

1 AN ACT concerning safety.

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

4 Section 5. The Firearm Owners Identification Card Act is  
5 amended by changing Section 8.1 as follows:

6 (430 ILCS 65/8.1) (from Ch. 38, par. 83-8.1)

7 Sec. 8.1. Notifications to the Department of State Police.

8 (a) The Circuit Clerk shall, in the form and manner  
9 required by the Supreme Court, notify the Department of State  
10 Police of all final dispositions of cases for which the  
11 Department has received information reported to it under  
12 Sections 2.1 and 2.2 of the Criminal Identification Act.

13 (b) Upon adjudication of any individual as a person with a  
14 mental disability as defined in Section 1.1 of this Act or a  
15 finding that a person has been involuntarily admitted, the  
16 court shall direct the circuit court clerk to immediately  
17 notify the Department of State Police, Firearm Owner's  
18 Identification (FOID) department, and shall forward a copy of  
19 the court order to the Department.

20 (b-1) Beginning July 1, 2016, and each July 1 and December  
21 30 of every year thereafter, the circuit court clerk shall, in  
22 the form and manner prescribed by the Department of State  
23 Police, notify the Department of State Police, Firearm Owner's

1 Identification (FOID) department if the court has not directed  
2 the circuit court clerk to notify the Department of State  
3 Police, Firearm Owner's Identification (FOID) department under  
4 subsection (b) of this Section, within the preceding 6 months,  
5 because no person has been adjudicated as a person with a  
6 mental disability by the court as defined in Section 1.1 of  
7 this Act or if no person has been involuntarily admitted. The  
8 Supreme Court may adopt any orders or rules necessary to  
9 identify the persons who shall be reported to the Department of  
10 State Police under subsection (b), or any other orders or rules  
11 necessary to implement the requirements of this Act.

12 (c) The Department of Human Services shall, in the form and  
13 manner prescribed by the Department of State Police, report all  
14 information collected under subsection (b) of Section 12 of the  
15 Mental Health and Developmental Disabilities Confidentiality  
16 Act for the purpose of determining whether a person who may be  
17 or may have been a patient in a mental health facility is  
18 disqualified under State or federal law from receiving or  
19 retaining a Firearm Owner's Identification Card, or purchasing  
20 a weapon.

21 (d) If a person is determined to pose a clear and present  
22 danger to himself, herself, or to others:

23 (1) by a physician, clinical psychologist, or  
24 qualified examiner, or is determined to have a  
25 developmental disability by a physician, clinical  
26 psychologist, or qualified examiner, whether employed by

1 the State or privately, then the physician, clinical  
2 psychologist, or qualified examiner shall, within 24 hours  
3 of making the determination, notify the Department of Human  
4 Services that the person poses a clear and present danger  
5 or has a developmental disability; or

6 (2) by a law enforcement official or school  
7 administrator, then the law enforcement official or school  
8 administrator shall, within 24 hours of making the  
9 determination, notify the Department of State Police that  
10 the person poses a clear and present danger.

11 The Department of Human Services shall immediately update  
12 its records and information relating to mental health and  
13 developmental disabilities, and if appropriate, shall notify  
14 the Department of State Police in a form and manner prescribed  
15 by the Department of State Police. The Department of State  
16 Police shall determine whether to revoke the person's Firearm  
17 Owner's Identification Card under Section 8 of this Act. Any  
18 information disclosed under this subsection shall remain  
19 privileged and confidential, and shall not be redisclosed,  
20 except as required under subsection (e) of Section 3.1 of this  
21 Act, nor used for any other purpose. The method of providing  
22 this information shall guarantee that the information is not  
23 released beyond what is necessary for the purpose of this  
24 Section and shall be provided by rule by the Department of  
25 Human Services. The identity of the person reporting under this  
26 Section shall not be disclosed to the subject of the report.

1 The physician, clinical psychologist, qualified examiner, law  
2 enforcement official, or school administrator making the  
3 determination and his or her employer shall not be held  
4 criminally, civilly, or professionally liable for making or not  
5 making the notification required under this subsection, except  
6 for willful or wanton misconduct.

7 (e) The Department of State Police shall adopt rules to  
8 implement this Section.

9 (Source: P.A. 98-63, eff. 7-9-13; 98-600, eff. 12-6-13; 99-143,  
10 eff. 7-27-15.)

11 Section 99. Effective date. This Act takes effect upon  
12 becoming law.