

The Block Illegal Gun Ownership and Fix the Foid Bill

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

- Requires unlicensed sales to be facilitated by a licensed gun dealer and include a background check. 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.
- 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
- Creates the option of an electronic FOID.

👤 Requires FOID Applicants to Submit Fingerprints as Part of Their Application

- Requiring FOID applicants to submit fingerprints will help ensure that any accurate criminal history can be ascertained at the time of the application.
- 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, and safety training, and limits the validity of the license to only 5 years, was linked to a reduction in gun homicides by 40 percent during the 10- year span the law was implemented.²

💰 Adjusts Fees

- Sets the FOID card fee to \$20 for both new and renewal applications: \$10 of FOID card fee will go to the State Police Firearm Services Fund and \$10 will go to the State Police Revocation Reimbursement Fund.
- Caps the live scan fingerprint vendor price to \$30.

+ Amends the Mental Health Reporting Fund (Funded by Concealed Carry License Fees)

- States 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.
- Adds clarifying language to the *Mental Health Reporting Fund* that mental health reporting includes reporting to the *National Instant Criminal Background Check System (NICS)*.

✔ Requires Action by Illinois State Police (ISP) to Remove Guns once a FOID Card is Revoked

- Creates ISP-led task force with mandated ISP enforcement, prioritizing certain "clear and present danger" revocations. Funding for the task force to come from the *Revocation Enforcement Fund*.
- Requires Illinois State Police to send out revocation notices within seven business days.
- Requires 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 3,469 FOID cards were returned to law enforcement and only 2,616 Firearm Disposition Records were received.³



Reduces the FOID Card Duration from Ten Years to Five Years

- Illinois is one of only two states whose license to purchase firearms is valid for ten years.⁴
- Shorter license durations, coupled with other measures like in-person applications and fingerprinting, are tied to lower levels of gun violence.⁵
- 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.



Improves In-Court Enforcement

- Cleans up convictions section to enumerate when revocations and suspensions are required.
- Updates 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 orders revocations of firearms as a bond condition for felony indictments pending convictions and criminal misdemeanors upon conviction.



Improves Information Sharing

- Creates the *Law Enforcement Prohibited Persons Portal* so that revocation information can be available in real time to law enforcement entities.
- Requires Illinois State Police to make the portal available on *Law Enforcement Automated Data System (LEADS)*.



Fixes the FOID Card System

- Renews CCL and FOID cards on same calendar year.
- Gives authority for Illinois State Police to issue one card for persons eligible for FOID and CCL.
- Provides the option for electronic cards.
- Allows applicants to use fingerprints already on file with Illinois State Police.
- Provides access to Secretary of State database for address updates.
- Allows for suspension or revocation of FOID card if applicant is subject to a stalking or civil no contact order.
- If FOID card is revoked or suspended, allows the defendant to petition the court to transfer their firearm to a person in a different household, who is lawfully able to possess.
- Requires persons indicted on felony charges or convicted of a criminal misdemeanor to physically surrender their FOID card and all firearms in their possession to law enforcement.
- Automatically renews FOID card with a *FTIP (Firearms Transfer Inquiry Program)*.
- Automatically renews FOID card when CCL is renewed.
- Allows the State Treasurer to charge electronic processing fee for credit cards.
- Creates permanent *FOID Appeals Board*.



For more information contact:
Kathleen@gpacillinois.com

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. 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.

3. 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>.

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

5. 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