 32-2 of the Criminal
15 Code of 2012."

16 (b) The application shall contain the following:

17 (1) the applicant's name, current address, date and
18 year of birth, place of birth, height, weight, hair color,
19 eye color, maiden name or any other name the applicant has
20 used or identified with, and any address where the
21 applicant resided for more than 30 days within the 10 years
22 preceding the date of the license application;

23 (2) the applicant's valid driver's license number or

1 valid state identification card number;

2 (3) a waiver of the applicant's privacy and
3 confidentiality rights and privileges under all federal
4 and state laws, including those limiting access to juvenile
5 court, criminal justice, psychological, or psychiatric
6 records or records relating to any institutionalization of
7 the applicant, and an affirmative request that a person
8 having custody of any of these records provide it or
9 information concerning it to the Department. The waiver
10 only applies to records sought in connection with
11 determining whether the applicant qualifies for a license
12 to carry a concealed firearm under this Act;

13 (4) an affirmation that the applicant possesses a
14 currently valid Firearm Owner's Identification Card and
15 card number if possessed or notice the applicant is
16 applying for a Firearm Owner's Identification Card in
17 conjunction with the license application;

18 (5) an affirmation that the applicant has not been
19 convicted or found guilty of:

20 (A) a felony;

21 (B) a misdemeanor involving the use or threat of
22 physical force or violence to any person within the 5
23 years preceding the date of the application; or

24 (C) 2 or more violations related to driving while
25 under the influence of alcohol, other drug or drugs,
26 intoxicating compound or compounds, or any combination

1 thereof, within the 5 years preceding the date of the
2 license application; and

3 (6) whether the applicant has failed a drug test for a
4 drug for which the applicant did not have a prescription,
5 within the previous year, and if so, the provider of the
6 test, the specific substance involved, and the date of the
7 test;

8 (7) written consent for the Department to review and
9 use the applicant's Illinois digital driver's license or
10 Illinois identification card photograph and signature;

11 (8) a full set of fingerprints submitted to the
12 Department in electronic format, provided the Department
13 may accept an application submitted without a set of
14 fingerprints in which case the Department shall be granted
15 30 days in addition to the 90 days provided under
16 subsection (e) of Section 10 of this Act to issue or deny a
17 license;

18 (9) a head and shoulder color photograph in a size
19 specified by the Department taken within the 30 days
20 preceding the date of the license application; and

21 (10) a photocopy of any certificates or other evidence
22 of compliance with the training requirements under this
23 Act.

24 (Source: P.A. 98-63, eff. 7-9-13.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.