



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3346

Introduced 2/4/2026, by Sen. Terri Bryant

SYNOPSIS AS INTRODUCED:

430 ILCS 65/8
430 ILCS 65/8.1
430 ILCS 65/8.2
430 ILCS 65/8.3
430 ILCS 65/10

from Ch. 38, par. 83-10

Amends the Firearm Owners Identification Card Act. Provides that, notwithstanding any other provision of the Act to the contrary, on or after the effective date of the amendatory Act, the Illinois State Police may not revoke a Firearm Owner's Identification Card. Provides that on or after the effective date of the amendatory Act, a Firearm Owner's Identification Card may only be revoked after a Firearm Owner's Identification Card hearing has been held in the circuit court of the county of residence of the person whose Firearm Owner's Identification Card is sought to be revoked. Provides that, if the State's Attorney of the county of residence of the person whose Firearm Owner's Identification Card is sought to be revoked has probable cause to believe that the person who has been issued a Firearm Owner's Identification Card is no longer eligible for the Card under the Act, the State's Attorney shall file a petition in the circuit court of the county of residence of the person whose Card is sought to be revoked. Provides that at the hearing, the person may present evidence in his or her favor seeking retention of his or her Firearm Owner's Identification Card and the Illinois State Police and State's Attorney may present evidence for revocation. Provides that the hearing shall be a civil proceeding and subject to due process, the Code of Civil Procedure, and the Illinois Rules of Evidence as adopted by the Supreme Court. Provides that the hearing shall be held within 45 days after the filing of the petition. Provides that if the circuit court determines, by clear and convincing evidence, that the person is ineligible for retention of his or her Firearm Owner's Identification Card under the Act, the court shall order the Illinois State Police to immediately revoke the Card and the circuit clerk shall seize the Card and transmit the Card to the Illinois State Police. Establishes procedures for the Illinois State Police to suspend a Firearm Owner's Identification Card.

LRB104 18734 BDA 32177 b

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 8, 8.1, 8.2, 8.3, and 10 as
6 follows:

7 (430 ILCS 65/8)

8 Sec. 8. Grounds for denial and revocation. The Illinois
9 State Police has authority to deny an application for ~~or to~~
10 ~~revoke and seize~~ a Firearm Owner's Identification Card
11 previously issued under this Act and the circuit court of the
12 county of the person's residence has the authority to revoke
13 and order the seizure of the person's Firearm Owner's
14 Identification Card under subsection (g) of Section 10 only if
15 the Illinois State Police or circuit court finds that the
16 applicant or the person to whom such card was issued is or was
17 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

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

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

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

18 (d) A person addicted to narcotics;

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

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

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

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

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

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

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

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

26 (2) an official representative of a foreign

1 government who is:

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

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

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

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

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

17 (j) (Blank);

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

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

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

15 (m) (Blank);

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

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

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

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

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

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

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

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

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

8 (v) A person who fails 2 or more times to report a loss
9 or theft of a firearm within 48 hours of the discovery of
10 such loss or theft to local law enforcement as required
11 under subsection (a) of Section 24-4.1 of the Criminal
12 Code of 2012.

13 Upon revocation of a person's Firearm Owner's
14 Identification Card, the Illinois State Police shall provide
15 notice to the person and the person shall comply with Section
16 9.5 of this Act.

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

19 (430 ILCS 65/8.1)

20 Sec. 8.1. Notifications to the Illinois State Police and
21 State's Attorney.

22 (a) The Circuit Clerk shall, in the form and manner
23 required by the Supreme Court, notify the Illinois State
24 Police and the State's Attorney of the county of residence of
25 the person for which the disposition is applicable of all

1 final dispositions of cases for which the Illinois State
2 Police Department has received information reported to it
3 under Sections 2.1 and 2.2 of the Criminal Identification Act.

4 (b) Upon adjudication of any individual as a person with a
5 mental disability as defined in Section 1.1 of this Act or a
6 finding that a person has been involuntarily admitted, the
7 court shall direct the circuit court clerk to immediately
8 notify the Illinois State Police, Firearm Owner's
9 Identification (FOID) department and the State's Attorney of
10 the county of residence of the person adjudicated with the
11 mental disability or involuntarily admitted, and shall forward
12 a copy of the court order to the Illinois State Police
13 Department.

14 (b-1) Beginning July 1, 2016, and each July 1 and December
15 30 of every year thereafter, the circuit court clerk shall, in
16 the form and manner prescribed by the Illinois State Police,
17 notify the Illinois State Police, Firearm Owner's
18 Identification (FOID) department if the court has not directed
19 the circuit court clerk to notify the Illinois State Police,
20 Firearm Owner's Identification (FOID) department under
21 subsection (b) of this Section, within the preceding 6 months,
22 because no person has been adjudicated as a person with a
23 mental disability by the court as defined in Section 1.1 of
24 this Act or if no person has been involuntarily admitted. The
25 Supreme Court may adopt any orders or rules necessary to
26 identify the persons who shall be reported to the Illinois

1 State Police under subsection (b), or any other orders or
2 rules necessary to implement the requirements of this Act.

3 (c) The Department of Human Services shall, in the form
4 and manner prescribed by the Illinois State Police, report all
5 information collected under subsection (b) of Section 12 of
6 the Mental Health and Developmental Disabilities
7 Confidentiality Act for the purpose of determining whether a
8 person who may be or may have been a patient in a mental health
9 facility is disqualified under State or federal law from
10 receiving or retaining a Firearm Owner's Identification Card,
11 or purchasing a weapon.

12 (d) If a person is determined to pose a clear and present
13 danger to himself, herself, or to others:

14 (1) by a physician, clinical psychologist, advanced
15 practice psychiatric nurse, or qualified examiner, or is
16 determined to have a developmental disability by a
17 physician, clinical psychologist, advanced practice
18 psychiatric nurse, or qualified examiner, whether employed
19 by the State or privately, then the physician, clinical
20 psychologist, advanced practice psychiatric nurse, or
21 qualified examiner shall, within 24 hours of making the
22 determination, notify the Department of Human Services
23 that the person poses a clear and present danger or has a
24 developmental disability; or

25 (2) by a law enforcement official or school
26 administrator, then the law enforcement official or school

1 administrator shall, within 24 hours of making the
2 determination, notify the Illinois State Police and the
3 State's Attorney of the county of residence that the
4 person poses a clear and present danger.

5 The Department of Human Services shall immediately update
6 its records and information relating to mental health and
7 developmental disabilities, and if appropriate, shall under
8 paragraph (1) of subsection (d) of this Section notify the
9 Illinois State Police in a form and manner prescribed by the
10 Illinois State Police and the State's Attorney of the county
11 of residence of the person. The State's Attorney of the county
12 of residence of the person ~~Illinois State Police~~ shall deny
13 the application or suspend or revoke the person's Firearm
14 Owner's Identification Card under Section 8 of this Act. Any
15 information disclosed under this subsection shall remain
16 privileged and confidential, and shall not be redisclosed,
17 except as required under subsection (e) of Section 3.1 and
18 subsection (c-5) or (f) of Section 10 of this Act, nor used for
19 any other purpose. The method of providing this information
20 shall guarantee that the information is not released beyond
21 what is necessary for the purpose of these Sections. Reports
22 from the Department of Human Services shall be provided by
23 rule by the Department of Human Services. The identity of the
24 person reporting under paragraph (1) of subsection (d) of this
25 Section shall only be disclosed to the subject of the report if
26 required by the Board or a court with jurisdiction consistent

1 with proceedings under subsections (c-5) or (f) of Section 10
2 of this Act.

3 The law enforcement official or school administrator under
4 paragraph (2) of subsection (d) of this Section shall notify
5 the Illinois State Police in the form and manner prescribed by
6 the Illinois State Police. The Illinois State Police shall
7 determine whether to deny the application or suspend or revoke
8 the person's Firearm Owner's Identification Card under Section
9 8 of this Act. Any information disclosed under this subsection
10 shall remain confidential and shall not be redisclosed or used
11 for any other purpose except as required under subsection (e)
12 of Section 3.1 and subsection (c-5) or (f) of Section 10 of
13 this Act. The method of providing this information shall
14 guarantee that the information is not released beyond what is
15 necessary for the purpose of these Sections. The identity of
16 the person reporting under paragraph (2) of subsection (d) of
17 this Section shall be disclosed only to the subject of the
18 report if required by the Board or a court with jurisdiction
19 consistent with proceedings under subsection (c-5) or (f) of
20 Section 10 of this Act.

21 The physician, clinical psychologist, advanced practice
22 psychiatric nurse, qualified examiner, law enforcement
23 official, or school administrator making the determination and
24 his or her employer shall not be held criminally, civilly, or
25 professionally liable for making or not making the
26 notification required under this subsection, except for

1 willful or wanton misconduct.

2 (d-5) If a law enforcement official determines that a
3 person has failed to report a lost or stolen firearm as
4 required by Section 24-4.1 of the Criminal Code of 2012, then
5 the law enforcement official shall, within 24 hours of making
6 that determination, notify the Illinois State Police that the
7 person has failed to report a lost or stolen firearm. The law
8 enforcement official shall notify the Illinois State Police in
9 a form and manner prescribed by the Illinois State Police. Any
10 information disclosed under this subsection shall remain
11 privileged and confidential, and shall not be redisclosed,
12 except as required under subsection (e) of Section 3.1 of this
13 Act, nor used for any other purpose.

14 (e) The Supreme Court ~~Illinois State Police~~ shall adopt
15 rules to implement this Section.

16 (Source: P.A. 104-5, eff. 6-16-25; 104-31, eff. 1-1-26;
17 104-270, eff. 8-15-25; revised 11-21-25.)

18 (430 ILCS 65/8.2)

19 Sec. 8.2. Firearm Owner's Identification Card denial,
20 suspension, or revocation. The Illinois State Police shall
21 deny an application or shall suspend ~~or revoke and seize~~ a
22 Firearm Owner's Identification Card previously issued under
23 this Act if the Department finds that the applicant ~~or person~~
24 ~~to whom such card was issued~~ is or was at the time of issuance
25 subject to a protective order issued under the laws of this or

1 any other jurisdiction. When the duration of the protective
2 order is expected to be less than 45 days ~~one year~~, the
3 Illinois State Police may suspend the Firearm Owner's
4 Identification Card under Section 8.3 of the Act and shall
5 reinstate it upon conclusion of the suspension if no other
6 grounds for denial or revocation are found under Section 8 of
7 the Act.

8 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21.)

9 (430 ILCS 65/8.3)

10 Sec. 8.3. Suspension of Firearm Owner's Identification
11 Card. The Illinois State Police may suspend the Firearm
12 Owner's Identification Card of a person whose Firearm Owner's
13 Identification Card is subject to revocation and seizure under
14 this Act for a period of not less than 30 days and not more
15 than 45 days. The Illinois State Police shall schedule a
16 revocation hearing with the clerk of the circuit court and the
17 State's Attorney of the county of the person's residence not
18 less than 30 days and not more than 45 days after the
19 suspension of the person's Firearm Owner's Identification
20 Card. If the hearing is not scheduled within that 45-day
21 period, the Illinois State Police shall reinstate the person's
22 Firearm Owner's Identification Card and may not seek
23 revocation of that person's Firearm Owner's Identification
24 Card. The hearing shall be conducted in the manner provided in
25 subsection (g) of Section 10 ~~the duration of the~~

1 ~~disqualification~~ if the disqualification is not a permanent
2 ground for revocation of a Firearm Owner's Identification Card
3 under this Act. The Illinois State Police may adopt rules
4 necessary to implement this Section.

5 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
6 102-813, eff. 5-13-22; 103-154, eff. 6-30-23.)

7 (430 ILCS 65/10) (from Ch. 38, par. 83-10)

8 Sec. 10. Appeals; hearing; relief from firearm
9 prohibitions.

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

1 Cannabis Control Act that is classified as a Class 2 or greater
2 felony, any felony violation of Article 24 of the Criminal
3 Code of 1961 or the Criminal Code of 2012, or any adjudication
4 as a delinquent minor for the commission of an offense that if
5 committed by an adult would be a felony, in which case the
6 aggrieved party may petition the circuit court in writing in
7 the county of his or her residence for a hearing seeking relief
8 from such denial ~~or revocation~~.

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

15 (0.05) In furtherance of the policy of this Act that
16 the Board shall exercise its powers and duties in an
17 independent manner, subject to the provisions of this Act
18 but free from the direction, control, or influence of any
19 other agency or department of State government. All
20 expenses and liabilities incurred by the Board in the
21 performance of its responsibilities hereunder shall be
22 paid from funds which shall be appropriated to the Board
23 by the General Assembly for the ordinary and contingent
24 expenses of the Board.

25 (1) The Board shall consist of 7 members appointed by
26 the Governor, with the advice and consent of the Senate,

1 with 3 members residing within the First Judicial District
2 and one member residing within each of the 4 remaining
3 Judicial Districts. No more than 4 members shall be
4 members of the same political party. The Governor shall
5 designate one member as the chairperson. The members shall
6 have actual experience in law, education, social work,
7 behavioral sciences, law enforcement, or community affairs
8 or in a combination of those areas.

9 (2) The terms of the members initially appointed after
10 January 1, 2022 (the effective date of Public Act 102-237)
11 shall be as follows: one of the initial members shall be
12 appointed for a term of one year, 3 shall be appointed for
13 terms of 2 years, and 3 shall be appointed for terms of 4
14 years. Thereafter, members shall hold office for 4 years,
15 with terms expiring on the second Monday in January
16 immediately following the expiration of their terms and
17 every 4 years thereafter. Members may be reappointed.
18 Vacancies in the office of member shall be filled in the
19 same manner as the original appointment, for the remainder
20 of the unexpired term. The Governor may remove a member
21 for incompetence, neglect of duty, malfeasance, or
22 inability to serve. Members shall receive compensation in
23 an amount equal to the compensation of members of the
24 Executive Ethics Commission and, beginning July 1, 2023,
25 shall be compensated from appropriations provided to the
26 Comptroller for this purpose. Members may be reimbursed,

1 from funds appropriated for such a purpose, for reasonable
2 expenses actually incurred in the performance of their
3 Board duties. The Illinois State Police shall designate an
4 employee to serve as Executive Director of the Board and
5 provide logistical and administrative assistance to the
6 Board.

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

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

23 (5) In considering an appeal, the Board shall review
24 the materials received concerning the denial ~~or revocation~~
25 by the Illinois State Police. By a vote of at least 4
26 members, the Board may request additional information from

1 the Illinois State Police or the applicant or the
2 testimony of the Illinois State Police or the applicant.
3 The Board may require that the applicant submit electronic
4 fingerprints to the Illinois State Police for an updated
5 background check if the Board determines it lacks
6 sufficient information to determine eligibility. The Board
7 may consider information submitted by the Illinois State
8 Police, a law enforcement agency, or the applicant. The
9 Board shall review each denial ~~or revocation~~ and determine
10 by a majority of members whether an applicant should be
11 granted relief under subsection (c).

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

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

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

26 (C) the Board notifies the applicant and the

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

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

12 (8) Meetings of the Board shall not be subject to the
13 Open Meetings Act and records of the Board shall not be
14 subject to the Freedom of Information Act.

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

21 (a-10) Whenever an applicant or cardholder is not seeking
22 relief from a firearms prohibition under subsection (c) but
23 rather does not believe the applicant is appropriately denied
24 ~~or revoked~~ and is challenging the record upon which the
25 decision to deny ~~or revoke~~ the Firearm Owner's Identification
26 Card was based, or whenever the Illinois State Police fails to

1 act on an application within 30 days of its receipt, the
2 applicant shall file such challenge with the Director. The
3 Director shall render a decision within 60 business days of
4 receipt of all information supporting the challenge. The
5 Illinois State Police shall adopt rules for the review of a
6 record challenge.

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

18 (c) Any person prohibited from possessing a firearm under
19 Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or
20 acquiring a Firearm Owner's Identification Card under Section
21 8 of this Act may apply to the Firearm Owner's Identification
22 Card Review Board or petition the circuit court in the county
23 where the petitioner resides, whichever is applicable in
24 accordance with subsection (a) of this Section, requesting
25 relief from such prohibition and the Board or court may grant
26 such relief if it is established by the applicant to the

1 court's or the Board's satisfaction that:

2 (0.05) when in the circuit court, the State's Attorney
3 has been served with a written copy of the petition at
4 least 30 days before any such hearing in the circuit court
5 and at the hearing the State's Attorney was afforded an
6 opportunity to present evidence and object to the
7 petition;

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

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

18 (3) granting relief would not be contrary to the
19 public interest; and

20 (4) granting relief would not be contrary to federal
21 law.

22 (c-5) (1) An active law enforcement officer employed by a
23 unit of government or a Department of Corrections employee
24 authorized to possess firearms who is denied ~~a, revoked, or~~
25 ~~has his or her~~ Firearm Owner's Identification Card ~~seized~~
26 ~~under subsection (c) of Section 8 of this Act~~ may apply to the

1 Firearm Owner's Identification Card Review Board requesting
2 relief if the officer or employee did not act in a manner
3 threatening to the officer or employee, another person, or the
4 public as determined by the treating clinical psychologist or
5 physician, and as a result of his or her work is referred by
6 the employer for or voluntarily seeks mental health evaluation
7 or treatment by a licensed clinical psychologist,
8 psychiatrist, advanced practice psychiatric nurse, or
9 qualified examiner, and:

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

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

18 (2) The Firearm Owner's Identification Card Review Board
19 shall grant expedited relief to active law enforcement
20 officers and employees described in paragraph (1) of this
21 subsection (c-5) upon a determination by the Board that the
22 officer's or employee's possession of a firearm does not
23 present a threat to themselves, others, or public safety. The
24 Board shall act on the request for relief within 30 business
25 days of receipt of:

26 (A) a notarized statement from the officer or employee

1 in the form prescribed by the Board detailing the
2 circumstances that led to the hospitalization;

3 (B) all documentation regarding the admission,
4 evaluation, treatment and discharge from the treating
5 licensed clinical psychologist or psychiatrist of the
6 officer;

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

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

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

21 (4) "Clinical psychologist", "psychiatrist", "advanced
22 practice psychiatric nurse", and "qualified examiner" shall
23 have the same meaning as provided in Chapter I of the Mental
24 Health and Developmental Disabilities Code.

25 (5) No later than January 1, 2026, the Firearm Owner's
26 Identification Card Review Board shall establish a process by

1 which any person who is subject to the provisions of
2 subsection (f) of Section 8 of this Act may request expedited
3 review from the Firearm Owner's Identification Card Review
4 Board.

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

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

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

25 (D) The Board, Illinois State Police, or the employees
26 and agents of the Board and Illinois State Police

1 participating in this process under this Act shall not be
2 held liable for damages in any civil action arising from
3 the disclosure or non-disclosure of the information
4 released to an individual as part of this process.

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

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

23 (3) The Board may grant relief if the aggrieved party's
24 developmental disability or intellectual disability is mild as
25 determined by a physician, clinical psychologist, advanced
26 practice psychiatric nurse, or qualified examiner and it is

1 established by the applicant to the Board's satisfaction that:

2 (A) granting relief would not be contrary to the
3 public interest; and

4 (B) granting relief would not be contrary to federal
5 law.

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

10 (5) The changes made to this Section by Public Act 99-29
11 apply to requests for relief pending on or before July 10, 2015
12 (the effective date of Public Act 99-29), except that the
13 60-day period for the Director to act on requests pending
14 before the effective date shall begin on July 10, 2015 (the
15 effective date of Public Act 99-29). All appeals as provided
16 in subsection (a-5) pending on January 1, 2023 shall be
17 considered by the Board.

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

21 (e) The court shall review the denial of an application or
22 the revocation of a Firearm Owner's Identification Card of a
23 person who has been adjudicated delinquent for an offense that
24 if committed by an adult would be a felony if an application
25 for relief has been filed at least 10 years after the
26 adjudication of delinquency and the court determines that the

1 applicant should be granted relief from disability to obtain a
2 Firearm Owner's Identification Card. If the court grants
3 relief, the court shall notify the Illinois State Police that
4 the disability has been removed and that the applicant is
5 eligible to obtain a Firearm Owner's Identification Card.

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

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

12 (g) Notwithstanding any other provision of this Act to the
13 contrary, on or after the effective date of this amendatory
14 Act of the 104th General Assembly, the Illinois State Police
15 may not revoke a Firearm Owner's Identification Card. On or
16 after the effective date of this amendatory Act of the 104th
17 General Assembly, a Firearm Owner's Identification Card may
18 only be revoked after a Firearm Owner's Identification Card
19 hearing has been held in the circuit court of the county of
20 residence of the person whose Firearm Owner's Identification
21 Card is sought to be revoked. If the State's Attorney of the
22 county of residence of the person whose Firearm Owner's
23 Identification Card is sought to be revoked has probable cause
24 to believe that the person who has been issued a Firearm
25 Owner's Identification Card is no longer eligible for the Card
26 under Section 8, the State's Attorney shall file a petition in

1 the circuit court of the county of residence of the person
2 whose Card is sought to be revoked. At the hearing, the person
3 may present evidence in his or her favor seeking retention of
4 his or her Firearm Owner's Identification Card and the
5 Illinois State Police and State's Attorney may present
6 evidence for revocation. The hearing shall be a civil
7 proceeding and subject to due process, the Code of Civil
8 Procedure, and the Illinois Rules of Evidence as adopted by
9 the Supreme Court. The hearing shall be held within 45 days
10 after the filing of the petition. If the circuit court
11 determines, by clear and convincing evidence, that the person
12 is ineligible for retention of his or her Firearm Owner's
13 Identification Card under Section 8, the court shall order the
14 Illinois State Police to immediately revoke the Card and the
15 circuit clerk shall seize the Card and transmit the Card to the
16 Illinois State Police.

17 (Source: P.A. 103-605, eff. 7-1-24; 104-5, eff. 6-16-25;
18 104-270, eff. 8-15-25; revised 9-12-25.)