

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

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

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

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

1 jurisdiction;

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

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

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

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

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

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

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

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

27 (xi) He or she has passed a written firearms
28 safety test as prescribed in Section 17 of this Act.
29 This requirement applies only to new applications
30 received on or after the effective date of this
31 amendatory Act of the 92nd General Assembly. For
32 the purposes of this clause (xi), "new application"
33 means an application of a person: (A) who has never
34 been issued a Firearm Owner's Identification Card;

1 or (B) whose Firearm Owner's Identification Card has
2 expired on or before the effective date of this
3 amendatory Act of the 92nd General Assembly and has
4 not been renewed; or (C) whose Firearm Owner's
5 Identification Card is not valid on or after the
6 effective date of this amendatory Act of the 92nd
7 General Assembly; and

8 (3) Upon request by the Department of State Police,
9 sign a release on a form prescribed by the Department of
10 State Police waiving any right to confidentiality and
11 requesting the disclosure to the Department of State
12 Police of limited mental health institution admission
13 information from another state, the District of Columbia,
14 any other territory of the United States, or a foreign
15 nation concerning the applicant for the sole purpose of
16 determining whether the applicant is or was a patient in
17 a mental health institution and disqualified because of
18 that status from receiving a Firearm Owner's
19 Identification Card. No mental health care or treatment
20 records may be requested. The information received shall
21 be destroyed within one year of receipt.

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

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

32 (c) Upon such written consent, pursuant to Section 4,
33 paragraph (a) (2) (i), the parent or legal guardian giving
34 the consent shall be liable for any damages resulting from

1 the applicant's use of firearms or firearm ammunition.
2 (Source: P.A. 91-514, eff. 1-1-00; 91-694, eff. 4-13-00;
3 92-442, eff. 8-17-01.)

4 (430 ILCS 65/17 new)

5 Sec. 17. Firearms safety test.

6 (a) The Department of State Police shall administer a
7 written firearms safety test to applicants for Firearm
8 Owner's Identification Cards. The test shall include, but is
9 not limited to: safe loading, handling, transportation, and
10 storage of firearms; and preventing access to firearms by
11 minors.

12 (b) The Department may make all rules necessary to carry
13 out the responsibilities assigned to it under this Section.