

**HB0018**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**HB0018**

Introduced 1/9/2025, by Rep. Daniel Didech

**SYNOPSIS AS INTRODUCED:**

430 ILCS 65/4  
430 ILCS 65/8

from Ch. 38, par. 83-4  
from Ch. 38, par. 83-8

Amends the Firearm Owners Identification Card Act. Provides that the Illinois State Police has authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card previously issued under the Act if the Illinois State Police finds that the applicant or the person to whom the card was issued is or was at the time of issuance a person who has been convicted of misdemeanor stalking in another jurisdiction or a similar misdemeanor offense in another jurisdiction.

LRB104 03143 BDA 13164 b

**A BILL FOR**

1           AN ACT concerning safety.

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 Sections 4 and 8 as follows:

6           (430 ILCS 65/4) (from Ch. 38, par. 83-4)

7           Sec. 4. Application for Firearm Owner's Identification  
8           Cards.

9           (a) Each applicant for a Firearm Owner's Identification  
10           Card must:

11           (1) Submit an application as made available by the  
12           Illinois State Police; and

13           (2) Submit evidence to the Illinois State Police that:

14           (i) This subparagraph (i) applies through the  
15           180th day following July 12, 2019 (the effective date  
16           of Public Act 101-80). He or she is 21 years of age or  
17           over, or if he or she is under 21 years of age that he  
18           or she has the written consent of his or her parent or  
19           legal guardian to possess and acquire firearms and  
20           firearm ammunition and that he or she has never been  
21           convicted of a misdemeanor other than a traffic  
22           offense or adjudged delinquent, provided, however,  
23           that such parent or legal guardian is not an

1                   individual prohibited from having a Firearm Owner's  
2                   Identification Card and files an affidavit with the  
3                   Department as prescribed by the Department stating  
4                   that he or she is not an individual prohibited from  
5                   having a Card;

6                   (i-5) This subparagraph (i-5) applies on and after  
7                   the 181st day following July 12, 2019 (the effective  
8                   date of Public Act 101-80). He or she is 21 years of  
9                   age or over, or if he or she is under 21 years of age  
10                  that he or she has never been convicted of a  
11                  misdemeanor other than a traffic offense or adjudged  
12                  delinquent and is an active duty member of the United  
13                  States Armed Forces or the Illinois National Guard or  
14                  has the written consent of his or her parent or legal  
15                  guardian to possess and acquire firearms and firearm  
16                  ammunition, provided, however, that such parent or  
17                  legal guardian is not an individual prohibited from  
18                  having a Firearm Owner's Identification Card and files  
19                  an affidavit with the Illinois State Police as  
20                  prescribed by the Illinois State Police stating that  
21                  he or she is not an individual prohibited from having a  
22                  Card or the active duty member of the United States  
23                  Armed Forces or the Illinois National Guard under 21  
24                  years of age annually submits proof to the Illinois  
25                  State Police, in a manner prescribed by the Illinois  
26                  State Police;

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

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

(iv) He or she has not been a patient in a mental health facility within the past 5 years or, if he or she has been a patient in a mental health facility more than 5 years ago submit the certification required under subsection (u) of Section 8 of this Act;

(v) He or she is not a person with an intellectual disability;

(vi) He or she is not a noncitizen who is unlawfully present in the United States under the laws of the United States;

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

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

(viii-5) He or she has not been convicted of  
misdemeanor stalking in another jurisdiction or a  
similar misdemeanor offense in another jurisdiction:

(ix) He or she has not been convicted of domestic battery, aggravated domestic battery, or a

1                   substantially similar offense in another jurisdiction  
2                   committed before, on or after January 1, 2012 (the  
3                   effective date of Public Act 97-158). If the applicant  
4                   knowingly and intelligently waives the right to have  
5                   an offense described in this clause (ix) tried by a  
6                   jury, and by guilty plea or otherwise, results in a  
7                   conviction for an offense in which a domestic  
8                   relationship is not a required element of the offense  
9                   but in which a determination of the applicability of  
10                   18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of  
11                   the Code of Criminal Procedure of 1963, an entry by the  
12                   court of a judgment of conviction for that offense  
13                   shall be grounds for denying the issuance of a Firearm  
14                   Owner's Identification Card under this Section;

15                   (x) (Blank);

16                   (xi) He or she is not a noncitizen who has been  
17                   admitted to the United States under a non-immigrant  
18                   visa (as that term is defined in Section 101(a)(26) of  
19                   the Immigration and Nationality Act (8 U.S.C.  
20                   1101(a)(26))), or that he or she is a noncitizen who  
21                   has been lawfully admitted to the United States under  
22                   a non-immigrant visa if that noncitizen is:

23                   (1) admitted to the United States for lawful  
24                   hunting or sporting purposes;

25                   (2) an official representative of a foreign  
26                   government who is:

(A) accredited to the United States Government or the Government's mission to an international organization having its headquarters in the United States; or

(B) en route to or from another country to which that noncitizen is accredited;

(3) an official of a foreign government or distinguished foreign visitor who has been so designated by the Department of State;

(4) a foreign law enforcement officer of a friendly foreign government entering the United States on official business; or

(5) one who has received a waiver from the Attorney General of the United States pursuant to 18 U.S.C. 922(y) (3);

(xii) He or she is not a minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony;

(xiii) He or she is not an adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 for the commission of an offense that if committed by an adult would be a felony;

(xiv) He or she is a resident of the State of Illinois;

(xv) He or she has not been adjudicated as a person with a mental disability;

(xvi) He or she has not been involuntarily admitted into a mental health facility; and

(xvii) He or she is not a person with a developmental disability; and

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

(a-5) Each applicant for a Firearm Owner's Identification Card who is over the age of 18 shall furnish to the Illinois State Police either his or her Illinois driver's license number or Illinois Identification Card number, except as provided in subsection (a-10).

(a-10) Each applicant for a Firearm Owner's Identification

1 Card, who is employed as a law enforcement officer, an armed  
2 security officer in Illinois, or by the United States Military  
3 permanently assigned in Illinois and who is not an Illinois  
4 resident, shall furnish to the Illinois State Police his or  
5 her driver's license number or state identification card  
6 number from his or her state of residence. The Illinois State  
7 Police may adopt rules to enforce the provisions of this  
8 subsection (a-10).

9 (a-15) If an applicant applying for a Firearm Owner's  
10 Identification Card moves from the residence address named in  
11 the application, he or she shall immediately notify in a form  
12 and manner prescribed by the Illinois State Police of that  
13 change of address.

14 (a-20) Each applicant for a Firearm Owner's Identification  
15 Card shall furnish to the Illinois State Police his or her  
16 photograph. An applicant who is 21 years of age or older  
17 seeking a religious exemption to the photograph requirement  
18 must furnish with the application an approved copy of United  
19 States Department of the Treasury Internal Revenue Service  
20 Form 4029. In lieu of a photograph, an applicant regardless of  
21 age seeking a religious exemption to the photograph  
22 requirement shall submit fingerprints on a form and manner  
23 prescribed by the Illinois State Police with his or her  
24 application.

25 (a-25) Beginning January 1, 2023, each applicant for the  
26 issuance of a Firearm Owner's Identification Card may include

1 a full set of his or her fingerprints in electronic format to  
2 the Illinois State Police, unless the applicant has previously  
3 provided a full set of his or her fingerprints to the Illinois  
4 State Police under this Act or the Firearm Concealed Carry  
5 Act.

6 The fingerprints must be transmitted through a live scan  
7 fingerprint vendor licensed by the Department of Financial and  
8 Professional Regulation. The fingerprints shall be checked  
9 against the fingerprint records now and hereafter filed in the  
10 Illinois State Police and Federal Bureau of Investigation  
11 criminal history records databases, including all available  
12 State and local criminal history record information files.

13 The Illinois State Police shall charge applicants a  
14 one-time fee for conducting the criminal history record check,  
15 which shall be deposited into the State Police Services Fund  
16 and shall not exceed the actual cost of the State and national  
17 criminal history record check.

18 (a-26) The Illinois State Police shall research, explore,  
19 and report to the General Assembly by January 1, 2022 on the  
20 feasibility of permitting voluntarily submitted fingerprints  
21 obtained for purposes other than Firearm Owner's  
22 Identification Card enforcement that are contained in the  
23 Illinois State Police database for purposes of this Act.

24 (b) Each application form shall include the following  
25 statement printed in bold type: "Warning: Entering false  
26 information on an application for a Firearm Owner's

1 Identification Card is punishable as a Class 2 felony in  
2 accordance with subsection (d-5) of Section 14 of the Firearm  
3 Owners Identification Card Act.".

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

8 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;  
9 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.  
10 5-27-22; 102-1116, eff. 1-10-23.)

11 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

12 Sec. 8. Grounds for denial and revocation. The Illinois  
13 State Police has authority to deny an application for or to  
14 revoke and seize a Firearm Owner's Identification Card  
15 previously issued under this Act only if the Illinois State  
16 Police finds that the applicant or the person to whom such card  
17 was issued is or was at the time of issuance:

18 (a) A person under 21 years of age who has been  
19 convicted of a misdemeanor other than a traffic offense or  
20 adjudged delinquent;

21 (b) This subsection (b) applies through the 180th day  
22 following July 12, 2019 (the effective date of Public Act  
23 101-80). A person under 21 years of age who does not have  
24 the written consent of his parent or guardian to acquire  
25 and possess firearms and firearm ammunition, or whose

1 parent or guardian has revoked such written consent, or  
2 where such parent or guardian does not qualify to have a  
3 Firearm Owner's Identification Card;

4 (b-5) This subsection (b-5) applies on and after the  
5 181st day following July 12, 2019 (the effective date of  
6 Public Act 101-80). A person under 21 years of age who is  
7 not an active duty member of the United States Armed  
8 Forces or the Illinois National Guard and does not have  
9 the written consent of his or her parent or guardian to  
10 acquire and possess firearms and firearm ammunition, or  
11 whose parent or guardian has revoked such written consent,  
12 or where such parent or guardian does not qualify to have a  
13 Firearm Owner's Identification Card;

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

16 (d) A person addicted to narcotics;

17 (e) A person who has been a patient of a mental health  
18 facility within the past 5 years or a person who has been a  
19 patient in a mental health facility more than 5 years ago  
20 who has not received the certification required under  
21 subsection (u) of this Section. An active law enforcement  
22 officer employed by a unit of government or a Department  
23 of Corrections employee authorized to possess firearms who  
24 is denied, revoked, or has his or her Firearm Owner's  
25 Identification Card seized under this subsection (e) may  
26 obtain relief as described in subsection (c-5) of Section

10 of this Act if the officer or employee did not act in a  
manner threatening to the officer or employee, another  
person, or the public as determined by the treating  
clinical psychologist or physician, and the officer or  
employee seeks mental health treatment;

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

(g) A person who has an intellectual disability;

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

(i) A noncitizen who is unlawfully present in the  
United States under the laws of the United States;

(i-5) A noncitizen who has been admitted to the United  
States under a non-immigrant visa (as that term is defined  
in Section 101(a)(26) of the Immigration and Nationality  
Act (8 U.S.C. 1101(a)(26))), except that this subsection  
(i-5) does not apply to any noncitizen who has been  
lawfully admitted to the United States under a  
non-immigrant visa if that noncitizen is:

(1) admitted to the United States for lawful  
hunting or sporting purposes;

(2) an official representative of a foreign  
government who is:

(A) accredited to the United States Government

1                   or the Government's mission to an international  
2                   organization having its headquarters in the United  
3                   States; or

4                   (B) en route to or from another country to  
5                   which that noncitizen is accredited;

6                   (3) an official of a foreign government or  
7                   distinguished foreign visitor who has been so  
8                   designated by the Department of State;

9                   (4) a foreign law enforcement officer of a  
10                  friendly foreign government entering the United States  
11                  on official business; or

12                  (5) one who has received a waiver from the  
13                  Attorney General of the United States pursuant to 18  
14                  U.S.C. 922(y) (3);

15                  (j) (Blank);

16                  (k) A person who has been convicted within the past 5  
17                  years of battery, assault, aggravated assault, violation  
18                  of an order of protection, or a substantially similar  
19                  offense in another jurisdiction, in which a firearm was  
20                  used or possessed;

21                  (k-5) A person who has been convicted of misdemeanor  
22                  stalking in another jurisdiction or a similar misdemeanor  
23                  offense in another jurisdiction;

24                  (l) A person who has been convicted of domestic  
25                  battery, aggravated domestic battery, or a substantially  
26                  similar offense in another jurisdiction committed before,

on or after January 1, 2012 (the effective date of Public Act 97-158). If the applicant or person who has been previously issued a Firearm Owner's Identification Card under this Act knowingly and intelligently waives the right to have an offense described in this paragraph (1) tried by a jury, and by guilty plea or otherwise, results in a conviction for an offense in which a domestic relationship is not a required element of the offense but in which a determination of the applicability of 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of the Code of Criminal Procedure of 1963, an entry by the court of a judgment of conviction for that offense shall be grounds for denying an application for and for revoking and seizing a Firearm Owner's Identification Card previously issued to the person under this Act;

(m) (Blank);

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

(o) A minor subject to a petition filed under Section 5-520 of the Juvenile Court Act of 1987 alleging that the minor is a delinquent minor for the commission of an offense that if committed by an adult would be a felony;

(p) An adult who had been adjudicated a delinquent minor under the Juvenile Court Act of 1987 for the commission of an offense that if committed by an adult

1           would be a felony;

2           (q) A person who is not a resident of the State of  
3           Illinois, except as provided in subsection (a-10) of  
4           Section 4;

5           (r) A person who has been adjudicated as a person with  
6           a mental disability;

7           (s) A person who has been found to have a  
8           developmental disability;

9           (t) A person involuntarily admitted into a mental  
10           health facility; or

11           (u) A person who has had his or her Firearm Owner's  
12           Identification Card revoked or denied under subsection (e)  
13           of this Section or item (iv) of paragraph (2) of  
14           subsection (a) of Section 4 of this Act because he or she  
15           was a patient in a mental health facility as provided in  
16           subsection (e) of this Section, shall not be permitted to  
17           obtain a Firearm Owner's Identification Card, after the  
18           5-year period has lapsed, unless he or she has received a  
19           mental health evaluation by a physician, clinical  
20           psychologist, or qualified examiner as those terms are  
21           defined in the Mental Health and Developmental  
22           Disabilities Code, and has received a certification that  
23           he or she is not a clear and present danger to himself,  
24           herself, or others. The physician, clinical psychologist,  
25           or qualified examiner making the certification and his or  
26           her employer shall not be held criminally, civilly, or

1 professionally liable for making or not making the  
2 certification required under this subsection, except for  
3 willful or wanton misconduct. This subsection does not  
4 apply to a person whose firearm possession rights have  
5 been restored through administrative or judicial action  
6 under Section 10 or 11 of this Act.

7 Upon revocation of a person's Firearm Owner's  
8 Identification Card, the Illinois State Police shall provide  
9 notice to the person and the person shall comply with Section  
10 9.5 of this Act.

11 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;  
12 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.  
13 5-27-22; 102-1116, eff. 1-10-23.)