

1 AN ACT concerning 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 and adding Section 17 as
6 follows:

7 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

8 Sec. 4. (a) Each applicant for a Firearm Owner's
9 Identification Card must:

10 (1) Make application on blank forms prepared and
11 furnished at convenient locations throughout the State by
12 the Department of State Police; and

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

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

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

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

1 (iv) He or she has not been a patient in a
2 mental institution within the past 5 years;

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

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

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

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

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

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

25 (xi) He or she has completed a course of
26 firearms safety education as prescribed in Section
27 17 of this Act. This requirement applies to new
28 applications received on or after January 1, 2002.
29 For the purposes of this clause (xi), "new
30 application" means an application of a person who
31 has never been issued a Firearm Owner's
32 Identification Card; and

33 (3) Upon request by the Department of State Police,
34 sign a release on a form prescribed by the Department of

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

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

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

21 (Source: P.A. 90-493, eff. 1-1-98; 91-514, eff. 1-1-00;
22 91-694, eff. 4-13-00.)

23 (430 ILCS 65/17 new)

24 Sec. 17. Firearms safety education.

25 (a) Authority. The Illinois Law Enforcement Training
26 Standards Board ("Board"), shall create, maintain, and update
27 a course of firearms safety education. Any person may
28 voluntarily take the firearms safety education course,
29 whether or not he or she is a new applicant for a Firearm
30 Owner's Identification Card. The course shall provide 3
31 hours of classroom instruction in topics relating to firearms
32 safety. The topics shall include, but are not limited to:
33 safe loading, handling, transportation, and storage; and

1 preventing access to firearms by minors.

2 (b) Instruction. The Board shall establish minimum
3 standards for the certification of schools and for the
4 certification of instructors who shall provide the approved
5 course of firearms safety. The Board may prescribe a
6 reasonable fee for certification. All fees collected under
7 this Section shall be deposited in the Traffic and Criminal
8 Conviction Surcharge Fund and may be used only for the
9 purposes specified in paragraph (1) of Section 9 of the
10 Illinois Police Training Act. The Board may certify
11 providers of the firearms safety course. The Board may
12 certify sworn law enforcement personnel as instructors for
13 the firearms safety course, and may certify other
14 appropriately qualified persons. Schools that are certified
15 to provide the firearms safety course may not employ or
16 otherwise utilize the services of any person as an instructor
17 of the firearms safety education course unless that person is
18 certified as an instructor by the Board.

19 (c) Alternative courses. The Board may review other
20 courses of firearms safety education and certify schools and
21 instructors as acceptable alternatives to the firearms safety
22 education course prescribed by the Board. The providers and
23 instructors of the certified acceptable alternative courses
24 may be certified as provided for in subsection (b) of this
25 Section.

26 (d) Rule-making. The Board may make all rules necessary
27 to carry out the responsibilities assigned to it under this
28 Section.

29 Section 99. Effective date. This Act takes effect upon
30 becoming law.