

1 AN ACT in relation to firearms.

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

4 Section 5. 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; and

12 (2) Submit evidence under penalty of perjury to the
13 Department of State Police that:

14 (i) He or she is 21 years of age or over, or
15 if he or she is under 21 years of age that he or she
16 has the written consent of his or her parent or
17 legal guardian to possess and acquire firearms and
18 firearm ammunition and that he or she has never been
19 convicted of a misdemeanor other than a traffic
20 offense or adjudged delinquent, provided, however,
21 that such parent or legal guardian is not an
22 individual prohibited from having a Firearm Owner's
23 Identification Card and files an affidavit with the
24 Department as prescribed by the Department stating
25 that he or she is not an individual prohibited from
26 having a Card;

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

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

31 (iv) He or she has not been a patient in a

1 mental institution within the past 5 years;

2 (v) He or she is not mentally retarded;

3 (vi) He or she is not an alien who is
4 unlawfully present in the United States under the
5 laws of the United States;

6 (vii) He or she is not subject to an existing
7 order of protection prohibiting him or her from
8 possessing a firearm;

9 (viii) He or she has not been convicted within
10 the past 5 years of battery, assault, aggravated
11 assault, violation of an order of protection, or a
12 substantially similar offense in another
13 jurisdiction, in which a firearm was used or
14 possessed;

15 (ix) He or she has not been convicted of
16 domestic battery or a substantially similar offense
17 in another jurisdiction committed on or after the
18 effective date of this amendatory Act of 1997; and

19 (x) He or she has not been convicted within
20 the past 5 years of domestic battery or a
21 substantially similar offense in another
22 jurisdiction committed before the effective date of
23 this amendatory Act of 1997; and

24 (2.5) Submit to being fingerprinted at the time of
25 application according to procedures prescribed by the
26 Director of State Police; and

27 (2.10) Submit to being photographed at the time of
28 application in the form and according to procedures
29 prescribed by the Director of State Police; and

30 (3) Upon request by the Department of State Police,
31 sign a release on a form prescribed by the Department of
32 State Police waiving any right to confidentiality and
33 requesting the disclosure to the Department of State
34 Police of limited mental health institution admission

1 information from another state, the District of Columbia,
2 any other territory of the United States, or a foreign
3 nation concerning the applicant for the sole purpose of
4 determining whether the applicant is or was a patient in
5 a mental health institution and disqualified because of
6 that status from receiving a Firearm Owner's
7 Identification Card. No mental health care or treatment
8 records may be requested. The information received shall
9 be destroyed within one year of receipt.

10 (b) Each application form shall include the following
11 statement printed in bold type: "Warning: False statements
12 of the applicant shall result in prosecution for perjury in
13 accordance with Section 32-2 of the Criminal Code of 1961."

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

18 (Source: P.A. 90-493, eff. 1-1-98; 91-514, eff. 1-1-00;
19 91-694, eff. 4-13-00.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.