



Rep. Maura Hirschauer

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10400SB3229ham004

LRB104 19751 BDA 38712 a

1 AMENDMENT TO SENATE BILL 3229

2 AMENDMENT NO. _____. Amend Senate Bill 3229 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. References to Act. This Act may be referred to
5 as Jeff's Law.

6 Section 5. The Criminal Identification Act is amended by
7 changing Section 2.1 as follows:

8 (20 ILCS 2630/2.1) (from Ch. 38, par. 206-2.1)

9 (Text of Section before amendment by P.A. 104-459)

10 Sec. 2.1. For the purpose of maintaining complete and
11 accurate criminal records of the Illinois State Police, it is
12 necessary for all policing bodies of this State, the clerk of
13 the circuit court, the Illinois Department of Corrections, the
14 sheriff of each county, and State's Attorney of each county to
15 submit certain criminal arrest, charge, and disposition

1 information to the Illinois State Police for filing at the
2 earliest time possible. Unless otherwise noted herein, it
3 shall be the duty of all policing bodies of this State, the
4 clerk of the circuit court, the Illinois Department of
5 Corrections, the sheriff of each county, and the State's
6 Attorney of each county to report such information as provided
7 in this Section, both in the form and manner required by the
8 Illinois State Police and within 30 days of the criminal
9 history event. Specifically:

10 (a) Arrest Information. All agencies making arrests
11 for offenses which are required by statute to be
12 collected, maintained or disseminated by the Illinois
13 State Police shall be responsible for furnishing daily to
14 the Illinois State Police fingerprints, charges and
15 descriptions of all persons who are arrested for such
16 offenses. All such agencies shall also notify the Illinois
17 State Police of all decisions by the arresting agency not
18 to refer such arrests for prosecution. With approval of
19 the Illinois State Police, an agency making such arrests
20 may enter into arrangements with other agencies for the
21 purpose of furnishing daily such fingerprints, charges and
22 descriptions to the Illinois State Police upon its behalf.

23 (b) Charge Information. The State's Attorney of each
24 county shall notify the Illinois State Police of all
25 charges filed and all petitions filed alleging that a
26 minor is delinquent, including all those added subsequent

1 to the filing of a case, and whether charges were not filed
2 in cases for which the Illinois State Police has received
3 information required to be reported pursuant to paragraph
4 (a) of this Section. With approval of the Illinois State
5 Police, the State's Attorney may enter into arrangements
6 with other agencies for the purpose of furnishing the
7 information required by this subsection (b) to the
8 Illinois State Police upon the State's Attorney's behalf.

9 (c) Disposition Information. The clerk of the circuit
10 court of each county shall furnish the Illinois State
11 Police, in the form and manner required by the Supreme
12 Court, with all final dispositions of cases for which the
13 Illinois State Police has received information required to
14 be reported pursuant to paragraph (a) or (d) of this
15 Section. Such information shall include, for each charge,
16 all (1) judgments of not guilty, judgments of guilty
17 including the sentence pronounced by the court with
18 statutory citations to the relevant sentencing provision,
19 findings that a minor is delinquent and any sentence made
20 based on those findings, discharges and dismissals in the
21 court; (2) reviewing court orders filed with the clerk of
22 the circuit court which reverse or remand a reported
23 conviction or findings that a minor is delinquent or that
24 vacate or modify a sentence or sentence made following a
25 trial that a minor is delinquent; (3) continuances to a
26 date certain in furtherance of an order of supervision

1 granted under Section 5-6-1 of the Unified Code of
2 Corrections or an order of probation granted under Section
3 10 of the Cannabis Control Act, Section 410 of the
4 Illinois Controlled Substances Act, Section 70 of the
5 Methamphetamine Control and Community Protection Act,
6 Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 of
7 the Criminal Code of 1961 or the Criminal Code of 2012,
8 Section 10-102 of the Illinois Alcoholism and Other Drug
9 Dependency Act, Section 40-10 of the Substance Use
10 Disorder Act, Section 10 of the Steroid Control Act, or
11 Section 5-615 of the Juvenile Court Act of 1987; (4)
12 judgments or court orders terminating or revoking a
13 sentence to or juvenile disposition of probation,
14 supervision or conditional discharge and any resentencing
15 or new court orders entered by a juvenile court relating
16 to the disposition of a minor's case involving delinquency
17 after such revocation; and (5) in any case in which a
18 firearm is alleged to have been used in the commission of
19 an offense, the serial number of any firearm involved in
20 the case, whether the firearm was reported as stolen on
21 the Illinois State Police publicly accessible database, or
22 if the serial number was obliterated, as provided by the
23 State's Attorney to the clerk of the circuit court at the
24 time of disposition.

25 (d) Fingerprints After Sentencing.

26 (1) After the court pronounces sentence, sentences

1 a minor following a trial in which a minor was found to
2 be delinquent or issues an order of supervision or an
3 order of probation granted under Section 10 of the
4 Cannabis Control Act, Section 410 of the Illinois
5 Controlled Substances Act, Section 70 of the
6 Methamphetamine Control and Community Protection Act,
7 Section 12-4.3 or subdivision (b)(1) of Section
8 12-3.05 of the Criminal Code of 1961 or the Criminal
9 Code of 2012, Section 10-102 of the Illinois
10 Alcoholism and Other Drug Dependency Act, Section
11 40-10 of the Substance Use Disorder Act, Section 10 of
12 the Steroid Control Act, or Section 5-615 of the
13 Juvenile Court Act of 1987 for any offense which is
14 required by statute to be collected, maintained, or
15 disseminated by the Illinois State Police, the State's
16 Attorney of each county shall ask the court to order a
17 law enforcement agency to fingerprint immediately all
18 persons appearing before the court who have not
19 previously been fingerprinted for the same case. The
20 court shall so order the requested fingerprinting, if
21 it determines that any such person has not previously
22 been fingerprinted for the same case. The law
23 enforcement agency shall submit such fingerprints to
24 the Illinois State Police daily.

25 (2) After the court pronounces sentence or makes a
26 disposition of a case following a finding of

1 delinquency for any offense which is not required by
2 statute to be collected, maintained, or disseminated
3 by the Illinois State Police, the prosecuting attorney
4 may ask the court to order a law enforcement agency to
5 fingerprint immediately all persons appearing before
6 the court who have not previously been fingerprinted
7 for the same case. The court may so order the requested
8 fingerprinting, if it determines that any so sentenced
9 person has not previously been fingerprinted for the
10 same case. The law enforcement agency may retain such
11 fingerprints in its files.

12 (e) Corrections Information. The Illinois Department
13 of Corrections and the sheriff of each county shall
14 furnish the Illinois State Police with all information
15 concerning the receipt, escape, execution, death, release,
16 pardon, parole, commutation of sentence, granting of
17 executive clemency or discharge of an individual who has
18 been sentenced or committed to the agency's custody for
19 any offenses which are mandated by statute to be
20 collected, maintained or disseminated by the Illinois
21 State Police. For an individual who has been charged with
22 any such offense and who escapes from custody or dies
23 while in custody, all information concerning the receipt
24 and escape or death, whichever is appropriate, shall also
25 be so furnished to the Illinois State Police.

26 (Source: P.A. 104-5, eff. 1-1-26.)

1 (Text of Section after amendment by P.A. 104-459)

2 Sec. 2.1. For the purpose of maintaining complete and
3 accurate criminal records of the Illinois State Police, it is
4 necessary for all policing bodies of this State, the clerk of
5 the circuit court, the Illinois Department of Corrections, the
6 sheriff of each county, and State's Attorney of each county to
7 submit certain criminal arrest, charge, and disposition
8 information to the Illinois State Police for filing at the
9 earliest time possible. Unless otherwise noted herein, it
10 shall be the duty of all policing bodies of this State, the
11 clerk of the circuit court, the Illinois Department of
12 Corrections, the sheriff of each county, and the State's
13 Attorney of each county to report such information as provided
14 in this Section, both in the form and manner required by the
15 Illinois State Police and within 30 days of the criminal
16 history event. Specifically:

17 (a) Arrest Information. All agencies making arrests
18 for offenses which are required by statute to be
19 collected, maintained or disseminated by the Illinois
20 State Police shall be responsible for furnishing daily to
21 the Illinois State Police fingerprints, charges and
22 descriptions of all persons who are arrested for such
23 offenses. All such agencies shall also notify the Illinois
24 State Police of all decisions by the arresting agency not
25 to refer such arrests for prosecution. With approval of

1 the Illinois State Police, an agency making such arrests
2 may enter into arrangements with other agencies for the
3 purpose of furnishing daily such fingerprints, charges and
4 descriptions to the Illinois State Police upon its behalf.

5 (b) Charge Information. The State's Attorney of each
6 county shall notify the Illinois State Police of all
7 charges filed and all petitions filed alleging that a
8 minor is delinquent, including all those added subsequent
9 to the filing of a case, and whether charges were not filed
10 in cases for which the Illinois State Police has received
11 information required to be reported pursuant to paragraph
12 (a) of this Section. With approval of the Illinois State
13 Police, the State's Attorney may enter into arrangements
14 with other agencies for the purpose of furnishing the
15 information required by this subsection (b) to the
16 Illinois State Police upon the State's Attorney's behalf.

17 (c) Disposition Information. The clerk of the circuit
18 court of each county shall furnish the Illinois State
19 Police, in the form and manner required by the Supreme
20 Court, with all final dispositions of cases for which the
21 Illinois State Police has received information required to
22 be reported pursuant to paragraph (a) or (d) of this
23 Section. Such information shall include, for each charge,
24 all (1) judgments of not guilty, judgments of guilty
25 including the sentence pronounced by the court with
26 statutory citations to the relevant sentencing provision,

1 findings that a minor is delinquent and any sentence made
2 based on those findings, discharges and dismissals in the
3 court; (2) reviewing court orders filed with the clerk of
4 the circuit court which reverse or remand a reported
5 conviction or findings that a minor is delinquent or that
6 vacate or modify a sentence or sentence made following a
7 trial that a minor is delinquent; (3) continuances to a
8 date certain in furtherance of an order of supervision
9 granted under Section 5-6-1 of the Unified Code of
10 Corrections or an order of probation granted under Section
11 10 of the Cannabis Control Act, Section 410 of the
12 Illinois Controlled Substances Act, Section 70 of the
13 Methamphetamine Control and Community Protection Act,
14 Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of
15 the Criminal Code of 1961 or the Criminal Code of 2012,
16 Section 10-102 of the Illinois Alcoholism and Other Drug
17 Dependency Act, Section 40-10 of the Substance Use
18 Disorder Act, Section 10 of the Steroid Control Act, or
19 Section 5-615 of the Juvenile Court Act of 1987; (4)
20 judgments or court orders terminating or revoking a
21 sentence to or juvenile disposition of probation,
22 supervision or conditional discharge, judgment or court
23 orders of discharge from probation or conditional
24 discharge, and any resentencing or new court orders
25 entered by a juvenile court relating to the disposition of
26 a minor's case involving delinquency after such

1 revocation; and (5) in any case in which a firearm is
2 alleged to have been used in the commission of an offense,
3 the serial number of any firearm involved in the case,
4 whether the firearm was reported as stolen on the Illinois
5 State Police publicly accessible database, or if the
6 serial number was obliterated, as provided by the State's
7 Attorney to the clerk of the circuit court at the time of
8 disposition. The Illinois State Police may provide reports
9 of cases with missing disposition information to the clerk
10 of the circuit court. Each clerk of the circuit court
11 receiving a report of cases with missing disposition
12 information shall respond within 30 days after receiving
13 the report unless the volume of records in the report
14 renders that timeline impracticable.

15 (d) Fingerprints After Sentencing.

16 (1) After the court pronounces sentence, sentences
17 a minor following a trial in which a minor was found to
18 be delinquent or issues an order of supervision or an
19 order of probation granted under Section 10 of the
20 Cannabis Control Act, Section 410 of the Illinois
21 Controlled Substances Act, Section 70 of the
22 Methamphetamine Control and Community Protection Act,
23 Section 12-4.3 or subdivision (b)(1) of Section
24 12-3.05 of the Criminal Code of 1961 or the Criminal
25 Code of 2012, Section 10-102 of the Illinois
26 Alcoholism and Other Drug Dependency Act, Section

1 40-10 of the Substance Use Disorder Act, Section 10 of
2 the Steroid Control Act, or Section 5-615 of the
3 Juvenile Court Act of 1987 for any offense which is
4 required by statute to be collected, maintained, or
5 disseminated by the Illinois State Police, the State's
6 Attorney of each county shall ask the court to order a
7 law enforcement agency to fingerprint immediately all
8 persons appearing before the court who have not
9 previously been fingerprinted for the same case. The
10 court shall so order the requested fingerprinting, if
11 it determines that any such person has not previously
12 been fingerprinted for the same case. The law
13 enforcement agency shall submit such fingerprints to
14 the Illinois State Police daily.

15 (2) After the court pronounces sentence or makes a
16 disposition of a case following a finding of
17 delinquency for any offense which is not required by
18 statute to be collected, maintained, or disseminated
19 by the Illinois State Police, the prosecuting attorney
20 may ask the court to order a law enforcement agency to
21 fingerprint immediately all persons appearing before
22 the court who have not previously been fingerprinted
23 for the same case. The court may so order the requested
24 fingerprinting, if it determines that any so sentenced
25 person has not previously been fingerprinted for the
26 same case. The law enforcement agency may retain such

1 fingerprints in its files.

2 (e) Corrections Information. The Illinois Department
3 of Corrections and the sheriff of each county shall
4 furnish the Illinois State Police with all information
5 concerning the receipt, escape, execution, death, release,
6 pardon, parole, commutation of sentence, granting of
7 executive clemency or discharge of an individual who has
8 been sentenced or committed to the agency's custody for
9 any offenses which are mandated by statute to be
10 collected, maintained or disseminated by the Illinois
11 State Police. For an individual who has been charged with
12 any such offense and who escapes from custody or dies
13 while in custody, all information concerning the receipt
14 and escape or death, whichever is appropriate, shall also
15 be so furnished to the Illinois State Police.

16 (f) Any entity required to report information
17 concerning criminal arrests, charges, and dispositions
18 pursuant to Section 2.1 or 5 of this Act shall respond to
19 any notice advising the entity of missing or incomplete
20 information or an error in the reporting of the
21 information as follows:

22 (1) Responses shall be made within 30 days after
23 the notice from the Illinois State Police unless the
24 volume of records in the report renders that timeline
25 impracticable.

26 (2) Responses shall include the missing or

1 incomplete information, correction of the error or an
2 explanation detailing the reason the information
3 cannot be provided or corrected, and an estimated
4 timeframe for compliance.

5 (Source: P.A. 104-5, eff. 1-1-26; 104-459, eff. 6-1-26.)

6 Section 10. The Mental Health and Developmental
7 Disabilities Code is amended by changing Sections 6-103.2 and
8 6-103.3 as follows:

9 (405 ILCS 5/6-103.2)

10 Sec. 6-103.2. Developmental disability; notice. If a
11 person 14 years old or older is determined to be a person with
12 a developmental disability by a physician, clinical
13 psychologist, advanced practice psychiatric nurse, or
14 qualified examiner, the physician, clinical psychologist,
15 advanced practice psychiatric nurse, or qualified examiner
16 shall notify the Department of Human Services within 7 days of
17 making the determination that the person has a developmental
18 disability. The Department of Human Services shall immediately
19 update its records and information relating to mental health
20 and developmental disabilities, and if appropriate, shall
21 notify the Illinois State Police in a form and manner
22 prescribed by the Illinois State Police. Information disclosed
23 under this Section shall remain privileged and confidential,
24 and shall not be redisclosed, except as required under

1 subsection (e) of Section 3.1 of the Firearm Owners
2 Identification Card Act, nor used for any other purpose. The
3 method of providing this information shall guarantee that the
4 information is not released beyond that which is necessary for
5 the purpose of this Section and shall be provided by rule by
6 the Department of Human Services. The identity of the person
7 reporting under this Section shall not be disclosed to the
8 subject of the report.

9 The physician, clinical psychologist, advanced practice
10 psychiatric nurse, or qualified examiner making the
11 determination and his or her employer may not be held
12 criminally, civilly, or professionally liable for making or
13 not making the notification required under this Section,
14 except for willful or wanton misconduct.

15 For purposes of this Section, "developmental disability"
16 means a disability which is attributable to any other
17 condition which results in impairment similar to that caused
18 by an intellectual disability and which requires services
19 similar to those required by intellectually disabled persons.
20 The disability must originate before the age of 18 years, be
21 expected to continue indefinitely, and constitute a
22 substantial disability. This disability results, in the
23 professional opinion of a physician, clinical psychologist,
24 advanced practice psychiatric nurse, or qualified examiner, in
25 significant functional limitations in 3 or more of the
26 following areas of major life activity:

- (i) self-care;
- (ii) receptive and expressive language;
- (iii) learning;
- (iv) mobility; or
- (v) self-direction.

"Determined to be a person with a developmental disability by a physician, clinical psychologist, advanced practice psychiatric nurse, or qualified examiner" means in the professional opinion of the physician, clinical psychologist, advanced practice psychiatric nurse, or qualified examiner, a person, with whom the physician, clinical psychologist, advanced practice psychiatric nurse, or qualified examiner has a formal relationship in his or her professional or official capacity, is diagnosed, assessed, or evaluated as having a developmental disability.

(Source: P.A. 104-270, eff. 8-15-25.)

(405 ILCS 5/6-103.3)

Sec. 6-103.3. Clear and present danger; notice. If a person is determined to pose a clear and present danger to himself, herself, or to others by a physician, clinical psychologist, advanced practice psychiatric nurse, or qualified examiner, whether employed by the State, by any public or private mental health facility or part thereof, or by a law enforcement official or a school administrator, then the physician, clinical psychologist, advanced practice

1 psychiatric nurse, or qualified examiner shall notify the
2 Department of Human Services and a law enforcement official or
3 school administrator shall notify the Illinois State Police,
4 within 24 hours of making the determination that the person
5 poses a clear and present danger. The Department of Human
6 Services shall immediately update its records and information
7 relating to mental health and developmental disabilities, and
8 if appropriate, shall notify the Illinois State Police in a
9 form and manner prescribed by the Illinois State Police.
10 Information disclosed under this Section shall remain
11 privileged and confidential, and shall not be redisclosed,
12 except as required under subsection (e) of Section 3.1 of the
13 Firearm Owners Identification Card Act, nor used for any other
14 purpose. The method of providing this information shall
15 guarantee that the information is not released beyond that
16 which is necessary for the purpose of this Section and shall be
17 provided by rule by the Department of Human Services.
18 Notwithstanding any other provision of this Act or any other
19 law to the contrary, the ~~The~~ identity of the person reporting
20 under this Section shall not be disclosed to the subject of the
21 report unless ordered by the Firearm Owner's Identification
22 Card Review Board or a court with appropriate jurisdiction in
23 accordance with Section 10 of the Firearm Owners
24 Identification Card Act. The physician, clinical psychologist,
25 advanced practice psychiatric nurse, qualified examiner, law
26 enforcement official, or school administrator making the

1 determination and his or her employer shall not be held
2 criminally, civilly, or professionally liable for making or
3 not making the notification required under this Section,
4 except for willful or wanton misconduct. The Department of
5 Human Services and its employees or agents shall not be held
6 liable for damages in any civil action arising from the
7 disclosure or nondisclosure of the information released to an
8 individual in accordance with Section 10 of the Firearm Owners
9 Identification Card Act, except for willful and wanton
10 misconduct. This Section does not apply to a law enforcement
11 official, if making the notification under this Section will
12 interfere with an ongoing or pending criminal investigation.

13 For the purposes of this Section:

14 "Clear and present danger" has the meaning ascribed to
15 it in Section 1.1 of the Firearm Owners Identification
16 Card Act.

17 "Determined to pose a clear and present danger to
18 himself, herself, or to others by a physician, clinical
19 psychologist, advanced practice psychiatric nurse, or
20 qualified examiner" means in the professional opinion of
21 the physician, clinical psychologist, advanced practice
22 psychiatric nurse, or qualified examiner, a person, with
23 whom the physician, psychologist, nurse, or examiner has a
24 formal relationship in his or her official capacity, poses
25 a clear and present danger.

26 "School administrator" means the person required to

1 report under the School Administrator Reporting of Mental
2 Health Clear and Present Danger Determinations Law.
3 (Source: P.A. 104-270, eff. 8-15-25.)

4 Section 15. The Firearm Owners Identification Card Act is
5 amended by changing Sections 1.1, 8, and 10 as follows:

6 (430 ILCS 65/1.1)

7 Sec. 1.1. For purposes of this Act:

8 "Addicted to narcotics" means a person who has been:

9 (1) convicted of an offense involving the use or
10 possession of cannabis, a controlled substance, or
11 methamphetamine within the past year; or

12 (2) determined by the Illinois State Police to be
13 addicted to narcotics based upon federal law or federal
14 guidelines.

15 "Addicted to narcotics" does not include possession or use
16 of a prescribed controlled substance under the direction and
17 authority of a physician or other person authorized to
18 prescribe the controlled substance when the controlled
19 substance is used in the prescribed manner.

20 "Adjudicated as a person with a mental disability" means
21 the person is the subject of a determination by a court, board,
22 commission or other lawful authority that the person, as a
23 result of marked subnormal intelligence, or mental illness,
24 mental impairment, incompetency, condition, or disease:

1 (1) presents a clear and present danger to himself,
2 herself, or to others;

3 (2) lacks the mental capacity to manage his or her own
4 affairs or is adjudicated a person with a disability as
5 defined in Section 11a-2 of the Probate Act of 1975;

6 (3) is not guilty in a criminal case by reason of
7 insanity, mental disease or defect;

8 (3.5) is guilty but mentally ill, as provided in
9 Section 5-2-6 of the Unified Code of Corrections;

10 (4) is incompetent to stand trial in a criminal case;

11 (5) is not guilty by reason of lack of mental
12 responsibility under Articles 50a and 72b of the Uniform
13 Code of Military Justice, 10 U.S.C. 850a, 876b;

14 (6) is a sexually violent person under subsection (f)
15 of Section 5 of the Sexually Violent Persons Commitment
16 Act;

17 (7) is a sexually dangerous person under the Sexually
18 Dangerous Persons Act;

19 (8) is unfit to stand trial under the Juvenile Court
20 Act of 1987;

21 (9) is not guilty by reason of insanity under the
22 Juvenile Court Act of 1987;

23 (10) is subject to involuntary admission as an
24 inpatient as defined in Section 1-119 of the Mental Health
25 and Developmental Disabilities Code;

26 (11) is subject to involuntary admission as an

1 outpatient as defined in Section 1-119.1 of the Mental
2 Health and Developmental Disabilities Code;

3 (12) is subject to judicial admission as set forth in
4 Section 4-500 of the Mental Health and Developmental
5 Disabilities Code; or

6 (13) is subject to the provisions of the Interstate
7 Agreements on Sexually Dangerous Persons Act.

8 "Advanced practice psychiatric nurse" has the meaning
9 ascribed to that term in Section 1-101.3 of the Mental Health
10 and Developmental Disabilities Code.

11 "Clear and present danger" means a person who:

12 (1) communicates a serious threat of physical violence
13 against a reasonably identifiable victim or poses a clear
14 and imminent risk of serious physical injury to himself,
15 herself, or another person as determined by a physician,
16 clinical psychologist, advanced practice psychiatric
17 nurse, or qualified examiner; or

18 (2) demonstrates threatening physical or verbal
19 behavior, such as violent, suicidal, or assaultive
20 threats, actions, or other behavior, as determined by a
21 physician, clinical psychologist, advanced practice
22 psychiatric nurse, qualified examiner, school
23 administrator, or law enforcement official.

24 "Clinical psychologist" has the meaning provided in
25 Section 1-103 of the Mental Health and Developmental
26 Disabilities Code.

1 "Collateral records" means (1) any medical records related
2 to the patient's current and past clinical or mental status
3 and history from the last 5 years from all current and prior
4 physicians, qualified examiners, clinical psychologists,
5 advanced practice psychiatric nurses, or any other individuals
6 who provided health care services, as that term is defined in
7 the Managed Care Reform and Patient Rights Act, to the patient
8 and (2) correspondence or other communication between the FOID
9 reinstatement mental health evaluator and the patient's
10 current and prior physicians, qualified examiners, clinical
11 psychologists, advanced practice psychiatric nurses, or any
12 other individuals who provided health care services, as that
13 term is defined in the Managed Care Reform and Patient Rights
14 Act, to the patient, if any.

15 "Controlled substance" means a controlled substance or
16 controlled substance analog as defined in the Illinois
17 Controlled Substances Act.

18 "Counterfeit" means to copy or imitate, without legal
19 authority, with intent to deceive.

20 "Department of Financial and Professional
21 Regulation-approved continuing education sponsor" means a
22 person, firm, association, corporation, or any other group
23 that is approved by the Department of Financial and
24 Professional Regulation to coordinate and present continuing
25 education courses or programs.

26 "Developmental disability" means a severe, chronic

1 disability of an individual that:

2 (1) is attributable to a mental or physical impairment
3 or combination of mental and physical impairments;

4 (2) is manifested before the individual attains age
5 22;

6 (3) is likely to continue indefinitely;

7 (4) results in substantial functional limitations in 3
8 or more of the following areas of major life activity:

9 (A) Self-care.

10 (B) Receptive and expressive language.

11 (C) Learning.

12 (D) Mobility.

13 (E) Self-direction.

14 (F) Capacity for independent living.

15 (G) Economic self-sufficiency; and

16 (5) reflects the individual's need for a combination
17 and sequence of special, interdisciplinary, or generic
18 services, individualized supports, or other forms of
19 assistance that are of lifelong or extended duration and
20 are individually planned and coordinated.

21 "Federally licensed firearm dealer" means a person who is
22 licensed as a federal firearms dealer under Section 923 of the
23 federal Gun Control Act of 1968 (18 U.S.C. 923).

24 "Firearm" means any device, by whatever name known, which
25 is designed to expel a projectile or projectiles by the action
26 of an explosion, expansion of gas or escape of gas; excluding,

1 however:

2 (1) any pneumatic gun, spring gun, paint ball gun, or
3 B-B gun which expels a single globular projectile not
4 exceeding .18 inch in diameter or which has a maximum
5 muzzle velocity of less than 700 feet per second;

6 (1.1) any pneumatic gun, spring gun, paint ball gun,
7 or B-B gun which expels breakable paint balls containing
8 washable marking colors;

9 (2) any device used exclusively for signaling or
10 safety and required or recommended by the United States
11 Coast Guard or the Interstate Commerce Commission;

12 (3) any device used exclusively for the firing of stud
13 cartridges, explosive rivets or similar industrial
14 ammunition; and

15 (4) an antique firearm (other than a machine-gun)
16 which, although designed as a weapon, the Illinois State
17 Police finds by reason of the date of its manufacture,
18 value, design, and other characteristics is primarily a
19 collector's item and is not likely to be used as a weapon.

20 "Firearm ammunition" means any self-contained cartridge or
21 shotgun shell, by whatever name known, which is designed to be
22 used or adaptable to use in a firearm; excluding, however:

23 (1) any ammunition exclusively designed for use with a
24 device used exclusively for signaling or safety and
25 required or recommended by the United States Coast Guard
26 or the Interstate Commerce Commission; and

1 (2) any ammunition designed exclusively for use with a
2 stud or rivet driver or other similar industrial
3 ammunition.

4 "FOID reinstatement mental health evaluation" means a
5 mental health evaluation performed for the purpose of Firearm
6 Owner's Identification Card reinstatement by a FOID
7 reinstatement mental health evaluator during at least 2 office
8 visits on separate, nonconsecutive days, with no more than one
9 office visit conducted by telehealth means, subject to the
10 professional discretion of the FOID reinstatement mental
11 health evaluator conducting the FOID reinstatement mental
12 health evaluation. "FOID reinstatement mental health
13 evaluation" includes a mental health evaluation that may
14 require more than 2 office visits, subject to the professional
15 discretion of the FOID reinstatement mental health evaluator
16 conducting the FOID reinstatement mental health evaluation.

17 "FOID reinstatement mental health evaluator" means an
18 individual who:

19 (1) is a qualified examiner, a licensed clinical
20 psychologist under the Clinical Psychologist Licensing
21 Act, a licensed advanced practice psychiatric nurse under
22 the Nurse Practice Act, or a physician licensed to
23 practice medicine in all its branches under the Medical
24 Practice Act of 1987 who is board-certified in psychiatry
25 by the American Board of Psychiatry and Neurology or the
26 American Osteopathic Board of Neurology and Psychiatry;

1 (2) starting July 1, 2027, has successfully completed
2 at least 3 hours of continuing education since the date of
3 the individual's initial licensing or license renewal,
4 whichever is most recent, provided by a Department of
5 Financial and Professional Regulation-approved continuing
6 education sponsor, that included education regarding
7 suicide prevention and trauma evaluation;

8 (3) starting July 1, 2027, has successfully completed
9 within the prior calendar year joint training presented by
10 the Department of Human Services on mental health
11 reporting under this Act and by the Illinois State Police
12 on the issuance, revocation, and reinstatement of Firearm
13 Owner's Identification Cards under this Act; and

14 (4) maintains a practice location within the State of
15 Illinois or is authorized to provide telehealth services
16 to Illinois residents in compliance with Illinois law.

17 "FOID reinstatement mental health evaluator" does not
18 include an individual practicing in Illinois under temporary
19 practice authority, reciprocity provisions, interstate compact
20 provisions, or any other mechanism that does not constitute
21 full Illinois licensure.

22 "Gun show" means an event or function:

23 (1) at which the sale and transfer of firearms is the
24 regular and normal course of business and where 50 or more
25 firearms are displayed, offered, or exhibited for sale,
26 transfer, or exchange; or

1 (2) at which not less than 10 gun show vendors
2 display, offer, or exhibit for sale, sell, transfer, or
3 exchange firearms.

4 "Gun show" includes the entire premises provided for an
5 event or function, including parking areas for the event or
6 function, that is sponsored to facilitate the purchase, sale,
7 transfer, or exchange of firearms as described in this
8 Section. Nothing in this definition shall be construed to
9 exclude a gun show held in conjunction with competitive
10 shooting events at the World Shooting Complex sanctioned by a
11 national governing body in which the sale or transfer of
12 firearms is authorized under subparagraph (5) of paragraph (g)
13 of subsection (A) of Section 24-3 of the Criminal Code of 2012.

14 Unless otherwise expressly stated, "gun show" does not
15 include training or safety classes, competitive shooting
16 events, such as rifle, shotgun, or handgun matches, trap,
17 skeet, or sporting clays shoots, dinners, banquets, raffles,
18 or any other event where the sale or transfer of firearms is
19 not the primary course of business.

20 "Gun show promoter" means a person who organizes or
21 operates a gun show.

22 "Gun show vendor" means a person who exhibits, sells,
23 offers for sale, transfers, or exchanges any firearms at a gun
24 show, regardless of whether the person arranges with a gun
25 show promoter for a fixed location from which to exhibit,
26 sell, offer for sale, transfer, or exchange any firearm.

1 "Intellectual disability" means significantly subaverage
2 general intellectual functioning, existing concurrently with
3 deficits in adaptive behavior and manifested during the
4 developmental period, which is defined as before the age of
5 22, that adversely affects a child's educational performance.

6 "Involuntarily admitted" has the meaning as prescribed in
7 Sections 1-119 and 1-119.1 of the Mental Health and
8 Developmental Disabilities Code.

9 "Mental health facility" means any licensed private
10 hospital or hospital affiliate, institution, or facility, or
11 part thereof, and any facility, or part thereof, operated by
12 the State or a political subdivision thereof which provides
13 treatment of persons with mental illness and includes all
14 hospitals, institutions, clinics, evaluation facilities,
15 mental health centers, colleges, universities, long-term care
16 facilities, and nursing homes, or parts thereof, which provide
17 treatment of persons with mental illness whether or not the
18 primary purpose is to provide treatment of persons with mental
19 illness.

20 "National governing body" means a group of persons who
21 adopt rules and formulate policy on behalf of a national
22 firearm sporting organization.

23 "Noncitizen" means a person who is not a citizen of the
24 United States, but is a person who is a foreign-born person who
25 lives in the United States, has not been naturalized, and is
26 still a citizen of a foreign country.

1 "Patient" means:

2 (1) a person who is admitted as an inpatient or
3 resident of a public or private mental health facility for
4 mental health treatment under Chapter III of the Mental
5 Health and Developmental Disabilities Code as an informal
6 admission, a voluntary admission, a minor admission, an
7 emergency admission, or an involuntary admission, unless
8 the treatment was solely for an alcohol abuse disorder; or

9 (2) a person who voluntarily or involuntarily receives
10 mental health treatment as an out-patient or is otherwise
11 provided services by a public or private mental health
12 facility and who poses a clear and present danger to
13 himself, herself, or others.

14 "Physician" has the meaning as defined in Section 1-120 of
15 the Mental Health and Developmental Disabilities Code.

16 "Protective order" means any orders of protection issued
17 under the Illinois Domestic Violence Act of 1986, stalking no
18 contact orders issued under the Stalking No Contact Order Act,
19 civil no contact orders issued under the Civil No Contact
20 Order Act, and firearms restraining orders issued under the
21 Firearms Restraining Order Act or a substantially similar
22 order issued by the court of another state, tribe, or United
23 States territory or military judge.

24 "Qualified examiner" has the meaning provided in Section
25 1-122 of the Mental Health and Developmental Disabilities
26 Code.

1 "Sanctioned competitive shooting event" means a shooting
2 contest officially recognized by a national or state shooting
3 sport association, and includes any sight-in or practice
4 conducted in conjunction with the event.

5 "School administrator" means the person required to report
6 under the School Administrator Reporting of Mental Health
7 Clear and Present Danger Determinations Law.

8 "Stun gun or taser" has the meaning ascribed to it in
9 Section 24-1 of the Criminal Code of 2012.

10 (Source: P.A. 103-154, eff. 6-30-23; 103-407, eff. 7-28-23;
11 104-270, eff. 8-15-25.)

12 (430 ILCS 65/8)

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

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

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

1 and possess firearms and firearm ammunition, or whose
2 parent or guardian has revoked such written consent, or
3 where such parent or guardian does not qualify to have a
4 Firearm Owner's Identification Card;

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

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

17 (d) A person addicted to narcotics;

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

1 obtain relief as described in subsection (c-5) of Section
2 10 of this Act if the officer or employee did not act in a
3 manner threatening to the officer or employee, another
4 person, or the public as determined by the treating
5 clinical psychologist or physician, and the officer or
6 employee seeks mental health treatment;

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

10 (g) A person who has an intellectual disability;

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

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

16 (i-5) A noncitizen who has been admitted to the United
17 States under a non-immigrant visa (as that term is defined
18 in Section 101(a)(26) of the Immigration and Nationality
19 Act (8 U.S.C. 1101(a)(26))), except that this subsection
20 (i-5) does not apply to any noncitizen who has been
21 lawfully admitted to the United States under a
22 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:

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

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

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

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

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

16 (j) (Blank);

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

22 (l) A person who has been convicted of domestic
23 battery, aggravated domestic battery, or a substantially
24 similar offense in another jurisdiction committed before,
25 on or after January 1, 2012 (the effective date of Public
26 Act 97-158). If the applicant or person who has been

1 previously issued a Firearm Owner's Identification Card
2 under this Act knowingly and intelligently waives the
3 right to have an offense described in this paragraph (l)
4 tried by a jury, and by guilty plea or otherwise, results
5 in a conviction for an offense in which a domestic
6 relationship is not a required element of the offense but
7 in which a determination of the applicability of 18 U.S.C.
8 922(g)(9) is made under Section 112A-11.1 of the Code of
9 Criminal Procedure of 1963, an entry by the court of a
10 judgment of conviction for that offense shall be grounds
11 for denying an application for and for revoking and
12 seizing a Firearm Owner's Identification Card previously
13 issued to the person under this Act;

14 (m) (Blank);

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

18 (o) A minor subject to a petition filed under Section
19 5-520 of the Juvenile Court Act of 1987 alleging that the
20 minor is a delinquent minor for the commission of an
21 offense that if committed by an adult would be a felony;

22 (p) An adult who had been adjudicated a delinquent
23 minor under the Juvenile Court Act of 1987 for the
24 commission of an offense that if committed by an adult
25 would be a felony;

26 (q) A person who is not a resident of the State of

1 Illinois, except as provided in subsection (a-10) of
2 Section 4;

3 (r) A person who has been adjudicated as a person with
4 a mental disability;

5 (s) A person who has been found to have a
6 developmental disability;

7 (t) A person involuntarily admitted into a mental
8 health facility;

9 (u) A person who has had his or her Firearm Owner's
10 Identification Card revoked or denied under subsection (e)
11 of this Section or item (iv) of paragraph (2) of
12 subsection (a) of Section 4 of this Act because he or she
13 was a patient in a mental health facility as provided in
14 subsection (e) of this Section, shall not be permitted to
15 obtain a Firearm Owner's Identification Card, after the
16 5-year period has lapsed, unless he or she has received a
17 FOID reinstatement mental health evaluation ~~mental health~~
18 ~~evaluation~~ by a FOID reinstatement mental health evaluator
19 ~~physician, clinical psychologist, advanced practice~~
20 ~~psychiatric nurse, or qualified examiner as those terms~~
21 ~~are 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 FOID reinstatement mental health
25 evaluator shall provide the person seeking a FOID
26 reinstatement mental health evaluation written notice

1 that, upon completion of the FOID reinstatement mental
2 health evaluation, the results will be sent to the
3 Illinois State Police regardless of outcome. To receive a
4 FOID reinstatement mental health evaluation, a person must
5 provide written consent for the evaluation and for the
6 results to be disclosed to the Illinois State Police. The
7 person receiving a FOID reinstatement mental health
8 evaluation shall provide, or approve the sharing of, all
9 collateral records to the FOID reinstatement mental health
10 evaluator making the certification, and the person shall
11 attest, by signature, that all collateral records have
12 been provided to the FOID reinstatement mental health
13 evaluator before the FOID reinstatement mental health
14 evaluation. The FOID reinstatement mental health
15 evaluator, as part of the certification, shall attest that
16 the FOID reinstatement mental health evaluator has
17 requested, received, reviewed, and considered all of the
18 person's collateral records known to the FOID
19 reinstatement mental health evaluator in making the
20 determination that the person is not a clear and present
21 danger to self or others. In addition, the FOID
22 reinstatement mental health evaluator shall identify the
23 types of collateral records received. The FOID
24 reinstatement mental health evaluator shall not redisclose
25 information contained in the collateral records. If no
26 collateral records are obtained, the FOID reinstatement

1 mental health evaluator must document the efforts used to
2 obtain the collateral records. The FOID reinstatement
3 mental health evaluator ~~physician, clinical psychologist,~~
4 ~~advanced practice psychiatric nurse, or qualified examiner~~
5 ~~making the certification~~ and his or her employer shall not
6 be held criminally, civilly, or professionally liable for
7 making or not making the certification required under this
8 subsection, except for willful or wanton misconduct. This
9 subsection does not apply to a person whose firearm
10 possession rights have been restored through
11 administrative or judicial action under Section 10 or 11
12 of this Act. The results of all FOID reinstatement mental
13 health evaluations that are performed under this
14 subsection (u) on or after the effective date of this
15 amendatory Act of the 104th General Assembly shall be
16 transmitted to the Illinois State Police, and a copy shall
17 be shared with the person who received the FOID
18 reinstatement mental health evaluation. A FOID
19 reinstatement mental health evaluator who complies with
20 the requirements of this subsection and documents
21 reasonable attempts to obtain collateral records shall not
22 be subject to professional discipline, civil liability, or
23 criminal liability based on: (1) the person's failure to
24 disclose all treatment history; (2) the existence of
25 collateral records that were not identified by the person
26 and not discovered through the FOID reinstatement mental

1 health evaluator's documented reasonable attempts; or (3)
2 the FOID reinstatement mental health evaluator's
3 determination that was made in good faith based on
4 information available at the time of the evaluation, even
5 if additional records are later discovered. This liability
6 protection shall not apply in cases of willful or wanton
7 misconduct. To confirm that an individual is qualified to
8 perform FOID reinstatement mental health evaluations under
9 this subsection as a FOID reinstatement mental health
10 evaluator, the Illinois State Police shall have access to
11 a FOID reinstatement mental health evaluator's licensure
12 status from the Department of Financial and Professional
13 Regulation, and the FOID reinstatement mental health
14 evaluator shall provide all other records or documentation
15 establishing eligibility to perform such an evaluation
16 consistent with Section 1.1 with every FOID reinstatement
17 mental health evaluation completed; or

18 (v) A person who fails 2 or more times to report a loss
19 or theft of a firearm within 48 hours of the discovery of
20 such loss or theft to local law enforcement as required
21 under subsection (a) of Section 24-4.1 of the Criminal
22 Code of 2012.

23 (w) A person who has previously submitted an affidavit
24 or written consent for another individual to obtain a
25 Firearm Owner's Identification Card pursuant to Section 4
26 of this Act if the person is then convicted of or pleads

1 guilty to conduct that demonstrates the person knew or
2 should have known it was unreasonable to provide consent
3 for the individual to possess a Firearm Owner's
4 Identification Card or a firearm.

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

9 (Source: P.A. 104-31, eff. 1-1-26; 104-270, eff. 8-15-25;
10 revised 11-21-25.)

11 (430 ILCS 65/10) (from Ch. 38, par. 83-10)

12 Sec. 10. Appeals; hearing; relief from firearm
13 prohibitions.

14 (a) Whenever an application for a Firearm Owner's
15 Identification Card is denied or whenever such a Card is
16 suspended or revoked as provided for in Section 8, 8.2, or 8.3
17 of this Act, upon complying with the requirements of Section
18 9.5 of the Act, the aggrieved party may (1) file a record
19 challenge with the Director regarding the record upon which
20 the decision to deny or revoke the Firearm Owner's
21 Identification Card was based under subsection (a-5); or (2)
22 appeal to the Director of the Illinois State Police through
23 December 31, 2022, or beginning January 1, 2023, the Firearm
24 Owner's Identification Card Review Board for a hearing seeking
25 relief from such denial, suspension, or revocation unless the

1 denial, suspension, or revocation was based upon a forcible
2 felony, stalking, aggravated stalking, domestic battery, any
3 violation of the Illinois Controlled Substances Act, the
4 Methamphetamine Control and Community Protection Act, or the
5 Cannabis Control Act that is classified as a Class 2 or greater
6 felony, any felony violation of Article 24 of the Criminal
7 Code of 1961 or the Criminal Code of 2012, or any adjudication
8 as a delinquent minor for the commission of an offense that if
9 committed by an adult would be a felony, in which case the
10 aggrieved party may petition the circuit court in writing in
11 the county of his or her residence for a hearing seeking relief
12 from such denial or revocation.

13 (a-5) There is created a Firearm Owner's Identification
14 Card Review Board to consider any appeal under subsection (a)
15 beginning January 1, 2023, other than an appeal directed to
16 the circuit court and except when the applicant is challenging
17 the record upon which the decision to deny or revoke was based
18 as provided in subsection (a-10).

19 (0.05) In furtherance of the policy of this Act that
20 the Board shall exercise its powers and duties in an
21 independent manner, subject to the provisions of this Act
22 but free from the direction, control, or influence of any
23 other agency or department of State government. All
24 expenses and liabilities incurred by the Board in the
25 performance of its responsibilities hereunder shall be
26 paid from funds which shall be appropriated to the Board

1 by the General Assembly for the ordinary and contingent
2 expenses of the Board.

3 (1) The Board shall consist of 7 members appointed by
4 the Governor, with the advice and consent of the Senate,
5 with 3 members residing within the First Judicial District
6 and one member residing within each of the 4 remaining
7 Judicial Districts. No more than 4 members shall be
8 members of the same political party. The Governor shall
9 designate one member as the chairperson. The members shall
10 have actual experience in law, education, social work,
11 behavioral sciences, law enforcement, or community affairs
12 or in a combination of those areas.

13 (2) The terms of the members initially appointed after
14 January 1, 2022 (the effective date of Public Act 102-237)
15 shall be as follows: one of the initial members shall be
16 appointed for a term of one year, 3 shall be appointed for
17 terms of 2 years, and 3 shall be appointed for terms of 4
18 years. Thereafter, members shall hold office for 4 years,
19 with terms expiring on the second Monday in January
20 immediately following the expiration of their terms and
21 every 4 years thereafter. Members may be reappointed.
22 Vacancies in the office of member shall be filled in the
23 same manner as the original appointment, for the remainder
24 of the unexpired term. The Governor may remove a member
25 for incompetence, neglect of duty, malfeasance, or
26 inability to serve. Members shall receive compensation in

1 an amount equal to the compensation of members of the
2 Executive Ethics Commission and, beginning July 1, 2023,
3 shall be compensated from appropriations provided to the
4 Comptroller for this purpose. Members may be reimbursed,
5 from funds appropriated for such a purpose, for reasonable
6 expenses actually incurred in the performance of their
7 Board duties. The Illinois State Police shall designate an
8 employee to serve as Executive Director of the Board and
9 provide logistical and administrative assistance to the
10 Board.

11 (3) The Board shall meet at least quarterly each year
12 and at the call of the chairperson as often as necessary to
13 consider appeals of decisions made with respect to
14 applications for a Firearm Owner's Identification Card
15 under this Act. If necessary to ensure the participation
16 of a member, the Board shall allow a member to participate
17 in a Board meeting by electronic communication. Any member
18 participating electronically shall be deemed present for
19 purposes of establishing a quorum and voting.

20 (4) The Board shall adopt rules for the review of
21 appeals and the conduct of hearings. The Board shall
22 maintain a record of its decisions and all materials
23 considered in making its decisions. All Board decisions
24 and voting records shall be kept confidential and all
25 materials considered by the Board shall be exempt from
26 inspection except upon order of a court.

1 (5) In considering an appeal, the Board shall review
2 the materials received concerning the denial or revocation
3 by the Illinois State Police. By a vote of at least 4
4 members, the Board may request additional information from
5 the Illinois State Police or the applicant or the
6 testimony of the Illinois State Police or the applicant.
7 The Board may require that the applicant submit electronic
8 fingerprints to the Illinois State Police for an updated
9 background check if the Board determines it lacks
10 sufficient information to determine eligibility. The Board
11 may consider information submitted by the Illinois State
12 Police, a law enforcement agency, or the applicant. The
13 Board shall review each denial or revocation and determine
14 by a majority of members whether an applicant should be
15 granted relief under subsection (c).

16 (6) The Board shall by order issue summary decisions.
17 The Board shall issue a decision within 45 days of
18 receiving all completed appeal documents from the Illinois
19 State Police and the applicant. However, the Board need
20 not issue a decision within 45 days if:

21 (A) the Board requests information from the
22 applicant, including, but not limited to, electronic
23 fingerprints to be submitted to the Illinois State
24 Police, in accordance with paragraph (5) of this
25 subsection, in which case the Board shall make a
26 decision within 30 days of receipt of the required

1 information from the applicant;

2 (B) the applicant agrees, in writing, to allow the
3 Board additional time to consider an appeal; or

4 (C) the Board notifies the applicant and the
5 Illinois State Police that the Board needs an
6 additional 30 days to issue a decision. The Board may
7 only issue 2 extensions under this subparagraph (C).
8 The Board's notification to the applicant and the
9 Illinois State Police shall include an explanation for
10 the extension.

11 (7) If the Board determines that the applicant is
12 eligible for relief under subsection (c), the Board shall
13 notify the applicant and the Illinois State Police that
14 relief has been granted and the Illinois State Police
15 shall issue the Card.

16 (8) Meetings of the Board shall not be subject to the
17 Open Meetings Act and records of the Board shall not be
18 subject to the Freedom of Information Act.

19 (9) The Board shall report monthly to the Governor and
20 the General Assembly on the number of appeals received and
21 provide details of the circumstances in which the Board
22 has determined to deny Firearm Owner's Identification
23 Cards under this subsection (a-5). The report shall not
24 contain any identifying information about the applicants.

25 (a-10) Whenever an applicant or cardholder is not seeking
26 relief from a firearms prohibition under subsection (c) but

1 rather does not believe the applicant is appropriately denied
2 or revoked and is challenging the record upon which the
3 decision to deny or revoke the Firearm Owner's Identification
4 Card was based, or whenever the Illinois State Police fails to
5 act on an application within 30 days of its receipt, the
6 applicant shall file such challenge with the Director. The
7 Director shall render a decision within 60 business days of
8 receipt of all information supporting the challenge. The
9 Illinois State Police shall adopt rules for the review of a
10 record challenge.

11 (b) At least 30 days before any hearing in the circuit
12 court, the petitioner shall serve the relevant State's
13 Attorney with a copy of the petition. The State's Attorney may
14 object to the petition and present evidence. At the hearing,
15 the court shall determine whether substantial justice has been
16 done. Should the court determine that substantial justice has
17 not been done, the court shall issue an order directing the
18 Illinois State Police to issue a Card. However, the court
19 shall not issue the order if the petitioner is otherwise
20 prohibited from obtaining, possessing, or using a firearm
21 under federal law.

22 (c) Any person prohibited from possessing a firearm under
23 Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or
24 acquiring a Firearm Owner's Identification Card under Section
25 8 of this Act may apply to the Firearm Owner's Identification
26 Card Review Board or petition the circuit court in the county

1 where the petitioner resides, whichever is applicable in
2 accordance with subsection (a) of this Section, requesting
3 relief from such prohibition and the Board or court may grant
4 such relief if it is established by the applicant to the
5 court's or the Board's satisfaction that:

6 (0.05) when in the circuit court, the State's Attorney
7 has been served with a written copy of the petition at
8 least 30 days before any such hearing in the circuit court
9 and at the hearing the State's Attorney was afforded an
10 opportunity to present evidence and object to the
11 petition;

12 (1) the applicant has not been convicted of a forcible
13 felony under the laws of this State or any other
14 jurisdiction within 20 years of the applicant's
15 application for a Firearm Owner's Identification Card, or
16 at least 20 years have passed since the end of any period
17 of imprisonment imposed in relation to that conviction;

18 (2) the circumstances regarding a criminal conviction,
19 where applicable, the applicant's criminal history and his
20 reputation are such that the applicant will not be likely
21 to act in a manner dangerous to public safety;

22 (3) granting relief would not be contrary to the
23 public interest; and

24 (4) granting relief would not be contrary to federal
25 law.

26 (c-5) (1) An active law enforcement officer employed by a

1 unit of government or a Department of Corrections employee
2 authorized to possess firearms who is denied, revoked, or has
3 his or her Firearm Owner's Identification Card seized under
4 subsection (e) of Section 8 of this Act may apply to the
5 Firearm Owner's Identification Card Review Board requesting
6 relief if the officer or employee did not act in a manner
7 threatening to the officer or employee, another person, or the
8 public as determined by the treating clinical psychologist or
9 physician, and as a result of his or her work is referred by
10 the employer for or voluntarily seeks mental health evaluation
11 or treatment by a licensed clinical psychologist,
12 psychiatrist, advanced practice psychiatric nurse, or
13 qualified examiner, and:

14 (A) the officer or employee has not received treatment
15 involuntarily at a mental health facility, regardless of
16 the length of admission; or has not been voluntarily
17 admitted to a mental health facility for more than 30 days
18 and not for more than one incident within the past 5 years;
19 and

20 (B) the officer or employee has not left the mental
21 institution against medical advice.

22 (2) The Firearm Owner's Identification Card Review Board
23 shall grant expedited relief to active law enforcement
24 officers and employees described in paragraph (1) of this
25 subsection (c-5) upon a determination by the Board that the
26 officer's or employee's possession of a firearm does not

1 present a threat to themselves, others, or public safety. The
2 Board shall act on the request for relief within 30 business
3 days of receipt of:

4 (A) a notarized statement from the officer or employee
5 in the form prescribed by the Board detailing the
6 circumstances that led to the hospitalization;

7 (B) all documentation regarding the admission,
8 evaluation, treatment and discharge from the treating
9 licensed clinical psychologist or psychiatrist of the
10 officer;

11 (C) a psychological fitness for duty evaluation of the
12 person completed after the time of discharge; and

13 (D) written confirmation in the form prescribed by the
14 Board from the treating licensed clinical psychologist or
15 psychiatrist that the provisions set forth in paragraph
16 (1) of this subsection (c-5) have been met, the person
17 successfully completed treatment, and their professional
18 opinion regarding the person's ability to possess
19 firearms.

20 (3) Officers and employees eligible for the expedited
21 relief in paragraph (2) of this subsection (c-5) have the
22 burden of proof on eligibility and must provide all
23 information required. The Board may not consider granting
24 expedited relief until the proof and information is received.

25 (4) "Clinical psychologist", "psychiatrist", "advanced
26 practice psychiatric nurse", and "qualified examiner" shall

1 have the same meaning as provided in Chapter I of the Mental
2 Health and Developmental Disabilities Code.

3 (5) No later than January 1, 2026, the Firearm Owner's
4 Identification Card Review Board shall establish a process by
5 which any person who is subject to the provisions of
6 subsection (f) of Section 8 of this Act may request expedited
7 review from the Firearm Owner's Identification Card Review
8 Board.

9 (A) The Board shall disclose to an individual
10 requesting an expedited review any information relating to
11 the individual that was provided by the Department under
12 subsection (d) of Section 8.1, subject to redactions.

13 (B) The individual requesting expedited review may
14 submit to the Firearm Owner's Identification Card Review
15 Board an objection to any redaction made pursuant to
16 subparagraph (A) of paragraph (5) of subsection (c-5) of
17 this Section. The objection must specify the basis for the
18 individual's belief that the redacted information is
19 necessary for a full and fair review.

20 (C) In determining whether information should be
21 unredacted, the Board may consider any relevant factor,
22 including, but not limited to, (i) the extent to which the
23 disclosure of such information is necessary to provide the
24 individual with a meaningful opportunity to understand,
25 respond to, or rebut evidence for the basis for the denial
26 or revocation and (ii) the safety and well-being of any

1 person who, directly or indirectly, is the source or
2 reporter of such information.

3 (D) The Board, Illinois State Police, or the employees
4 and agents of the Board and Illinois State Police
5 participating in this process under this Act shall not be
6 held liable for damages in any civil action arising from
7 the disclosure or non-disclosure of the information
8 released to an individual as part of this process.

9 (c-10) (1) An applicant, who is denied, revoked, or has
10 his or her Firearm Owner's Identification Card seized under
11 subsection (e) of Section 8 of this Act based upon a
12 determination of a developmental disability or an intellectual
13 disability may apply to the Firearm Owner's Identification
14 Card Review Board requesting relief.

15 (2) The Board shall act on the request for relief within 60
16 business days of receipt of written certification, in the form
17 prescribed by the Board, from a physician or clinical
18 psychologist, advanced practice psychiatric nurse, or
19 qualified examiner, that the aggrieved party's developmental
20 disability or intellectual disability condition is determined
21 by a physician, clinical psychologist, advanced practice
22 psychiatric nurse, or qualified examiner, to be mild. If a
23 fact-finding conference is scheduled to obtain additional
24 information concerning the circumstances of the denial or
25 revocation, the 60 business days the Director has to act shall
26 be tolled until the completion of the fact-finding conference.

1 (3) The Board may grant relief if the aggrieved party's
2 developmental disability or intellectual disability is mild as
3 determined by a physician, clinical psychologist, advanced
4 practice psychiatric nurse, or qualified examiner and it is
5 established by the applicant to the Board's satisfaction that:

6 (A) granting relief would not be contrary to the
7 public interest; and

8 (B) granting relief would not be contrary to federal
9 law.

10 (4) The Board may not grant relief if the condition is
11 determined by a physician, clinical psychologist, advanced
12 practice psychiatric nurse, or qualified examiner to be
13 moderate, severe, or profound.

14 (5) The changes made to this Section by Public Act 99-29
15 apply to requests for relief pending on or before July 10, 2015
16 (the effective date of Public Act 99-29), except that the
17 60-day period for the Director to act on requests pending
18 before the effective date shall begin on July 10, 2015 (the
19 effective date of Public Act 99-29). All appeals as provided
20 in subsection (a-5) pending on January 1, 2023 shall be
21 considered by the Board.

22 (d) When a minor is adjudicated delinquent for an offense
23 which if committed by an adult would be a felony, the court
24 shall notify the Illinois State Police.

25 (e) The court shall review the denial of an application or
26 the revocation of a Firearm Owner's Identification Card of a

1 person who has been adjudicated delinquent for an offense that
2 if committed by an adult would be a felony if an application
3 for relief has been filed at least 10 years after the
4 adjudication of delinquency and the court determines that the
5 applicant should be granted relief from disability to obtain a
6 Firearm Owner's Identification Card. If the court grants
7 relief, the court shall notify the Illinois State Police that
8 the disability has been removed and that the applicant is
9 eligible to obtain a Firearm Owner's Identification Card.

10 (f) Any person who is subject to the disabilities of 18
11 U.S.C. 922(d)(4) and 922(g)(4) of the federal Gun Control Act
12 of 1968 because of an adjudication or commitment that occurred
13 under the laws of this State or who was determined to be
14 subject to the provisions of subsections (e), (f), or (g) of
15 Section 8 of this Act may apply to the Board requesting relief
16 from that prohibition. The Board shall grant the relief if it
17 is established by a preponderance of the evidence that the
18 person will not be likely to act in a manner dangerous to
19 public safety and that granting relief would not be contrary
20 to the public interest. In making this determination, the
21 Board shall receive evidence concerning (i) the circumstances
22 regarding the firearms disabilities from which relief is
23 sought; (ii) the petitioner's mental health and criminal
24 history records, if any; (iii) the petitioner's reputation,
25 developed at a minimum through character witness statements,
26 testimony, or other character evidence; and (iv) changes in

1 the petitioner's condition or circumstances since the
2 disqualifying events relevant to the relief sought.
3 Notwithstanding any other provision of this Act or any other
4 law to the contrary, the Illinois State Police shall provide
5 the Board or any court with jurisdiction with all records
6 relevant to the request for relief under Section 8.1. If
7 relief is granted under this subsection or by order of a court
8 under this Section, the Director shall as soon as practicable
9 but in no case later than 15 business days, update, correct,
10 modify, or remove the person's record in any database that the
11 Illinois State Police makes available to the National Instant
12 Criminal Background Check System and notify the United States
13 Attorney General that the basis for the record being made
14 available no longer applies. The Illinois State Police shall
15 adopt rules for the administration of this Section.

16 (Source: P.A. 103-605, eff. 7-1-24; 104-5, eff. 6-16-25;
17 104-270, eff. 8-15-25; revised 9-12-25.)

18 Section 20. The Mental Health and Developmental
19 Disabilities Confidentiality Act is amended by changing
20 Section 12 as follows:

21 (740 ILCS 110/12) (from Ch. 91 1/2, par. 812)

22 Sec. 12. (a) If the United States Secret Service or the
23 Illinois State Police requests information from a mental
24 health or developmental disability facility, as defined in

1 Section 1-107 and 1-114 of the Mental Health and Developmental
2 Disabilities Code, relating to a specific recipient and the
3 facility director determines that disclosure of such
4 information may be necessary to protect the life of, or to
5 prevent the infliction of great bodily harm to, a public
6 official, or a person under the protection of the United
7 States Secret Service, only the following information may be
8 disclosed: the recipient's name, address, and age and the date
9 of any admission to or discharge from a facility; and any
10 information which would indicate whether or not the recipient
11 has a history of violence or presents a danger of violence to
12 the person under protection. Any information so disclosed
13 shall be used for investigative purposes only and shall not be
14 publicly disseminated. Any person participating in good faith
15 in the disclosure of such information in accordance with this
16 provision shall have immunity from any liability, civil,
17 criminal or otherwise, if such information is disclosed
18 relying upon the representation of an officer of the United
19 States Secret Service or the Illinois State Police that a
20 person is under the protection of the United States Secret
21 Service or is a public official.

22 For the purpose of this subsection (a), the term "public
23 official" means the Governor, Lieutenant Governor, Attorney
24 General, Secretary of State, State Comptroller, State
25 Treasurer, member of the General Assembly, member of the
26 United States Congress, Judge of the United States as defined

1 in 28 U.S.C. 451, Justice of the United States as defined in 28
2 U.S.C. 451, United States Magistrate Judge as defined in 28
3 U.S.C. 639, Bankruptcy Judge appointed under 28 U.S.C. 152, or
4 Supreme, Appellate, Circuit, or Associate Judge of the State
5 of Illinois. The term shall also include the spouse, child or
6 children of a public official.

7 (b) The Department of Human Services (acting as successor
8 to the Department of Mental Health and Developmental
9 Disabilities) and all public or private hospitals and mental
10 health facilities are required, as hereafter described in this
11 subsection, to furnish the Illinois State Police only such
12 information as may be required for the sole purpose of
13 determining whether an individual who may be or may have been a
14 patient is disqualified because of that status from receiving
15 or retaining a Firearm Owner's Identification Card or falls
16 within the federal prohibitors under subsection (e), (f), (g),
17 (r), (s), or (t) of Section 8 of the Firearm Owners
18 Identification Card Act, or falls within the federal
19 prohibitors in 18 U.S.C. 922(g) and (n). All physicians,
20 clinical psychologists, advanced practice psychiatric nurses,
21 or qualified examiners at public or private mental health
22 facilities or parts thereof as defined in this subsection
23 shall, in the form and manner required by the Department,
24 provide notice directly to the Department of Human Services,
25 or to his or her employer who shall then report to the
26 Department, within 24 hours after determining that a person

1 poses a clear and present danger to himself, herself, or
2 others, or within 7 days after a person 14 years or older is
3 determined to be a person with a developmental disability by a
4 physician, clinical psychologist, advanced practice
5 psychiatric nurse, or qualified examiner as described in
6 Section 1.1 of the Firearm Owners Identification Card Act. If
7 a person is a patient as described in clause (1) of the
8 definition of "patient" in Section 1.1 of the Firearm Owners
9 Identification Card Act, this information shall be furnished
10 within 7 days after admission to a public or private hospital
11 or mental health facility or the provision of services. Any
12 such information disclosed under this subsection shall remain
13 privileged and confidential, and shall not be redisclosed,
14 except as required by subsection (e) of Section 3.1 of the
15 Firearm Owners Identification Card Act, nor utilized for any
16 other purpose. The method of requiring the providing of such
17 information shall guarantee that no information is released
18 beyond what is necessary for this purpose. In addition, the
19 information disclosed shall be provided by the Department
20 within the time period established by Section 24-3 of the
21 Criminal Code of 2012 regarding the delivery of firearms. The
22 method used shall be sufficient to provide the necessary
23 information within the prescribed time period, which may
24 include periodically providing lists to the Department of
25 Human Services or any public or private hospital or mental
26 health facility of Firearm Owner's Identification Card

1 applicants on which the Department or hospital shall indicate
2 the identities of those individuals who are to its knowledge
3 disqualified from having a Firearm Owner's Identification Card
4 for reasons described herein. The Department may provide for a
5 centralized source of information for the State on this
6 subject under its jurisdiction. Notwithstanding any other
7 provision of this Act or any other law to the contrary, the ~~The~~
8 identity of the person reporting under this subsection shall
9 not be disclosed to the subject of the report unless ordered by
10 the Firearm Owner's Identification Card Review Board or a
11 court with appropriate jurisdiction in accordance with Section
12 10 of the Firearm Owners Identification Card Act. For the
13 purposes of this subsection, the physician, clinical
14 psychologist, advanced practice psychiatric nurse, or
15 qualified examiner making the determination and his or her
16 employer shall not be held criminally, civilly, or
17 professionally liable for making or not making the
18 notification required under this subsection, except for
19 willful or wanton misconduct. The Department of Human Services
20 and its employees or agents shall not be held liable for
21 damages in any civil action arising from the disclosure or
22 nondisclosure of the information released to an individual in
23 accordance with Section 10 of the Firearm Owners
24 Identification Card Act, except for willful or wanton
25 misconduct.

26 Any person, institution, or agency, under this Act,

1 participating in good faith in the reporting or disclosure of
2 records and communications otherwise in accordance with this
3 provision or with rules, regulations or guidelines issued by
4 the Department shall have immunity from any liability, civil,
5 criminal or otherwise, that might result by reason of the
6 action. For the purpose of any proceeding, civil or criminal,
7 arising out of a report or disclosure in accordance with this
8 provision, the good faith of any person, institution, or
9 agency so reporting or disclosing shall be presumed. The full
10 extent of the immunity provided in this subsection (b) shall
11 apply to any person, institution or agency that fails to make a
12 report or disclosure in the good faith belief that the report
13 or disclosure would violate federal regulations governing the
14 confidentiality of alcohol and drug abuse patient records
15 implementing 42 U.S.C. 290dd-3 and 290ee-3.

16 For purposes of this subsection (b) only, the following
17 terms shall have the meaning prescribed:

18 (1) (Blank).

19 (1.3) "Clear and present danger" has the meaning as
20 defined in Section 1.1 of the Firearm Owners
21 Identification Card Act.

22 (1.5) "Person with a developmental disability" has the
23 meaning as defined in Section 1.1 of the Firearm Owners
24 Identification Card Act.

25 (2) "Patient" has the meaning as defined in Section
26 1.1 of the Firearm Owners Identification Card Act.

1 (3) "Mental health facility" has the meaning as
2 defined in Section 1.1 of the Firearm Owners
3 Identification Card Act.

4 (c) Upon the request of a peace officer who takes a person
5 into custody and transports such person to a mental health or
6 developmental disability facility pursuant to Section 3-606 or
7 4-404 of the Mental Health and Developmental Disabilities Code
8 or who transports a person from such facility, a facility
9 director shall furnish said peace officer the name, address,
10 age and name of the nearest relative of the person transported
11 to or from the mental health or developmental disability
12 facility. In no case shall the facility director disclose to
13 the peace officer any information relating to the diagnosis,
14 treatment or evaluation of the person's mental or physical
15 health.

16 For the purposes of this subsection (c), the terms "mental
17 health or developmental disability facility", "peace officer"
18 and "facility director" shall have the meanings ascribed to
19 them in the Mental Health and Developmental Disabilities Code.

20 (d) Upon the request of a peace officer or prosecuting
21 authority who is conducting a bona fide investigation of a
22 criminal offense, or attempting to apprehend a fugitive from
23 justice, a facility director may disclose whether a person is
24 present at the facility. Upon request of a peace officer or
25 prosecuting authority who has a valid forcible felony warrant
26 issued, a facility director shall disclose: (1) whether the

1 person who is the subject of the warrant is present at the
2 facility and (2) the date of that person's discharge or future
3 discharge from the facility. The requesting peace officer or
4 prosecuting authority must furnish a case number and the
5 purpose of the investigation or an outstanding arrest warrant
6 at the time of the request. Any person, institution, or agency
7 participating in good faith in disclosing such information in
8 accordance with this subsection (d) is immune from any
9 liability, civil, criminal or otherwise, that might result by
10 reason of the action.

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

12 Section 95. No acceleration or delay. Where this Act makes
13 changes in a statute that is represented in this Act by text
14 that is not yet or no longer in effect (for example, a Section
15 represented by multiple versions), the use of that text does
16 not accelerate or delay the taking effect of (i) the changes
17 made by this Act or (ii) provisions derived from any other
18 Public Act.".