



Sen. Julie A. Morrison

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1 AMENDMENT TO SENATE BILL 559

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 559 by replacing  
3 everything after the enacting clause with the following:

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

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

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

15 "Lethal violence order of protection" means an order issued  
16 by the court, prohibiting and enjoining a named person from

1 having in his or her custody or control, owning, purchasing,  
2 possessing, or receiving any firearms.

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 lethal violence order of protection are  
17 commenced by filing a verified petition for a lethal violence  
18 order of protection in any circuit court.

19 (b) A petition for a lethal violence order of protection  
20 may be 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 for service by  
25 the sheriff of a petition, rule, motion, or order in an action

1 commenced under this Section.

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

7 Section 15. Subject matter jurisdiction. Each of the  
8 circuit courts shall have the power to issue lethal violence  
9 orders of protection.

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

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

1 (f) of that Section are otherwise met.

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

8 Section 35. Ex parte orders and emergency hearings.

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

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

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

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

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

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

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

25 (g) An emergency lethal violence order of protection shall  
26 require:

1           (1) the respondent to refrain from having in his or her  
2 custody or control, owning, purchasing, possessing, or  
3 receiving additional firearms for the duration of the  
4 order;

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

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

23           (h) Upon expiration of the period of safekeeping, if the  
24 firearms or Firearm Owner's Identification Card and concealed  
25 carry license cannot be returned to respondent because  
26 respondent cannot be located, fails to respond to requests to

1 retrieve the firearms, or is not lawfully eligible to possess a  
2 firearm, upon petition from the local law enforcement agency,  
3 the court may order the local law enforcement agency to destroy  
4 the firearms, use the firearms for training purposes, or for  
5 any other application as deemed appropriate by the local law  
6 enforcement agency.

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

14 Section 40. One-year orders.

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

24 (b) If the respondent is alleged to pose an immediate and  
25 present danger of causing personal injury to an intimate

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

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

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

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

25 (1) A recent threat of violence or act of violence by  
26 the respondent directed toward himself, herself, or



1 another.

2 (2) A violation of an emergency order of protection  
3 issued under Section 217 of the Illinois Domestic Violence  
4 Act of 1986 or Section 112A-17 of the Code of Criminal  
5 Procedure of 1963 or of an order of protection issued under  
6 Section 214 of the Illinois Domestic Violence Act of 1986  
7 or Section 112A-14 of the Code of Criminal Procedure of  
8 1963.

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

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

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

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

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

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

25 (5) Evidence of recent acquisition of firearms,  
26 ammunition, or other deadly weapons.

1 (g) At the hearing, the petitioner shall have the burden of  
2 proving, by preponderance of the evidence, that the respondent  
3 poses a significant danger of personal injury to himself,  
4 herself, or another by having in his or her custody or control,  
5 owning, purchasing, possessing, or receiving a firearm.

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

11 (i) A one-year lethal violence order of protection shall  
12 require:

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

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

1 the lethal violence order of protection is terminated or  
2 expired. It is the respondent's responsibility to notify  
3 the Department of State Police Firearm Owner's  
4 Identification Card Office; and

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

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

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

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

1 with a form to request a hearing.

2 Section 45. Termination and renewal.

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

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

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

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

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

1           (2) In determining whether to renew a lethal violence  
2 order of protection issued under this Act, the court shall  
3 consider evidence of the facts identified in subsection (e)  
4 of Section 40 of this Act and any other evidence of an  
5 increased risk for violence, including, but not limited to,  
6 evidence of any of the factors identified in subsection (f)  
7 of Section 40 of this Act.

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

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

19           Section 50. Notice of orders.

20           (a) Entry and issuance. Upon issuance of any lethal  
21 violence order of protection, the clerk shall immediately, or  
22 on the next court day if an emergency lethal violence order of  
23 protection is issued in accordance with Section 35 of this Act  
24 (emergency lethal violence order of protection), (i) enter the  
25 order on the record and file it in accordance with the circuit

1 court procedures and (ii) provide a file stamped copy of the  
2 order to respondent, if present, and to petitioner.

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

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

1 enforcement official, or special process server. A single fee  
2 may be charged for service of an order obtained in circuit  
3 court, or for service of the order together with process,  
4 unless waived or deferred under subsection (c) of Section 10 of  
5 this Act.

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

9 Section 55. Data maintenance by law enforcement agencies.

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

22 (b) The Department of State Police shall maintain a  
23 complete and systematic record and index of all valid and  
24 recorded lethal violence orders of protection issued or filed  
25 under this Act. The data shall be used to inform all

1 dispatchers and law enforcement officers at the scene of a  
2 violation of lethal violence order of protection of the  
3 effective dates and terms of any recorded order of protection.

4 (c) The data, records and transmittals required under this  
5 Section shall pertain to any valid emergency or one-year lethal  
6 violence order of protection, whether issued in a civil or  
7 criminal proceeding or authorized under the laws of another  
8 state, tribe, or United States territory.

9 Section 60. Filing of a lethal violence order of protection  
10 issued by another state.

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

17 (b) The clerk shall:

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

25 (2) on the same day that a foreign lethal violence



1 order of protection is filed, file a certified copy of that  
2 order with the sheriff or other law enforcement officials  
3 charged with maintaining Department of State Police  
4 records as set forth in Section 55 of this Act.

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

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

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

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

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

24 Section 70. Non-preclusion of remedies. Nothing in this Act

1 shall preclude a petitioner or law-enforcement officer from  
2 removing weapons under other authority, or filing criminal  
3 charges when probable cause exists.

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

6 (430 ILCS 65/8.2)

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

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

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

18 (430 ILCS 66/70)

19 Sec. 70. Violations.

20 (a) A license issued or renewed under this Act shall be  
21 revoked if, at any time, the licensee is found to be ineligible  
22 for a license under this Act or the licensee no longer meets

1 the eligibility requirements of the Firearm Owners  
2 Identification Card Act.

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

20 (c) A license is invalid upon expiration of the license,  
21 unless the licensee has submitted an application to renew the  
22 license, and the applicant is otherwise eligible to possess a  
23 license under this Act.

24 (d) A licensee shall not carry a concealed firearm while  
25 under the influence of alcohol, other drug or drugs,  
26 intoxicating compound or combination of compounds, or any

1 combination thereof, under the standards set forth in  
2 subsection (a) of Section 11-501 of the Illinois Vehicle Code.

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

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

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

1 those specified in this Act.

2 (g) A licensee whose license is revoked, suspended, or  
3 denied shall, within 48 hours of receiving notice of the  
4 revocation, suspension, or denial, surrender his or her  
5 concealed carry license to the local law enforcement agency  
6 where the person resides. The local law enforcement agency  
7 shall provide the licensee a receipt and transmit the concealed  
8 carry license to the Department of State Police. If the  
9 licensee whose concealed carry license has been revoked,  
10 suspended, or denied fails to comply with the requirements of  
11 this subsection, the law enforcement agency where the person  
12 resides may petition the circuit court to issue a warrant to  
13 search for and seize the concealed carry license in the  
14 possession and under the custody or control of the licensee  
15 whose concealed carry license has been revoked, suspended, or  
16 denied. The observation of a concealed carry license in the  
17 possession of a person whose license has been revoked,  
18 suspended, or denied constitutes a sufficient basis for the  
19 arrest of that person for violation of this subsection. A  
20 violation of this subsection is a Class A misdemeanor.

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

1 for in subsection (g) of this Section.

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

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

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