



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3099

Introduced 2/18/2025, by Rep. Lisa Davis

SYNOPSIS AS INTRODUCED:

430 ILCS 65/1.1	
430 ILCS 65/4	from Ch. 38, par. 83-4
430 ILCS 65/8	from Ch. 38, par. 83-8
730 ILCS 5/5-5-5	from Ch. 38, par. 1005-5-5
730 ILCS 5/5-5.5-15	

Amends the Firearm Owners Identification Card Act. Requires each applicant for a Firearm Owner's Identification Card to submit evidence to the Illinois State Police that the applicant has not been convicted of a felony, unless the applicant has been granted a certificate of relief from disabilities, in which case the applicant shall submit a certified copy of the certificate of relief along with his or her application. Defines the term "forceible felony". Allows the Illinois State Police to deny an application for or revoke and seize a Firearm Owner's Identification Card if the person is or was convicted of a felony, unless the offense was not a forcible felony and the person has received a certificate of relief from disabilities. Amends the Unified Code of Corrections. Provides that a person sentenced to imprisonment shall lose the right to use or knowingly possess any firearm. Provides that this right shall be eligible for restoration 5 years after the person has completed the person's sentence, including applicable periods of probation or parole, under a certificate issued by the court, with certain requirements.

LRB104 08126 BDA 18172 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 1.1, 4, and 8 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,

1 mental impairment, incompetency, condition, or disease:

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

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

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

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

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

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

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

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

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

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

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

1 (11) is subject to involuntary admission as an
2 outpatient as defined in Section 1-119.1 of the Mental
3 Health and Developmental Disabilities Code;

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

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

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

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

15 (2) demonstrates threatening physical or verbal
16 behavior, such as violent, suicidal, or assaultive
17 threats, actions, or other behavior, as determined by a
18 physician, clinical psychologist, qualified examiner,
19 school administrator, or law enforcement official.

20 "Clinical psychologist" has the meaning provided in
21 Section 1-103 of the Mental Health and Developmental
22 Disabilities Code.

23 "Controlled substance" means a controlled substance or
24 controlled substance analog as defined in the Illinois
25 Controlled Substances Act.

26 "Counterfeit" means to copy or imitate, without legal

1 authority, with intent to deceive.

2 "Developmental disability" means a severe, chronic
3 disability of an individual that:

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

6 (2) is manifested before the individual attains age
7 22;

8 (3) is likely to continue indefinitely;

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

11 (A) Self-care.

12 (B) Receptive and expressive language.

13 (C) Learning.

14 (D) Mobility.

15 (E) Self-direction.

16 (F) Capacity for independent living.

17 (G) Economic self-sufficiency; and

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

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

26 "Firearm" means any device, by whatever name known, which

1 is designed to expel a projectile or projectiles by the action
2 of an explosion, expansion of gas or escape of gas; excluding,
3 however:

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

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

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

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

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

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

25 (1) any ammunition exclusively designed for use with a
26 device used exclusively for signaling or safety and

1 required or recommended by the United States Coast Guard
2 or the Interstate Commerce Commission; and

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

6 "Forcible felony" has the meaning given in Section 2-8 of
7 the Criminal Code of 2012.

8 "Gun show" means an event or function:

9 (1) at which the sale and transfer of firearms is the
10 regular and normal course of business and where 50 or more
11 firearms are displayed, offered, or exhibited for sale,
12 transfer, or exchange; or

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

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

26 Unless otherwise expressly stated, "gun show" does not

1 include training or safety classes, competitive shooting
2 events, such as rifle, shotgun, or handgun matches, trap,
3 skeet, or sporting clays shoots, dinners, banquets, raffles,
4 or any other event where the sale or transfer of firearms is
5 not the primary course of business.

6 "Gun show promoter" means a person who organizes or
7 operates a gun show.

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

13 "Intellectual disability" means significantly subaverage
14 general intellectual functioning, existing concurrently with
15 deficits in adaptive behavior and manifested during the
16 developmental period, which is defined as before the age of
17 22, that adversely affects a child's educational performance.

18 "Involuntarily admitted" has the meaning as prescribed in
19 Sections 1-119 and 1-119.1 of the Mental Health and
20 Developmental Disabilities Code.

21 "Mental health facility" means any licensed private
22 hospital or hospital affiliate, institution, or facility, or
23 part thereof, and any facility, or part thereof, operated by
24 the State or a political subdivision thereof which provides
25 treatment of persons with mental illness and includes all
26 hospitals, institutions, clinics, evaluation facilities,

1 mental health centers, colleges, universities, long-term care
2 facilities, and nursing homes, or parts thereof, which provide
3 treatment of persons with mental illness whether or not the
4 primary purpose is to provide treatment of persons with mental
5 illness.

6 "National governing body" means a group of persons who
7 adopt rules and formulate policy on behalf of a national
8 firearm sporting organization.

9 "Noncitizen" means a person who is not a citizen of the
10 United States, but is a person who is a foreign-born person who
11 lives in the United States, has not been naturalized, and is
12 still a citizen of a foreign country.

13 "Patient" means:

14 (1) a person who is admitted as an inpatient or
15 resident of a public or private mental health facility for
16 mental health treatment under Chapter III of the Mental
17 Health and Developmental Disabilities Code as an informal
18 admission, a voluntary admission, a minor admission, an
19 emergency admission, or an involuntary admission, unless
20 the treatment was solely for an alcohol abuse disorder; or

21 (2) a person who voluntarily or involuntarily receives
22 mental health treatment as an out-patient or is otherwise
23 provided services by a public or private mental health
24 facility and who poses a clear and present danger to
25 himself, herself, or others.

26 "Physician" has the meaning as defined in Section 1-120 of

1 the Mental Health and Developmental Disabilities Code.

2 "Protective order" means any orders of protection issued
3 under the Illinois Domestic Violence Act of 1986, stalking no
4 contact orders issued under the Stalking No Contact Order Act,
5 civil no contact orders issued under the Civil No Contact
6 Order Act, and firearms restraining orders issued under the
7 Firearms Restraining Order Act or a substantially similar
8 order issued by the court of another state, tribe, or United
9 States territory or military judge.

10 "Qualified examiner" has the meaning provided in Section
11 1-122 of the Mental Health and Developmental Disabilities
12 Code.

13 "Sanctioned competitive shooting event" means a shooting
14 contest officially recognized by a national or state shooting
15 sport association, and includes any sight-in or practice
16 conducted in conjunction with the event.

17 "School administrator" means the person required to report
18 under the School Administrator Reporting of Mental Health
19 Clear and Present Danger Determinations Law.

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

22 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
23 102-813, eff. 5-13-22; 102-890, eff. 5-19-22; 102-972, eff.
24 1-1-23; 102-1030, eff. 5-27-22; 103-154, eff. 6-30-23;
25 103-407, eff. 7-28-23.)

1 (430 ILCS 65/4) (from Ch. 38, par. 83-4)

2 Sec. 4. Application for Firearm Owner's Identification
3 Cards.

4 (a) Each applicant for a Firearm Owner's Identification
5 Card must:

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

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

9 (i) This subparagraph (i) applies through the
10 180th day following July 12, 2019 (the effective date
11 of Public Act 101-80). He or she is 21 years of age or
12 over, or if he or she is under 21 years of age that he
13 or she has the written consent of his or her parent or
14 legal guardian to possess and acquire firearms and
15 firearm ammunition and that he or she has never been
16 convicted of a misdemeanor other than a traffic
17 offense or adjudged delinquent, provided, however,
18 that such parent or legal guardian is not an
19 individual prohibited from having a Firearm Owner's
20 Identification Card and files an affidavit with the
21 Department as prescribed by the Department stating
22 that he or she is not an individual prohibited from
23 having a Card;

24 (i-5) This subparagraph (i-5) applies on and after
25 the 181st day following July 12, 2019 (the effective
26 date of Public Act 101-80). He or she is 21 years of

1 age or over, or if he or she is under 21 years of age
2 that he or she has never been convicted of a
3 misdemeanor other than a traffic offense or adjudged
4 delinquent and is an active duty member of the United
5 States Armed Forces or the Illinois National Guard or
6 has the written consent of his or her parent or legal
7 guardian to possess and acquire firearms and firearm
8 ammunition, provided, however, that such parent or
9 legal guardian is not an individual prohibited from
10 having a Firearm Owner's Identification Card and files
11 an affidavit with the Illinois State Police as
12 prescribed by the Illinois State Police stating that
13 he or she is not an individual prohibited from having a
14 Card or the active duty member of the United States
15 Armed Forces or the Illinois National Guard under 21
16 years of age annually submits proof to the Illinois
17 State Police, in a manner prescribed by the Illinois
18 State Police;

19 (ii) He or she has not been convicted of a felony
20 under the laws of this or any other jurisdiction,
21 unless he or she has been granted a certificate of
22 relief from disabilities pursuant to subsections (g)
23 and (g-5) of Section 5-5.5-15 of the Unified Code of
24 Corrections, in which case he or she shall submit a
25 certified copy of the certificate of relief from
26 disabilities along with his or her application;

- 1 (iii) He or she is not addicted to narcotics;
- 2 (iv) He or she has not been a patient in a mental
3 health facility within the past 5 years or, if he or
4 she has been a patient in a mental health facility more
5 than 5 years ago submit the certification required
6 under subsection (u) of Section 8 of this Act;
- 7 (v) He or she is not a person with an intellectual
8 disability;
- 9 (vi) He or she is not a noncitizen who is
10 unlawfully present in the United States under the laws
11 of the United States;
- 12 (vii) He or she is not subject to an existing order
13 of protection prohibiting him or her from possessing a
14 firearm;
- 15 (viii) He or she has not been convicted within the
16 past 5 years of battery, assault, aggravated assault,
17 violation of an order of protection, or a
18 substantially similar offense in another jurisdiction,
19 in which a firearm was used or possessed;
- 20 (ix) He or she has not been convicted of domestic
21 battery, aggravated domestic battery, or a
22 substantially similar offense in another jurisdiction
23 committed before, on or after January 1, 2012 (the
24 effective date of Public Act 97-158). If the applicant
25 knowingly and intelligently waives the right to have
26 an offense described in this clause (ix) tried by a

1 jury, and by guilty plea or otherwise, results in a
2 conviction for an offense in which a domestic
3 relationship is not a required element of the offense
4 but in which a determination of the applicability of
5 18 U.S.C. 922(g)(9) is made under Section 112A-11.1 of
6 the Code of Criminal Procedure of 1963, an entry by the
7 court of a judgment of conviction for that offense
8 shall be grounds for denying the issuance of a Firearm
9 Owner's Identification Card under this Section;

10 (x) (Blank);

11 (xi) He or she is not a noncitizen who has been
12 admitted to the United States under a non-immigrant
13 visa (as that term is defined in Section 101(a)(26) of
14 the Immigration and Nationality Act (8 U.S.C.
15 1101(a)(26))), or that he or she is a noncitizen who
16 has been lawfully admitted to the United States under
17 a non-immigrant visa if that noncitizen is:

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

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

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

26 (B) en route to or from another country to

1 which that noncitizen is accredited;

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

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

8 (5) one who has received a waiver from the
9 Attorney General of the United States pursuant to
10 18 U.S.C. 922 (y) (3);

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

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

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

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

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

26 (xvii) He or she is not a person with a

1 developmental disability; and

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

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

21 (a-10) Each applicant for a Firearm Owner's Identification
22 Card, who is employed as a law enforcement officer, an armed
23 security officer in Illinois, or by the United States Military
24 permanently assigned in Illinois and who is not an Illinois
25 resident, shall furnish to the Illinois State Police his or
26 her driver's license number or state identification card

1 number from his or her state of residence. The Illinois State
2 Police may adopt rules to enforce the provisions of this
3 subsection (a-10).

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

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

20 (a-25) Beginning January 1, 2023, each applicant for the
21 issuance of a Firearm Owner's Identification Card may include
22 a full set of his or her fingerprints in electronic format to
23 the Illinois State Police, unless the applicant has previously
24 provided a full set of his or her fingerprints to the Illinois
25 State Police under this Act or the Firearm Concealed Carry
26 Act.

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

8 The Illinois State Police shall charge applicants a
9 one-time fee for conducting the criminal history record check,
10 which shall be deposited into the State Police Services Fund
11 and shall not exceed the actual cost of the State and national
12 criminal history record check.

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

19 (b) Each application form shall include the following
20 statement printed in bold type: "Warning: Entering false
21 information on an application for a Firearm Owner's
22 Identification Card is punishable as a Class 2 felony in
23 accordance with subsection (d-5) of Section 14 of the Firearm
24 Owners Identification Card Act.".

25 (c) Upon such written consent, pursuant to Section 4,
26 paragraph (a)(2)(i), the parent or legal guardian giving the

1 consent shall be liable for any damages resulting from the
2 applicant's use of firearms or firearm ammunition.

3 (Source: P.A. 101-80, eff. 7-12-19; 102-237, eff. 1-1-22;
4 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.
5 5-27-22; 102-1116, eff. 1-10-23.)

6 (430 ILCS 65/8) (from Ch. 38, par. 83-8)

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

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

16 (b) This subsection (b) applies through the 180th day
17 following July 12, 2019 (the effective date of Public Act
18 101-80). A person under 21 years of age who does not have
19 the written consent of his parent or guardian to acquire
20 and possess firearms and firearm ammunition, or whose
21 parent or guardian has revoked such written consent, or
22 where such parent or guardian does not qualify to have a
23 Firearm Owner's Identification Card;

24 (b-5) This subsection (b-5) applies on and after the
25 181st day following July 12, 2019 (the effective date of

1 Public Act 101-80). A person under 21 years of age who is
2 not an active duty member of the United States Armed
3 Forces or the Illinois National Guard and does not have
4 the written consent of his or her parent or guardian to
5 acquire and possess firearms and firearm ammunition, or
6 whose parent or guardian has revoked such written consent,
7 or where such parent or guardian does not qualify to have a
8 Firearm Owner's Identification Card;

9 (c) A person convicted of a felony under the laws of
10 this or any other jurisdiction, unless the offense was not
11 a forcible felony and the person has received a
12 certificate of relief from disabilities pursuant to
13 subsections (g) and (g-5) of Section 5-5.5-15 of the
14 Unified Code of Corrections;

15 (d) A person addicted to narcotics;

16 (e) A person who has been a patient of a mental health
17 facility within the past 5 years or a person who has been a
18 patient in a mental health facility more than 5 years ago
19 who has not received the certification required under
20 subsection (u) of this Section. An active law enforcement
21 officer employed by a unit of government or a Department
22 of Corrections employee authorized to possess firearms who
23 is denied, revoked, or has his or her Firearm Owner's
24 Identification Card seized under this subsection (e) may
25 obtain relief as described in subsection (c-5) of Section
26 10 of this Act if the officer or employee did not act in a

1 manner threatening to the officer or employee, another
2 person, or the public as determined by the treating
3 clinical psychologist or physician, and the officer or
4 employee seeks mental health treatment;

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

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

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

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

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

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

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

25 (A) accredited to the United States Government
26 or the Government's mission to an international

1 organization having its headquarters in the United
2 States; or

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

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

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

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

14 (j) (Blank);

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

20 (l) A person who has been convicted of domestic
21 battery, aggravated domestic battery, or a substantially
22 similar offense in another jurisdiction committed before,
23 on or after January 1, 2012 (the effective date of Public
24 Act 97-158). If the applicant or person who has been
25 previously issued a Firearm Owner's Identification Card
26 under this Act knowingly and intelligently waives the

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

12 (m) (Blank);

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

16 (o) A minor subject to a petition filed under Section
17 5-520 of the Juvenile Court Act of 1987 alleging that the
18 minor is a delinquent minor for the commission of an
19 offense that if committed by an adult would be a felony;

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

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

1 (r) A person who has been adjudicated as a person with
2 a mental disability;

3 (s) A person who has been found to have a
4 developmental disability;

5 (t) A person involuntarily admitted into a mental
6 health facility; or

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

1 been restored through administrative or judicial action
2 under Section 10 or 11 of this Act.

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

7 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;
8 102-645, eff. 1-1-22; 102-813, eff. 5-13-22; 102-1030, eff.
9 5-27-22; 102-1116, eff. 1-10-23.)

10 Section 10. The Unified Code of Corrections is amended by
11 changing Sections 5-5-5 and 5-5.5-15 as follows:

12 (730 ILCS 5/5-5-5) (from Ch. 38, par. 1005-5-5)

13 Sec. 5-5-5. Loss and restoration of rights.

14 (a) Conviction and disposition shall not entail the loss
15 by the defendant of any civil rights, except under this
16 Section and Sections 29-6 and 29-10 of The Election Code, as
17 now or hereafter amended.

18 (b) A person convicted of a felony shall be ineligible to
19 hold an office created by the Constitution of this State until
20 the completion of his sentence.

21 (b-5) Notwithstanding any other provision of law, a person
22 convicted of a felony, bribery, perjury, or other infamous
23 crime for an offense committed on or after the effective date
24 of this amendatory Act of the 103rd General Assembly and

1 committed while he or she was serving as a public official in
2 this State is ineligible to hold any local public office or any
3 office created by the Constitution of this State unless the
4 person's conviction is reversed, the person is again restored
5 to such rights by the terms of a pardon for the offense, the
6 person has received a restoration of rights by the Governor,
7 or the person's rights are otherwise restored by law.

8 (c) A person sentenced to imprisonment shall lose his
9 right to vote until released from imprisonment.

10 (d) On completion of sentence of imprisonment or upon
11 discharge from probation, conditional discharge or periodic
12 imprisonment, or at any time thereafter, all license rights
13 and privileges granted under the authority of this State which
14 have been revoked or suspended because of conviction of an
15 offense shall be restored unless the authority having
16 jurisdiction of such license rights finds after investigation
17 and hearing that restoration is not in the public interest.
18 This paragraph (d) shall not apply to the suspension or
19 revocation of a license to operate a motor vehicle under the
20 Illinois Vehicle Code.

21 (e) Upon a person's discharge from incarceration or
22 parole, or upon a person's discharge from probation or at any
23 time thereafter, the committing court may enter an order
24 certifying that the sentence has been satisfactorily completed
25 when the court believes it would assist in the rehabilitation
26 of the person and be consistent with the public welfare. Such

1 order may be entered upon the motion of the defendant or the
2 State or upon the court's own motion.

3 (f) Upon entry of the order, the court shall issue to the
4 person in whose favor the order has been entered a certificate
5 stating that his behavior after conviction has warranted the
6 issuance of the order.

7 (g) This Section shall not affect the right of a defendant
8 to collaterally attack his conviction or to rely on it in bar
9 of subsequent proceedings for the same offense.

10 (h) No application for any license specified in subsection
11 (i) of this Section granted under the authority of this State
12 shall be denied by reason of an eligible offender who has
13 obtained a certificate of relief from disabilities, as defined
14 in Article 5.5 of this Chapter, having been previously
15 convicted of one or more criminal offenses, or by reason of a
16 finding of lack of "good moral character" when the finding is
17 based upon the fact that the applicant has previously been
18 convicted of one or more criminal offenses, unless:

19 (1) there is a direct relationship between one or more
20 of the previous criminal offenses and the specific license
21 sought; or

22 (2) the issuance of the license would involve an
23 unreasonable risk to property or to the safety or welfare
24 of specific individuals or the general public.

25 In making such a determination, the licensing agency shall
26 consider the following factors:

1 (1) the public policy of this State, as expressed in
2 Article 5.5 of this Chapter, to encourage the licensure
3 and employment of persons previously convicted of one or
4 more criminal offenses;

5 (2) the specific duties and responsibilities
6 necessarily related to the license being sought;

7 (3) the bearing, if any, the criminal offenses or
8 offenses for which the person was previously convicted
9 will have on his or her fitness or ability to perform one
10 or more such duties and responsibilities;

11 (4) the time which has elapsed since the occurrence of
12 the criminal offense or offenses;

13 (5) the age of the person at the time of occurrence of
14 the criminal offense or offenses;

15 (6) the seriousness of the offense or offenses;

16 (7) any information produced by the person or produced
17 on his or her behalf in regard to his or her rehabilitation
18 and good conduct, including a certificate of relief from
19 disabilities issued to the applicant, which certificate
20 shall create a presumption of rehabilitation in regard to
21 the offense or offenses specified in the certificate; and

22 (8) the legitimate interest of the licensing agency in
23 protecting property, and the safety and welfare of
24 specific individuals or the general public.

25 (i) A certificate of relief from disabilities shall be
26 issued only for a license or certification issued under the

1 following Acts:

2 (1) the Animal Welfare Act; except that a certificate
3 of relief from disabilities may not be granted to provide
4 for the issuance or restoration of a license under the
5 Animal Welfare Act for any person convicted of violating
6 Section 3, 3.01, 3.02, 3.03, 3.03-1, or 4.01 of the Humane
7 Care for Animals Act or Section 26-5 or 48-1 of the
8 Criminal Code of 1961 or the Criminal Code of 2012;

9 (2) the Illinois Athletic Trainers Practice Act;

10 (3) the Barber, Cosmetology, Esthetics, Hair Braiding,
11 and Nail Technology Act of 1985;

12 (4) the Boiler and Pressure Vessel Repairer Regulation
13 Act;

14 (5) the Boxing and Full-contact Martial Arts Act;

15 (6) the Illinois Certified Shorthand Reporters Act of
16 1984;

17 (7) the Illinois Farm Labor Contractor Certification
18 Act;

19 (8) the Registered Interior Designers Act;

20 (9) the Illinois Professional Land Surveyor Act of
21 1989;

22 (10) the Landscape Architecture Registration Act;

23 (11) the Marriage and Family Therapy Licensing Act;

24 (12) the Private Employment Agency Act;

25 (13) the Professional Counselor and Clinical
26 Professional Counselor Licensing and Practice Act;

- 1 (14) the Real Estate License Act of 2000;
- 2 (15) the Illinois Roofing Industry Licensing Act;
- 3 (16) the Professional Engineering Practice Act of
4 1989;
- 5 (17) the Water Well and Pump Installation Contractor's
6 License Act;
- 7 (18) the Electrologist Licensing Act;
- 8 (19) the Auction License Act;
- 9 (20) the Illinois Architecture Practice Act of 1989;
- 10 (21) the Dietitian Nutritionist Practice Act;
- 11 (22) the Environmental Health Practitioner Licensing
12 Act;
- 13 (23) the Funeral Directors and Embalmers Licensing
14 Code;
- 15 (24) (blank);
- 16 (25) the Professional Geologist Licensing Act;
- 17 (26) the Illinois Public Accounting Act; and
- 18 (27) the Structural Engineering Practice Act of 1989.

19 (j) A person sentenced to imprisonment shall lose the
20 right to use or knowingly possess any firearm.

21 (Source: P.A. 102-284, eff. 8-6-21; 103-562, eff. 11-17-23.)

22 (730 ILCS 5/5-5.5-15)

23 Sec. 5-5.5-15. Certificates of relief from disabilities
24 issued by courts.

25 (a) Any circuit court of this State may issue a

1 certificate of relief from disabilities to an eligible
2 offender for a conviction that occurred in that court if the
3 court imposed the sentence. The certificate may be issued (i)
4 at the time sentence is pronounced, in which case it may grant
5 relief from disabilities, or (ii) at any time thereafter, in
6 which case it shall apply only to disabilities.

7 (b) The certificate may not be issued by the court unless
8 the court is satisfied, based on clear and convincing
9 evidence, that:

10 (1) the person to whom it is to be granted is an
11 eligible offender, as defined in Section 5-5.5-5;

12 (2) the relief to be granted by the certificate is
13 consistent with the rehabilitation of the eligible
14 offender; and

15 (3) the relief to be granted by the certificate is
16 consistent with the public interest.

17 (c) If a certificate of relief from disabilities is not
18 issued at the time sentence is pronounced it shall only be
19 issued thereafter upon verified application to the court. The
20 court may, for the purpose of determining whether the
21 certificate shall be issued, request the probation or court
22 services department to conduct an investigation of the
23 applicant. Any probation officer requested to make an
24 investigation under this Section shall prepare and submit to
25 the court a written report in accordance with the request.

26 (d) Any court that has issued a certificate of relief from

1 disabilities may at any time issue a new certificate to
2 enlarge the relief previously granted provided that the
3 provisions of clauses (1) through (3) of subsection (b) of
4 this Section apply to the issuance of any such new
5 certificate.

6 (e) Any written report submitted to the court under this
7 Section is confidential and may not be made available to any
8 person or public or private agency except if specifically
9 required or permitted by statute or upon specific
10 authorization of the court. However, it shall be made
11 available by the court for examination by the applicant's
12 attorney, or the applicant himself or herself, if he or she has
13 no attorney. In its discretion, the court may except from
14 disclosure a part or parts of the report that are not relevant
15 to the granting of a certificate, or sources of information
16 which have been obtained on a promise of confidentiality, or
17 any other portion of the report, disclosure of which would not
18 be in the interest of justice. The action of the court
19 excepting information from disclosure shall be subject to
20 appellate review. The court, in its discretion, may hold a
21 conference in open court or in chambers to afford an applicant
22 an opportunity to controvert or to comment upon any portions
23 of the report. The court may also conduct a summary hearing at
24 the conference on any matter relevant to the granting of the
25 application and may take testimony under oath.

26 As used in this subsection, "confidential" has the same

1 meaning as in paragraph (3) of subsection (b) of Section 5 of
2 the Court Record and Document Accessibility Act.

3 (f) An employer is not civilly or criminally liable for an
4 act or omission by an employee who has been issued a
5 certificate of relief from disabilities, except for a willful
6 or wanton act by the employer in hiring the employee who has
7 been issued a certificate of relief from disabilities.

8 (g) All rights a person has lost under subsection (j) of
9 Section 5-5-5 of the Unified Code of Corrections shall be
10 eligible for restoration 5 years after the person has
11 completed the person's sentence, including applicable periods
12 of probation or parole. The date on which all rights are
13 restored under this subsection shall be noted on a certificate
14 issued by the court which shall be the same certificate issued
15 under subsections (a) and (b). A conviction for a new felony
16 upon the issuance of any certificate under this section shall
17 render the certificate void. A person shall only be eligible
18 for restoration of the person's rights under this subsection
19 if:

20 (1) the person has not been convicted of any other
21 felony other than convictions arising out of the same
22 occurrence or related course of events for which
23 restoration of rights is to be certified; and

24 (2) the person has not been convicted of any forcible
25 felony.

26 (g-5) When a certificate of relief from disabilities is

1 issued pursuant to subsection (g), the court shall:

2 (1) notify the federal Bureau of Alcohol, Tobacco and
3 Firearms when any person's right to use or possess any
4 firearm has been restored pursuant to this subsection; and

5 (2) file a copy of the certificate with the Secretary
6 of State and the Illinois State Police.

7 (Source: P.A. 103-166, eff. 1-1-24.)