



ILLINOIS STATE POLICE
Office of the Director

JB Pritzker
Governor

Brendan F. Kelly
Director

May 17, 2023

To Members of the Illinois General Assembly:

Pursuant to 20 ILCS 2605/2605-51.1, the Commission on Implementing the Firearms Restraining Order Act, was appointed on June 8, 2022. The Commission is comprised of state's attorneys, police chiefs, sheriffs, a public defender, a judge, a circuit clerk, and representatives of the Illinois Law Enforcement Training and Standards Board, Illinois Attorney General, Illinois State Police, and Illinois Department of Public Health. As required by statute, the Commission is required to produce an annual report on the challenges to Firearms Restraining Order Act implementation and make recommendations for increasing and improving implementation. The purpose of this letter is to satisfy those reporting requirements.

On October 13, 2022, the Commission met its statutory obligation and published a model policy with an overall framework for the timely relinquishment of firearms whenever a Firearms Restraining Order is issued. The Commission continued to meet on November 28, 2022, December 13, 2022, January 13, 2023, March 17, 2023, and April 4, 2023. During this time, Public Act 102-1116, the Protect Illinois Communities Act, was signed into law, which enhanced the Firearms Restraining Order Act. The Act added a circuit clerk to the Commission. Additionally, the Act provided a petitioner may request a plenary firearm restraining order of up to one-year, but not less than 6 months, rather than just 6 months. The Act also provided the order may be renewed for an additional period of up to one year.

During the creation of the model policy, the Commission reviewed the current law and best practices. Commission members identified some provisions of the Firearms Restraining Order Act that they believed needed to be clarified by the General Assembly to ensure that firearms restraining orders and accompanying search warrants are served expeditiously while minimizing danger to law enforcement and the petitioner. Specifically, the Commission agreed upon the following recommendations for legislative consideration (proposed statutory language is attached to this letter):

- Provide that State's Attorneys be given notice and legal standing in court for filing of Firearms Restraining Orders, should petitioners request assistance
- Clarify that law enforcement shall notify specific (rather than all) intimate partners if a respondent poses an immediate and present danger of causing harm
- Clarify the proper evidentiary standards in statute
- Provide for a list of evidence the court shall consider when determining whether to issue an emergency Firearms Restraining Order
- Clarify when a search warrant and search order be issued by the court
- Clarifies that a respondent surrenders firearms and his or her Firearm Owners Identification Card (FOID) at the time of service of Firearms Restraining Order to the local law enforcement agency serving the Firearms Restraining Order and also comply with Section 9.5 of the Firearm Owners Identification Card.

The Commission looks forward to continuing our efforts to enhance the use and effectiveness of Firearms Restraining Orders Act. Please let the Commission know if you have any questions.

Very Respectfully,

A handwritten signature in black ink that reads "B F Kelly".

Brendan F. Kelly, Chair
Commission on Implementing the
Firearms Restraining Order

Commission on Implementing the Firearms Restraining Order Act Commission Roster

Judge Gregory E. Ahern, Jr. - Circuit Court of Cook County

Lance Camp - Henry County Public Defender

Cordelia Coppleson -Assistant Attorney General
Illinois Attorney General's Office

Kevin Doyle – Sheriff, Putnam County Sheriff

J. Hanley- Winnebago County State's Attorney

Jodi Hoos - Peoria County State's Attorney

Russ Idle – Chief, Galesburg Police Department

Ana Lalley – Chief, Elgin Police Department

Mike Magno – Lieutenant, Chicago Police Department

Jennifer Martin - Violence and Injury Prevention Section Manager
Illinois Department of Public Health

Jamie Mosser - Kane County State's Attorney

Darren Popkin – Sheriff, Montgomery County, Maryland
Law Enforcement Expert

Eric Rinehart- Lake County State's Attorney

Cheryllynn Williams - Deputy Director,
Illinois Law Enforcement Training and Standards Board

Rhonda Wilson, Circuit Clerk Cumberland County

Dan Wright - Sangamon County State's Attorney

Kimberly Wyatt- Deputy Prosecuting Attorney, King County Prosecutor's Office
National District Attorneys Association designee

(430 ILCS 67/10)

Sec. 10. Commencement of action; procedure.

(a) An action for a firearms restraining order is commenced by filing a verified petition for a firearms restraining order in any circuit court.

(b) A petition for a firearms restraining order may be filed in: (1) any county where the respondent resides or (2) any county where an incident occurred that involved the respondent posing an immediate and present danger of causing personal injury to the respondent or another by having in his or her custody or control, or purchasing, possessing, or receiving, a firearm, ammunition, or firearm parts that could be assembled to make an operable firearm.

(c) No fee shall be charged by the clerk for filing, amending, vacating, certifying, printing, or photocopying petitions or orders; or for issuing alias summons; or for any related filing service. No fee shall be charged by the sheriff or other law enforcement for service by the sheriff or other law enforcement of a petition, rule, motion, or order in an action commenced under this Section.

(d) The court shall provide, through the office of the clerk of the court, simplified forms and clerical assistance to help with the ~~writing and~~ filing of a petition under this Section by any person not represented by counsel. In addition, that assistance may be provided by the State's Attorney. The clerk shall immediately notify the State's Attorney of the filing of each firearms restraining order when they are filed. The State's Attorney shall have legal standing to represent any and all petitioners if the petitioners request the State's Attorney's assistance in filing the pleadings or in conducting the hearings.

(Source: P.A. 101-81, eff. 7-12-19; 102-345, eff. 6-1-22.)

(430 ILCS 67/35)

Sec. 35. Ex parte orders and emergency hearings.

(a) A petitioner may request an emergency firearms restraining order by filing a ~~an affidavit or~~ verified pleading alleging that the respondent poses an immediate and present danger of causing personal injury to himself, herself, or another by having in his or her custody or control, purchasing, possessing, or receiving a firearm, ammunition, or firearm parts that could be assembled to make an operable firearm. The petition shall also describe the type and location of any firearm or firearms, ammunition, or firearm parts that could be assembled to make an operable firearm presently believed by the petitioner to be possessed or controlled by the respondent.

(b) If the respondent is alleged to pose an immediate and present danger of causing personal injury to ~~an~~ a specific intimate partner, or ~~an~~ a specific intimate partner is alleged to have been the target of a threat or act of violence by the respondent, the petitioner shall make a good faith effort to provide notice to ~~any and all~~ those specific intimate partners of the respondent. The notice must include that the petitioner intends to petition the court for an emergency firearms restraining order, and, if the petitioner is a law enforcement officer, referral to relevant domestic violence or stalking advocacy or counseling resources, if appropriate. The petitioner shall attest to having provided the notice in the ~~filed affidavit or~~ verified pleading. If, after making a good faith effort, the petitioner is unable to provide notice to ~~any or all~~ the specific intimate partners, who are alleged to have been the target of a threat or act of violence ~~the affidavit or~~ verified pleading should describe what efforts were made.

(c) Every person who files a petition for an emergency firearms restraining order, knowing the information provided to the court at any hearing or in the ~~affidavit or~~ verified pleading to be false, is guilty of perjury under Section 32-2 of the Criminal Code of 2012.

(d) An emergency firearms restraining order shall be issued on an ex parte basis, that is, without notice to the respondent.

(e) An emergency hearing held on an ex parte basis shall be held the same day that the petition is filed or the next day that the court is in session.

(f) In determining whether to issue an emergency firearms restraining order under this Section, the court shall consider evidence including, but not limited to, the following:

(1) The unlawful and reckless use, display, or

brandishing of a firearm, ammunition, and firearm parts that could be assembled to make an operable firearm by the respondent.

(2) The history of use, attempted use, or threatened use of physical force by the respondent against another person.

(3) Any prior arrest of the respondent for a felony offense.

(4) Evidence of the abuse of controlled substances or alcohol by the respondent.

(5) A recent threat of violence or act of violence by the respondent directed toward himself, herself, or another.

(6) A violation of an emergency order of protection issued under Section 217 of the Illinois Domestic Violence Act of 1986 or Section 112A-17 of the Code of Criminal Procedure of 1963 or of an order of protection issued under Section 214 of the Illinois Domestic Violence Act of 1986 or Section 112A-14 of the Code of Criminal Procedure of 1963.

(7) A pattern of violent acts or violent threats, including, but not limited to, threats of violence or acts of violence by the respondent directed toward himself, herself, or another.

(g~~f~~) If a circuit or associate judge finds ~~probable cause to believe~~ by a preponderance of the evidence that the respondent poses an immediate and present danger of causing personal injury to himself, herself, or another by having in his or her custody or control, purchasing, possessing, or receiving a firearm, ammunition, or firearm parts that could be assembled to make an operable firearm, the circuit or associate judge shall issue an emergency order.

(g~~f~~-5) If the court issues an emergency firearms restraining order, ~~it shall~~, upon a finding of probable cause that the respondent possesses firearms, ammunition, or firearm parts that could be assembled to make an operable firearm, the court shall issue a search warrant order directing a law enforcement agency to seize the respondent's firearms, ammunition, and firearm parts that could be assembled to make an operable firearm. The court may also order, as part of that warrant, direct by search warrant the law enforcement agency to search the respondent's residence and other places where the court finds there is probable cause to believe he or she is likely to possess the firearms, ammunition, or firearm parts that could be assembled to make an operable firearm. A return of the search warrant shall be filed by the law enforcement agency within 4 days thereafter, setting forth the time, date, and location that the search warrant was executed and what items, if any, were seized. If the petitioner is not law enforcement, the State's Attorney shall coordinate with the appropriate law enforcement agency to serve the order and/or the search warrant as issued by the court.

(h~~e~~) An emergency firearms restraining order shall require:

(1) the respondent to refrain from having in his or her custody or control, purchasing, possessing, or receiving additional firearms, ammunition, or firearm parts that could be assembled to make an operable firearm, or removing firearm parts that could be assembled to make an operable firearm for the duration of the order under Section 8.2 of the Firearm Owners Identification Card Act; and

(2) the respondent to surrender any firearms, ammunition, and firearm parts that could be assembled to make an operable firearm to the local law enforcement agency serving the firearms restraining order for safekeeping and comply with Section 9.5 of the

Firearm Owners Identification Card Act and subsection (g) of Section 70 of the Firearm Concealed Carry Act by surrendering his or her Firearm Owner's Identification Card and Firearm Concealed Carry License to the local law enforcement agency serving the firearms restraining order.

(i ~~h~~) Except as otherwise provided in subsection (h-5) of this Section, upon expiration of the period of safekeeping, if the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm or Firearm Owner's Identification Card and concealed carry license cannot be returned to

the respondent because the respondent cannot be located, fails to respond to requests to retrieve the firearms, or is not lawfully eligible to possess a firearm, ammunition, or firearm parts that could be assembled to make an operable firearm, upon petition from the local law enforcement agency, the court may order the local law enforcement agency to destroy the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm, use the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm for training purposes, or use the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm for any other application as deemed appropriate by the local law enforcement agency.

(i ~~h~~-5) ~~On or before January 1, 2022,~~ A respondent whose Firearm Owner's Identification Card has been revoked or suspended may petition the court, if the petitioner is present in court or has notice of the respondent's petition, to transfer the respondent's firearm, ammunition, and firearm parts that could be assembled to make an operable firearm to a person who is lawfully able to possess the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm if the person does not reside at the same address as the respondent. Notice of the petition shall be served upon the person protected by the emergency firearms restraining order. While the order is in effect, the transferee who receives the respondent's firearms, ammunition, and firearm parts that could be assembled to make an operable firearm must swear or affirm by affidavit that he or she shall not transfer the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm to the respondent or to anyone residing in the same residence as the respondent.

(i~~h~~-6) If a person other than the respondent claims title to any firearms, ammunition, and firearm parts that could be assembled to make an operable firearm surrendered under this Section, he or she may petition the court, if the petitioner is present in court or has notice of the petition, to have the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm returned to him or her. If the court determines that person to be the lawful owner of the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm, the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm shall be returned to him or her, provided that:

(1) the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm are removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm in a manner such that the respondent does not have access to or control of the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm; and

(2) the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm are not otherwise unlawfully possessed by the owner.

The person petitioning for the return of his or her firearm, ammunition, and firearm parts that could be assembled to make an operable firearm must swear or affirm by affidavit that he or she: (i) is the lawful owner of the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm; (ii) shall not transfer the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm to the respondent; and (iii) will store the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm in a manner that the respondent does not have access to or control of the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm.

(j~~±~~) In accordance with subsection (e) of this Section, the court shall schedule a full hearing as soon as possible, but no longer than 14 days from the issuance of an ex parte firearms restraining order, to determine if a ~~6-month~~ plenary firearms restraining order shall be issued. The court may extend an ex parte order as needed, but not to exceed 14 days, to effectuate service of the order or if necessary to continue protection. The court may extend the order for a greater length of time by mutual agreement of the parties. (Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22; 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

(430 ILCS 67/40)

Sec. 40. Plenary orders.

(a) A petitioner may request a firearms restraining order for up to one

year by filing an affidavit or verified pleading alleging that the respondent poses a significant danger of causing personal injury to himself, herself, or another in the near future by having in his or her custody or control, purchasing, possessing, or receiving a firearm, ammunition, and firearm parts that could be assembled to make an operable firearm. The petition shall also describe the number, types, and locations of any firearms, ammunition, and firearm parts that could be assembled to make an operable firearm presently believed by the petitioner to be possessed or controlled by the respondent. The firearms restraining order may be renewed for an additional period of up to one year in accordance with Section 45 of this Act.

(b) If the respondent is alleged to pose a significant danger of causing personal injury to ~~an~~ a specific intimate partner, or ~~an~~ a specific intimate partner is alleged to have been the target of a threat or act of violence by the respondent, the petitioner shall make a good faith effort to provide notice to ~~any and all~~ those specific intimate partners of the respondent. The notice must include the duration of time that the petitioner intends to petition the court for a firearms restraining order, and, if the petitioner is a law enforcement officer, referral to relevant domestic violence or stalking advocacy or counseling resources, if appropriate. The petitioner shall attest to having provided the notice in the filed affidavit or verified pleading. If, after making a good faith effort, the petitioner is unable to provide notice to ~~any and all~~ those specific intimate partners who are alleged to have been the target of a threat or act of violence, the affidavit or verified pleading should describe what efforts were made.

(c) Every person who files a petition for a plenary firearms restraining order, knowing the information provided to the court at any hearing or in the affidavit or verified pleading to be false, is guilty of perjury under Section 32-2 of the Criminal Code of 2012.

(d) Upon receipt of a petition for a plenary firearms restraining order, the court shall order a hearing within 30 days.

(e) In determining whether to issue a firearms restraining order under this Section, the court shall consider evidence including, but not limited to, the following:

(1) The unlawful and reckless use, display, or brandishing of a firearm, ammunition, and firearm parts that could be assembled to make an operable firearm by the respondent.

(2) The history of use, attempted use, or threatened use of physical force by the respondent against another person.

(3) Any prior arrest of the respondent for a felony offense.

(4) Evidence of the abuse of controlled substances or alcohol by the respondent.

(5) A recent threat of violence or act of violence by the respondent directed toward himself, herself, or another.

(6) A violation of an emergency order of protection issued under Section 217 of the Illinois Domestic Violence Act of 1986 or Section 112A-17 of the Code of Criminal Procedure of 1963 or of an order of protection issued under Section 214 of the Illinois Domestic Violence Act of 1986 or Section 112A-14 of the Code of Criminal Procedure of 1963.

(7) A pattern of violent acts or violent threats, including, but not limited to, threats of violence or acts of violence by the respondent directed toward himself, herself, or another.

(f) At the hearing, the petitioner shall have the burden of proving, by clear and convincing evidence, that the respondent poses a significant danger of personal injury to himself, herself, or another by having in his or her custody or control, purchasing, possessing, or receiving a firearm, ammunition, and firearm parts that could be assembled to make an operable firearm.

(g) If the court finds that there is clear and convincing evidence to issue a plenary firearms restraining order, the court shall issue a firearms restraining order that shall be in effect for up to one year, but not less than 6 months, subject to renewal under Section 45 of this Act or termination under that Section.

(g-5) If the court issues a plenary firearms restraining order, ~~it shall~~, upon a finding of probable cause that the respondent possesses firearms, ammunition, and firearm parts that could be assembled to make an operable firearm, the court shall issue a search warrant an order directing a law enforcement agency to seize the respondent's firearms, ammunition, and firearm parts that could be assembled to make an operable firearm. The court may also order by search warrant, as part of that warrant, direct the law enforcement

agency to search the respondent's residence and other places where the court finds there is probable cause to believe he or she is likely to possess the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm. A return of the search warrant shall be filed by the law enforcement agency within 4 days thereafter, setting forth the time, date, and location that the search warrant was executed and what items, if any, were seized. If the petitioner is not law enforcement, the State's Attorney shall coordinate with the appropriate law enforcement agency to serve the order and/or search warrant as issued by the court.

(h) A plenary firearms restraining order shall require:

(1) the respondent to refrain from having in his or her custody or control, purchasing, possessing, or receiving additional firearms, ammunition, and firearm parts that could be assembled to make an operable firearm for the duration of the order under Section 8.2 of the Firearm Owners Identification Card Act; and

(2) the respondent to surrender any firearms, ammunition, and firearm parts that could be assembled to make an operable firearm to the local law enforcement agency serving the firearms restraining order for safekeeping and comply with Section 9.5 of the

Firearm Owners Identification Card Act and subsection (g) of Section 70 of the Firearm Concealed Carry Act by surrendering his or her Firearm Owner's Identification Card and Firearm Concealed Carry License to the local law enforcement agency serving the firearms restraining order.

(i) Except as otherwise provided in subsection (i-5) of this Section, upon expiration of the period of safekeeping, if the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm or Firearm Owner's Identification Card cannot be returned to the respondent because the respondent cannot be located, fails to respond to requests to retrieve the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm, or is not lawfully eligible to possess a firearm, ammunition, and firearm parts that could be assembled to make an operable firearm, upon petition from the local law enforcement agency, the court may order the local law enforcement agency to destroy the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm, use the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm for training purposes, or use the firearms, ammunition, and firearm parts that could be assembled to make an operable firearm for any other application as deemed appropriate by the local law enforcement agency.

(i-5) A respondent whose Firearm Owner's Identification Card has been revoked or suspended may petition the court, if the petitioner is present in court or has notice of the respondent's petition, to transfer the respondent's firearm, ammunition, and firearm parts that could be assembled to make an operable firearm to a person who is lawfully able to possess the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm if the person does not reside at the same address as the respondent. Notice of the petition shall be served upon the person protected by the emergency firearms restraining order. While the order is in effect, the transferee who receives the respondent's firearms, ammunition, and firearm parts that could be assembled to make an operable firearm must swear or affirm by affidavit that he or she shall not transfer the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm to the respondent or to anyone residing in the same residence as the respondent.

(i-6) If a person other than the respondent claims title to any firearms, ammunition, and firearm parts that could be assembled to make an operable firearm surrendered under this Section, he or she may petition the court, if the petitioner is present in court or has notice of the petition, to have the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm returned to him or her. If the court determines that person to be the lawful owner of the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm, the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm shall be returned to him or her, provided that:

(1) the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm are removed from the respondent's custody, control, or possession and the lawful owner agrees to store the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm in a manner such that the respondent does not have access to or control of the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm; and

(2) the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm are not otherwise unlawfully possessed by the owner.

The person petitioning for the return of his or her firearm, ammunition, and firearm parts that could be assembled to make an operable firearm must swear or affirm by affidavit that he or she: (i) is the lawful owner of the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm; (ii) shall not transfer the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm to the respondent; and (iii) will store the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm in a manner that the respondent does not have access to or control of the firearm, ammunition, and firearm parts that could be assembled to make an operable firearm.

(j) If the court does not issue a firearms restraining order at the hearing, the court shall dissolve any emergency firearms restraining order then in effect.

(k) When the court issues a firearms restraining order under this Section, the court shall inform the respondent that he or she is entitled to one hearing during the period of the order to request a termination of the order, under Section 45 of this Act, and shall provide the respondent with a form to request a hearing.

(Source: P.A. 101-81, eff. 7-12-19; 102-237, eff. 1-1-22; 102-345, eff. 6-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1116, eff. 1-10-23.)

(430 ILCS 67/50)

Sec. 50. Notice of orders.

(a) Entry and issuance. Upon issuance of any firearms restraining order, the clerk shall immediately, or on the next court day if an emergency firearms restraining order is issued in accordance with Section 35 of this Act (emergency firearms restraining order): (i) enter the order on the record and file it in accordance with the circuit court procedures and (ii) provide a file stamped copy of the order to the respondent, if present, and to the petitioner.

(b) Filing with sheriff. The clerk of the issuing judge shall, or the petitioner may, on the same day that a firearms restraining order is issued, file a ~~certified~~ filed stamped copy of that order with the sheriff or other law enforcement officials charged with maintaining Illinois State Police records or charged with serving the order upon the respondent. If the order was issued in accordance with Section 35 of this Act (emergency firearms restraining order), the clerk shall, on the next court day, file a ~~certified~~ filed stamped copy of the order with the sheriff or other law enforcement officials charged with maintaining Illinois State Police records.

(c) Service by sheriff. Unless the respondent was present in court when the order was issued, the sheriff or other law enforcement official shall promptly serve that order upon the respondent and file proof of the service, in the manner provided for service of process in civil proceedings. ~~Instead of serving the order upon the respondent, however, the sheriff, other law enforcement official, or other persons defined in Section 112A-22.10 of the Code of Criminal Procedure of 1963 may serve the respondent with a short form notification as provided in that Section. If process has not yet been served upon the respondent, it shall be served with the order or short form notification if the service is made by the sheriff, or other law enforcement official.~~

(d) Any order renewing or terminating any firearms restraining order shall be promptly recorded, issued, and served as provided in this Section.

(Source: P.A. 101-81, eff. 7-12-19; 102-538, eff. 8-20-21.)

(430 ILCS 67/60)

Sec. 60. Filing of a firearms restraining order issued by another state.

(a) A person who has sought a firearms restraining order or similar order issued by the court of another state, tribe, or United States territory may file a ~~certified~~ filed stamped copy of the firearms restraining order with the clerk of the court in a judicial circuit in which the person believes that enforcement may be necessary.

(b) The clerk shall:

(1) treat the foreign firearms restraining order in

the same manner as a judgment of the circuit court for any county of this State in accordance with the provisions of the Uniform Enforcement of Foreign Judgments Act, except that the clerk shall not mail notice of the filing of the foreign order to the respondent named in the order; and

(2) on the same day that a foreign firearms restraining order is filed, file a ~~certified~~ filed stamped copy of that order with the sheriff or other law enforcement officials charged with maintaining Illinois State Police records as set forth in Section 55 of this Act.

(c) Neither residence in this State nor filing of a foreign firearms restraining order shall be required for enforcement of the order by this State. Failure to file the foreign order shall not be an impediment to its treatment in all respects as an Illinois firearms restraining order.

(d) The clerk shall not charge a fee to file a foreign order of protection under this Section.

(Source: P.A. 102-538, eff. 8-20-21.)

(430 ILCS 67/75)

Sec. 75. Limited ~~law enforcement~~ liability.

(a) Law Enforcement. Any act of omission or commission by any law enforcement officer acting in good faith in rendering emergency assistance or otherwise enforcing this Act shall not impose civil liability upon the law enforcement officer or his or her supervisor or employer, unless the act is a result of willful or wanton misconduct.

(b) State's Attorney. In complying with the provisions of this Act, the State's Attorney, the Office of the State's Attorney, and anyone performing the function of that office, does not forfeit absolute immunity.

(Source: P.A. 100-607, eff. 1-1-19.)

(430 ILCS 67/80)

Sec. 80. Expungement or sealing of order. If the court denies issuance of a firearms restraining order against the respondent, all records of the proceeding shall be immediately expunged from the court records. If the firearms restraining order is granted, all records of the proceeding shall, 3 years after the expiration of the final order, be sealed by court order.

(Source: P.A. 100-607, eff. 1-1-19.)