



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB5474

Introduced 1/31/2022, by Rep. Jay Hoffman

#### SYNOPSIS AS INTRODUCED:

5 ILCS 120/2	from Ch. 102, par. 42
5 ILCS 140/7.5	
20 ILCS 2605/2605-605	
30 ILCS 105/6z-127	
30 ILCS 715/3	from Ch. 56 1/2, par. 1703
430 ILCS 65/1.1	from Ch. 38, par. 83-1.1
430 ILCS 65/5	from Ch. 38, par. 83-5
430 ILCS 65/10	from Ch. 38, par. 83-10
430 ILCS 65/11	from Ch. 38, par. 83-11
430 ILCS 66/5	
430 ILCS 66/10	
430 ILCS 66/20	
430 ILCS 66/60	
430 ILCS 66/66	
430 ILCS 66/87	
720 ILCS 5/24-1.1	from Ch. 38, par. 24-1.1

Amends the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act. Combines the functions of the Concealed Carry Licensing Review Board and the Firearm Owner's Identification Card Review Board. Creates the Firearms Safety Review Board, created independent of any other agency or department of State government, to perform the functions of the Concealed Carry Licensing Review Board and the Firearm Owner's Identification Card Review Board. Transfers powers, duties, rights, responsibilities, books, records, documents, real and personnel property of those agencies to the Firearms Safety Review Board. Makes other technical and stylistic changes. Amends the Illinois State Police Law of the Civil Administrative Code of Illinois concerning the eligibility of law enforcement agencies to receive grants under the Act. Amends the Open Meetings Act, the Freedom of Information Act, the State Finance Act, the Intergovernmental Drug Laws Enforcement Act, and the Criminal Code of 2012 to make conforming changes. Effective January 1, 2023.

LRB102 23293 RLC 35444 b

1 AN ACT concerning firearms.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Open Meetings Act is amended by changing  
5 Section 2 as follows:

6 (5 ILCS 120/2) (from Ch. 102, par. 42)

7 Sec. 2. Open meetings.

8 (a) Openness required. All meetings of public bodies shall  
9 be open to the public unless excepted in subsection (c) and  
10 closed in accordance with Section 2a.

11 (b) Construction of exceptions. The exceptions contained  
12 in subsection (c) are in derogation of the requirement that  
13 public bodies meet in the open, and therefore, the exceptions  
14 are to be strictly construed, extending only to subjects  
15 clearly within their scope. The exceptions authorize but do  
16 not require the holding of a closed meeting to discuss a  
17 subject included within an enumerated exception.

18 (c) Exceptions. A public body may hold closed meetings to  
19 consider the following subjects:

20 (1) The appointment, employment, compensation,  
21 discipline, performance, or dismissal of specific  
22 employees, specific individuals who serve as independent  
23 contractors in a park, recreational, or educational

1 setting, or specific volunteers of the public body or  
2 legal counsel for the public body, including hearing  
3 testimony on a complaint lodged against an employee, a  
4 specific individual who serves as an independent  
5 contractor in a park, recreational, or educational  
6 setting, or a volunteer of the public body or against  
7 legal counsel for the public body to determine its  
8 validity. However, a meeting to consider an increase in  
9 compensation to a specific employee of a public body that  
10 is subject to the Local Government Wage Increase  
11 Transparency Act may not be closed and shall be open to the  
12 public and posted and held in accordance with this Act.

13 (2) Collective negotiating matters between the public  
14 body and its employees or their representatives, or  
15 deliberations concerning salary schedules for one or more  
16 classes of employees.

17 (3) The selection of a person to fill a public office,  
18 as defined in this Act, including a vacancy in a public  
19 office, when the public body is given power to appoint  
20 under law or ordinance, or the discipline, performance or  
21 removal of the occupant of a public office, when the  
22 public body is given power to remove the occupant under  
23 law or ordinance.

24 (4) Evidence or testimony presented in open hearing,  
25 or in closed hearing where specifically authorized by law,  
26 to a quasi-adjudicative body, as defined in this Act,

1 provided that the body prepares and makes available for  
2 public inspection a written decision setting forth its  
3 determinative reasoning.

4 (5) The purchase or lease of real property for the use  
5 of the public body, including meetings held for the  
6 purpose of discussing whether a particular parcel should  
7 be acquired.

8 (6) The setting of a price for sale or lease of  
9 property owned by the public body.

10 (7) The sale or purchase of securities, investments,  
11 or investment contracts. This exception shall not apply to  
12 the investment of assets or income of funds deposited into  
13 the Illinois Prepaid Tuition Trust Fund.

14 (8) Security procedures, school building safety and  
15 security, and the use of personnel and equipment to  
16 respond to an actual, a threatened, or a reasonably  
17 potential danger to the safety of employees, students,  
18 staff, the public, or public property.

19 (9) Student disciplinary cases.

20 (10) The placement of individual students in special  
21 education programs and other matters relating to  
22 individual students.

23 (11) Litigation, when an action against, affecting or  
24 on behalf of the particular public body has been filed and  
25 is pending before a court or administrative tribunal, or  
26 when the public body finds that an action is probable or

1           imminent, in which case the basis for the finding shall be  
2           recorded and entered into the minutes of the closed  
3           meeting.

4           (12) The establishment of reserves or settlement of  
5           claims as provided in the Local Governmental and  
6           Governmental Employees Tort Immunity Act, if otherwise the  
7           disposition of a claim or potential claim might be  
8           prejudiced, or the review or discussion of claims, loss or  
9           risk management information, records, data, advice or  
10          communications from or with respect to any insurer of the  
11          public body or any intergovernmental risk management  
12          association or self insurance pool of which the public  
13          body is a member.

14          (13) Conciliation of complaints of discrimination in  
15          the sale or rental of housing, when closed meetings are  
16          authorized by the law or ordinance prescribing fair  
17          housing practices and creating a commission or  
18          administrative agency for their enforcement.

19          (14) Informant sources, the hiring or assignment of  
20          undercover personnel or equipment, or ongoing, prior or  
21          future criminal investigations, when discussed by a public  
22          body with criminal investigatory responsibilities.

23          (15) Professional ethics or performance when  
24          considered by an advisory body appointed to advise a  
25          licensing or regulatory agency on matters germane to the  
26          advisory body's field of competence.

1           (16) Self evaluation, practices and procedures or  
2 professional ethics, when meeting with a representative of  
3 a statewide association of which the public body is a  
4 member.

5           (17) The recruitment, credentialing, discipline or  
6 formal peer review of physicians or other health care  
7 professionals, or for the discussion of matters protected  
8 under the federal Patient Safety and Quality Improvement  
9 Act of 2005, and the regulations promulgated thereunder,  
10 including 42 C.F.R. Part 3 (73 FR 70732), or the federal  
11 Health Insurance Portability and Accountability Act of  
12 1996, and the regulations promulgated thereunder,  
13 including 45 C.F.R. Parts 160, 162, and 164, by a  
14 hospital, or other institution providing medical care,  
15 that is operated by the public body.

16           (18) Deliberations for decisions of the Prisoner  
17 Review Board.

18           (19) Review or discussion of applications received  
19 under the Experimental Organ Transplantation Procedures  
20 Act.

21           (20) The classification and discussion of matters  
22 classified as confidential or continued confidential by  
23 the State Government Suggestion Award Board.

24           (21) Discussion of minutes of meetings lawfully closed  
25 under this Act, whether for purposes of approval by the  
26 body of the minutes or semi-annual review of the minutes

1 as mandated by Section 2.06.

2 (22) Deliberations for decisions of the State  
3 Emergency Medical Services Disciplinary Review Board.

4 (23) The operation by a municipality of a municipal  
5 utility or the operation of a municipal power agency or  
6 municipal natural gas agency when the discussion involves  
7 (i) contracts relating to the purchase, sale, or delivery  
8 of electricity or natural gas or (ii) the results or  
9 conclusions of load forecast studies.

10 (24) Meetings of a residential health care facility  
11 resident sexual assault and death review team or the  
12 Executive Council under the Abuse Prevention Review Team  
13 Act.

14 (25) Meetings of an independent team of experts under  
15 Brian's Law.

16 (26) Meetings of a mortality review team appointed  
17 under the Department of Juvenile Justice Mortality Review  
18 Team Act.

19 (27) (Blank).

20 (28) Correspondence and records (i) that may not be  
21 disclosed under Section 11-9 of the Illinois Public Aid  
22 Code or (ii) that pertain to appeals under Section 11-8 of  
23 the Illinois Public Aid Code.

24 (29) Meetings between internal or external auditors  
25 and governmental audit committees, finance committees, and  
26 their equivalents, when the discussion involves internal

1 control weaknesses, identification of potential fraud risk  
2 areas, known or suspected frauds, and fraud interviews  
3 conducted in accordance with generally accepted auditing  
4 standards of the United States of America.

5 (30) Those meetings or portions of meetings of a  
6 fatality review team or the Illinois Fatality Review Team  
7 Advisory Council during which a review of the death of an  
8 eligible adult in which abuse or neglect is suspected,  
9 alleged, or substantiated is conducted pursuant to Section  
10 15 of the Adult Protective Services Act.

11 (31) Meetings and deliberations for decisions of the  
12 Firearms Safety Concealed Carry Licensing Review Board  
13 under the Firearm Concealed Carry Act.

14 (32) Meetings between the Regional Transportation  
15 Authority Board and its Service Boards when the discussion  
16 involves review by the Regional Transportation Authority  
17 Board of employment contracts under Section 28d of the  
18 Metropolitan Transit Authority Act and Sections 3A.18 and  
19 3B.26 of the Regional Transportation Authority Act.

20 (33) Those meetings or portions of meetings of the  
21 advisory committee and peer review subcommittee created  
22 under Section 320 of the Illinois Controlled Substances  
23 Act during which specific controlled substance prescriber,  
24 dispenser, or patient information is discussed.

25 (34) Meetings of the Tax Increment Financing Reform  
26 Task Force under Section 2505-800 of the Department of



1 Revenue Law of the Civil Administrative Code of Illinois.

2 (35) Meetings of the group established to discuss  
3 Medicaid capitation rates under Section 5-30.8 of the  
4 Illinois Public Aid Code.

5 (36) Those deliberations or portions of deliberations  
6 for decisions of the Illinois Gaming Board in which there  
7 is discussed any of the following: (i) personal,  
8 commercial, financial, or other information obtained from  
9 any source that is privileged, proprietary, confidential,  
10 or a trade secret; or (ii) information specifically  
11 exempted from the disclosure by federal or State law.

12 (37) Deliberations for decisions of the Illinois Law  
13 Enforcement Training Standards Board, the Certification  
14 Review Panel, and the Illinois State Police Merit Board  
15 regarding certification and decertification.

16 (38) Meetings of the Ad Hoc Statewide Domestic  
17 Violence Fatality Review Committee of the Illinois  
18 Criminal Justice Information Authority Board that occur in  
19 closed executive session under subsection (d) of Section  
20 35 of the Domestic Violence Fatality Review Act.

21 (39) Meetings of the regional review teams under  
22 subsection (a) of Section 75 of the Domestic Violence  
23 Fatality Review Act.

24 (40) ~~(38)~~ Meetings of the Firearms Safety ~~Firearm~~  
25 ~~Owner's Identification Card~~ Review Board under Section 10  
26 of the Firearm Owners Identification Card Act.

1 (d) Definitions. For purposes of this Section:

2 "Employee" means a person employed by a public body whose  
3 relationship with the public body constitutes an  
4 employer-employee relationship under the usual common law  
5 rules, and who is not an independent contractor.

6 "Public office" means a position created by or under the  
7 Constitution or laws of this State, the occupant of which is  
8 charged with the exercise of some portion of the sovereign  
9 power of this State. The term "public office" shall include  
10 members of the public body, but it shall not include  
11 organizational positions filled by members thereof, whether  
12 established by law or by a public body itself, that exist to  
13 assist the body in the conduct of its business.

14 "Quasi-adjudicative body" means an administrative body  
15 charged by law or ordinance with the responsibility to conduct  
16 hearings, receive evidence or testimony and make  
17 determinations based thereon, but does not include local  
18 electoral boards when such bodies are considering petition  
19 challenges.

20 (e) Final action. No final action may be taken at a closed  
21 meeting. Final action shall be preceded by a public recital of  
22 the nature of the matter being considered and other  
23 information that will inform the public of the business being  
24 conducted.

25 (Source: P.A. 101-31, eff. 6-28-19; 101-459, eff. 8-23-19;  
26 101-652, eff. 1-1-22; 102-237, eff. 1-1-22; 102-520, eff.

1 8-20-21; 102-558, eff. 8-20-21; revised 10-6-21.)

2 Section 10. The Freedom of Information Act is amended by  
3 changing Section 7.5 as follows:

4 (5 ILCS 140/7.5)

5 Sec. 7.5. Statutory exemptions. To the extent provided for  
6 by the statutes referenced below, the following shall be  
7 exempt from inspection and copying:

8 (a) All information determined to be confidential  
9 under Section 4002 of the Technology Advancement and  
10 Development Act.

11 (b) Library circulation and order records identifying  
12 library users with specific materials under the Library  
13 Records Confidentiality Act.

14 (c) Applications, related documents, and medical  
15 records received by the Experimental Organ Transplantation  
16 Procedures Board and any and all documents or other  
17 records prepared by the Experimental Organ Transplantation  
18 Procedures Board or its staff relating to applications it  
19 has received.

20 (d) Information and records held by the Department of  
21 Public Health and its authorized representatives relating  
22 to known or suspected cases of sexually transmissible  
23 disease or any information the disclosure of which is  
24 restricted under the Illinois Sexually Transmissible

1 Disease Control Act.

2 (e) Information the disclosure of which is exempted  
3 under Section 30 of the Radon Industry Licensing Act.

4 (f) Firm performance evaluations under Section 55 of  
5 the Architectural, Engineering, and Land Surveying  
6 Qualifications Based Selection Act.

7 (g) Information the disclosure of which is restricted  
8 and exempted under Section 50 of the Illinois Prepaid  
9 Tuition Act.

10 (h) Information the disclosure of which is exempted  
11 under the State Officials and Employees Ethics Act, and  
12 records of any lawfully created State or local inspector  
13 general's office that would be exempt if created or  
14 obtained by an Executive Inspector General's office under  
15 that Act.

16 (i) Information contained in a local emergency energy  
17 plan submitted to a municipality in accordance with a  
18 local emergency energy plan ordinance that is adopted  
19 under Section 11-21.5-5 of the Illinois Municipal Code.

20 (j) Information and data concerning the distribution  
21 of surcharge moneys collected and remitted by carriers  
22 under the Emergency Telephone System Act.

23 (k) Law enforcement officer identification information  
24 or driver identification information compiled by a law  
25 enforcement agency or the Department of Transportation  
26 under Section 11-212 of the Illinois Vehicle Code.

1           (1) Records and information provided to a residential  
2 health care facility resident sexual assault and death  
3 review team or the Executive Council under the Abuse  
4 Prevention Review Team Act.

5           (m) Information provided to the predatory lending  
6 database created pursuant to Article 3 of the Residential  
7 Real Property Disclosure Act, except to the extent  
8 authorized under that Article.

9           (n) Defense budgets and petitions for certification of  
10 compensation and expenses for court appointed trial  
11 counsel as provided under Sections 10 and 15 of the  
12 Capital Crimes Litigation Act. This subsection (n) shall  
13 apply until the conclusion of the trial of the case, even  
14 if the prosecution chooses not to pursue the death penalty  
15 prior to trial or sentencing.

16           (o) Information that is prohibited from being  
17 disclosed under Section 4 of the Illinois Health and  
18 Hazardous Substances Registry Act.

19           (p) Security portions of system safety program plans,  
20 investigation reports, surveys, schedules, lists, data, or  
21 information compiled, collected, or prepared by or for the  
22 Department of Transportation under Sections 2705-300 and  
23 2705-616 of the Department of Transportation Law of the  
24 Civil Administrative Code of Illinois, the Regional  
25 Transportation Authority under Section 2.11 of the  
26 Regional Transportation Authority Act, or the St. Clair

1 County Transit District under the Bi-State Transit Safety  
2 Act.

3 (q) Information prohibited from being disclosed by the  
4 Personnel Record Review Act.

5 (r) Information prohibited from being disclosed by the  
6 Illinois School Student Records Act.

7 (s) Information the disclosure of which is restricted  
8 under Section 5-108 of the Public Utilities Act.

9 (t) All identified or deidentified health information  
10 in the form of health data or medical records contained  
11 in, stored in, submitted to, transferred by, or released  
12 from the Illinois Health Information Exchange, and  
13 identified or deidentified health information in the form  
14 of health data and medical records of the Illinois Health  
15 Information Exchange in the possession of the Illinois  
16 Health Information Exchange Office due to its  
17 administration of the Illinois Health Information  
18 Exchange. The terms "identified" and "deidentified" shall  
19 be given the same meaning as in the Health Insurance  
20 Portability and Accountability Act of 1996, Public Law  
21 104-191, or any subsequent amendments thereto, and any  
22 regulations promulgated thereunder.

23 (u) Records and information provided to an independent  
24 team of experts under the Developmental Disability and  
25 Mental Health Safety Act (also known as Brian's Law).

26 (v) Names and information of people who have applied

1 for or received Firearm Owner's Identification Cards under  
2 the Firearm Owners Identification Card Act or applied for  
3 or received a concealed carry license under the Firearm  
4 Concealed Carry Act, unless otherwise authorized by the  
5 Firearm Concealed Carry Act; and databases under the  
6 Firearm Concealed Carry Act, records of the Firearms  
7 Safety ~~Concealed Carry Licensing~~ Review Board under the  
8 Firearm Concealed Carry Act, and law enforcement agency  
9 objections under the Firearm Concealed Carry Act.

10 (v-5) Records of the Firearms Safety ~~Firearm Owner's~~  
11 ~~Identification Card~~ Review Board that are exempted from  
12 disclosure under Section 10 of the Firearm Owners  
13 Identification Card Act.

14 (w) Personally identifiable information which is  
15 exempted from disclosure under subsection (g) of Section  
16 19.1 of the Toll Highway Act.

17 (x) Information which is exempted from disclosure  
18 under Section 5-1014.3 of the Counties Code or Section  
19 8-11-21 of the Illinois Municipal Code.

20 (y) Confidential information under the Adult  
21 Protective Services Act and its predecessor enabling  
22 statute, the Elder Abuse and Neglect Act, including  
23 information about the identity and administrative finding  
24 against any caregiver of a verified and substantiated  
25 decision of abuse, neglect, or financial exploitation of  
26 an eligible adult maintained in the Registry established

1 under Section 7.5 of the Adult Protective Services Act.

2 (z) Records and information provided to a fatality  
3 review team or the Illinois Fatality Review Team Advisory  
4 Council under Section 15 of the Adult Protective Services  
5 Act.

6 (aa) Information which is exempted from disclosure  
7 under Section 2.37 of the Wildlife Code.

8 (bb) Information which is or was prohibited from  
9 disclosure by the Juvenile Court Act of 1987.

10 (cc) Recordings made under the Law Enforcement  
11 Officer-Worn Body Camera Act, except to the extent  
12 authorized under that Act.

13 (dd) Information that is prohibited from being  
14 disclosed under Section 45 of the Condominium and Common  
15 Interest Community Ombudsperson Act.

16 (ee) Information that is exempted from disclosure  
17 under Section 30.1 of the Pharmacy Practice Act.

18 (ff) Information that is exempted from disclosure  
19 under the Revised Uniform Unclaimed Property Act.

20 (gg) Information that is prohibited from being  
21 disclosed under Section 7-603.5 of the Illinois Vehicle  
22 Code.

23 (hh) Records that are exempt from disclosure under  
24 Section 1A-16.7 of the Election Code.

25 (ii) Information which is exempted from disclosure  
26 under Section 2505-800 of the Department of Revenue Law of



1 the Civil Administrative Code of Illinois.

2 (jj) Information and reports that are required to be  
3 submitted to the Department of Labor by registering day  
4 and temporary labor service agencies but are exempt from  
5 disclosure under subsection (a-1) of Section 45 of the Day  
6 and Temporary Labor Services Act.

7 (kk) Information prohibited from disclosure under the  
8 Seizure and Forfeiture Reporting Act.

9 (ll) Information the disclosure of which is restricted  
10 and exempted under Section 5-30.8 of the Illinois Public  
11 Aid Code.

12 (mm) Records that are exempt from disclosure under  
13 Section 4.2 of the Crime Victims Compensation Act.

14 (nn) Information that is exempt from disclosure under  
15 Section 70 of the Higher Education Student Assistance Act.

16 (oo) Communications, notes, records, and reports  
17 arising out of a peer support counseling session  
18 prohibited from disclosure under the First Responders  
19 Suicide Prevention Act.

20 (pp) Names and all identifying information relating to  
21 an employee of an emergency services provider or law  
22 enforcement agency under the First Responders Suicide  
23 Prevention Act.

24 (qq) Information and records held by the Department of  
25 Public Health and its authorized representatives collected  
26 under the Reproductive Health Act.

1 (rr) Information that is exempt from disclosure under  
2 the Cannabis Regulation and Tax Act.

3 (ss) Data reported by an employer to the Department of  
4 Human Rights pursuant to Section 2-108 of the Illinois  
5 Human Rights Act.

6 (tt) Recordings made under the Children's Advocacy  
7 Center Act, except to the extent authorized under that  
8 Act.

9 (uu) Information that is exempt from disclosure under  
10 Section 50 of the Sexual Assault Evidence Submission Act.

11 (vv) Information that is exempt from disclosure under  
12 subsections (f) and (j) of Section 5-36 of the Illinois  
13 Public Aid Code.

14 (ww) Information that is exempt from disclosure under  
15 Section 16.8 of the State Treasurer Act.

16 (xx) Information that is exempt from disclosure or  
17 information that shall not be made public under the  
18 Illinois Insurance Code.

19 (yy) Information prohibited from being disclosed under  
20 the Illinois Educational Labor Relations Act.

21 (zz) Information prohibited from being disclosed under  
22 the Illinois Public Labor Relations Act.

23 (aaa) Information prohibited from being disclosed  
24 under Section 1-167 of the Illinois Pension Code.

25 (bbb) ~~(ccc)~~ Information that is prohibited from  
26 disclosure by the Illinois Police Training Act and the

1 Illinois State Police Act.

2 (ccc) ~~(ddd)~~ Records exempt from disclosure under  
3 Section 2605-304 of the Illinois ~~Department of~~ State  
4 Police Law of the Civil Administrative Code of Illinois.

5 (ddd) ~~(bbb)~~ Information prohibited from being  
6 disclosed under Section 35 of the Address Confidentiality  
7 for Victims of Domestic Violence, Sexual Assault, Human  
8 Trafficking, or Stalking Act.

9 (eee) ~~(ddd)~~ Information prohibited from being  
10 disclosed under subsection (b) of Section 75 of the  
11 Domestic Violence Fatality Review Act.

12 (Source: P.A. 101-13, eff. 6-12-19; 101-27, eff. 6-25-19;  
13 101-81, eff. 7-12-19; 101-221, eff. 1-1-20; 101-236, eff.  
14 1-1-20; 101-375, eff. 8-16-19; 101-377, eff. 8-16-19; 101-452,  
15 eff. 1-1-20; 101-466, eff. 1-1-20; 101-600, eff. 12-6-19;  
16 101-620, eff. 12-20-19; 101-649, eff. 7-7-20; 101-652, eff.  
17 1-1-22; 101-656, eff. 3-23-21; 102-36, eff. 6-25-21; 102-237,  
18 eff. 1-1-22; 102-292, eff. 1-1-22; 102-520, eff. 8-20-21;  
19 102-559, eff. 8-20-21; revised 10-5-21.)

20 Section 15. The Illinois State Police Law of the Civil  
21 Administrative Code of Illinois is amended by changing Section  
22 2605-605 as follows:

23 (20 ILCS 2605/2605-605)

24 Sec. 2605-605. Violent Crime Intelligence Task Force. The

1 Director of the Illinois State Police shall establish a  
2 statewide multi-jurisdictional Violent Crime Intelligence Task  
3 Force led by the Illinois State Police dedicated to combating  
4 gun violence, gun-trafficking, and other violent crime with  
5 the primary mission of preservation of life and reducing the  
6 occurrence and the fear of crime. The objectives of the Task  
7 Force shall include, but not be limited to, reducing and  
8 preventing illegal possession and use of firearms,  
9 firearm-related homicides, and other violent crimes, and  
10 solving firearm-related crimes.

11 (1) The Task Force may develop and acquire information,  
12 training, tools, and resources necessary to implement a  
13 data-driven approach to policing, with an emphasis on  
14 intelligence development.

15 (2) The Task Force may utilize information sharing,  
16 partnerships, crime analysis, and evidence-based practices to  
17 assist in the reduction of firearm-related shootings,  
18 homicides, and gun-trafficking, including, but not limited to,  
19 ballistic data, eTrace data, DNA evidence, latent  
20 fingerprints, firearm training data, and National Integrated  
21 Ballistic Information Network (NIBIN) data. The Task Force may  
22 design a model crime gun intelligence strategy which may  
23 include, but is not limited to, comprehensive collection and  
24 documentation of all ballistic evidence, timely transfer of  
25 NIBIN and eTrace leads to an intelligence center, which may  
26 include the Division of Criminal Investigation of the Illinois

1 State Police, timely dissemination of intelligence to  
2 investigators, investigative follow-up, and coordinated  
3 prosecution.

4 (3) The Task Force may recognize and utilize best  
5 practices of community policing and may develop potential  
6 partnerships with faith-based and community organizations to  
7 achieve its goals.

8 (4) The Task Force may identify and utilize best practices  
9 in drug-diversion programs and other community-based services  
10 to redirect low-level offenders.

11 (5) The Task Force may assist in violence suppression  
12 strategies including, but not limited to, details in  
13 identified locations that have shown to be the most prone to  
14 gun violence and violent crime, focused deterrence against  
15 violent gangs and groups considered responsible for the  
16 violence in communities, and other intelligence driven methods  
17 deemed necessary to interrupt cycles of violence or prevent  
18 retaliation.

19 (6) In consultation with the Chief Procurement Officer,  
20 the Illinois State Police may obtain contracts for software,  
21 commodities, resources, and equipment to assist the Task Force  
22 with achieving this Act. Any contracts necessary to support  
23 the delivery of necessary software, commodities, resources,  
24 and equipment are not subject to the Illinois Procurement  
25 Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and  
26 Article 50 of that Code, provided that the Chief Procurement

1 Officer may, in writing with justification, waive any  
2 certification required under Article 50 of the Illinois  
3 Procurement Code.

4 (7) The Task Force shall conduct enforcement operations  
5 against persons whose Firearm Owner's Identification Cards  
6 have been revoked or suspended and persons who fail to comply  
7 with the requirements of Section 9.5 of the Firearm Owners  
8 Identification Card Act, prioritizing individuals presenting a  
9 clear and present danger to themselves or to others under  
10 paragraph (2) of subsection (d) of Section 8.1 of the Firearm  
11 Owners Identification Card Act.

12 (8) The Task Force shall collaborate with local law  
13 enforcement agencies to enforce provisions of the Firearm  
14 Owners Identification Card Act, the Firearm Concealed Carry  
15 Act, the Firearm Dealer License Certification Act, and Article  
16 24 of the Criminal Code of 2012.

17 (9) To implement this Section, the Director of the  
18 Illinois State Police may establish intergovernmental  
19 agreements with law enforcement agencies in accordance with  
20 the Intergovernmental Cooperation Act.

21 (10) Law enforcement agencies that participate in  
22 activities described in paragraphs (7) through (9) are  
23 eligible to receive ~~may apply to the Illinois State Police for~~  
24 grants from the State Police Revocation Enforcement Fund  
25 pursuant to intergovernmental contracts written and executed  
26 in conformity with the Intergovernmental Cooperation Act. The

1 Director shall determine a law enforcement agency's  
2 eligibility to receive such grants under this Act and certify  
3 to the Comptroller the amount of the grant to be made to each  
4 designated law enforcement agency.

5 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
6 revised 10-4-21.)

7 Section 20. The State Finance Act is amended by  
8 renumbering and changing Section 6z-127 as follows:

9 (30 ILCS 105/6z-127)

10 Sec. 6z-127 ~~6z-125~~. State Police Revocation Enforcement  
11 Fund.

12 (a) The State Police Revocation Enforcement Fund is  
13 established as a special fund in the State treasury. This Fund  
14 is established to receive moneys from the Firearm Owners  
15 Identification Card Act to enforce that Act, the Firearm  
16 Concealed Carry Act, Article 24 of the Criminal Code of 2012,  
17 and other firearm offenses. The Fund may also receive revenue  
18 from grants, donations, appropriations, and any other legal  
19 source.

20 (b) The Illinois State Police may use moneys from the Fund  
21 to establish task forces and, if necessary, include other law  
22 enforcement agencies, under intergovernmental contracts  
23 written and executed in conformity with the Intergovernmental  
24 Cooperation Act.

1 (c) The Illinois State Police may use moneys in the Fund to  
2 hire and train State Police officers and for the prevention of  
3 violent crime.

4 (d) The State Police Revocation Enforcement Fund is not  
5 subject to administrative chargebacks.

6 (e) Law enforcement agencies that participate in Firearm  
7 Owner's Identification Card revocation enforcement in the  
8 Violent Crime Intelligence Task Force are eligible to receive  
9 ~~may apply for~~ grants from the Illinois State Police Revocation  
10 Enforcement Fund pursuant to intergovernmental contracts  
11 written and executed in conformity with the Intergovernmental  
12 Cooperation Act.

13 (Source: P.A. 102-237, eff. 1-1-22; revised 11-9-21.)

14 Section 25. The Intergovernmental Drug Laws Enforcement  
15 Act is amended by changing Section 3 as follows:

16 (30 ILCS 715/3) (from Ch. 56 1/2, par. 1703)

17 Sec. 3. A Metropolitan Enforcement Group which meets the  
18 minimum criteria established in this Section is eligible to  
19 receive State grants to help defray the costs of operation. To  
20 be eligible a MEG must:

21 (1) Be established and operating pursuant to  
22 intergovernmental contracts written and executed in  
23 conformity with the Intergovernmental Cooperation Act, and  
24 involve 2 or more units of local government.



1           (2) Establish a MEG Policy Board composed of an  
2           elected official, or his designee, and the chief law  
3           enforcement officer, or his designee, from each  
4           participating unit of local government to oversee the  
5           operations of the MEG and make such reports to the  
6           Illinois State Police as the Illinois State Police may  
7           require.

8           (3) Designate a single appropriate elected official of  
9           a participating unit of local government to act as the  
10          financial officer of the MEG for all participating units  
11          of local government and to receive funds for the operation  
12          of the MEG.

13          (4) Limit its operations to enforcement of drug laws;  
14          enforcement of Sections 10-9, 24-1, 24-1.1, 24-1.2,  
15          24-1.2-5, 24-1.5, 24-1.7, 24-1.8, 24-2.1, 24-2.2, 24-3,  
16          24-3.1, 24-3.2, 24-3.3, 24-3.4, 24-3.5, 24-3.7, 24-3.8,  
17          24-3.9, 24-3A, 24-3B, 24-4, and 24-5 of the Criminal Code  
18          of 2012; Sections 2, 3, 6.1, 9.5, and 14 of the Firearm  
19          Owners Identification Card Act; and the investigation of  
20          streetgang related offenses.

21          (5) Cooperate with the Illinois State Police in order  
22          to assure compliance with this Act and to enable the  
23          Illinois State Police to fulfill its duties under this  
24          Act, and supply the Illinois State Police with all  
25          information the Illinois State Police deems necessary  
26          therefor.

1           (6) Receive funding of at least 50% of the total  
2           operating budget of the MEG from the participating units  
3           of local government.

4           (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
5           revised 10-6-21.)

6           Section 30. The Firearm Owners Identification Card Act is  
7           amended by changing Sections 1.1, 5, 10, and 11 as follows:

8           (430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)

9           Sec. 1.1. For purposes of this Act:

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

11           (1) convicted of an offense involving the use or  
12           possession of cannabis, a controlled substance, or  
13           methamphetamine within the past year; or

14           (2) determined by the Illinois State Police to be  
15           addicted to narcotics based upon federal law or federal  
16           guidelines.

17          "Addicted to narcotics" does not include possession or use  
18          of a prescribed controlled substance under the direction and  
19          authority of a physician or other person authorized to  
20          prescribe the controlled substance when the controlled  
21          substance is used in the prescribed manner.

22          "Adjudicated as a person with a mental disability" means  
23          the person is the subject of a determination by a court, board,  
24          commission or other lawful authority that the person, as a

1 result of marked subnormal intelligence, or mental illness,  
2 mental impairment, incompetency, condition, or disease:

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

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

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

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

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

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

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

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

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

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

25 (10) is subject to involuntary admission as an  
26 inpatient as defined in Section 1-119 of the Mental Health

1 and Developmental Disabilities Code;

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

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

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

10 "Board" means the Firearms Safety Review Board.

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

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

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

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

25 "Controlled substance" means a controlled substance or  
26 controlled substance analog as defined in the Illinois

1 Controlled Substances Act.

2 "Counterfeit" means to copy or imitate, without legal  
3 authority, with intent to deceive.

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

7 "Firearm" means any device, by whatever name known, which  
8 is designed to expel a projectile or projectiles by the action  
9 of an explosion, expansion of gas or escape of gas; excluding,  
10 however:

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

15 (1.1) any pneumatic gun, spring gun, paint ball gun,  
16 or B-B gun which expels breakable paint balls containing  
17 washable marking colors;

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

21 (3) any device used exclusively for the firing of stud  
22 cartridges, explosive rivets or similar industrial  
23 ammunition; and

24 (4) an antique firearm (other than a machine-gun)  
25 which, although designed as a weapon, the Illinois State  
26 Police finds by reason of the date of its manufacture,

1 value, design, and other characteristics is primarily a  
2 collector's item and is not likely to be used as a weapon.

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

6 (1) any ammunition exclusively designed for use with a  
7 device used exclusively for signaling ~~signalling~~ or safety  
8 and required or recommended by the United States Coast  
9 Guard or the Interstate Commerce Commission; and

10 (2) any ammunition designed exclusively for use with a  
11 stud or rivet driver or other similar industrial  
12 ammunition.

13 "Gun show" means an event or function:

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

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

21 "Gun show" includes the entire premises provided for an  
22 event or function, including parking areas for the event or  
23 function, that is sponsored to facilitate the purchase, sale,  
24 transfer, or exchange of firearms as described in this  
25 Section. Nothing in this definition shall be construed to  
26 exclude a gun show held in conjunction with competitive

1 shooting events at the World Shooting Complex sanctioned by a  
2 national governing body in which the sale or transfer of  
3 firearms is authorized under subparagraph (5) of paragraph (g)  
4 of subsection (A) of Section 24-3 of the Criminal Code of 2012.

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

11 "Gun show promoter" means a person who organizes or  
12 operates a gun show.

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

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

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

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

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

9 "Patient" means:

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

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

22 "Person with a developmental disability" means a person  
23 with a disability which is attributable to any other condition  
24 which results in impairment similar to that caused by an  
25 intellectual disability and which requires services similar to  
26 those required by persons with intellectual disabilities. The



1 disability must originate before the age of 18 years, be  
2 expected to continue indefinitely, and constitute a  
3 substantial disability. This disability results, in the  
4 professional opinion of a physician, clinical psychologist, or  
5 qualified examiner, in significant functional limitations in 3  
6 or more of the following areas of major life activity:

- 7 (i) self-care;  
8 (ii) receptive and expressive language;  
9 (iii) learning;  
10 (iv) mobility; or  
11 (v) self-direction.

12 "Person with an intellectual disability" means a person  
13 with a significantly subaverage general intellectual  
14 functioning which exists concurrently with impairment in  
15 adaptive behavior and which originates before the age of 18  
16 years.

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

19 "Protective order" means any orders of protection issued  
20 under the Illinois Domestic Violence Act of 1986, stalking no  
21 contact orders issued under the Stalking No Contact Order Act,  
22 civil no contact orders issued under the Civil No Contact  
23 Order Act, and firearms restraining orders issued under the  
24 Firearms Restraining Order Act.

25 "Qualified examiner" has the meaning provided in Section  
26 1-122 of the Mental Health and Developmental Disabilities

1 Code.

2 "Sanctioned competitive shooting event" means a shooting  
3 contest officially recognized by a national or state shooting  
4 sport association, and includes any sight-in or practice  
5 conducted in conjunction with the event.

6 "School administrator" means the person required to report  
7 under the School Administrator Reporting of Mental Health  
8 Clear and Present Danger Determinations Law.

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

11 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
12 revised 10-6-21.)

13 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

14 Sec. 5. Application and renewal.

15 (a) The Illinois State Police shall either approve or deny  
16 all applications within 30 days from the date they are  
17 received, except as provided in subsections (b) and (c), and  
18 every applicant found qualified under Section 8 of this Act by  
19 the Illinois State Police ~~Department~~ shall be entitled to a  
20 Firearm Owner's Identification Card upon the payment of a \$10  
21 fee and applicable processing fees. The processing fees shall  
22 be limited to charges by the State Treasurer for using the  
23 electronic online payment system. Any applicant who is an  
24 active duty member of the Armed Forces of the United States, a  
25 member of the Illinois National Guard, or a member of the

1 Reserve Forces of the United States is exempt from the  
2 application fee. \$5 of each fee derived from the issuance of a  
3 Firearm Owner's Identification Card ~~or renewals,~~ thereof,  
4 shall be deposited in the State Police Firearm Services Fund  
5 and \$5 into the State Police Revocation Enforcement Fund.

6 (b) Renewal applications shall be approved or denied  
7 within 60 business days, provided the applicant submitted his  
8 or her renewal application prior to the expiration of his or  
9 her Firearm Owner's Identification Card. If a renewal  
10 application has been submitted prior to the expiration date of  
11 the applicant's Firearm Owner's Identification Card, the  
12 Firearm Owner's Identification Card shall remain valid while  
13 the Illinois State Police ~~Department~~ processes the  
14 application, unless the person is subject to or becomes  
15 subject to revocation under this Act. The cost for a renewal  
16 application shall be \$10~~7~~ and may include applicable  
17 processing fees, which shall be limited to charges by the  
18 State Treasurer for using the electronic online payment  
19 system, which shall be deposited into the State Police Firearm  
20 Services Fund.

21 (c) If the Firearm Owner's Identification Card of a  
22 licensee under the Firearm Concealed Carry Act expires during  
23 the term of the licensee's concealed carry license, the  
24 Firearm Owner's Identification Card and the license remain  
25 valid and the licensee does not have to renew his or her  
26 Firearm Owner's Identification Card during the duration of the

1 concealed carry license. Unless the Illinois State Police has  
2 reason to believe the licensee is no longer eligible for the  
3 card, the Illinois State Police may automatically renew the  
4 licensee's Firearm Owner's Identification Card and send a  
5 renewed Firearm Owner's Identification Card to the licensee.

6 (d) The Illinois State Police may adopt rules concerning  
7 the use of voluntarily submitted fingerprints, as allowed by  
8 State and federal law.

9 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
10 revised 10-13-21.)

11 (430 ILCS 65/10) (from Ch. 38, par. 83-10)

12 Sec. 10. Appeals; hearing; relief from firearm  
13 prohibitions.

14 (a) Whenever an application for a Firearm Owner's  
15 Identification Card is denied or whenever such a Card is  
16 revoked or seized as provided for in Section 8 of this Act, the  
17 aggrieved party may (1) file a record challenge with the  
18 Director regarding the record upon which the decision to deny  
19 or revoke the Firearm Owner's Identification Card was based  
20 under subsection (a-5); or (2) appeal to the Director of the  
21 Illinois State Police through December 31, 2022, or beginning  
22 January 1, 2023, the ~~Firearm Owner's Identification Card~~  
23 ~~Review~~ Board for a hearing seeking relief from such denial or  
24 revocation unless the denial or revocation was based upon a  
25 forcible felony, stalking, aggravated stalking, domestic

1 battery, any violation of the Illinois Controlled Substances  
2 Act, the Methamphetamine Control and Community Protection Act,  
3 or the Cannabis Control Act that is classified as a Class 2 or  
4 greater felony, any felony violation of Article 24 of the  
5 Criminal Code of 1961 or the Criminal Code of 2012, or any  
6 adjudication as a delinquent minor for the commission of an  
7 offense that if committed by an adult would be a felony, in  
8 which case the aggrieved party may petition the circuit court  
9 in writing in the county of his or her residence for a hearing  
10 seeking relief from such denial or revocation.

11 (a-5) There is created a Firearms Safety Review ~~Firearm~~  
12 ~~Owner's Identification Card Review~~ Board within the Illinois  
13 State Police to consider any appeal under subsection (a)  
14 beginning January 1, 2023, other than an appeal directed to  
15 the circuit court and except when the applicant is challenging  
16 the record upon which the decision to deny or revoke was based  
17 as provided in subsection (a-10). The Board shall also assume  
18 all duties, powers, rights, and responsibilities of the former  
19 Concealed Carry Licensing Review Board under the Firearm  
20 Concealed Carry Act, including but not limited to, the  
21 consideration of any objections submitted under Section 15 of  
22 the Firearm Concealed Carry Act.

23 (0.05) In furtherance of the policy of this Act that  
24 the Board shall exercise its powers and duties in an  
25 independent manner, subject to the provisions of this Act  
26 but free from the direction, control, or influence of any

1 other agency or department of State government. All  
2 expenses and liabilities incurred by the Board in the  
3 performance of its responsibilities hereunder shall be  
4 paid from funds which shall be appropriated to the  
5 Illinois State Police Board by the General Assembly for  
6 the ordinary and contingent expenses of the Board.

7 (1) The Board shall consist of 7 members appointed by  
8 the Governor, with the advice and consent of the Senate,  
9 with 3 members residing within the First Judicial District  
10 and one member residing within each of the 4 remaining  
11 Judicial Districts. No more than 4 members shall be  
12 members of the same political party. The Governor shall  
13 designate one member as the chairperson. The Board shall  
14 consist of:

15 (A) one member with at least 5 years of service as  
16 a federal or State judge;

17 (B) one member with at least 5 years of experience  
18 serving as an attorney with the United States  
19 Department of Justice, or as a State's Attorney or  
20 Assistant State's Attorney;

21 (C) one member with at least 5 years of experience  
22 serving as a State or federal public defender or  
23 assistant public defender;

24 (D) three members with at least 5 years of  
25 experience as a federal, State, or local law  
26 enforcement agent or as an employee with investigative

1 experience or duties related to criminal justice under  
2 the United States Department of Justice, Drug  
3 Enforcement Administration, Department of Homeland  
4 Security, Federal Bureau of Investigation, or a State  
5 or local law enforcement agency; and

6 (E) one member with at least 5 years of experience  
7 as a licensed physician or clinical psychologist with  
8 expertise in the diagnosis and treatment of mental  
9 illness.

10 (2) The terms of the members initially appointed after  
11 January 1, 2022 (the effective date of Public Act 102-237)  
12 ~~this amendatory Act of the 102nd General Assembly~~ shall be  
13 as follows: one of the initial members shall be appointed  
14 for a term of one year, 3 shall be appointed for terms of 2  
15 years, and 3 shall be appointed for terms of 4 years.  
16 Thereafter, members shall hold office for 4 years, with  
17 terms expiring on the second Monday in January immediately  
18 following the expiration of their terms and every 4 years  
19 thereafter. Members may be reappointed. Vacancies in the  
20 office of member shall be filled in the same manner as the  
21 original appointment, for the remainder of the unexpired  
22 term. The Governor may remove a member for incompetence,  
23 neglect of duty, malfeasance, or inability to serve.  
24 Members shall receive compensation in an amount equal to  
25 the compensation of members of the Executive Ethics  
26 Commission and may be reimbursed, from funds appropriated

1 for such a purpose, for reasonable expenses actually  
2 incurred in the performance of their Board duties. The  
3 Illinois State Police shall designate an employee to serve  
4 as Executive Director of the Board and provide logistical  
5 and administrative assistance to the Board.

6 (3) The Board shall meet at least quarterly each year  
7 and at the call of the chairperson as often as necessary to  
8 consider appeals of decisions made with respect to  
9 applications for a Firearm Owner's Identification Card  
10 under this Act. If necessary to ensure the participation  
11 of a member, the Board shall allow a member to participate  
12 in a Board meeting by electronic communication. Any member  
13 participating electronically shall be deemed present for  
14 purposes of establishing a quorum and voting.

15 (4) The Board shall adopt rules for the review of  
16 appeals and the conduct of hearings. The Board shall  
17 maintain a record of its decisions and all materials  
18 considered in making its decisions. All Board decisions  
19 and voting records shall be kept confidential and all  
20 materials considered by the Board shall be exempt from  
21 inspection except upon order of a court.

22 (5) In considering an appeal, the Board shall review  
23 the materials received concerning the denial or revocation  
24 by the Illinois State Police. By a vote of at least 4  
25 members, the Board may request additional information from  
26 the Illinois State Police or the applicant or the



1 testimony of the Illinois State Police or the applicant.  
2 The Board may request ~~require~~ that the applicant submit  
3 electronic fingerprints to the Illinois State Police for  
4 an updated background check if the Board determines it  
5 lacks sufficient information to determine eligibility. The  
6 Board may consider information submitted by the Illinois  
7 State Police, a law enforcement agency, or the applicant.  
8 The Board shall review each denial or revocation and  
9 determine by a majority of members whether an applicant  
10 should be granted relief under subsection (c).

11 (6) The Board shall by order issue summary decisions.  
12 The Board shall issue a decision within 45 days of  
13 receiving all completed appeal documents from the Illinois  
14 State Police and the applicant. However, the Board need  
15 not issue a decision within 45 days if:

16 (A) the Board requests information from the  
17 applicant, including, but not limited to, electronic  
18 fingerprints to be submitted to the Illinois State  
19 Police, in accordance with paragraph (5) of this  
20 subsection, in which case the Board shall make a  
21 decision within 30 days of receipt of the required  
22 information from the applicant;

23 (B) the applicant agrees, in writing, to allow the  
24 Board additional time to consider an appeal; or

25 (C) the Board notifies the applicant and the  
26 Illinois State Police that the Board needs an

1 additional 30 days to issue a decision. The Board may  
2 only issue 2 extensions under this subparagraph (C).  
3 The Board's notification to the applicant and the  
4 Illinois State Police shall include an explanation for  
5 the extension.

6 (7) If the Board determines that the applicant is  
7 eligible for relief under subsection (c), the Board shall  
8 notify the applicant and the Illinois State Police that  
9 relief has been granted and the Illinois State Police  
10 shall issue the Card.

11 (8) Meetings of the Board shall not be subject to the  
12 Open Meetings Act and records of the Board shall not be  
13 subject to the Freedom of Information Act.

14 (9) The Board shall report monthly to the Governor and  
15 the General Assembly on the number of appeals received and  
16 provide details of the circumstances in which the Board  
17 has determined to deny Firearm Owner's Identification  
18 Cards under this subsection (a-5). The report shall not  
19 contain any identifying information about the applicants.

20 (a-10) Whenever an applicant or cardholder is not seeking  
21 relief from a firearms prohibition under subsection (c) but  
22 rather does not believe the applicant is appropriately denied  
23 or revoked and is challenging the record upon which the  
24 decision to deny or revoke the Firearm Owner's Identification  
25 Card was based, or whenever the Illinois State Police fails to  
26 act on an application within 30 days of its receipt, the

1 applicant shall file such challenge with the Director. The  
2 Director shall render a decision within 60 business days of  
3 receipt of all information supporting the challenge. The  
4 Illinois State Police shall adopt rules for the review of a  
5 record challenge.

6 (b) At least 30 days before any hearing in the circuit  
7 court, the petitioner shall serve the relevant State's  
8 Attorney with a copy of the petition. The State's Attorney may  
9 object to the petition and present evidence. At the hearing,  
10 the court shall determine whether substantial justice has been  
11 done. Should the court determine that substantial justice has  
12 not been done, the court shall issue an order directing the  
13 Illinois State Police to issue a Card. However, the court  
14 shall not issue the order if the petitioner is otherwise  
15 prohibited from obtaining, possessing, or using a firearm  
16 under federal law.

17 (c) Any person prohibited from possessing a firearm under  
18 Sections 24-1.1 or 24-3.1 of the Criminal Code of 2012 or  
19 acquiring a Firearm Owner's Identification Card under Section  
20 8 of this Act may apply to the ~~Firearm Owner's Identification~~  
21 ~~Card Review Board the Illinois~~ or petition the circuit court  
22 in the county where the petitioner resides, whichever is  
23 applicable in accordance with subsection (a) of this Section,  
24 requesting relief from such prohibition and the Board or court  
25 may grant such relief if it is established by the applicant to  
26 the court's or the Board's satisfaction that:

1 (0.05) when in the circuit court, the State's Attorney  
2 has been served with a written copy of the petition at  
3 least 30 days before any such hearing in the circuit court  
4 and at the hearing the State's Attorney was afforded an  
5 opportunity to present evidence and object to the  
6 petition;

7 (1) the applicant has not been convicted of a forcible  
8 felony under the laws of this State or any other  
9 jurisdiction within 20 years of the applicant's  
10 application for a Firearm Owner's Identification Card, or  
11 at least 20 years have passed since the end of any period  
12 of imprisonment imposed in relation to that conviction;

13 (2) the circumstances regarding a criminal conviction,  
14 where applicable, the applicant's criminal history and his  
15 reputation are such that the applicant will not be likely  
16 to act in a manner dangerous to public safety;

17 (3) granting relief would not be contrary to the  
18 public interest; and

19 (4) granting relief would not be contrary to federal  
20 law.

21 (c-5) (1) An active law enforcement officer employed by a  
22 unit of government or a Department of Corrections employee  
23 authorized to possess firearms who is denied, revoked, or has  
24 his or her Firearm Owner's Identification Card seized under  
25 subsection (e) of Section 8 of this Act may apply to the  
26 ~~Firearm Owner's Identification Card Review Board the Illinois~~

1 requesting relief if the officer or employee did not act in a  
2 manner threatening to the officer or employee, another person,  
3 or the public as determined by the treating clinical  
4 psychologist or physician, and as a result of his or her work  
5 is referred by the employer for or voluntarily seeks mental  
6 health evaluation or treatment by a licensed clinical  
7 psychologist, psychiatrist, or qualified examiner, and:

8 (A) the officer or employee has not received treatment  
9 involuntarily at a mental health facility, regardless of  
10 the length of admission; or has not been voluntarily  
11 admitted to a mental health facility for more than 30 days  
12 and not for more than one incident within the past 5 years;  
13 and

14 (B) the officer or employee has not left the mental  
15 institution against medical advice.

16 (2) The ~~Firearm Owner's Identification Card Review~~ Board  
17 ~~the Illinois~~ shall grant expedited relief to active law  
18 enforcement officers and employees described in paragraph (1)  
19 of this subsection (c-5) upon a determination by the Board  
20 that the officer's or employee's possession of a firearm does  
21 not present a threat to themselves, others, or public safety.  
22 The Board shall act on the request for relief within 30  
23 business days of receipt of:

24 (A) a notarized statement from the officer or employee  
25 in the form prescribed by the Board detailing the  
26 circumstances that led to the hospitalization;

1 (B) all documentation regarding the admission,  
2 evaluation, treatment and discharge from the treating  
3 licensed clinical psychologist or psychiatrist of the  
4 officer;

5 (C) a psychological fitness for duty evaluation of the  
6 person completed after the time of discharge; and

7 (D) written confirmation in the form prescribed by the  
8 Board from the treating licensed clinical psychologist or  
9 psychiatrist that the provisions set forth in paragraph  
10 (1) of this subsection (c-5) have been met, the person  
11 successfully completed treatment, and their professional  
12 opinion regarding the person's ability to possess  
13 firearms.

14 (3) Officers and employees eligible for the expedited  
15 relief in paragraph (2) of this subsection (c-5) have the  
16 burden of proof on eligibility and must provide all  
17 information required. The Board may not consider granting  
18 expedited relief until the proof and information is received.

19 (4) "Clinical psychologist", "psychiatrist", and  
20 "qualified examiner" shall have the same meaning as provided  
21 in Chapter I of the Mental Health and Developmental  
22 Disabilities Code.

23 (c-10) (1) An applicant, who is denied, revoked, or has  
24 his or her Firearm Owner's Identification Card seized under  
25 subsection (e) of Section 8 of this Act based upon a  
26 determination of a developmental disability or an intellectual

1 disability may apply to the ~~Firearm Owner's Identification~~  
2 ~~Card Review~~ Board ~~the Illinois~~ requesting relief.

3 (2) The Board shall act on the request for relief within 60  
4 business days of receipt of written certification, in the form  
5 prescribed by the Board, from a physician or clinical  
6 psychologist, or qualified examiner, that the aggrieved  
7 party's developmental disability or intellectual disability  
8 condition is determined by a physician, clinical psychologist,  
9 or qualified to be mild. If a fact-finding conference is  
10 scheduled to obtain additional information concerning the  
11 circumstances of the denial or revocation, the 60 business  
12 days the Director has to act shall be tolled until the  
13 completion of the fact-finding conference.

14 (3) The Board may grant relief if the aggrieved party's  
15 developmental disability or intellectual disability is mild as  
16 determined by a physician, clinical psychologist, or qualified  
17 examiner and it is established by the applicant to the Board's  
18 satisfaction that:

19 (A) granting relief would not be contrary to the  
20 public interest; and

21 (B) granting relief would not be contrary to federal  
22 law.

23 (4) The Board may not grant relief if the condition is  
24 determined by a physician, clinical psychologist, or qualified  
25 examiner to be moderate, severe, or profound.

26 (5) The changes made to this Section by Public Act 99-29

1 apply to requests for relief pending on or before July 10, 2015  
2 (the effective date of Public Act 99-29), except that the  
3 60-day period for the Director to act on requests pending  
4 before the effective date shall begin on July 10, 2015 (the  
5 effective date of Public Act 99-29). All appeals as provided  
6 in subsection (a-5) pending on January 1, 2023 shall be  
7 considered by the Board.

8 (d) When a minor is adjudicated delinquent for an offense  
9 which if committed by an adult would be a felony, the court  
10 shall notify the Illinois State Police.

11 (e) The court shall review the denial of an application or  
12 the revocation of a Firearm Owner's Identification Card of a  
13 person who has been adjudicated delinquent for an offense that  
14 if committed by an adult would be a felony if an application  
15 for relief has been filed at least 10 years after the  
16 adjudication of delinquency and the court determines that the  
17 applicant should be granted relief from disability to obtain a  
18 Firearm Owner's Identification Card. If the court grants  
19 relief, the court shall notify the Illinois State Police that  
20 the disability has been removed and that the applicant is  
21 eligible to obtain a Firearm Owner's Identification Card.

22 (f) Any person who is subject to the disabilities of 18  
23 U.S.C. 922(d)(4) and 922(g)(4) of the federal Gun Control Act  
24 of 1968 because of an adjudication or commitment that occurred  
25 under the laws of this State or who was determined to be  
26 subject to the provisions of subsections (e), (f), or (g) of



1 Section 8 of this Act may apply to the Illinois State Police  
2 requesting relief from that prohibition. The Board shall grant  
3 the relief if it is established by a preponderance of the  
4 evidence that the person will not be likely to act in a manner  
5 dangerous to public safety and that granting relief would not  
6 be contrary to the public interest. In making this  
7 determination, the Board shall receive evidence concerning (i)  
8 the circumstances regarding the firearms disabilities from  
9 which relief is sought; (ii) the petitioner's mental health  
10 and criminal history records, if any; (iii) the petitioner's  
11 reputation, developed at a minimum through character witness  
12 statements, testimony, or other character evidence; and (iv)  
13 changes in the petitioner's condition or circumstances since  
14 the disqualifying events relevant to the relief sought. If  
15 relief is granted under this subsection or by order of a court  
16 under this Section, the Director shall as soon as practicable  
17 but in no case later than 15 business days, update, correct,  
18 modify, or remove the person's record in any database that the  
19 Illinois State Police makes available to the National Instant  
20 Criminal Background Check System and notify the United States  
21 Attorney General that the basis for the record being made  
22 available no longer applies. The Illinois State Police shall  
23 adopt rules for the administration of this Section.

24 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
25 102-645, eff. 1-1-22; revised 10-15-21.)

1 (430 ILCS 65/11) (from Ch. 38, par. 83-11)

2 Sec. 11. Judicial review of final administrative  
3 decisions.

4 (a) All final administrative decisions of the ~~Firearm~~  
5 ~~Owner's Identification Card Review~~ Board under this Act,  
6 except final administrative decisions of the ~~Firearm Owner's~~  
7 ~~Identification Card Review~~ Board ~~the Illinois~~ to deny a  
8 person's application for relief under subsection (f) of  
9 Section 10 of this Act, shall be subject to judicial review  
10 under the provisions of the Administrative Review Law, and all  
11 amendments and modifications thereof, and the rules adopted  
12 pursuant thereto. The term "administrative decision" is  
13 defined as in Section 3-101 of the Code of Civil Procedure.

14 (b) Any final administrative decision by the ~~Firearm~~  
15 ~~Owner's Identification Card Review~~ Board ~~the Illinois~~ to deny  
16 a person's application for relief under subsection (f) of  
17 Section 10 of this Act is subject to de novo judicial review by  
18 the circuit court, and any party may offer evidence that is  
19 otherwise proper and admissible without regard to whether that  
20 evidence is part of the administrative record.

21 (c) The Illinois State Police shall submit a report to the  
22 General Assembly on or before March 1, 2023 and the ~~Firearm~~  
23 ~~Owner's Identification Card Review~~ Board ~~the Illinois~~ shall  
24 submit a report to the General Assembly on or before March 1 of  
25 each year, beginning March 1, 2024 ~~1991~~, listing all final  
26 decisions by a court of this State upholding, reversing, or

1 reversing in part any administrative decision made by the  
2 Illinois State Police or the Board.

3 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
4 revised 11-2-21.)

5 Section 35. The Firearm Concealed Carry Act is amended by  
6 changing Sections 5, 10, 20, 60, 66, and 87 as follows:

7 (430 ILCS 66/5)

8 Sec. 5. Definitions. As used in this Act:

9 "Applicant" means a person who is applying for a license  
10 to carry a concealed firearm under this Act.

11 "Board" means the Firearms Safety Review Board ~~Concealed~~  
12 ~~Carry Licensing Review Board~~.

13 "Concealed firearm" means a loaded or unloaded handgun  
14 carried on or about a person completely or mostly concealed  
15 from view of the public or on or about a person within a  
16 vehicle.

17 "Director" means the Director of the Illinois State  
18 Police.

19 "Handgun" means any device which is designed to expel a  
20 projectile or projectiles by the action of an explosion,  
21 expansion of gas, or escape of gas that is designed to be held  
22 and fired by the use of a single hand. "Handgun" does not  
23 include:

24 (1) a stun gun or taser;

1           (2) a machine gun as defined in item (i) of paragraph  
2           (7) of subsection (a) of Section 24-1 of the Criminal Code  
3           of 2012;

4           (3) a short-barreled rifle or shotgun as defined in  
5           item (ii) of paragraph (7) of subsection (a) of Section  
6           24-1 of the Criminal Code of 2012; or

7           (4) any pneumatic gun, spring gun, paint ball gun, or  
8           B-B gun which expels a single globular projectile not  
9           exceeding .18 inch in diameter, or which has a maximum  
10          muzzle velocity of less than 700 feet per second, or which  
11          expels breakable paint balls containing washable marking  
12          colors.

13          "Law enforcement agency" means any federal, State, or  
14          local law enforcement agency, including offices of State's  
15          Attorneys and the Office of the Attorney General.

16          "License" means a license issued by the Illinois State  
17          Police to carry a concealed handgun.

18          "Licensee" means a person issued a license to carry a  
19          concealed handgun.

20          "Municipality" has the meaning ascribed to it in Section 1  
21          of Article VII of the Illinois Constitution.

22          "Unit of local government" has the meaning ascribed to it  
23          in Section 1 of Article VII of the Illinois Constitution.

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

1           Sec. 10. Issuance of licenses to carry a concealed  
2 firearm.

3           (a) The Illinois State Police shall issue a license to  
4 carry a concealed firearm under this Act to an applicant who:

5                 (1) meets the qualifications of Section 25 of this  
6 Act;

7                 (2) has provided the application and documentation  
8 required in Section 30 of this Act;

9                 (3) has submitted the requisite fees; and

10                (4) does not pose a danger to himself, herself, or  
11 others, or a threat to public safety as determined by the  
12 ~~Concealed Carry Licensing Review~~ Board in accordance with  
13 Section 20.

14           (b) The Illinois State Police shall issue a renewal,  
15 corrected, or duplicate license as provided in this Act.

16           (c) A license shall be valid throughout the State for a  
17 period of 5 years from the date of issuance. A license shall  
18 permit the licensee to:

19                 (1) carry a loaded or unloaded concealed firearm,  
20 fully concealed or partially concealed, on or about his or  
21 her person; and

22                 (2) keep or carry a loaded or unloaded concealed  
23 firearm on or about his or her person within a vehicle.

24           (d) The Illinois State Police shall make applications for  
25 a license available no later than 180 days after July 9, 2013  
26 (the effective date of this Act). The Illinois State Police

1 shall establish rules for the availability and submission of  
2 applications in accordance with this Act.

3 (e) An application for a license submitted to the Illinois  
4 State Police that contains all the information and materials  
5 required by this Act, including the requisite fee, shall be  
6 deemed completed. Except as otherwise provided in this Act, no  
7 later than 90 days after receipt of a completed application,  
8 the Illinois State Police shall issue or deny the applicant a  
9 license. The Illinois State Police shall notify the applicant  
10 for a concealed carry license~~7~~ electronically~~7~~ to confirm if  
11 all the required information and materials have been received.  
12 If an applicant for a concealed carry license submits his or  
13 her application electronically, the Illinois State Police  
14 shall notify the applicant electronically if his or her  
15 application is missing information or materials.

16 (f) The Illinois State Police shall deny the applicant a  
17 license if the applicant fails to meet the requirements under  
18 this Act or the Illinois State Police receives a determination  
19 from the Board that the applicant is ineligible for a license.  
20 The Illinois State Police must notify the applicant stating  
21 the grounds for the denial. The notice of denial must inform  
22 the applicant of his or her right to an appeal through  
23 administrative and judicial review.

24 (g) A licensee shall possess a license at all times the  
25 licensee carries a concealed firearm except:

26 (1) when the licensee is carrying or possessing a

1           concealed firearm on his or her land or in his or her  
2           abode, legal dwelling, or fixed place of business, or on  
3           the land or in the legal dwelling of another person as an  
4           invitee with that person's permission;

5           (2) when the person is authorized to carry a firearm  
6           under Section 24-2 of the Criminal Code of 2012, except  
7           subsection (a-5) of that Section; or

8           (3) when the handgun is broken down in a  
9           non-functioning state, is not immediately accessible, or  
10          is unloaded and enclosed in a case.

11          (h) If an officer of a law enforcement agency initiates an  
12          investigative stop, including, but not limited to, a traffic  
13          stop, of a licensee or a non-resident carrying a concealed  
14          firearm under subsection (e) of Section 40 of this Act, upon  
15          the request of the officer the licensee or non-resident shall  
16          disclose to the officer that he or she is in possession of a  
17          concealed firearm under this Act, or present the license upon  
18          the request of the officer if he or she is a licensee or  
19          present upon the request of the officer evidence under  
20          paragraph (2) of subsection (e) of Section 40 of this Act that  
21          he or she is a non-resident qualified to carry under that  
22          subsection. The disclosure requirement under this subsection  
23          (h) is satisfied if the licensee presents his or her license to  
24          the officer or the non-resident presents to the officer  
25          evidence under paragraph (2) of subsection (e) of Section 40  
26          of this Act that he or she is qualified to carry under that

1 subsection. Upon the request of the officer, the licensee or  
2 non-resident shall also identify the location of the concealed  
3 firearm and permit the officer to safely secure the firearm  
4 for the duration of the investigative stop. During a traffic  
5 stop, any passenger within the vehicle who is a licensee or a  
6 non-resident carrying under subsection (e) of Section 40 of  
7 this Act must comply with the requirements of this subsection  
8 (h).

9 (h-1) If a licensee carrying a firearm or a non-resident  
10 carrying a firearm in a vehicle under subsection (e) of  
11 Section 40 of this Act is contacted by a law enforcement  
12 officer or emergency services personnel, the law enforcement  
13 officer or emergency services personnel may secure the firearm  
14 or direct that it be secured during the duration of the contact  
15 if the law enforcement officer or emergency services personnel  
16 determines that it is necessary for the safety of any person  
17 present, including the law enforcement officer or emergency  
18 services personnel. The licensee or nonresident shall submit  
19 to the order to secure the firearm. When the law enforcement  
20 officer or emergency services personnel have determined that  
21 the licensee or non-resident is not a threat to the safety of  
22 any person present, including the law enforcement officer or  
23 emergency services personnel, and if the licensee or  
24 non-resident is physically and mentally capable of possessing  
25 the firearm, the law enforcement officer or emergency services  
26 personnel shall return the firearm to the licensee or



1 non-resident before releasing him or her from the scene and  
2 breaking contact. If the licensee or non-resident is  
3 transported for treatment to another location, the firearm  
4 shall be turned over to any peace officer. The peace officer  
5 shall provide a receipt which includes the make, model,  
6 caliber, and serial number of the firearm.

7 (i) The Illinois State Police shall maintain a database of  
8 license applicants and licensees. The database shall be  
9 available to all federal, State, and local law enforcement  
10 agencies, State's Attorneys, the Attorney General, and  
11 authorized court personnel. Within 180 days after July 9, 2013  
12 (the effective date of this Act), the database shall be  
13 searchable and provide all information included in the  
14 application, including the applicant's previous addresses  
15 within the 10 years prior to the license application and any  
16 information related to violations of this Act. No law  
17 enforcement agency, State's Attorney, Attorney General, or  
18 member or staff of the judiciary shall provide any information  
19 to a requester who is not entitled to it by law.

20 (j) No later than 10 days after receipt of a completed  
21 application, the Illinois State Police shall enter the  
22 relevant information about the applicant into the database  
23 under subsection (i) of this Section which is accessible by  
24 law enforcement agencies.

25 (k) The Illinois State Police shall continuously monitor  
26 relevant State and federal databases for firearms prohibitors

1 as allowed by State and federal law and correlate those  
2 records with concealed carry license holders to ensure  
3 compliance with this Act, or State and federal law. The  
4 Illinois State Police may adopt rules to implement this  
5 subsection.

6 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
7 revised 10-13-21.)

8 (430 ILCS 66/20)

9 Sec. 20. Concealed Carry Licensing Review Board.

10 (a) On January 1, 2023, the Concealed Carry Licensing  
11 Review Board created under this Section is abolished and the  
12 terms of all commissioners then serving are ended. The duties,  
13 powers, rights, and responsibilities of the former Concealed  
14 Carry Licensing Review Board, including, but not limited to,  
15 the consideration of any objection to an applicant's  
16 eligibility to obtain a license under this Act submitted by a  
17 law enforcement agency or the Illinois State Police under  
18 Section 15 of this Act, shall be performed on and after January  
19 1, 2023 by the Firearms Safety Review Board created under  
20 Section 10 of the Firearm Owners Identification Card Act.  
21 ~~There is hereby created within the Illinois State Police a~~  
22 ~~Concealed Carry Licensing Review Board to consider any~~  
23 ~~objection to an applicant's eligibility to obtain a license~~  
24 ~~under this Act submitted by a law enforcement agency or the~~  
25 ~~Illinois State Police under Section 15 of this Act. The Board~~

1 ~~shall consist of 7 commissioners to be appointed by the~~  
2 ~~Governor, with the advice and consent of the Senate, with 3~~  
3 ~~commissioners residing within the First Judicial District and~~  
4 ~~one commissioner residing within each of the 4 remaining~~  
5 ~~Judicial Districts. No more than 4 commissioners shall be~~  
6 ~~members of the same political party. The Governor shall~~  
7 ~~designate one commissioner as the Chairperson. The Board shall~~  
8 ~~consist of:~~

9 ~~(1) one commissioner with at least 5 years of service~~  
10 ~~as a federal judge;~~

11 ~~(2) 2 commissioners with at least 5 years of~~  
12 ~~experience serving as an attorney with the United States~~  
13 ~~Department of Justice;~~

14 ~~(3) 3 commissioners with at least 5 years of~~  
15 ~~experience as a federal agent or employee with~~  
16 ~~investigative experience or duties related to criminal~~  
17 ~~justice under the United States Department of Justice,~~  
18 ~~Drug Enforcement Administration, Department of Homeland~~  
19 ~~Security, or Federal Bureau of Investigation; and~~

20 ~~(4) one member with at least 5 years of experience as a~~  
21 ~~licensed physician or clinical psychologist with expertise~~  
22 ~~in the diagnosis and treatment of mental illness.~~

23 (b) (Blank). ~~The initial terms of the commissioners shall~~  
24 ~~end on January 12, 2015. Notwithstanding any provision in this~~  
25 ~~Section to the contrary, the term of office of each~~  
26 ~~commissioner of the Concealed Carry Licensing Review Board is~~

1 ~~abolished on the effective date of this amendatory Act of the~~  
2 ~~102nd General Assembly. The terms of the commissioners~~  
3 ~~appointed on or after the effective date of this amendatory~~  
4 ~~Act of the 102nd General Assembly shall be as follows: one of~~  
5 ~~the initial members shall be appointed for a term of one year,~~  
6 ~~3 shall be appointed for terms of 2 years, and 3 shall be~~  
7 ~~appointed for terms of 4 years. Thereafter, the commissioners~~  
8 ~~shall hold office for 4 years, with terms expiring on the~~  
9 ~~second Monday in January of the fourth year. Commissioners may~~  
10 ~~be reappointed. Vacancies in the office of commissioner shall~~  
11 ~~be filled in the same manner as the original appointment, for~~  
12 ~~the remainder of the unexpired term. The Governor may remove a~~  
13 ~~commissioner for incompetence, neglect of duty, malfeasance,~~  
14 ~~or inability to serve. Commissioners shall receive~~  
15 ~~compensation in an amount equal to the compensation of members~~  
16 ~~of the Executive Ethics Commission and may be reimbursed for~~  
17 ~~reasonable expenses actually incurred in the performance of~~  
18 ~~their Board duties, from funds appropriated for that purpose.~~

19 (c) The Board shall meet at the call of the chairperson as  
20 often as necessary to consider objections to applications for  
21 a license under this Act. If necessary to ensure the  
22 participation of a commissioner, the Board shall allow a  
23 commissioner to participate in a Board meeting by electronic  
24 communication. Any commissioner participating electronically  
25 shall be deemed present for purposes of establishing a quorum  
26 and voting.

1           (d) The Board shall adopt rules for the review of  
2 objections and the conduct of hearings. The Board shall  
3 maintain a record of its decisions and all materials  
4 considered in making its decisions. All Board decisions and  
5 voting records shall be kept confidential and all materials  
6 considered by the Board shall be exempt from inspection except  
7 upon order of a court.

8           (e) In considering an objection of a law enforcement  
9 agency or the Illinois State Police, the Board shall review  
10 the materials received with the objection from the law  
11 enforcement agency or the Illinois State Police. By a vote of  
12 at least 4 commissioners, the Board may request additional  
13 information from the law enforcement agency, Illinois State  
14 Police, or the applicant, or the testimony of the law  
15 enforcement agency, Illinois State Police, or the applicant.  
16 The Board may require that the applicant submit electronic  
17 fingerprints to the Illinois State Police for an updated  
18 background check where the Board determines it lacks  
19 sufficient information to determine eligibility. The Board may  
20 only consider information submitted by the Illinois State  
21 Police, a law enforcement agency, or the applicant. The Board  
22 shall review each objection and determine by a majority of  
23 commissioners whether an applicant is eligible for a license.

24           (f) The Board shall issue a decision within 30 days of  
25 receipt of the objection from the Illinois State Police.  
26 However, the Board need not issue a decision within 30 days if:

1           (1) the Board requests information from the applicant,  
2           including but not limited to electronic fingerprints to be  
3           submitted to the Illinois State Police, in accordance with  
4           subsection (e) of this Section, in which case the Board  
5           shall make a decision within 30 days of receipt of the  
6           required information from the applicant;

7           (2) the applicant agrees, in writing, to allow the  
8           Board additional time to consider an objection; or

9           (3) the Board notifies the applicant and the Illinois  
10          State Police that the Board needs an additional 30 days to  
11          issue a decision.

12          (g) If the Board determines by a preponderance of the  
13          evidence that the applicant poses a danger to himself or  
14          herself or others, or is a threat to public safety, then the  
15          Board shall affirm the objection of the law enforcement agency  
16          or the Illinois State Police and shall notify the Illinois  
17          State Police that the applicant is ineligible for a license.  
18          If the Board does not determine by a preponderance of the  
19          evidence that the applicant poses a danger to himself or  
20          herself or others, or is a threat to public safety, then the  
21          Board shall notify the Illinois State Police that the  
22          applicant is eligible for a license.

23          (h) Meetings of the Board shall not be subject to the Open  
24          Meetings Act and records of the Board shall not be subject to  
25          the Freedom of Information Act.

26          (i) The Board shall report monthly to the Governor and the

1 General Assembly on the number of objections received and  
2 provide details of the circumstances in which the Board has  
3 determined to deny licensure based on law enforcement or  
4 Illinois State Police objections under Section 15 of this Act.  
5 The report shall not contain any identifying information about  
6 the applicants.

7 (j) All books, records, papers, documents, property (real  
8 and personal), contracts, causes of action, and pending  
9 business pertaining to the powers, duties, rights, and  
10 responsibilities transferred by this amendatory Act of the  
11 102nd General Assembly from the Concealed Carry Licensing  
12 Review Board to the Firearms Safety Review Board, including,  
13 but not limited to, material in electronic or magnetic format  
14 and necessary computer hardware and software, shall be  
15 transferred to the Firearms Safety Review Board.

16 The powers, duties, rights, and responsibilities  
17 transferred from the Concealed Carry Licensing Review Board by  
18 this amendatory Act of the 102nd General Assembly shall be  
19 vested in and shall be exercised by the Firearms Safety Review  
20 Board.

21 Whenever reports or notices are now required to be made or  
22 given or papers or documents furnished or served by any person  
23 to or upon the Concealed Carry Licensing Review Board in  
24 connection with any of the powers, duties, rights, and  
25 responsibilities transferred by this amendatory Act of the  
26 102nd General Assembly, the same shall be made, given,

1 furnished, or served in the same manner to or upon the Firearms  
2 Safety Review Board.

3 This amendatory Act of the 102nd General Assembly does not  
4 affect any act done, ratified, or canceled or any right  
5 occurring or established or any action or proceeding had or  
6 commenced in an administrative, civil, or criminal cause by  
7 the Concealed Carry Licensing Review Board before this  
8 amendatory Act of the 102nd General Assembly takes effect;  
9 such actions or proceedings may be prosecuted and continued by  
10 the Firearms Safety Review Board.

11 Any rules of the Concealed Carry Licensing Review Board  
12 that relate to its powers, duties, rights, and  
13 responsibilities and are in full force on the effective date  
14 of this amendatory Act of the 102nd General Assembly shall  
15 become the rules of the Firearms Safety Review Board. This  
16 amendatory Act does not affect the legality of any such rules  
17 in the Illinois Administrative Code. Any proposed rules filed  
18 with the Secretary of State by the Concealed Carry Licensing  
19 Review Board that are pending in the rulemaking process on the  
20 effective date of this amendatory Act and pertain to the  
21 powers, duties, rights, and responsibilities transferred,  
22 shall be deemed to have been filed by the Firearms Safety  
23 Review Board. As soon as practicable hereafter, the Firearms  
24 Safety Review Board shall revise and clarify the rules  
25 transferred to it under this amendatory Act to reflect the  
26 reorganization of powers, duties, rights, and responsibilities



1 affected by this amendatory Act, using the procedures for  
2 recodification of rules available under the Illinois  
3 Administrative Procedure Act, except that existing title,  
4 part, and section numbering for the affected rules may be  
5 retained. The Firearms Safety Review Board may propose and  
6 adopt under the Illinois Administrative Procedure Act such  
7 other rules of the Concealed Carry Licensing Review Board that  
8 will now be administered by the Firearms Safety Review Board.

9 For the purposes of the Successor Agency Act, the Firearms  
10 Safety Review Board is declared to be the successor agency of  
11 the Concealed Carry Licensing Review Board with respect to all  
12 functions formerly performed by the Concealed Carry Licensing  
13 Review Board.

14 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;  
15 revised 10-12-21.)

16 (430 ILCS 66/60)

17 Sec. 60. Fees.

18 (a) All fees collected under this Act shall be deposited  
19 as provided in this Section. Application, renewal, and  
20 replacement fees shall be non-refundable and shall be subject  
21 to an applicable processing fee. The processing fees shall be  
22 limited to charges by the State Treasurer for using the  
23 electronic online payment system.

24 (b) An applicant for a new license or a renewal shall  
25 submit \$150 with the application, of which \$120 shall be

1 apportioned to the State Police Firearm Services Fund, \$20  
2 shall be apportioned to the Mental Health Reporting Fund, and  
3 \$10 shall be apportioned to the State Crime Laboratory Fund.

4 (c) A non-resident applicant for a new license or renewal  
5 shall submit \$300 with the application, of which \$250 shall be  
6 apportioned to the State Police Firearm Services Fund, \$40  
7 shall be apportioned to the Mental Health Reporting Fund, and  
8 \$10 shall be apportioned to the State Crime Laboratory Fund.

9 (d) A licensee requesting a new license in accordance with  
10 Section 55 shall submit \$75, of which \$60 shall be apportioned  
11 to the State Police Firearm Services Fund, \$5 shall be  
12 apportioned to the Mental Health Reporting Fund, and \$10 shall  
13 be apportioned to the State Crime Laboratory Fund.

14 (Source: P.A. 98-63, eff. 7-9-13.)

15 (430 ILCS 66/66)

16 Sec. 66. Illinois State Police to monitor databases for  
17 firearms prohibitors. The Illinois State Police shall  
18 continuously monitor relevant State and federal databases, as  
19 allowed by State and federal law, for firearms prohibitors and  
20 correlate those records with concealed carry license holders  
21 to ensure compliance with this Act and any other State and  
22 federal laws. As used in this Section, "firearms prohibitor"  
23 means any factor listed in Section 8 or Section 8.2 of the  
24 Firearm Owners Identification Card Act or Section 24-3 or  
25 24-3.1 of the Criminal Code of 2012 that prohibits a person

1 from transferring or possessing a firearm, firearm ammunition,  
2 Firearm Owner's Identification Card, or concealed carry  
3 license.

4 (Source: P.A. 102-237, eff. 1-1-22.)

5 (430 ILCS 66/87)

6 Sec. 87. Administrative and judicial review.

7 (a) Whenever an application for a concealed carry license  
8 is denied, whenever the Illinois State Police fails to act on  
9 an application within 90 days of its receipt, or whenever a  
10 license is revoked or suspended as provided in this Act, the  
11 aggrieved party may appeal to the Director for a hearing upon  
12 the denial, revocation, suspension, or failure to act on the  
13 application, unless the denial was made by the ~~Concealed Carry~~  
14 ~~Licensing Review~~ Board, in which case the aggrieved party may  
15 petition the circuit court in writing in the county of his or  
16 her residence for a hearing upon the denial.

17 (b) All final administrative decisions of the Illinois  
18 State Police or the ~~Concealed Carry Licensing Review~~ Board  
19 under this Act shall be subject to judicial review under the  
20 provisions of the Administrative Review Law. The term  
21 "administrative decision" is defined as in Section 3-101 of  
22 the Code of Civil Procedure.

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

24 Section 40. The Criminal Code of 2012 is amended by

1 changing Section 24-1.1 as follows:

2 (720 ILCS 5/24-1.1) (from Ch. 38, par. 24-1.1)

3 Sec. 24-1.1. Unlawful use or possession of weapons by  
4 felons or persons in the custody of the Department of  
5 Corrections facilities.

6 (a) It is unlawful for a person to knowingly possess on or  
7 about his person or on his land or in his own abode or fixed  
8 place of business any weapon prohibited under Section 24-1 of  
9 this Act or any firearm or any firearm ammunition if the person  
10 has been convicted of a felony under the laws of this State or  
11 any other jurisdiction. This Section shall not apply if the  
12 person has been granted relief by the Circuit Court, the  
13 Director of the Illinois State Police, or beginning January 1,  
14 2023, the Firearms Safety Review Board, as applicable, under  
15 Section 10 of the Firearm Owners Identification Card Act.

16 (b) It is unlawful for any person confined in a penal  
17 institution, which is a facility of the Illinois Department of  
18 Corrections, to possess any weapon prohibited under Section  
19 24-1 of this Code or any firearm or firearm ammunition,  
20 regardless of the intent with which he possesses it.

21 (c) It shall be an affirmative defense to a violation of  
22 subsection (b), that such possession was specifically  
23 authorized by rule, regulation, or directive of the Illinois  
24 Department of Corrections or order issued pursuant thereto.

25 (d) The defense of necessity is not available to a person

1 who is charged with a violation of subsection (b) of this  
2 Section.

3 (e) Sentence. Violation of this Section by a person not  
4 confined in a penal institution shall be a Class 3 felony for  
5 which the person shall be sentenced to no less than 2 years and  
6 no more than 10 years. A second or subsequent violation of this  
7 Section shall be a Class 2 felony for which the person shall be  
8 sentenced to a term of imprisonment of not less than 3 years  
9 and not more than 14 years, except as provided for in Section  
10 5-4.5-110 of the Unified Code of Corrections. Violation of  
11 this Section by a person not confined in a penal institution  
12 who has been convicted of a forcible felony, a felony  
13 violation of Article 24 of this Code or of the Firearm Owners  
14 Identification Card Act, stalking or aggravated stalking, or a  
15 Class 2 or greater felony under the Illinois Controlled  
16 Substances Act, the Cannabis Control Act, or the  
17 Methamphetamine Control and Community Protection Act is a  
18 Class 2 felony for which the person shall be sentenced to not  
19 less than 3 years and not more than 14 years, except as  
20 provided for in Section 5-4.5-110 of the Unified Code of  
21 Corrections. Violation of this Section by a person who is on  
22 parole or mandatory supervised release is a Class 2 felony for  
23 which the person shall be sentenced to not less than 3 years  
24 and not more than 14 years, except as provided for in Section  
25 5-4.5-110 of the Unified Code of Corrections. Violation of  
26 this Section by a person not confined in a penal institution is

1 a Class X felony when the firearm possessed is a machine gun.  
2 Any person who violates this Section while confined in a penal  
3 institution, which is a facility of the Illinois Department of  
4 Corrections, is guilty of a Class 1 felony, if he possesses any  
5 weapon prohibited under Section 24-1 of this Code regardless  
6 of the intent with which he possesses it, a Class X felony if  
7 he possesses any firearm, firearm ammunition or explosive, and  
8 a Class X felony for which the offender shall be sentenced to  
9 not less than 12 years and not more than 50 years when the  
10 firearm possessed is a machine gun. A violation of this  
11 Section while wearing or in possession of body armor as  
12 defined in Section 33F-1 is a Class X felony punishable by a  
13 term of imprisonment of not less than 10 years and not more  
14 than 40 years. The possession of each firearm or firearm  
15 ammunition in violation of this Section constitutes a single  
16 and separate violation.

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

18 Section 99. Effective date. This Act takes effect January  
19 1, 2023.