

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 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, or by electronic means,
12 if and when made available by the Department of State
13 Police; and

14 (2) Submit evidence to the Department of State
15 Police that:

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

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

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

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

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

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

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

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

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

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

26 (3) Upon request by the Department of State Police,
27 sign a release on a form prescribed by the Department of
28 State Police waiving any right to confidentiality and
29 requesting the disclosure to the Department of State
30 Police of limited mental health institution admission
31 information from another state, the District of Columbia,
32 any other territory of the United States, or a foreign
33 nation concerning the applicant for the sole purpose of
34 determining whether the applicant is or was a patient in

1 a mental health institution and disqualified because of
2 that status from receiving a Firearm Owner's
3 Identification Card. No mental health care or treatment
4 records may be requested. The information received shall
5 be destroyed within one year of receipt.

6 (a-5) Each applicant for a Firearm Owner's
7 Identification Card who is over the age of 18 shall furnish
8 to the Department of State Police either his or her driver's
9 license number or Illinois Identification Card number.

10 (b) Each application form shall include the following
11 statement printed in bold type: "Warning: Entering false
12 information on an application for a Firearm Owner's
13 Identification Card is punishable as a Class 2 felony in
14 accordance with subsection (d-5) of Section 14 of the Firearm
15 Owners Identification Card Act."

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

20 (Source: P.A. 91-514, eff. 1-1-00; 91-694, eff. 4-13-00;
21 92-442, eff. 8-17-01.)