



Rep. Kathleen Willis

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1 AMENDMENT TO HOUSE BILL 2354

2 AMENDMENT NO. _____. Amend House Bill 2354 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Firearms Restraining Order Act.

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

7 "Family member of the respondent" means a spouse, parent,
8 child, or step-child of the respondent, any other person
9 related by blood or present marriage to the respondent, or a
10 person who shares a common dwelling with the respondent.

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

15 "Intimate partner" means a spouse, former spouse, a person
16 with whom the respondent has or allegedly has a child in

1 common, or a person with whom the respondent has or has had a
2 dating or engagement relationship.

3 "Petitioner" means:

4 (1) a family member of the respondent as defined in
5 this Act; or

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

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

15 Section 10. Commencement of action; procedure.

16 (a) Actions for a firearms restraining order are commenced
17 by filing a verified petition for a firearms restraining order
18 in any circuit court.

19 (b) A petition for a firearms restraining order may be
20 filed in any county where the respondent resides.

21 (c) No fee shall be charged by the clerk for filing,
22 amending, vacating, certifying, or photocopying petitions or
23 orders; or for issuing alias summons; or for any related filing
24 service. No fee shall be charged by the sheriff or other law
25 enforcement for service by the sheriff or other law enforcement

1 of a petition, rule, motion, or order in an action commenced
2 under this Section.

3 (d) The court shall provide, through the office of the
4 clerk of the court, simplified forms and clerical assistance to
5 help with the writing and filing of a petition under this
6 Section by any person not represented by counsel. In addition,
7 that assistance may be provided by the State's Attorney.

8 Section 15. Subject matter jurisdiction. Each of the
9 circuit courts shall have the power to issue firearms
10 restraining orders.

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

16 Section 25. Process. The summons shall be in the form
17 prescribed by Supreme Court Rule 101(d), except that it shall
18 require respondent to answer or appear within 7 days.
19 Attachments to the summons or notice shall include the petition
20 for the firearms restraining order and supporting affidavits,
21 if any, and any emergency firearms restraining order that has
22 been issued. The enforcement of an order under Section 35 shall
23 not be affected by the lack of service, delivery, or notice,

1 provided the requirements of subsection (f) of that Section are
2 otherwise met.

3 Section 30. Service of notice of hearings. Service of
4 notice of hearings. Except as provided in Section 25, notice of
5 hearings on petitions or motions shall be served in accordance
6 with Supreme Court Rules 11 and 12, unless notice is excused by
7 Section 35 of this Act, or by the Code of Civil Procedure,
8 Supreme Court Rules, or local rules.

9 Section 35. Ex parte orders and emergency hearings.

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

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

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

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

15 (d) An emergency firearms restraining order shall be issued
16 on an ex parte basis, that is, without notice to the
17 respondent.

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

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

1 (f-5) If the court issues an emergency firearms restraining
2 order, it shall, upon a finding of probable cause that the
3 respondent possesses firearms, issue a search warrant
4 directing a law enforcement agency to seize the respondent's
5 firearms. The court may, as part of that warrant, direct the
6 law enforcement agency to search the respondent's residence and
7 other places where the court finds there is probable cause to
8 believe he or she is likely to possess the firearms.

9 (g) An emergency firearms restraining order shall require:

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

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

24 (h) Except as otherwise provided in subsection (h-5) of
25 this Section, upon expiration of the period of safekeeping, if
26 the firearms or Firearm Owner's Identification Card and

1 concealed carry license cannot be returned to respondent
2 because respondent cannot be located, fails to respond to
3 requests to retrieve the firearms, or is not lawfully eligible
4 to possess a firearm, upon petition from the local law
5 enforcement agency, the court may order the local law
6 enforcement agency to destroy the firearms, use the firearms
7 for training purposes, or for any other application as deemed
8 appropriate by the local law enforcement agency.

9 (h-5) A respondent whose Firearm Owner's Identification
10 Card has been revoked or suspended may petition the court, if
11 the petitioner is present in court or has notice of the
12 respondent's petition, to transfer the respondent's firearm to
13 a person who is lawfully able to possess the firearm if the
14 person does not reside at the same address as the respondent.
15 Notice of the petition shall be served upon the person
16 protected by the emergency firearms restraining order. While
17 the order is in effect, the transferee who receives
18 respondent's firearms must swear or affirm by affidavit that he
19 or she shall not transfer the firearm to the respondent or to
20 anyone residing in the same residence as the respondent.

21 (i) In accordance with subsection (e) of this Section, the
22 court shall schedule a full hearing as soon as possible, but no
23 longer than 14 days from the issuance of an ex parte firearms
24 restraining order, to determine if a 6-month firearms
25 restraining order shall be issued. The court may extend an ex
26 parte order as needed, but not to exceed 14 days, to effectuate

1 service of the order or if necessary to continue protection.
2 The court may extend the order for a greater length of time by
3 mutual agreement of the parties.

4 Section 40. Six month orders.

5 (a) A petitioner may request a 6-month firearms restraining
6 order by filing an affidavit or verified pleading alleging that
7 the respondent poses a significant danger of causing personal
8 injury to himself, herself, or another in the near future by
9 having in his or her custody or control, owning, purchasing,
10 possessing, or receiving a firearm. The petition shall also
11 describe the number, types, and locations of any firearms
12 presently believed by the petitioner to be possessed or
13 controlled by the respondent.

14 (b) If the respondent is alleged to pose a significant
15 danger of causing personal injury to an intimate partner, or an
16 intimate partner is alleged to have been the target of a threat
17 or act of violence by the respondent, petitioner shall make a
18 good faith effort to provide notice to any and all intimate
19 partners of the respondent. The notice must include that the
20 petitioner intends to petition the court for a 6-month firearms
21 restraining order, and, if petitioner is a law enforcement
22 officer, referral to relevant domestic violence or stalking
23 advocacy or counseling resources, if appropriate. Petitioner
24 shall attest to having provided the notice in the filed
25 affidavit or verified pleading. If after making a good faith

1 effort petitioner is unable to provide notice to any or all
2 intimate partners, the affidavit or verified pleading should
3 describe what efforts were made.

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

9 (d) Upon receipt of a petition for a 6-month firearms
10 restraining order, the court shall order a hearing within 30
11 days.

12 (e) In determining whether to issue a firearms restraining
13 order under this Section, the court shall consider evidence
14 including, but not limited to, the following:

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

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

20 (3) Any prior arrest of the respondent for a felony
21 offense.

22 (4) Evidence of the abuse of controlled substances or
23 alcohol by the respondent.

24 (5) A recent threat of violence or act of violence by
25 the respondent directed toward himself, herself, or
26 another.

1 (6) A violation of an emergency order of protection
2 issued under Section 217 of the Illinois Domestic Violence
3 Act of 1986 or Section 112A-17 of the Code of Criminal
4 Procedure of 1963 or of an order of protection issued under
5 Section 214 of the Illinois Domestic Violence Act of 1986
6 or Section 112A-14 of the Code of Criminal Procedure of
7 1963.

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

12 (f) At the hearing, the petitioner shall have the burden of
13 proving, by clear and convincing evidence, that the respondent
14 poses a significant danger of personal injury to himself,
15 herself, or another by having in his or her custody or control,
16 owning, purchasing, possessing, or receiving a firearm.

17 (g) If the court finds that there is clear and convincing
18 evidence to issue a firearms restraining order, the court shall
19 issue a firearms restraining order that shall be in effect for
20 6 months subject to renewal under Section 45 of this Act or
21 termination under that Section.

22 (g-5) If the court issues a 6-month firearms restraining
23 order, it shall, upon a finding of probable cause that the
24 respondent possesses firearms, issue a search warrant
25 directing a law enforcement agency to seize the respondent's
26 firearms. The court may, as part of that warrant, direct the

1 law enforcement agency to search the respondent's residence and
2 other places where the court finds there is probable cause to
3 believe he or she is likely to possess the firearms.

4 (h) A 6-month firearms restraining order shall require:

5 (1) the respondent to refrain from having in his or her
6 custody or control, owning, purchasing, possessing or
7 receiving additional firearms for the duration of the
8 order; and

9 (2) the respondent to turn over to the local law
10 enforcement agency any firearm or Firearm Owner's
11 Identification Card and concealed carry license in his or
12 her possession. The local law enforcement agency shall
13 immediately mail the card and concealed carry license to
14 the Department of State Police Firearm Services Bureau for
15 safekeeping. The firearm or firearms and Firearm Owner's
16 Identification Card and concealed carry license, if
17 unexpired shall be returned to the respondent after the
18 firearms restraining order is terminated or expired.

19
20 (j) Except as otherwise provided in subsection (j-5) of
21 this Section, upon expiration of the period of safekeeping, if
22 the firearms or Firearm Owner's Identification Card cannot be
23 returned to respondent because respondent cannot be located,
24 fails to respond to requests to retrieve the firearms, or is
25 not lawfully eligible to possess a firearm, upon petition from
26 the local law enforcement agency, the court may order the local

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

4 (j-5) A respondent whose Firearm Owner's Identification
5 Card has been revoked or suspended may petition the court, if
6 the petitioner is present in court or has notice of the
7 respondent's petition, to transfer the respondent's firearm to
8 a person who is lawfully able to possess the firearm if the
9 person does not reside at the same address as the respondent.
10 Notice of the petition shall be served upon the person
11 protected by the emergency firearms restraining order. While
12 the order is in effect, the transferee who receives
13 respondent's firearms must swear or affirm by affidavit that he
14 or she shall not transfer the firearm to the respondent or to
15 any one residing in the same residence as the respondent.

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

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

25 Section 45. Termination and renewal.

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

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

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

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

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

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

1 of Section 40 of this Act and any other evidence of an
2 increased risk for violence.

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

9 (4) The renewal of a firearms restraining order issued
10 under this Section shall be in effect for 6 months, subject
11 to termination by further order of the court at a hearing
12 held under this Section and further renewal by further
13 order of the court under this Section.

14 Section 50. Notice of orders.

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

23 (b) Filing with sheriff. The clerk of the issuing judge
24 shall, or the petitioner may, on the same day that a firearms
25 restraining order is issued, file a certified copy of that

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

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

22 (d) Any order renewing or terminating any firearms
23 restraining order shall be promptly recorded, issued, and
24 served as provided in this Section.

25 Section 55. Data maintenance by law enforcement agencies.

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

13 (b) The Department of State Police shall maintain a
14 complete and systematic record and index of all valid and
15 recorded firearms restraining orders issued or filed under this
16 Act. The data shall be used to inform all dispatchers and law
17 enforcement officers at the scene of a violation of firearms
18 restraining order of the effective dates and terms of any
19 recorded order of protection.

20 (c) The data, records and transmittals required under this
21 Section shall pertain to any valid emergency or 6-month
22 firearms restraining order, whether issued in a civil or
23 criminal proceeding or authorized under the laws of another
24 state, tribe, or United States territory.

25 Section 60. Filing of a firearms restraining order issued

1 by another state.

2 (a) A person who has sought a firearms restraining order or
3 similar order issued by the court of another state, tribe, or
4 United States territory may file a certified copy of the
5 firearms restraining order with the clerk of the court in a
6 judicial circuit in which the person believes that enforcement
7 may be necessary.

8 (b) The clerk shall:

9 (1) treat the foreign firearms restraining order in the
10 same manner as a judgment of the circuit court for any
11 county of this State in accordance with the provisions of
12 the Uniform Enforcement of Foreign Judgments Act, except
13 that the clerk shall not mail notice of the filing of the
14 foreign order to the respondent named in the order; and

15 (2) on the same day that a foreign firearms restraining
16 order is filed, file a certified copy of that order with
17 the sheriff or other law enforcement officials charged with
18 maintaining Department of State Police records as set forth
19 in Section 55 of this Act.

20 (c) Neither residence in this State nor filing of a foreign
21 firearms restraining order shall be required for enforcement of
22 the order by this State. Failure to file the foreign order
23 shall not be an impediment to its treatment in all respects as
24 an Illinois firearms restraining order.

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

1 Section 65. Enforcement; sanctions for violation of order.
2 A respondent who knowingly violates a firearms restraining
3 order is guilty of a Class A misdemeanor. Prosecution for a
4 violation of a firearms restraining order shall not bar
5 concurrent prosecution for any other crime, including any crime
6 that may have been committed at the time of the violation of
7 the firearms restraining order.

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

12 Section 75. Limited law enforcement liability. Any act of
13 omission or commission by any law enforcement officer acting in
14 good faith in rendering emergency assistance or otherwise
15 enforcing this Act shall not impose civil liability upon the
16 law enforcement officer or his or her supervisor or employer,
17 unless the act is a result of willful or wanton misconduct.

18 Section 80. Expungement or sealing of order. If the court
19 denies issuance of a firearms restraining order against the
20 respondent, all records of the proceeding shall be immediately
21 expunged from the court records. If the firearms restraining
22 order is granted, all records of the proceeding shall, 3 years

1 after the expiration of the order, be sealed.

2 Section 135. The Firearm Owners Identification Card Act is
3 amended by changing Section 8.2 and adding Section 8.3 as
4 follows:

5 (430 ILCS 65/8.2)

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

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

14 (430 ILCS 65/8.3 new)

15 Sec. 8.3. Suspension of Firearm Owner's Identification
16 Card. The Department of State Police may, by rule in a manner
17 consistent with the Department's rules concerning revocation,
18 provide for the suspension of the Firearm Owner's
19 Identification Card of a person whose Firearm Owner's
20 Identification Card is subject to revocation and seizure under
21 this Act for the duration of the disqualification if the
22 disqualification is not a permanent grounds for revocation of a
23 Firearm Owner's Identification Card under this Act.

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

3 (430 ILCS 66/70)

4 Sec. 70. Violations.

5 (a) A license issued or renewed under this Act shall be
6 revoked if, at any time, the licensee is found to be ineligible
7 for a license under this Act or the licensee no longer meets
8 the eligibility requirements of the Firearm Owners
9 Identification Card Act.

10 (b) A license shall be suspended if an order of protection,
11 including an emergency order of protection, plenary order of
12 protection, or interim order of protection under Article 112A
13 of the Code of Criminal Procedure of 1963 or under the Illinois
14 Domestic Violence Act of 1986, or if a firearms restraining
15 order, including an emergency firearms restraining order,
16 under the Firearms Restraining Order Act, is issued against a
17 licensee for the duration of the order, or if the Department is
18 made aware of a similar order issued against the licensee in
19 any other jurisdiction. If an order of protection is issued
20 against a licensee, the licensee shall surrender the license,
21 as applicable, to the court at the time the order is entered or
22 to the law enforcement agency or entity serving process at the
23 time the licensee is served the order. The court, law
24 enforcement agency, or entity responsible for serving the order

1 of protection shall notify the Department within 7 days and
2 transmit the license to the Department.

3 (c) A license is invalid upon expiration of the license,
4 unless the licensee has submitted an application to renew the
5 license, and the applicant is otherwise eligible to possess a
6 license under this Act.

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

12 A licensee in violation of this subsection (d) shall be
13 guilty of a Class A misdemeanor for a first or second violation
14 and a Class 4 felony for a third violation. The Department may
15 suspend a license for up to 6 months for a second violation and
16 shall permanently revoke a license for a third violation.

17 (e) Except as otherwise provided, a licensee in violation
18 of this Act shall be guilty of a Class B misdemeanor. A second
19 or subsequent violation is a Class A misdemeanor. The
20 Department may suspend a license for up to 6 months for a
21 second violation and shall permanently revoke a license for 3
22 or more violations of Section 65 of this Act. Any person
23 convicted of a violation under this Section shall pay a \$150
24 fee to be deposited into the Mental Health Reporting Fund, plus
25 any applicable court costs or fees.

26 (f) A licensee convicted or found guilty of a violation of

1 this Act who has a valid license and is otherwise eligible to
2 carry a concealed firearm shall only be subject to the
3 penalties under this Section and shall not be subject to the
4 penalties under Section 21-6, paragraph (4), (8), or (10) of
5 subsection (a) of Section 24-1, or subparagraph (A-5) or (B-5)
6 of paragraph (3) of subsection (a) of Section 24-1.6 of the
7 Criminal Code of 2012. Except as otherwise provided in this
8 subsection, nothing in this subsection prohibits the licensee
9 from being subjected to penalties for violations other than
10 those specified in this Act.

11 (g) A licensee whose license is revoked, suspended, or
12 denied shall, within 48 hours of receiving notice of the
13 revocation, suspension, or denial, surrender his or her
14 concealed carry license to the local law enforcement agency
15 where the person resides. The local law enforcement agency
16 shall provide the licensee a receipt and transmit the concealed
17 carry license to the Department of State Police. If the
18 licensee whose concealed carry license has been revoked,
19 suspended, or denied fails to comply with the requirements of
20 this subsection, the law enforcement agency where the person
21 resides may petition the circuit court to issue a warrant to
22 search for and seize the concealed carry license in the
23 possession and under the custody or control of the licensee
24 whose concealed carry license has been revoked, suspended, or
25 denied. The observation of a concealed carry license in the
26 possession of a person whose license has been revoked,

1 suspended, or denied constitutes a sufficient basis for the
2 arrest of that person for violation of this subsection. A
3 violation of this subsection is a Class A misdemeanor.

4 (h) A license issued or renewed under this Act shall be
5 revoked if, at any time, the licensee is found ineligible for a
6 Firearm Owner's Identification Card, or the licensee no longer
7 possesses a valid Firearm Owner's Identification Card. A
8 licensee whose license is revoked under this subsection (h)
9 shall surrender his or her concealed carry license as provided
10 for in subsection (g) of this Section.

11 This subsection shall not apply to a person who has filed
12 an application with the State Police for renewal of a Firearm
13 Owner's Identification Card and who is not otherwise ineligible
14 to obtain a Firearm Owner's Identification Card.

15 (i) A certified firearms instructor who knowingly provides
16 or offers to provide a false certification that an applicant
17 has completed firearms training as required under this Act is
18 guilty of a Class A misdemeanor. A person guilty of a violation
19 of this subsection (i) is not eligible for court supervision.
20 The Department shall permanently revoke the firearms
21 instructor certification of a person convicted under this
22 subsection (i).

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