

Our One Job is to Keep Children Safe from Gun Violence

SUPPORT BLOCK ILLEGAL OWNERSHIP (BIO) AND FIX THE FOID BILL

HB3245/SB568

Sponsors: Sen. Villivalam, Rep. Willis



✔ Requiring a Point-of-Sale Background Check for All Gun Sales, Including Those by an Unlicensed Seller

- ▶ Under current law, an unlicensed seller must only verify that a prospective buyer has a valid FOID Card, but there is no requirement that a background check be conducted at the time of the sale. SB1966 would require that unlicensed sales be facilitated by a licensed gun dealer and include a background check.
- ▶ The bill includes commonsense exceptions for law enforcement, gunsmiths, loans for shooting at a range or hunting, transfers through an estate, and buyback programs.
- ▶ Requiring a background check for every gun sale is the foundation of a strong and effective gun violence prevention policy and a valuable tool to help reduce illegal firearm trafficking. For example, a 2009 study found intrastate gun trafficking was 48% lower in cities in states that regulated unlicensed handgun sales.¹

👤 Requiring FOID Applicants to Submit Fingerprints as Part of their Application

- ▶ Requiring that FOID applicants submit fingerprints will help ensure that an accurate criminal history can be ascertained at the time of the application.² Including fingerprints as part of a purchaser application, in addition to requiring that the application be completed in-person, has shown to be effective at reducing gun violence. For example, Connecticut's Permit to Purchase handgun licensing system, which requires an in-person application, fingerprinting, safety training, and limits the validity of the license to only 5 years, was linked to a reduction in gun homicides by 40% during the 10-year span the law was implemented.³

💰 Adjusting Fees

- ▶ Set the FOID card fee to \$20 for both new and renewal applications. \$15 of FOID card fee shall go to the State Police Firearm Services Fund and \$5 shall go to the State Police Revocation Reimbursement Fund.
- ▶ Cap the live scan fingerprint vendor price to \$30.

❤️ Amending the Mental Health Reporting Fund (Fund Receiving Money from Concealed Carry License fees)

- ▶ State that any surplus funds beyond what is necessary for compliance shall be allocated annually in equal parts to community-based mental health services aimed at reducing gun violence and school-based mental health grants. Currently the fund states that surplus money should be used by DHS for mental health treatment programs, but it has not been used for that purpose and sits unused.
- ▶ Add clarifying language to the Mental Health Reporting Fund that mental health reporting includes reporting to the National Instant Criminal Background Check System (NICS).



Requiring Action by Illinois State Police (ISP) to Remove Guns Once a FOID Card is Revoked

- Create ISP-led task force with mandated ISP enforcement, prioritizing certain “clear and present danger” revocations. Task Fund for the task force will come from the Revocation Enforcement Fund.
- Require ISP to send out revocation notices within 7 business days.
- Require Firearm Disposition Records to be filled out by firearm transferees.
- Current enforcement of the FOID revocation law is extremely lax. According to Illinois State Police in 2018, 10,818 FOID cards were revoked, but only 2,616 Firearm Disposition Records were received and only 3,469 FOID cards were returned to law enforcement.⁴



Reducing the FOID Card Duration from 10 years to 5 years. Illinois is 1 of only 2 States whose License to Purchase Firearms is Valid for 10 Years⁵

- Shorter license durations, coupled with other measures like in-person applications and fingerprinting, are tied to lower levels of gun violence.⁶
- Shorter license durations also require persons seeking to purchase firearms to undergo background checks more often, enabling the licensing system to reduce the risk of people who become prohibited after obtaining a FOID card from using their card to purchase firearms from unlicensed sellers.



Improving In-Court Enforcement

- Clean up convictions section to enumerate when revocations are required.
- Update both bail and conviction sections to account for new Firearm Disposition Records requirements, the new transfer provisions that were included in the Firearm Restraining Orders Act, and the new universal background check provisions.
- Court order revocations of firearms as a bond condition for felony indictments pending convictions.



Improving Information Sharing

- Create the Law Enforcement Prohibited Persons Portal so that revocation information can be available in real time to law enforcement entities.
- ISP must make an effort to have the portal available on Law Enforcement Automated Data System (LEADS).

1. Daniel W. Webster, Jon S. Vernick, and Maria T. Bulzacchelli, “Effects of State-Level Firearm Seller Accountability Policies on Firearms Tracking,” *Journal of Urban Health: Bulletin of the New York Academy of Medicine* 86 (4) (2009): 525–537, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2704273/>

2. Illinois State Police, “FOID Frequently Asked Questions: What do I need to Complete My Application,” available at <https://www.ispsfb.com/Public/FAQ.aspx>.

3. Rudolph KE, Stuart EA, Vernick JS, Webster DW. Association Between Connecticut’s Permit-to-Purchase Handgun Law and Homicides. *American Journal of Public Health*. 2015;105(8):e49-e54. doi:10.2105/AJPH.2015.302703.

4. Illinois State Police, “Illinois State Police Provide Additional Information Related to the FOID Process and Gary Martin,” available at <http://www.isp.state.il.us/media/pressdetails.cfm?ID=1019>.

5. Crifasi, McCourt and Webster; Giffords Law Center, “Licensing: Summary of State Law,” available at <https://lawcenter.giffords.org/gun-laws/policy-areas/gun-owner-responsibilities/licensing/#state>.

6. Rudolph KE, Stuart EA, Vernick JS, Webster DW. Association Between Connecticut’s Permit-to-Purchase Handgun Law and Homicides. *American Journal of Public Health*. 2015;105(8):e49-e54. doi:10.2105/AJPH.2015.302

For more information contact:

Kathleen@gpacillinois.com

