



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB6199

Introduced 2/11/2016, by Rep. Carol Ammons

SYNOPSIS AS INTRODUCED:

410 ILCS 130/10

430 ILCS 65/1.1

430 ILCS 65/8

from Ch. 38, par. 83-1.1

from Ch. 38, par. 83-8

Amends the Compassionate Use of Medical Cannabis Pilot Program Act. Includes in the definition of "debilitating medical condition", post-traumatic stress disorder. Amends the Firearm Owners Identification Card Act. Provides that whether a person is addicted to narcotics for purposes of the Act shall not be based on the status of the person as a registered qualifying patient or registered caregiver under the Compassionate Use of Medical Cannabis Pilot Program Act. Provides that the Department of State Police's authority to deny an application for or to revoke and seize a Firearm Owner's Identification Card based on any Illinois State statute or federal law does not include State statutes or federal laws that may prohibit the acquisition or possession of firearms or firearm ammunition based on a person's status as a registered qualifying patient under the Compassionate Use of Medical Cannabis Pilot Program Act.

LRB099 17146 RLC 41504 b

1 AN ACT concerning medical cannabis.

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

4 Section 5. The Compassionate Use of Medical Cannabis Pilot
5 Program Act is amended by changing Section 10 as follows:

6 (410 ILCS 130/10)

7 (Section scheduled to be repealed on January 1, 2018)

8 Sec. 10. Definitions. The following terms, as used in this
9 Act, shall have the meanings set forth in this Section:

10 (a) "Adequate supply" means:

11 (1) 2.5 ounces of usable cannabis during a period of 14
12 days and that is derived solely from an intrastate source.

13 (2) Subject to the rules of the Department of Public
14 Health, a patient may apply for a waiver where a physician
15 provides a substantial medical basis in a signed, written
16 statement asserting that, based on the patient's medical
17 history, in the physician's professional judgment, 2.5
18 ounces is an insufficient adequate supply for a 14-day
19 period to properly alleviate the patient's debilitating
20 medical condition or symptoms associated with the
21 debilitating medical condition.

22 (3) This subsection may not be construed to authorize
23 the possession of more than 2.5 ounces at any time without

1 authority from the Department of Public Health.

2 (4) The pre-mixed weight of medical cannabis used in
3 making a cannabis infused product shall apply toward the
4 limit on the total amount of medical cannabis a registered
5 qualifying patient may possess at any one time.

6 (b) "Cannabis" has the meaning given that term in Section 3
7 of the Cannabis Control Act.

8 (c) "Cannabis plant monitoring system" means a system that
9 includes, but is not limited to, testing and data collection
10 established and maintained by the registered cultivation
11 center and available to the Department for the purposes of
12 documenting each cannabis plant and for monitoring plant
13 development throughout the life cycle of a cannabis plant
14 cultivated for the intended use by a qualifying patient from
15 seed planting to final packaging.

16 (d) "Cardholder" means a qualifying patient or a designated
17 caregiver who has been issued and possesses a valid registry
18 identification card by the Department of Public Health.

19 (e) "Cultivation center" means a facility operated by an
20 organization or business that is registered by the Department
21 of Agriculture to perform necessary activities to provide only
22 registered medical cannabis dispensing organizations with
23 usable medical cannabis.

24 (f) "Cultivation center agent" means a principal officer,
25 board member, employee, or agent of a registered cultivation
26 center who is 21 years of age or older and has not been

1 convicted of an excluded offense.

2 (g) "Cultivation center agent identification card" means a
3 document issued by the Department of Agriculture that
4 identifies a person as a cultivation center agent.

5 (h) "Debilitating medical condition" means one or more of
6 the following:

7 (1) cancer, glaucoma, positive status for human
8 immunodeficiency virus, acquired immune deficiency
9 syndrome, hepatitis C, amyotrophic lateral sclerosis,
10 Crohn's disease, agitation of Alzheimer's disease,
11 cachexia/wasting syndrome, muscular dystrophy, severe
12 fibromyalgia, spinal cord disease, including but not
13 limited to arachnoiditis, Tarlov cysts, hydromyelia,
14 syringomyelia, Rheumatoid arthritis, fibrous dysplasia,
15 spinal cord injury, traumatic brain injury and
16 post-concussion syndrome, Multiple Sclerosis,
17 Arnold-Chiari malformation and Syringomyelia,
18 Spinocerebellar Ataxia (SCA), Parkinson's, Tourette's,
19 Myoclonus, Dystonia, Reflex Sympathetic Dystrophy, RSD
20 (Complex Regional Pain Syndromes Type I), Causalgia, CRPS
21 (Complex Regional Pain Syndromes Type II),
22 Neurofibromatosis, Chronic Inflammatory Demyelinating
23 Polyneuropathy, Sjogren's syndrome, Lupus, Interstitial
24 Cystitis, Myasthenia Gravis, Hydrocephalus, nail-patella
25 syndrome, residual limb pain, post-traumatic stress
26 disorder, seizures (including those characteristic of

1 epilepsy), or the treatment of these conditions; or

2 (2) any other debilitating medical condition or its
3 treatment that is added by the Department of Public Health
4 by rule as provided in Section 45.

5 (i) "Designated caregiver" means a person who: (1) is at
6 least 21 years of age; (2) has agreed to assist with a
7 patient's medical use of cannabis; (3) has not been convicted
8 of an excluded offense; and (4) assists no more than one
9 registered qualifying patient with his or her medical use of
10 cannabis.

11 (j) "Dispensing organization agent identification card"
12 means a document issued by the Department of Financial and
13 Professional Regulation that identifies a person as a medical
14 cannabis dispensing organization agent.

15 (k) "Enclosed, locked facility" means a room, greenhouse,
16 building, or other enclosed area equipped with locks or other
17 security devices that permit access only by a cultivation
18 center's agents or a dispensing organization's agent working
19 for the registered cultivation center or the registered
20 dispensing organization to cultivate, store, and distribute
21 cannabis for registered qualifying patients.

22 (l) "Excluded offense" means:

23 (1) a violent crime defined in Section 3 of the Rights
24 of Crime Victims and Witnesses Act or a substantially
25 similar offense that was classified as a felony in the
26 jurisdiction where the person was convicted; or

1 (2) a violation of a state or federal controlled
2 substance law that was classified as a felony in the
3 jurisdiction where the person was convicted, except that
4 the registering Department may waive this restriction if
5 the person demonstrates to the registering Department's
6 satisfaction that his or her conviction was for the
7 possession, cultivation, transfer, or delivery of a
8 reasonable amount of cannabis intended for medical use.
9 This exception does not apply if the conviction was under
10 state law and involved a violation of an existing medical
11 cannabis law.

12 (m) "Medical cannabis cultivation center registration"
13 means a registration issued by the Department of Agriculture.

14 (n) "Medical cannabis container" means a sealed,
15 traceable, food compliant, tamper resistant, tamper evident
16 container, or package used for the purpose of containment of
17 medical cannabis from a cultivation center to a dispensing
18 organization.

19 (o) "Medical cannabis dispensing organization", or
20 "dispensing organization", or "dispensary organization" means
21 a facility operated by an organization or business that is
22 registered by the Department of Financial and Professional
23 Regulation to acquire medical cannabis from a registered
24 cultivation center for the purpose of dispensing cannabis,
25 paraphernalia, or related supplies and educational materials
26 to registered qualifying patients.

1 (p) "Medical cannabis dispensing organization agent" or
2 "dispensing organization agent" means a principal officer,
3 board member, employee, or agent of a registered medical
4 cannabis dispensing organization who is 21 years of age or
5 older and has not been convicted of an excluded offense.

6 (q) "Medical cannabis infused product" means food, oils,
7 ointments, or other products containing usable cannabis that
8 are not smoked.

9 (r) "Medical use" means the acquisition; administration;
10 delivery; possession; transfer; transportation; or use of
11 cannabis to treat or alleviate a registered qualifying
12 patient's debilitating medical condition or symptoms
13 associated with the patient's debilitating medical condition.

14 (s) "Physician" means a doctor of medicine or doctor of
15 osteopathy licensed under the Medical Practice Act of 1987 to
16 practice medicine and who has a controlled substances license
17 under Article III of the Illinois Controlled Substances Act. It
18 does not include a licensed practitioner under any other Act
19 including but not limited to the Illinois Dental Practice Act.

20 (t) "Qualifying patient" means a person who has been
21 diagnosed by a physician as having a debilitating medical
22 condition.

23 (u) "Registered" means licensed, permitted, or otherwise
24 certified by the Department of Agriculture, Department of
25 Public Health, or Department of Financial and Professional
26 Regulation.

1 (v) "Registry identification card" means a document issued
2 by the Department of Public Health that identifies a person as
3 a registered qualifying patient or registered designated
4 caregiver.

5 (w) "Usable cannabis" means the seeds, leaves, buds, and
6 flowers of the cannabis plant and any mixture or preparation
7 thereof, but does not include the stalks, and roots of the
8 plant. It does not include the weight of any non-cannabis
9 ingredients combined with cannabis, such as ingredients added
10 to prepare a topical administration, food, or drink.

11 (x) "Verification system" means a Web-based system
12 established and maintained by the Department of Public Health
13 that is available to the Department of Agriculture, the
14 Department of Financial and Professional Regulation, law
15 enforcement personnel, and registered medical cannabis
16 dispensing organization agents on a 24-hour basis for the
17 verification of registry identification cards, the tracking of
18 delivery of medical cannabis to medical cannabis dispensing
19 organizations, and the tracking of the date of sale, amount,
20 and price of medical cannabis purchased by a registered
21 qualifying patient.

22 (y) "Written certification" means a document dated and
23 signed by a physician, stating (1) that in the physician's
24 professional opinion the patient is likely to receive
25 therapeutic or palliative benefit from the medical use of
26 cannabis to treat or alleviate the patient's debilitating

1 medical condition or symptoms associated with the debilitating
2 medical condition; (2) that the qualifying patient has a
3 debilitating medical condition and specifying the debilitating
4 medical condition the qualifying patient has; and (3) that the
5 patient is under the physician's care for the debilitating
6 medical condition. A written certification shall be made only
7 in the course of a bona fide physician-patient relationship,
8 after the physician has completed an assessment of the
9 qualifying patient's medical history, reviewed relevant
10 records related to the patient's debilitating condition, and
11 conducted a physical examination.

12 A veteran who has received treatment at a VA hospital shall
13 be deemed to have a bona fide physician-patient relationship
14 with a VA physician if the patient has been seen for his or her
15 debilitating medical condition at the VA Hospital in accordance
16 with VA Hospital protocols.

17 A bona fide physician-patient relationship under this
18 subsection is a privileged communication within the meaning of
19 Section 8-802 of the Code of Civil Procedure.

20 (Source: P.A. 98-122, eff. 1-1-14; 98-775, eff. 1-1-15.)

21 Section 10. The Firearm Owners Identification Card Act is
22 amended by changing Sections 1.1 and 8 as follows:

23 (430 ILCS 65/1.1) (from Ch. 38, par. 83-1.1)

24 Sec. 1.1. For purposes of this Act:

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

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

5 (2) determined by the Department of State Police to be
6 addicted to narcotics based upon federal law or federal
7 guidelines.

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

13 Notwithstanding any other provision of this Act, federal
14 law, or federal guidelines, the determination of whether a
15 person is addicted to narcotics shall not be based on the
16 status of the person as a registered qualifying patient or
17 registered caregiver under the Compassionate Use of Medical
18 Cannabis Pilot Program Act.

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

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

26 (2) lacks the mental capacity to manage his or her own

1 affairs or is adjudicated a person with a disability as
2 defined in Section 11a-2 of the Probate Act of 1975;

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

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

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

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

11 (6) is a sexually violent person under subsection (f)
12 of Section 5 of the Sexually Violent Persons Commitment
13 Act;

14 (7) is a sexually dangerous person under the Sexually
15 Dangerous Persons Act;

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

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

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

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

26 (12) is subject to judicial admission as set forth in

1 Section 4-500 of the Mental Health and Developmental
2 Disabilities Code; or

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

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

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

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

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

19 "Controlled substance" means a controlled substance or
20 controlled substance analog as defined in the Illinois
21 Controlled Substances Act.

22 "Counterfeit" means to copy or imitate, without legal
23 authority, with intent to deceive.

24 ~~disability~~

25 ~~This disability results in the professional opinion of a~~
26 ~~physician, clinical psychologist, or qualified examiner, in~~

1 ~~significant functional limitations in 3 or more of the~~
2 ~~following areas of major life activity:~~

- 3 ~~(i) self care;~~
4 ~~(ii) receptive and expressive language;~~
5 ~~(iii) learning;~~
6 ~~(iv) mobility; or~~
7 ~~(v) self direction.~~

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

11 "Firearm" means any device, by whatever name known, which
12 is designed to expel a projectile or projectiles by the action
13 of an explosion, expansion of gas or escape of gas; excluding,
14 however:

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

19 (1.1) any pneumatic gun, spring gun, paint ball gun, or
20 B-B gun which expels breakable paint balls containing
21 washable marking colors;

22 (2) any device used exclusively for signalling or
23 safety and required or recommended by the United States
24 Coast Guard or the Interstate Commerce Commission;

25 (3) any device used exclusively for the firing of stud
26 cartridges, explosive rivets or similar industrial

1 ammunition; and

2 (4) an antique firearm (other than a machine-gun)
3 which, although designed as a weapon, the Department of
4 State Police finds by reason of the date of its
5 manufacture, value, design, and other characteristics is
6 primarily a collector's item and is not likely to be used
7 as a weapon.

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

11 (1) any ammunition exclusively designed for use with a
12 device used exclusively for signalling or safety and
13 required or recommended by the United States Coast Guard or
14 the Interstate Commerce Commission; and

15 (2) any ammunition designed exclusively for use with a
16 stud or rivet driver or other similar industrial
17 ammunition.

18 "Gun show" means an event or function:

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

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

26 "Gun show" includes the entire premises provided for an

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

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

16 "Gun show promoter" means a person who organizes or
17 operates a gun show.

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

23 "Involuntarily admitted" has the meaning as prescribed in
24 Sections 1-119 and 1-119.1 of the Mental Health and
25 Developmental Disabilities Code.

26 "Mental health facility" means any licensed private

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

11 "National governing body" means a group of persons who
12 adopt rules and formulate policy on behalf of a national
13 firearm sporting organization.

14 "Patient" means:

15 (1) a person who voluntarily receives mental health
16 treatment as an in-patient or resident of any public or
17 private mental health facility, unless the treatment was
18 solely for an alcohol abuse disorder and no other secondary
19 substance abuse disorder or mental illness; or

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

24 "Person with a developmental disability" means a person
25 with a disability which is attributable to any other condition
26 which results in impairment similar to that caused by an

1 intellectual disability and which requires services similar to
2 those required by persons with intellectual disabilities. The
3 disability must originate before the age of 18 years, be
4 expected to continue indefinitely, and constitute a
5 substantial disability. This disability results, in the
6 professional opinion of a physician, clinical psychologist, or
7 qualified examiner, in significant functional limitations in 3
8 or more of the following areas of major life activity:

9 (i) self-care;

10 (ii) receptive and expressive language;

11 (iii) learning;

12 (iv) mobility; or

13 (v) self-direction.

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

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

21 "Qualified examiner" has the meaning provided in Section
22 1-122 of the Mental Health and Developmental Disabilities Code.

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

1 "School administrator" means the person required to report
2 under the School Administrator Reporting of Mental Health Clear
3 and Present Danger Determinations Law.

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

6 (Source: P.A. 98-63, eff. 7-9-13; 99-29, eff. 7-10-15; 99-143,
7 eff. 7-27-15; revised 10-20-15.)

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

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

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

18 (b) A person under 21 years of age who does not have
19 the written consent of his parent or guardian to acquire
20 and possess firearms and firearm ammunition, or whose
21 parent or guardian has revoked such written consent, or
22 where such parent or guardian does not qualify to have a
23 Firearm Owner's Identification Card;

24 (c) A person convicted of a felony under the laws of
25 this or any other jurisdiction;

1 (d) A person addicted to narcotics;

2 (e) A person who has been a patient of a mental health
3 facility within the past 5 years or a person who has been a
4 patient in a mental health facility more than 5 years ago
5 who has not received the certification required under
6 subsection (u) of this Section. An active law enforcement
7 officer employed by a unit of government who is denied,
8 revoked, or has his or her Firearm Owner's Identification
9 Card seized under this subsection (e) may obtain relief as
10 described in subsection (c-5) of Section 10 of this Act if
11 the officer did not act in a manner threatening to the
12 officer, another person, or the public as determined by the
13 treating clinical psychologist or physician, and the
14 officer seeks mental health treatment;

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

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

19 (h) A person who intentionally makes a false statement
20 in the Firearm Owner's Identification Card application;

21 (i) An alien who is unlawfully present in the United
22 States under the laws of the United States;

23 (i-5) An alien who has been admitted to the United
24 States under a non-immigrant visa (as that term is defined
25 in Section 101(a)(26) of the Immigration and Nationality
26 Act (8 U.S.C. 1101(a)(26))), except that this subsection

1 (i-5) does not apply to any alien who has been lawfully
2 admitted to the United States under a non-immigrant visa if
3 that alien is:

4 (1) admitted to the United States for lawful
5 hunting or sporting purposes;

6 (2) an official representative of a foreign
7 government who is:

8 (A) accredited to the United States Government
9 or the Government's mission to an international
10 organization having its headquarters in the United
11 States; or

12 (B) en route to or from another country to
13 which that alien is accredited;

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

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

20 (5) one who has received a waiver from the Attorney
21 General of the United States pursuant to 18 U.S.C.
22 922(y) (3);

23 (j) (Blank);

24 (k) A person who has been convicted within the past 5
25 years of battery, assault, aggravated assault, violation
26 of an order of protection, or a substantially similar

1 offense in another jurisdiction, in which a firearm was
2 used or possessed;

3 (l) A person who has been convicted of domestic
4 battery, aggravated domestic battery, or a substantially
5 similar offense in another jurisdiction committed before,
6 on or after January 1, 2012 (the effective date of Public
7 Act 97-158). If the applicant or person who has been
8 previously issued a Firearm Owner's Identification Card
9 under this Act knowingly and intelligently waives the right
10 to have an offense described in this paragraph (l) tried by
11 a jury, and by guilty plea or otherwise, results in a
12 conviction for an offense in which a domestic relationship
13 is not a required element of the offense but in which a
14 determination of the applicability of 18 U.S.C. 922(g)(9)
15 is made under Section 112A-11.1 of the Code of Criminal
16 Procedure of 1963, an entry by the court of a judgment of
17 conviction for that offense shall be grounds for denying an
18 application for and for revoking and seizing a Firearm
19 Owner's Identification Card previously issued to the
20 person under this Act;

21 (m) (Blank);

22 (n) A person who is prohibited from acquiring or
23 possessing firearms or firearm ammunition by ~~any~~ Illinois
24 State statute or by federal law, other than State statutes
25 and federal laws that may prohibit the acquisition or
26 possession of firearms or firearm ammunition based on a

1 person's status as a registered qualifying patient under
2 the Compassionate Use of Medical Cannabis Pilot Program
3 Act;

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

8 (p) An adult who had been adjudicated a delinquent
9 minor under the Juvenile Court Act of 1987 for the
10 commission of an offense that if committed by an adult
11 would be a felony;

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

15 (r) A person who has been adjudicated as a person with
16 a mental disability;

17 (s) A person who has been found to have a developmental
18 disability;

19 (t) A person involuntarily admitted into a mental
20 health facility; or

21 (u) A person who has had his or her Firearm Owner's
22 Identification Card revoked or denied under subsection (e)
23 of this Section or item (iv) of paragraph (2) of subsection
24 (a) of Section 4 of this Act because he or she was a
25 patient in a mental health facility as provided in
26 subsection (e) of this Section, shall not be permitted to

1 obtain a Firearm Owner's Identification Card, after the
2 5-year period has lapsed, unless he or she has received a
3 mental health evaluation by a physician, clinical
4 psychologist, or qualified examiner as those terms are
5 defined in the Mental Health and Developmental
6 Disabilities Code, and has received a certification that he
7 or she is not a clear and present danger to himself,
8 herself, or others. The physician, clinical psychologist,
9 or qualified examiner making the certification and his or
10 her employer shall not be held criminally, civilly, or
11 professionally liable for making or not making the
12 certification required under this subsection, except for
13 willful or wanton misconduct. This subsection does not
14 apply to a person whose firearm possession rights have been
15 restored through administrative or judicial action under
16 Section 10 or 11 of this Act.

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

21 (Source: P.A. 98-63, eff. 7-9-13; 98-508, eff. 8-19-13; 98-756,
22 eff. 7-16-14; 99-143, eff. 7-27-15.)