



Rep. Maura Hirschauer

**Filed: 5/29/2026**

10400HB5209ham003

LRB104 19512 BDA 38321 a

1 AMENDMENT TO HOUSE BILL 5209

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5209, AS AMENDED,  
3 by replacing everything after the enacting clause with the  
4 following:

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

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

9 (20 ILCS 2630/2.1) (from Ch. 38, par. 206-2.1)

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

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

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

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

24 (b) Charge Information. The State's Attorney of each  
25 county shall notify the Illinois State Police of all  
26 charges filed and all petitions filed alleging that a

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

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

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

26 (d) Fingerprints After Sentencing.

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

26          (2) After the court pronounces sentence or makes a

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

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

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

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

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

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

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

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

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



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

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

16 (d) Fingerprints After Sentencing.

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

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

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

1 same case. The law enforcement agency may retain such  
2 fingerprints in its files.

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

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

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

1           (2) Responses shall include the missing or  
2           incomplete information, correction of the error or an  
3           explanation detailing the reason the information  
4           cannot be provided or corrected, and an estimated  
5           timeframe for compliance.

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

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

10           (405 ILCS 5/6-103.3)

11       Sec. 6-103.3. Clear and present danger; notice. If a  
12       person is determined to pose a clear and present danger to  
13       himself, herself, or to others by a physician, clinical  
14       psychologist, advanced practice psychiatric nurse, or  
15       qualified examiner, whether employed by the State, by any  
16       public or private mental health facility or part thereof, or  
17       by a law enforcement official or a school administrator, then  
18       the physician, clinical psychologist, advanced practice  
19       psychiatric nurse, or qualified examiner shall notify the  
20       Department of Human Services and a law enforcement official or  
21       school administrator shall notify the Illinois State Police,  
22       within 24 hours of making the determination that the person  
23       poses a clear and present danger. The Department of Human  
24       Services shall immediately update its records and information

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

1 disclosure or nondisclosure of the information released to an  
2 individual in accordance with Section 10 of the Firearm Owners  
3 Identification Card Act, except for willful and wanton  
4 misconduct. This Section does not apply to a law enforcement  
5 official, if making the notification under this Section will  
6 interfere with an ongoing or pending criminal investigation.

7 For the purposes of this Section:

8 "Clear and present danger" has the meaning ascribed to  
9 it in Section 1.1 of the Firearm Owners Identification  
10 Card Act.

11 "Determined to pose a clear and present danger to  
12 himself, herself, or to others by a physician, clinical  
13 psychologist, advanced practice psychiatric nurse, or  
14 qualified examiner" means in the professional opinion of  
15 the physician, clinical psychologist, advanced practice  
16 psychiatric nurse, or qualified examiner, a person, with  
17 whom the physician, psychologist, nurse, or examiner has a  
18 formal relationship in his or her official capacity, poses  
19 a clear and present danger.

20 "School administrator" means the person required to  
21 report under the School Administrator Reporting of Mental  
22 Health Clear and Present Danger Determinations Law.

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

24 Section 15. The Firearm Owners Identification Card Act is  
25 amended by changing Sections 1.1 and 8 as follows:

1 (430 ILCS 65/1.1)

2 Sec. 1.1. For purposes of this Act:

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

4 (1) convicted of an offense involving the use or  
5 possession of cannabis, a controlled substance, or  
6 methamphetamine within the past year; or

7 (2) determined by the Illinois State Police to be  
8 addicted to narcotics based upon federal law or federal  
9 guidelines.

10 "Addicted to narcotics" does not include possession or use  
11 of a prescribed controlled substance under the direction and  
12 authority of a physician or other person authorized to  
13 prescribe the controlled substance when the controlled  
14 substance is used in the prescribed manner.

15 "Adjudicated as a person with a mental disability" means  
16 the person is the subject of a determination by a court, board,  
17 commission or other lawful authority that the person, as a  
18 result of marked subnormal intelligence, or mental illness,  
19 mental impairment, incompetency, condition, or disease:

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

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

25 (3) is not guilty in a criminal case by reason of



1 insanity, mental disease or defect;

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

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

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

8 (6) is a sexually violent person under subsection (f)  
9 of Section 5 of the Sexually Violent Persons Commitment  
10 Act;

11 (7) is a sexually dangerous person under the Sexually  
12 Dangerous Persons Act;

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

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

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

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

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

26 (13) is subject to the provisions of the Interstate

1 Agreements on Sexually Dangerous Persons Act.

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

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

6 (1) communicates a serious threat of physical violence  
7 against a reasonably identifiable victim or poses a clear  
8 and imminent risk of serious physical injury to himself,  
9 herself, or another person as determined by a physician,  
10 clinical psychologist, advanced practice psychiatric  
11 nurse, or qualified examiner; or

12 (2) demonstrates threatening physical or verbal  
13 behavior, such as violent, suicidal, or assaultive  
14 threats, actions, or other behavior, as determined by a  
15 physician, clinical psychologist, advanced practice  
16 psychiatric nurse, qualified examiner, school  
17 administrator, or law enforcement official.

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

21 "Collateral records" means (1) any medical records related  
22 to the patient's current and past clinical or mental status  
23 and history from the last 5 years from all current and prior  
24 physicians, qualified examiners, clinical psychologists,  
25 advanced practice psychiatric nurses, or any other individuals  
26 who provided health care services, as that term is defined in

1 the Managed Care Reform and Patient Rights Act, to the patient  
2 and (2) correspondence or other communication between the FOID  
3 reinstatement mental health evaluator and the patient's  
4 current and prior physicians, qualified examiners, clinical  
5 psychologists, advanced practice psychiatric nurses, or any  
6 other individuals who provided health care services, as that  
7 term is defined in Managed Care Reform and Patient Rights Act,  
8 to the patient, if any.

9 "Controlled substance" means a controlled substance or  
10 controlled substance analog as defined in the Illinois  
11 Controlled Substances Act.

12 "Counterfeit" means to copy or imitate, without legal  
13 authority, with intent to deceive.

14 "Department of Financial and Professional  
15 Regulation-approved continuing education sponsor" means a  
16 person, firm, association, corporation, or any other group  
17 that is approved by the Department of Financial and  
18 Professional Regulation to coordinate and present continuing  
19 education courses or programs.

20 "Developmental disability" means a severe, chronic  
21 disability of an individual that:

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

24 (2) is manifested before the individual attains age  
25 22;

26 (3) is likely to continue indefinitely;

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

3           (A) Self-care.

4           (B) Receptive and expressive language.

5           (C) Learning.

6           (D) Mobility.

7           (E) Self-direction.

8           (F) Capacity for independent living.

9           (G) Economic self-sufficiency; and

10          (5) reflects the individual's need for a combination  
11 and sequence of special, interdisciplinary, or generic  
12 services, individualized supports, or other forms of  
13 assistance that are of lifelong or extended duration and  
14 are individually planned and coordinated.

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

18          "Firearm" means any device, by whatever name known, which  
19 is designed to expel a projectile or projectiles by the action  
20 of an explosion, expansion of gas or escape of gas; excluding,  
21 however:

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

26           (1.1) any pneumatic gun, spring gun, paint ball gun,

1 or B-B gun which expels breakable paint balls containing  
2 washable marking colors;

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

6 (3) any device used exclusively for the firing of stud  
7 cartridges, explosive rivets or similar industrial  
8 ammunition; and

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

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

17 (1) any ammunition exclusively designed for use with a  
18 device used exclusively for signaling or safety and  
19 required or recommended by the United States Coast Guard  
20 or the Interstate Commerce Commission; and

21 (2) any ammunition designed exclusively for use with a  
22 stud or rivet driver or other similar industrial  
23 ammunition.

24 "FOID reinstatement mental health evaluation" means a  
25 mental health evaluation performed for the purpose of Firearm  
26 Owner's Identification Card reinstatement by a FOID

1 reinstatement mental health evaluator during at least 2 office  
2 visits on separate, nonconsecutive days, with no more than one  
3 office visit conducted by telehealth means, subject to the  
4 professional discretion of the FOID reinstatement mental  
5 health evaluator conducting the FOID reinstatement mental  
6 health evaluation. "FOID reinstatement mental health  
7 evaluation" includes a mental health evaluation that may  
8 require more than 2 office visits, subject to the professional  
9 discretion of the FOID reinstatement mental health evaluator  
10 conducting the FOID reinstatement mental health evaluation.

11 "FOID reinstatement mental health evaluator" means an  
12 individual who:

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

21 (2) starting July 1, 2027, has successfully completed  
22 at least 3 hours of continuing education since the date of  
23 the individual's initial licensing or license renewal,  
24 whichever is most recent, provided by a Department of  
25 Financial and Professional Regulation-approved continuing  
26 education sponsor, that included education regarding

1 suicide prevention and trauma evaluation;

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

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

11 "FOID reinstatement mental health evaluator" does not  
12 include an individual practicing in Illinois under temporary  
13 practice authority, reciprocity provisions, interstate compact  
14 provisions, or any other mechanism that does not constitute  
15 full Illinois licensure.

16 "Gun show" means an event or function:

17 (1) at which the sale and transfer of firearms is the  
18 regular and normal course of business and where 50 or more  
19 firearms are displayed, offered, or exhibited for sale,  
20 transfer, or exchange; or

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

24 "Gun show" includes the entire premises provided for an  
25 event or function, including parking areas for the event or  
26 function, that is sponsored to facilitate the purchase, sale,

1 transfer, or exchange of firearms as described in this  
2 Section. Nothing in this definition shall be construed to  
3 exclude a gun show held in conjunction with competitive  
4 shooting events at the World Shooting Complex sanctioned by a  
5 national governing body in which the sale or transfer of  
6 firearms is authorized under subparagraph (5) of paragraph (g)  
7 of subsection (A) of Section 24-3 of the Criminal Code of 2012.

8 Unless otherwise expressly stated, "gun show" does not  
9 include training or safety classes, competitive shooting  
10 events, such as rifle, shotgun, or handgun matches, trap,  
11 skeet, or sporting clays shoots, dinners, banquets, raffles,  
12 or any other event where the sale or transfer of firearms is  
13 not the primary course of business.

14 "Gun show promoter" means a person who organizes or  
15 operates a gun show.

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

21 "Intellectual disability" means significantly subaverage  
22 general intellectual functioning, existing concurrently with  
23 deficits in adaptive behavior and manifested during the  
24 developmental period, which is defined as before the age of  
25 22, that adversely affects a child's educational performance.

26 "Involuntarily admitted" has the meaning as prescribed in



1 Sections 1-119 and 1-119.1 of the Mental Health and  
2 Developmental Disabilities Code.

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

14 "National governing body" means a group of persons who  
15 adopt rules and formulate policy on behalf of a national  
16 firearm sporting organization.

17 "Noncitizen" means a person who is not a citizen of the  
18 United States, but is a person who is a foreign-born person who  
19 lives in the United States, has not been naturalized, and is  
20 still a citizen of a foreign country.

21 "Patient" means:

22 (1) a person who is admitted as an inpatient or  
23 resident of a public or private mental health facility for  
24 mental health treatment under Chapter III of the Mental  
25 Health and Developmental Disabilities Code as an informal  
26 admission, a voluntary admission, a minor admission, an

1 emergency admission, or an involuntary admission, unless  
2 the treatment was solely for an alcohol abuse disorder; or

3 (2) a person who voluntarily or involuntarily receives  
4 mental health treatment as an out-patient or is otherwise  
5 provided services by a public or private mental health  
6 facility and who poses a clear and present danger to  
7 himself, herself, or others.

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

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

18 "Qualified examiner" has the meaning provided in Section  
19 1-122 of the Mental Health and Developmental Disabilities  
20 Code.

21 "Sanctioned competitive shooting event" means a shooting  
22 contest officially recognized by a national or state shooting  
23 sport association, and includes any sight-in or practice  
24 conducted in conjunction with the event.

25 "School administrator" means the person required to report  
26 under the School Administrator Reporting of Mental Health

1 Clear and Present Danger Determinations Law.

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

4 (Source: P.A. 103-154, eff. 6-30-23; 103-407, eff. 7-28-23;  
5 104-270, eff. 8-15-25.)

6 (430 ILCS 65/8)

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;

11 (d) A person addicted to narcotics;

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

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

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

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

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

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

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

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

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

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

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

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

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

10          (j) (Blank);

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

16          (l) A person who has been convicted of domestic  
17 battery, aggravated domestic battery, or a substantially  
18 similar offense in another jurisdiction committed before,  
19 on or after January 1, 2012 (the effective date of Public  
20 Act 97-158). If the applicant or person who has been  
21 previously issued a Firearm Owner's Identification Card  
22 under this Act knowingly and intelligently waives the  
23 right to have an offense described in this paragraph (l)  
24 tried by a jury, and by guilty plea or otherwise, results  
25 in a conviction for an offense in which a domestic  
26 relationship is not a required element of the offense but

1 in which a determination of the applicability of 18 U.S.C.  
2 922(g)(9) is made under Section 112A-11.1 of the Code of  
3 Criminal Procedure of 1963, an entry by the court of a  
4 judgment of conviction for that offense shall be grounds  
5 for denying an application for and for revoking and  
6 seizing a Firearm Owner's Identification Card previously  
7 issued to the person under this Act;

8 (m) (Blank);

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

12 (o) A minor subject to a petition filed under Section  
13 5-520 of the Juvenile Court Act of 1987 alleging that the  
14 minor is a delinquent minor for the commission of an  
15 offense that if committed by an adult would be a felony;

16 (p) An adult who had been adjudicated a delinquent  
17 minor under the Juvenile Court Act of 1987 for the  
18 commission of an offense that if committed by an adult  
19 would be a felony;

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

23 (r) A person who has been adjudicated as a person with  
24 a mental disability;

25 (s) A person who has been found to have a  
26 developmental disability;

1 (t) A person involuntarily admitted into a mental  
2 health facility;

3 (u) A person who has had his or her Firearm Owner's  
4 Identification Card revoked or denied under subsection (e)  
5 of this Section or item (iv) of paragraph (2) of  
6 subsection (a) of Section 4 of this Act because he or she  
7 was a patient in a mental health facility as provided in  
8 subsection (e) of this Section, shall not be permitted to  
9 obtain a Firearm Owner's Identification Card, after the  
10 5-year period has lapsed, unless he or she has received a  
11 FOID reinstatement mental health evaluation ~~mental health~~  
12 ~~evaluation~~ by a FOID reinstatement mental health evaluator  
13 ~~physician, clinical psychologist, advanced practice~~  
14 ~~psychiatric nurse, or qualified examiner as those terms~~  
15 ~~are defined in the Mental Health and Developmental~~  
16 ~~Disabilities Code,~~ and ~~has received~~ a certification that  
17 he or she is not a clear and present danger to himself,  
18 herself, or others. The FOID reinstatement mental health  
19 evaluator shall provide the person seeking a FOID  
20 reinstatement mental health evaluation written notice  
21 that, upon completion of the FOID reinstatement mental  
22 health evaluation, the results will be sent to the  
23 Illinois State Police regardless of outcome. To receive a  
24 FOID reinstatement mental health evaluation, a person must  
25 provide written consent for the evaluation and for the  
26 results to be disclosed to the Illinois State Police. The



1 person receiving a FOID reinstatement mental health  
2 evaluation shall provide, or approve the sharing of, all  
3 collateral records to the FOID reinstatement mental health  
4 evaluator making the certification, and the person shall  
5 attest, by signature, that all collateral records have  
6 been provided to the FOID reinstatement mental health  
7 evaluator before the FOID reinstatement mental health  
8 evaluation. The FOID reinstatement mental health  
9 evaluator, as part of the certification, shall attest that  
10 the FOID reinstatement mental health evaluator has  
11 requested, received, reviewed, and considered all of the  
12 person's collateral records known to the FOID  
13 reinstatement mental health evaluator in making the  
14 determination that the person is not a clear and present  
15 danger to self or others. In addition, the FOID  
16 reinstatement mental health evaluator shall identify the  
17 types of collateral records received. The FOID  
18 reinstatement mental health evaluator shall not redisclose  
19 information contained in the collateral records. If no  
20 collateral records are obtained, the FOID reinstatement  
21 mental health evaluator must document the efforts used to  
22 obtain the collateral records. The FOID reinstatement  
23 mental health evaluator ~~physician, clinical psychologist,~~  
24 ~~advanced practice psychiatric nurse, or qualified examiner~~  
25 ~~making the certification~~ and his or her employer shall not  
26 be held criminally, civilly, or professionally liable for

1 making or not making the certification required under this  
2 subsection, except for willful or wanton misconduct. This  
3 subsection does not apply to a person whose firearm  
4 possession rights have been restored through  
5 administrative or judicial action under Section 10 or 11  
6 of this Act. The results of all FOID reinstatement mental  
7 health evaluations that are performed under this  
8 subsection (u) on or after the effective date of this  
9 amendatory Act of the 104th General Assembly shall be  
10 transmitted to the Illinois State Police, and a copy shall  
11 be shared with the person who received the FOID  
12 reinstatement mental health evaluation. A FOID  
13 reinstatement mental health evaluator who complies with  
14 the requirements of this subsection and documents  
15 reasonable attempts to obtain collateral records shall not  
16 be subject to professional discipline, civil liability, or  
17 criminal liability based on: (1) the person's failure to  
18 disclose all treatment history; (2) the existence of  
19 collateral records that were not identified by the person  
20 and not discovered through the FOID reinstatement mental  
21 health evaluator's documented reasonable attempts; or (3)  
22 the FOID reinstatement mental health evaluator's  
23 determination that was made in good faith based on  
24 information available at the time of the evaluation, even  
25 if additional records are later discovered. This liability  
26 protection shall not apply in cases of willful or wanton

1        misconduct. To confirm that an individual is qualified to  
2        perform FOID reinstatement mental health evaluations under  
3        this subsection as a FOID reinstatement mental health  
4        evaluator, the Illinois State Police shall have access to  
5        a FOID reinstatement mental health evaluator's licensure  
6        status from the Department of Financial and Professional  
7        Regulation, and the FOID reinstatement mental health  
8        evaluator shall provide all other records or documentation  
9        establishing eligibility to perform such an evaluation  
10       consistent with Section 1.1 with every FOID reinstatement  
11       mental health evaluation completed; or

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

17       Upon revocation of a person's Firearm Owner's  
18       Identification Card, the Illinois State Police shall provide  
19       notice to the person and the person shall comply with Section  
20       9.5 of this Act.

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

23       Section 20. The Mental Health and Developmental  
24       Disabilities Confidentiality Act is amended by changing  
25       Section 12 as follows:

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

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

1       For the purpose of this subsection (a), the term "public  
2       official" means the Governor, Lieutenant Governor, Attorney  
3       General, Secretary of State, State Comptroller, State  
4       Treasurer, member of the General Assembly, member of the  
5       United States Congress, Judge of the United States as defined  
6       in 28 U.S.C. 451, Justice of the United States as defined in 28  
7       U.S.C. 451, United States Magistrate Judge as defined in 28  
8       U.S.C. 639, Bankruptcy Judge appointed under 28 U.S.C. 152, or  
9       Supreme, Appellate, Circuit, or Associate Judge of the State  
10      of Illinois. The term shall also include the spouse, child or  
11      children of a public official.

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

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

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

1 except for willful or wanton misconduct.

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

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

20 (1) (Blank).

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

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



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

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

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

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

22          (d) Upon the request of a peace officer or prosecuting  
23          authority who is conducting a bona fide investigation of a  
24          criminal offense, or attempting to apprehend a fugitive from  
25          justice, a facility director may disclose whether a person is  
26          present at the facility. Upon request of a peace officer or

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

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

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