

1 AN ACT in relation to Firearm Owner's Identification
2 Cards.

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

5 Section 5. The Firearm Owners Identification Card Act is
6 amended by changing Sections 4, 5, and 7 as 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 appear in person at a
13 local law enforcement agency, and before receiving an
14 application, present positive evidence of identification
15 to a law enforcement officer, including but not limited
16 to a valid driver's license or identification card; which
17 application shall be signed by the local law enforcement
18 agency. The application shall be verified by the
19 applicant under oath and shall be accompanied by the
20 required fee; and

21 (1.1) The applicant shall submit to fingerprinting
22 by a local law enforcement agency in accordance with
23 rules adopted by the Department and shall pay a
24 fingerprint processing fee in the amount set by the
25 Department by rule;

26 (1.2) The application shall include a suitable
27 photograph of a type prescribed by the Department;

28 (1.3) Confidentiality of captured photographs or
29 images. The Department shall maintain a file on or
30 contract to file all photographs and signatures obtained
31 in the process of issuing a Firearm Owner's

1 Identification Card. The photographs and signatures
2 shall be confidential and shall not be disclosed except
3 to the following persons:

4 (i) the individual upon written request;

5 (ii) officers and employees of the Department
6 who have a need to have access to the stored images
7 for purposes of issuing and controlling a FOID card;

8 (iii) law enforcement officials for a lawful,
9 civil or criminal law enforcement investigation; or

10 (iv) other entities as the Department may
11 exempt by rule.

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
32 mental institution within the past 5 years;

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

34 (vi) He or she is not an alien who is

1 unlawfully present in the United States under the
2 laws of the United States;

3 (vii) He or she is not subject to an existing
4 order of protection prohibiting him or her from
5 possessing a firearm;

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

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

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

21 (3) Upon request by the Department of State Police,
22 sign a release on a form prescribed by the Department of
23 State Police waiving any right to confidentiality and
24 requesting the disclosure to the Department of State
25 Police of limited mental health institution admission
26 information from another state, the District of Columbia,
27 any other territory of the United States, or a foreign
28 nation concerning the applicant for the sole purpose of
29 determining whether the applicant is or was a patient in
30 a mental health institution and disqualified because of
31 that status from receiving a Firearm Owner's
32 Identification Card. No mental health care or treatment
33 records may be requested. The information received shall
34 be destroyed within one year of receipt.

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

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

9 (d) Each renewal application for a Firearm Owner's
10 Identification Card must include a full description of all
11 firearms currently possessed by the applicant, including the
12 kind, description, firearm serial number or other information
13 identifying the firearm. For firearms disclosed during
14 previous renewals, but not currently possessed, the applicant
15 shall provide the name, address, and information identifying
16 the person to whom the firearm was transferred, gifted, or
17 sold.

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

20 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

21 Sec. 5. The Department of State Police shall either
22 approve or deny all applications within 30 days from the date
23 they are received, and every applicant found qualified
24 pursuant to Section 8 of this Act by the Department shall be
25 entitled to a Firearm Owner's Identification Card upon the
26 payment of a \$5 fee. \$3 of each fee derived from the issuance
27 of Firearm Owner's Identification Cards, or renewals thereof,
28 shall be deposited in the Wildlife and Fish Fund in the State
29 Treasury; \$1 of such fee shall be deposited in the General
30 Revenue Fund in the State Treasury and \$1 of such fee shall
31 be deposited in the Firearm Owner's Notification Fund.
32 Monies in the Firearm Owner's Notification Fund shall be used
33 exclusively to pay for the cost of sending notices of

1 expiration of Firearm Owner's Identification Cards under
2 Section 13.2 of this Act and for reimbursing local law
3 enforcement agencies for carrying out the local law
4 enforcement agency's duties under Section 4 of this Act.
5 Excess monies in the Firearm Owner's Notification Fund shall
6 be used to ensure the prompt and efficient processing of
7 applications received under Section 4 of this Act.
8 (Source: P.A. 84-1426.)

9 (430 ILCS 65/7) (from Ch. 38, par. 83-7)

10 Sec. 7. Duration of Card.

11 (a) Except as provided in subsection (b) and Section 8
12 of this Act, a Firearm Owner's Identification Card issued
13 under the provisions of this Act shall be valid for the
14 person to whom it is issued for a period of 5 years from the
15 date of issuance.

16 (b) Each Firearm Owner's Identification Card issued on
17 and after the effective date of this amendatory Act of the
18 92nd General Assembly is valid for a period of 3 years.

19 (Source: Laws 1967, p. 2600.)