

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  
5 is amended by changing Section 8 as follows:

6 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

7 Sec. 8. The Department of State Police may ~~has~~-~~authority~~  
8 ~~to~~ deny an application for or may ~~to~~ revoke and seize a  
9 Firearm Owner's Identification Card previously issued under  
10 this Act only if the Department finds that the applicant or  
11 the person to whom such card was issued is or was at the time  
12 of issuance:

13 (a) A person under 21 years of age who has been  
14 convicted of a misdemeanor other than a traffic offense or  
15 adjudged delinquent;

16 (b) A person under 21 years of age who does not have the  
17 written consent of his parent or guardian to acquire and  
18 possess firearms and firearm ammunition, or whose parent or  
19 guardian has revoked such written consent, or where such  
20 parent or guardian does not qualify to have a Firearm Owner's  
21 Identification Card;

22 (c) A person convicted of a felony under the laws of  
23 this or any other jurisdiction;

24 (d) A person addicted to narcotics;

25 (e) A person who has been a patient of a mental  
26 institution within the past 5 years;

27 (f) A person whose mental condition is of such a nature  
28 that it poses a clear and present danger to the applicant,  
29 any other person or persons or the community;

30 For the purposes of this Section, "mental condition"  
31 means a state of mind manifested by violent, suicidal,

1 threatening or assaultive behavior.

2 (g) A person who is mentally retarded;

3 (h) A person who intentionally makes a false statement  
4 in the Firearm Owner's Identification Card application;

5 (i) An alien who is unlawfully present in the United  
6 States under the laws of the United States;

7 (j) A person who is subject to an existing order of  
8 protection prohibiting him or her from possessing a firearm;

9 (k) A person who has been convicted within the past 5  
10 years of battery, assault, aggravated assault, violation of  
11 an order of protection, or a substantially similar offense in  
12 another jurisdiction, in which a firearm was used or  
13 possessed;

14 (l) A person who has been convicted of domestic battery  
15 or a substantially similar offense in another jurisdiction  
16 committed on or after January 1, 1998;

17 (m) A person who has been convicted within the past 5  
18 years of domestic battery or a substantially similar offense  
19 in another jurisdiction committed before January 1, 1998; or

20 (n) A person who is prohibited from acquiring or  
21 possessing firearms or firearm ammunition by any Illinois  
22 State statute or by federal law.

23 (Source: P.A. 90-130, eff. 1-1-98; 90-493, eff. 1-1-98;  
24 90-655, eff. 7-30-98; 91-694, eff. 4-13-00.)