



Rep. Kathleen Willis

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1 AMENDMENT TO HOUSE BILL 3160

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 3160 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the  
5 Lethal Violence Order of Protection Act.

6 Section 5. Definitions. As used in this Act:

7 "Intimate partner" means a spouse, former spouse, a person  
8 with whom the respondent has or allegedly has a child in  
9 common, or a person with whom the respondent has or has had a  
10 dating or engagement relationship.

11 "Lethal violence order of protection" means an order issued  
12 by the court, prohibiting and enjoining a named person from  
13 having in his or her custody or control, owning, purchasing,  
14 possessing, or receiving any firearms.

15 "Petitioner" means:

16 (1) a family member of the respondent as defined in

1 Section 103 of the Illinois Domestic Violence Act of 1986;  
2 or

3 (2) a law enforcement officer, who files a petition  
4 alleging that the respondent poses a danger of causing  
5 personal injury to himself, herself, or another by having  
6 in his or her custody or control, owning, purchasing,  
7 possessing, or receiving a firearm.

8 "Respondent" means the person alleged in the petition to  
9 pose a danger of causing personal injury to himself, herself,  
10 or another by having in his or her custody or control, owning,  
11 purchasing, possessing, or receiving a firearm.

12 Section 10. Commencement of action; procedure.

13 (a) Actions for a lethal violence order of protection are  
14 commenced by filing a verified petition for a lethal violence  
15 order of protection in any circuit court.

16 (b) A petition for a lethal violence order of protection  
17 may be filed in any county where the respondent resides.

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

24 (d) The court shall provide, through the office of the  
25 clerk of the court, simplified forms and clerical assistance to

1 help with the writing and filing of a petition under this  
2 Section by any person not represented by counsel. In addition,  
3 that assistance may be provided by the State's Attorney.

4 Section 15. Subject matter jurisdiction. Each of the  
5 circuit courts shall have the power to issue lethal violence  
6 orders of protection.

7 Section 20. Jurisdiction over persons. The circuit courts  
8 of this State have jurisdiction to bind (1) State residents and  
9 (2) non-residents having minimum contacts with this State, to  
10 the extent permitted by Section 2-209 of the Code of Civil  
11 Procedure.

12 Section 25. Process. The summons shall be in the form  
13 prescribed by Supreme Court Rule 101(d), except that it shall  
14 require respondent to answer or appear within 7 days.  
15 Attachments to the summons or notice shall include the petition  
16 for the lethal violence order of protection and supporting  
17 affidavits, if any, and any emergency lethal violence order of  
18 protection that has been issued. The enforcement of an order  
19 under Section 35 shall not be affected by the lack of service,  
20 delivery, or notice, provided the requirements of subsection  
21 (f) of that Section are otherwise met.

22 Section 30. Service of notice of hearings. Service of

1 notice of hearings. Except as provided in Section 25, notice of  
2 hearings on petitions or motions shall be served in accordance  
3 with Supreme Court Rules 11 and 12, unless notice is excused by  
4 Section 35 of this Act, or by the Code of Civil Procedure,  
5 Supreme Court Rules, or local rules.

6 Section 35. Ex parte orders and emergency hearings.

7 (a) A petitioner may request an emergency lethal violence  
8 order of protection by filing an affidavit or verified pleading  
9 alleging that the respondent poses an immediate and present  
10 danger of causing personal injury to himself, herself, or  
11 another by having in his or her custody or control, owning,  
12 purchasing, possessing, or receiving a firearm. The petition  
13 shall also describe the type, and location of any firearm or  
14 firearms presently believed by the petitioner to be possessed  
15 or controlled by the respondent.

16 (b) If the respondent is alleged to pose an immediate and  
17 present danger of causing personal injury to an intimate  
18 partner, or an intimate partner is alleged to have been the  
19 target of a threat or act of violence by the respondent,  
20 petitioner shall make a good faith effort to provide notice to  
21 any and all intimate partners of the respondent. The notice  
22 must include that the petitioner intends to petition the court  
23 for an emergency lethal violence order, and, if petitioner is a  
24 law enforcement officer, referral to relevant domestic  
25 violence or stalking advocacy or counseling resources, if

1 appropriate. Petitioner shall attest to having provided the  
2 notice in the filed affidavit or verified pleading. If after  
3 making a good faith effort petitioner is unable to provide  
4 notice to any or all intimate partners, the affidavit or  
5 verified pleading should describe what efforts were made.

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

11 (d) An emergency order of protection shall be issued on an  
12 ex parte basis, that is, without notice to the respondent.

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

16 (f) If a circuit or associate judge finds reasonable cause  
17 to believe that the respondent poses an immediate and present  
18 danger of causing personal injury to himself, herself, or  
19 another by having in his or her custody or control, owning,  
20 purchasing, possessing, or receiving a firearm the circuit or  
21 associate judge shall issue an emergency order.

22 (g) An emergency lethal violence order of protection shall  
23 require:

24 (1) the respondent to refrain from having in his or her  
25 custody or control, owning, purchasing, possessing, or  
26 receiving additional firearms for the duration of the

1 order;

2 (2) the respondent to turn over to the local law  
3 enforcement agency any Firearm Owner's Identification Card  
4 and concealed carry license in his or her possession. The  
5 local law enforcement agency shall immediately mail the  
6 card and concealed carry license to the Department of State  
7 Police Firearm Owner's Identification Card Office for  
8 safekeeping. The firearm or firearms and Firearm Owner's  
9 Identification Card and concealed carry license, if  
10 unexpired, shall at the respondent's request, be returned  
11 to the respondent after the lethal violence order of  
12 protection is terminated or expired. It is the respondent's  
13 responsibility to notify the Department of State Police  
14 Firearm Owner's Identification Card Office; and

15 (3) any law-enforcement agency to forthwith search for  
16 and seize firearms of the respondent upon probable cause  
17 that the respondent has possession of a firearm, and  
18 petitioner or the court can describe, with sufficient  
19 particularity, the location of the firearm or firearms.

20 (h) Upon expiration of the period of safekeeping, if the  
21 firearms or Firearm Owner's Identification Card and concealed  
22 carry license cannot be returned to respondent because  
23 respondent cannot be located, fails to respond to requests to  
24 retrieve the firearms, or is not lawfully eligible to possess a  
25 firearm, upon petition from the local law enforcement agency,  
26 the court may order the local law enforcement agency to destroy

1 the firearms, use the firearms for training purposes, or for  
2 any other application as deemed appropriate by the local law  
3 enforcement agency.

4 (i) In accordance with subsection (e) of this Section, the  
5 court shall schedule a full hearing within 14 days of the  
6 issuance of an ex parte lethal violence order of protection to  
7 determine if a one-year lethal violence order of protection  
8 shall be issued. The court may extend an ex parte order as  
9 needed, but not to exceed 30 days, to effectuate service of the  
10 order or if necessary to continue protection.

11 Section 40. One-year orders.

12 (a) A petitioner may request a one-year lethal violence  
13 order of protection by filing an affidavit or verified pleading  
14 alleging that the respondent poses a significant danger of  
15 causing personal injury to himself, herself, or another in the  
16 near future by having in his or her custody or control, owning,  
17 purchasing, possessing, or receiving a firearm. The petition  
18 shall also describe the number, types, and locations of any  
19 firearms presently believed by the petitioner to be possessed  
20 or controlled by the respondent.

21 (b) If the respondent is alleged to pose an immediate and  
22 present danger of causing personal injury to an intimate  
23 partner, or an intimate partner is alleged to have been the  
24 target of a threat or act of violence by the respondent,  
25 petitioner shall make a good faith effort to provide notice to

1 any and all intimate partners of the respondent. The notice  
2 must include that the petitioner intends to petition the court  
3 for an emergency lethal violence order, and, if petitioner is a  
4 law enforcement officer, referral to relevant domestic  
5 violence or stalking advocacy or counseling resources, if  
6 appropriate. Petitioner shall attest to having provided the  
7 notice in the filed affidavit or verified pleading. If after  
8 making a good faith effort petitioner is unable to provide  
9 notice to any or all intimate partners, the affidavit or  
10 verified pleading should describe what efforts were made.

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

16 (d) Upon receipt of a petition for a one-year lethal  
17 violence order of protection, the court shall order a hearing  
18 within 30 days.

19 (e) In determining whether to issue a lethal violence order  
20 of protection under this Section, the court shall consider  
21 evidence of:

22 (1) A recent threat of violence or act of violence by  
23 the respondent directed toward himself, herself, or  
24 another.

25 (2) A violation of an emergency order of protection  
26 issued under Section 217 of the Illinois Domestic Violence



1 Act of 1986 or Section 112A-17 of the Code of Criminal  
2 Procedure of 1963 or of an order of protection issued under  
3 Section 214 of the Illinois Domestic Violence Act of 1986  
4 or Section 112A-14 of the Code of Criminal Procedure of  
5 1963.

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

10 (f) In determining whether to issue a lethal violence order  
11 of protection under this Section, the court may consider  
12 evidence including, but not limited to, the following:

13 (1) The unlawful and reckless use, display, or  
14 brandishing of a firearm by the respondent.

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

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

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

22 (5) Evidence of recent acquisition of firearms,  
23 ammunition, or other deadly weapons.

24 (g) At the hearing, the petitioner shall have the burden of  
25 proving, by preponderance of the evidence, that the respondent  
26 poses a significant danger of personal injury to himself,

1 herself, or another by having in his or her custody or control,  
2 owning, purchasing, possessing, or receiving a firearm.

3 (h) If the court finds that there is a preponderance of the  
4 evidence to issue a lethal violence order of protection, the  
5 court shall issue a lethal violence order of protection that  
6 shall be in effect for one year subject to renewal under  
7 Section 45 of this Act or termination under that Section.

8 (i) A one-year lethal violence order of protection shall  
9 require:

10 (1) the respondent to refrain from having in his or her  
11 custody or control, owning, purchasing, possessing or  
12 receiving additional firearms for the duration of the  
13 order;

14 (2) the respondent to turn over to the local law  
15 enforcement agency any firearm or Firearm Owner's  
16 Identification Card and concealed carry license in his or  
17 her possession. The local law enforcement agency shall  
18 immediately mail the card and concealed carry license to  
19 the Department of State Police Firearm Owner's  
20 Identification Card Office for safekeeping. The firearm or  
21 firearms and Firearm Owner's Identification Card and  
22 concealed carry license, if unexpired shall at the  
23 respondent's request, be returned to the respondent after  
24 the lethal violence order of protection is terminated or  
25 expired. It is the respondent's responsibility to notify  
26 the Department of State Police Firearm Owner's

1 Identification Card Office; and

2 (3) any law-enforcement agency to forthwith search for  
3 and seize firearms of the respondent upon probable cause  
4 that the respondent has possession of a firearm, and  
5 petitioner can describe, with sufficient particularity,  
6 the location of the firearm or firearms.

7 (j) Upon expiration of the period of safekeeping, if the  
8 firearms or Firearm Owner's Identification Card cannot be  
9 returned to respondent because respondent cannot be located,  
10 fails to respond to requests to retrieve the firearms, or is  
11 not lawfully eligible to possess a firearm, upon petition from  
12 the local law enforcement agency, the court may order the local  
13 law enforcement agency to destroy the firearms, use the  
14 firearms for training purposes, or for any other application as  
15 deemed appropriate by the local law enforcement agency.

16 (k) If the court does not issue a lethal violence order of  
17 protection at the hearing, the court shall dissolve any  
18 emergency lethal violence order of protection then in effect.

19 (l) When the court issues a lethal violence order of  
20 protection under this Section, the court shall inform the  
21 respondent that he or she is entitled to one hearing during the  
22 period of the order to request a termination of the order,  
23 under Section 45 of this Act, and shall provide the respondent  
24 with a form to request a hearing.

25 Section 45. Termination and renewal.

1           (a) A person subject to a lethal violence order of  
2 protection issued under this Act may submit one written request  
3 at any time during the effective period of the order for a  
4 hearing to terminate the order.

5           (1) The respondent shall have the burden of proving by  
6 a preponderance of the evidence that the respondent does  
7 not pose a danger of causing personal injury to himself,  
8 herself, or another in the near future by having in his or  
9 her custody or control, owning, purchasing, possessing, or  
10 receiving a firearm.

11           (2) If the court finds after the hearing that the  
12 respondent has met his or her burden, the court shall  
13 terminate the order.

14           (b) A petitioner may request a renewal of a lethal violence  
15 order of protection at any time within the 3 months before the  
16 expiration of a lethal violence order of protection.

17           (1) A court shall, after notice and a hearing, renew a  
18 lethal violence order of protection issued under this part  
19 if the petitioner proves, by a preponderance of the  
20 evidence, that the respondent continues to pose a danger of  
21 causing personal injury to himself, herself, or another in  
22 the near future by having in his or her custody or control,  
23 owning, purchasing, possessing, or receiving a firearm.

24           (2) In determining whether to renew a lethal violence  
25 order of protection issued under this Act, the court shall  
26 consider evidence of the facts identified in subsection (e)

1 of Section 40 of this Act and any other evidence of an  
2 increased risk for violence, including, but not limited to,  
3 evidence of any of the factors identified in subsection (f)  
4 of Section 40 of this Act.

5 (3) At the hearing, the petitioner shall have the  
6 burden of proving, by a preponderance of the evidence that  
7 the respondent continues to pose a danger of causing  
8 personal injury to himself, herself, or another in the near  
9 future by having in his or her custody or control, owning,  
10 purchasing, possessing, or receiving a firearm.

11 (4) The renewal of a lethal violence order of  
12 protection issued under this Section shall be in effect for  
13 one year, subject to termination by further order of the  
14 court at a hearing held under this Section and further  
15 renewal by further order of the court under this Section.

16 Section 50. Notice of orders.

17 (a) Entry and issuance. Upon issuance of any lethal  
18 violence order of protection, the clerk shall immediately, or  
19 on the next court day if an emergency lethal violence order of  
20 protection is issued in accordance with Section 35 of this Act  
21 (emergency lethal violence order of protection), (i) enter the  
22 order on the record and file it in accordance with the circuit  
23 court procedures and (ii) provide a file stamped copy of the  
24 order to respondent, if present, and to petitioner.

25 (b) Filing with sheriff. The clerk of the issuing judge

1 shall, or the petitioner may, on the same day that a lethal  
2 violence order of protection is issued, file a certified copy  
3 of that order with the sheriff or other law enforcement  
4 officials charged with maintaining Department of State Police  
5 records or charged with serving the order upon respondent. If  
6 the order was issued in accordance with Section 35 of this Act  
7 (emergency lethal violence order of protection), the clerk  
8 shall on the next court day, file a certified copy of the order  
9 with the sheriff or other law enforcement officials charged  
10 with maintaining Department of State Police records.

11 (c) Service by sheriff. Unless respondent was present in  
12 court when the order was issued, the sheriff, other law  
13 enforcement official, or special process server shall promptly  
14 serve that order upon respondent and file proof of the service,  
15 in the manner provided for service of process in civil  
16 proceedings. Instead of serving the order upon the respondent,  
17 however, the sheriff, other law enforcement official, special  
18 process server, or other persons defined in Section 112A-22.10  
19 of the Criminal Code of 1963 may serve the respondent with a  
20 short form notification as provided in that Section. If process  
21 has not yet been served upon the respondent, it shall be served  
22 with the order or short form notification if the service is  
23 made by the sheriff, other law enforcement official, or special  
24 process server. A single fee may be charged for service of an  
25 order obtained in circuit court, or for service of the order  
26 together with process, unless waived or deferred under

1 subsection (c) of Section 10 of this Act.

2 (d) Any order renewing or terminating any lethal violence  
3 order of protection shall be promptly recorded, issued, and  
4 served as provided in this Section.

5 Section 55. Data maintenance by law enforcement agencies.

6 (a) All sheriffs shall furnish to the Department of State  
7 Police, daily, in the form and detail the Department requires,  
8 copies of any recorded lethal violence order of protection  
9 issued by the court, and any foreign orders of protection filed  
10 by the clerk of the court, and transmitted to the sheriff by  
11 the clerk of the court under Section 50. Each lethal violence  
12 order of protection shall be entered in the Law Enforcement  
13 Agencies Data System (LEADS) on the same day it is issued by  
14 the court. If an emergency lethal violence order of protection  
15 was issued in accordance with Section 35 of this Act, the order  
16 shall be entered in the Law Enforcement Agencies Data System  
17 (LEADS) as soon as possible after receipt from the clerk.

18 (b) The Department of State Police shall maintain a  
19 complete and systematic record and index of all valid and  
20 recorded lethal violence orders of protection issued or filed  
21 under this Act. The data shall be used to inform all  
22 dispatchers and law enforcement officers at the scene of a  
23 violation of lethal violence order of protection of the  
24 effective dates and terms of any recorded order of protection.

25 (c) The data, records and transmittals required under this

1 Section shall pertain to any valid emergency or one-year lethal  
2 violence order of protection, whether issued in a civil or  
3 criminal proceeding or authorized under the laws of another  
4 state, tribe, or United States territory.

5 Section 60. Filing of a lethal violence order of protection  
6 issued by another state.

7 (a) A person entitled to protection under a lethal violence  
8 order of protection or similar order issued by the court of  
9 another state, tribe, or United States territory may file a  
10 certified copy of the lethal violence order of protection with  
11 the clerk of the court in a judicial circuit in which the  
12 person believes that enforcement may be necessary.

13 (b) The clerk shall:

14 (1) treat the foreign lethal violence order of  
15 protection in the same manner as a judgment of the circuit  
16 court for any county of this State in accordance with the  
17 provisions of the Uniform Enforcement of Foreign Judgments  
18 Act, except that the clerk shall not mail notice of the  
19 filing of the foreign order to the respondent named in the  
20 order; and

21 (2) on the same day that a foreign lethal violence  
22 order of protection is filed, file a certified copy of that  
23 order with the sheriff or other law enforcement officials  
24 charged with maintaining Department of State Police  
25 records as set forth in Section 55 of this Act.



1           (c) Neither residence in this State nor filing of a foreign  
2 lethal violence order of protection shall be required for  
3 enforcement of the order by this State. Failure to file the  
4 foreign order shall not be an impediment to its treatment in  
5 all respects as an Illinois lethal violence order of  
6 protection.

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

9           Section 65. Enforcement; sanctions for violation of order.

10           (a) A respondent who knowingly violates a lethal violence  
11 order of protection is guilty of a Class A misdemeanor.  
12 Prosecution for a violation of a lethal violence order of  
13 protection shall not bar concurrent prosecution for any other  
14 crime, including any crime that may have been committed at the  
15 time of the violation of the lethal violence order of  
16 protection.

17           (b) A petitioner who files a petition for a lethal violence  
18 order of protection knowing the information in the petition to  
19 be false is guilty of a Class A misdemeanor.

20           Section 70. Non-preclusion of remedies. Nothing in this Act  
21 shall preclude a petitioner or law-enforcement officer from  
22 removing weapons under other authority, or filing criminal  
23 charges when probable cause exists.

1 Section 135. The Firearm Owners Identification Card Act is  
2 amended by changing Section 8.2 as follows:

3 (430 ILCS 65/8.2)

4 Sec. 8.2. Firearm Owner's Identification Card denial or  
5 revocation. The Department of State Police shall deny an  
6 application or shall revoke and seize a Firearm Owner's  
7 Identification Card previously issued under this Act if the  
8 Department finds that the applicant or person to whom such card  
9 was issued is or was at the time of issuance subject to an  
10 existing order of protection or lethal violence order of  
11 protection.

12 (Source: P.A. 96-701, eff. 1-1-10.)

13 Section 140. The Firearm Concealed Carry Act is amended by  
14 changing Section 70 as follows:

15 (430 ILCS 66/70)

16 Sec. 70. Violations.

17 (a) A license issued or renewed under this Act shall be  
18 revoked if, at any time, the licensee is found to be ineligible  
19 for a license under this Act or the licensee no longer meets  
20 the eligibility requirements of the Firearm Owners  
21 Identification Card Act.

22 (b) A license shall be suspended if an order of protection,  
23 including an emergency order of protection, plenary order of

1 protection, or interim order of protection under Article 112A  
2 of the Code of Criminal Procedure of 1963 or under the Illinois  
3 Domestic Violence Act of 1986, or if a lethal violence order of  
4 protection, including an emergency lethal violence order of  
5 protection, under the Lethal Violence Order of Protection Act,  
6 is issued against a licensee for the duration of the order, or  
7 if the Department is made aware of a similar order issued  
8 against the licensee in any other jurisdiction. If an order of  
9 protection is issued against a licensee, the licensee shall  
10 surrender the license, as applicable, to the court at the time  
11 the order is entered or to the law enforcement agency or entity  
12 serving process at the time the licensee is served the order.  
13 The court, law enforcement agency, or entity responsible for  
14 serving the order of protection shall notify the Department  
15 within 7 days and transmit the license to the Department.

16 (c) A license is invalid upon expiration of the license,  
17 unless the licensee has submitted an application to renew the  
18 license, and the applicant is otherwise eligible to possess a  
19 license under this Act.

20 (d) A licensee shall not carry a concealed firearm while  
21 under the influence of alcohol, other drug or drugs,  
22 intoxicating compound or combination of compounds, or any  
23 combination thereof, under the standards set forth in  
24 subsection (a) of Section 11-501 of the Illinois Vehicle Code.

25 A licensee in violation of this subsection (d) shall be  
26 guilty of a Class A misdemeanor for a first or second violation

1 and a Class 4 felony for a third violation. The Department may  
2 suspend a license for up to 6 months for a second violation and  
3 shall permanently revoke a license for a third violation.

4 (e) Except as otherwise provided, a licensee in violation  
5 of this Act shall be guilty of a Class B misdemeanor. A second  
6 or subsequent violation is a Class A misdemeanor. The  
7 Department may suspend a license for up to 6 months for a  
8 second violation and shall permanently revoke a license for 3  
9 or more violations of Section 65 of this Act. Any person  
10 convicted of a violation under this Section shall pay a \$150  
11 fee to be deposited into the Mental Health Reporting Fund, plus  
12 any applicable court costs or fees.

13 (f) A licensee convicted or found guilty of a violation of  
14 this Act who has a valid license and is otherwise eligible to  
15 carry a concealed firearm shall only be subject to the  
16 penalties under this Section and shall not be subject to the  
17 penalties under Section 21-6, paragraph (4), (8), or (10) of  
18 subsection (a) of Section 24-1, or subparagraph (A-5) or (B-5)  
19 of paragraph (3) of subsection (a) of Section 24-1.6 of the  
20 Criminal Code of 2012. Except as otherwise provided in this  
21 subsection, nothing in this subsection prohibits the licensee  
22 from being subjected to penalties for violations other than  
23 those specified in this Act.

24 (g) A licensee whose license is revoked, suspended, or  
25 denied shall, within 48 hours of receiving notice of the  
26 revocation, suspension, or denial, surrender his or her

1     concealed carry license to the local law enforcement agency  
2     where the person resides. The local law enforcement agency  
3     shall provide the licensee a receipt and transmit the concealed  
4     carry license to the Department of State Police. If the  
5     licensee whose concealed carry license has been revoked,  
6     suspended, or denied fails to comply with the requirements of  
7     this subsection, the law enforcement agency where the person  
8     resides may petition the circuit court to issue a warrant to  
9     search for and seize the concealed carry license in the  
10    possession and under the custody or control of the licensee  
11    whose concealed carry license has been revoked, suspended, or  
12    denied. The observation of a concealed carry license in the  
13    possession of a person whose license has been revoked,  
14    suspended, or denied constitutes a sufficient basis for the  
15    arrest of that person for violation of this subsection. A  
16    violation of this subsection is a Class A misdemeanor.

17         (h) A license issued or renewed under this Act shall be  
18    revoked if, at any time, the licensee is found ineligible for a  
19    Firearm Owner's Identification Card, or the licensee no longer  
20    possesses a valid Firearm Owner's Identification Card. A  
21    licensee whose license is revoked under this subsection (h)  
22    shall surrender his or her concealed carry license as provided  
23    for in subsection (g) of this Section.

24         This subsection shall not apply to a person who has filed  
25    an application with the State Police for renewal of a Firearm  
26    Owner's Identification Card and who is not otherwise ineligible

1 to obtain a Firearm Owner's Identification Card.

2 (i) A certified firearms instructor who knowingly provides  
3 or offers to provide a false certification that an applicant  
4 has completed firearms training as required under this Act is  
5 guilty of a Class A misdemeanor. A person guilty of a violation  
6 of this subsection (i) is not eligible for court supervision.  
7 The Department shall permanently revoke the firearms  
8 instructor certification of a person convicted under this  
9 subsection (i).

10 (Source: P.A. 98-63, eff. 7-9-13; 98-756, eff. 7-16-14; 98-899,  
11 eff. 8-15-14.)