

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 completed a course of  
28 firearms safety education as prescribed in Section  
29 17 of this Act. This requirement applies to new  
30 applications received on or after January 1, 2003.  
31 For the purposes of this clause (xi), "new  
32 application" means an application of a person who  
33 has never been issued a Firearm Owner's  
34 Identification Card; and

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

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

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

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

29           (Source: P.A. 91-514, eff. 1-1-00; 91-694, eff. 4-13-00;  
30 92-442, eff. 8-17-01.)

31           (430 ILCS 65/17 new)

32           Sec. 17. Firearms safety education.

33           (a) Authority. The Illinois Law Enforcement Training

1 Standards Board ("Board"), shall create, maintain, and update  
2 a course of firearms safety education. Any person may  
3 voluntarily take the firearms safety education course,  
4 whether or not he or she is a new applicant for a Firearm  
5 Owner's Identification Card. The course shall provide 3  
6 hours of classroom instruction in topics relating to firearms  
7 safety. The topics shall include, but are not limited to:  
8 safe loading, handling, transportation, and storage; and  
9 preventing access to firearms by minors.

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

27 (c) Alternative courses. The Board may review other  
28 courses of firearms safety education and certify schools and  
29 instructors as acceptable alternatives to the firearms safety  
30 education course prescribed by the Board. The providers and  
31 instructors of the certified acceptable alternative courses  
32 may be certified as provided for in subsection (b) of this  
33 Section.

34 (d) Rule-making. The Board may make all rules necessary

1 to carry out the responsibilities assigned to it under this  
2 Section.

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.