



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB2138

Introduced 2/7/2025, by Sen. Chapin Rose

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-2  
730 ILCS 125/26.1

Amends the Criminal Code of 2012. Provides that court security officers are exempt from provisions barring the carrying and possession of weapons in a vehicle, concealed upon one's person, or upon public streets, alleys, or other public lands within the corporate limits of a municipality. Amends the County Jail Act. Provides that court security officers shall be deemed to be qualified law enforcement officers or, if retired, shall be deemed qualified retired or separated law enforcement officers in Illinois for purposes of coverage under the federal Law Enforcement Officers Safety Act of 2004 and shall have all rights and privileges granted by that Act if the court security officer or retired court security officer is otherwise compliant with the applicable laws of this State governing the implementation and administration of the federal Law Enforcement Officers Safety Act of 2004 in the State of Illinois.

LRB104 03907 RLC 13931 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 2012 is amended by  
5 changing Section 24-2 as follows:

6 (720 ILCS 5/24-2)

7 Sec. 24-2. Exemptions.

8 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
9 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
10 the following:

11 (1) Peace officers, and any person summoned by a peace  
12 officer to assist in making arrests or preserving the  
13 peace, while actually engaged in assisting such officer.

14 (2) Wardens, superintendents, and keepers of prisons,  
15 penitentiaries, jails, and other institutions for the  
16 detention of persons accused or convicted of an offense,  
17 while in the performance of their official duty, or while  
18 commuting between their homes and places of employment.

19 (3) Members of the Armed Services or Reserve Forces of  
20 the United States or the Illinois National Guard or the  
21 Reserve Officers Training Corps, while in the performance  
22 of their official duty.

23 (4) Special agents employed by a railroad or a public

1 utility to perform police functions, and guards of armored  
2 car companies, while actually engaged in the performance  
3 of the duties of their employment or commuting between  
4 their homes and places of employment; and watchmen while  
5 actually engaged in the performance of the duties of their  
6 employment.

7 (5) Persons licensed as private security contractors,  
8 private detectives, or private alarm contractors, or  
9 employed by a private security contractor, private  
10 detective, or private alarm contractor agency licensed by  
11 the Department of Financial and Professional Regulation,  
12 if their duties include the carrying of a weapon under the  
13 provisions of the Private Detective, Private Alarm,  
14 Private Security, Fingerprint Vendor, and Locksmith Act of  
15 2004, while actually engaged in the performance of the  
16 duties of their employment or commuting between their  
17 homes and places of employment. A person shall be  
18 considered eligible for this exemption if he or she has  
19 completed the required 20 hours of training for a private  
20 security contractor, private detective, or private alarm  
21 contractor, or employee of a licensed private security  
22 contractor, private detective, or private alarm contractor  
23 agency and 28 hours of required firearm training, and has  
24 been issued a firearm control card by the Department of  
25 Financial and Professional Regulation. Conditions for the  
26 renewal of firearm control cards issued under the

1 provisions of this Section shall be the same as for those  
2 cards issued under the provisions of the Private  
3 Detective, Private Alarm, Private Security, Fingerprint  
4 Vendor, and Locksmith Act of 2004. The firearm control  
5 card shall be carried by the private security contractor,  
6 private detective, or private alarm contractor, or  
7 employee of the licensed private security contractor,  
8 private detective, or private alarm contractor agency at  
9 all times when he or she is in possession of a concealable  
10 weapon permitted by his or her firearm control card.

11 (6) Any person regularly employed in a commercial or  
12 industrial operation as a security guard for the  
13 protection of persons employed and private property  
14 related to such commercial or industrial operation, while  
15 actually engaged in the performance of his or her duty or  
16 traveling between sites or properties belonging to the  
17 employer, and who, as a security guard, is a member of a  
18 security force registered with the Department of Financial  
19 and Professional Regulation; provided that such security  
20 guard has successfully completed a course of study,  
21 approved by and supervised by the Department of Financial  
22 and Professional Regulation, consisting of not less than  
23 48 hours of training that includes the theory of law  
24 enforcement, liability for acts, and the handling of  
25 weapons. A person shall be considered eligible for this  
26 exemption if he or she has completed the required 20 hours

1 of training for a security officer and 28 hours of  
2 required firearm training, and has been issued a firearm  
3 control card by the Department of Financial and  
4 Professional Regulation. Conditions for the renewal of  
5 firearm control cards issued under the provisions of this  
6 Section shall be the same as for those cards issued under  
7 the provisions of the Private Detective, Private Alarm,  
8 Private Security, Fingerprint Vendor, and Locksmith Act of  
9 2004. The firearm control card shall be carried by the  
10 security guard at all times when he or she is in possession  
11 of a concealable weapon permitted by his or her firearm  
12 control card.

13 (7) Agents and investigators of the Illinois  
14 Legislative Investigating Commission authorized by the  
15 Commission to carry the weapons specified in subsections  
16 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
17 any investigation for the Commission.

18 (8) Persons employed by a financial institution as a  
19 security guard for the protection of other employees and  
20 property related to such financial institution, while  
21 actually engaged in the performance of their duties,  
22 commuting between their homes and places of employment, or  
23 traveling between sites or properties owned or operated by  
24 such financial institution, and who, as a security guard,  
25 is a member of a security force registered with the  
26 Department; provided that any person so employed has

1       successfully completed a course of study, approved by and  
2       supervised by the Department of Financial and Professional  
3       Regulation, consisting of not less than 48 hours of  
4       training which includes theory of law enforcement,  
5       liability for acts, and the handling of weapons. A person  
6       shall be considered to be eligible for this exemption if  
7       he or she has completed the required 20 hours of training  
8       for a security officer and 28 hours of required firearm  
9       training, and has been issued a firearm control card by  
10      the Department of Financial and Professional Regulation.  
11      Conditions for renewal of firearm control cards issued  
12      under the provisions of this Section shall be the same as  
13      for those issued under the provisions of the Private  
14      Detective, Private Alarm, Private Security, Fingerprint  
15      Vendor, and Locksmith Act of 2004. The firearm control  
16      card shall be carried by the security guard at all times  
17      when he or she is in possession of a concealable weapon  
18      permitted by his or her firearm control card. For purposes  
19      of this subsection, "financial institution" means a bank,  
20      savings and loan association, credit union, or company  
21      providing armored car services.

22           (9) Any person employed by an armored car company to  
23      drive an armored car, while actually engaged in the  
24      performance of his duties.

25           (10) Persons who have been classified as peace  
26      officers pursuant to the Peace Officer Fire Investigation

1 Act.

2 (11) Investigators of the Office of the State's  
3 Attorneys Appellate Prosecutor authorized by the board of  
4 governors of the Office of the State's Attorneys Appellate  
5 Prosecutor to carry weapons pursuant to Section 7.06 of  
6 the State's Attorneys Appellate Prosecutor's Act.

7 (12) Special investigators appointed by a State's  
8 Attorney under Section 3-9005 of the Counties Code.

9 (12.5) Probation officers while in the performance of  
10 their duties, or while commuting between their homes,  
11 places of employment or specific locations that are part  
12 of their assigned duties, with the consent of the chief  
13 judge of the circuit for which they are employed, if they  
14 have received weapons training according to requirements  
15 of the Peace Officer and Probation Officer Firearm  
16 Training Act.

17 (13) Court security officers ~~Security Officers~~ while  
18 in the performance of their official duties, or while  
19 commuting between their homes and places of employment,  
20 with the consent of the sheriff ~~Sheriff~~.

21 (13.5) A person employed as an armed security guard at  
22 a nuclear energy, storage, weapons, or development site or  
23 facility regulated by the Nuclear Regulatory Commission  
24 who has completed the background screening and training  
25 mandated by the rules and regulations of the Nuclear  
26 Regulatory Commission.

1           (14) Manufacture, transportation, or sale of weapons  
2           to persons authorized under subdivisions (1) through  
3           (13.5) of this subsection to possess those weapons.

4           (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply  
5           to or affect any person carrying a concealed pistol, revolver,  
6           or handgun and the person has been issued a currently valid  
7           license under the Firearm Concealed Carry Act at the time of  
8           the commission of the offense.

9           (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply  
10          to or affect a qualified current or retired law enforcement  
11          officer or a current or retired deputy, county correctional  
12          officer, court security officer, or correctional officer of  
13          the Department of Corrections qualified under the laws of this  
14          State or under the federal Law Enforcement Officers Safety  
15          Act.

16          (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
17          24-1.6 do not apply to or affect any of the following:

18               (1) Members of any club or organization organized for  
19               the purpose of practicing shooting at targets upon  
20               established target ranges, whether public or private, and  
21               patrons of such ranges, while such members or patrons are  
22               using their firearms on those target ranges.

23               (2) Duly authorized military or civil organizations  
24               while parading, with the special permission of the  
25               Governor.

26               (3) Hunters, trappers, or fishermen while engaged in

1 lawful hunting, trapping, or fishing under the provisions  
2 of the Wildlife Code or the Fish and Aquatic Life Code.

3 (4) Transportation of weapons that are broken down in  
4 a non-functioning state or are not immediately accessible.

5 (5) Carrying or possessing any pistol, revolver, stun  
6 gun or taser or other firearm on the land or in the legal  
7 dwelling of another person as an invitee with that  
8 person's permission.

9 (c) Subsection 24-1(a)(7) does not apply to or affect any  
10 of the following:

11 (1) Peace officers while in performance of their  
12 official duties.

13 (2) Wardens, superintendents, and keepers of prisons,  
14 penitentiaries, jails, and other institutions for the  
15 detention of persons accused or convicted of an offense.

16 (3) Members of the Armed Services or Reserve Forces of  
17 the United States or the Illinois National Guard, while in  
18 the performance of their official duty.

19 (4) Manufacture, transportation, or sale of machine  
20 guns to persons authorized under subdivisions (1) through  
21 (3) of this subsection to possess machine guns, if the  
22 machine guns are broken down in a non-functioning state or  
23 are not immediately accessible.

24 (5) Persons licensed under federal law to manufacture  
25 any weapon from which 8 or more shots or bullets can be  
26 discharged by a single function of the firing device, or

1       ammunition for such weapons, and actually engaged in the  
2       business of manufacturing such weapons or ammunition, but  
3       only with respect to activities which are within the  
4       lawful scope of such business, such as the manufacture,  
5       transportation, or testing of such weapons or ammunition.  
6       This exemption does not authorize the general private  
7       possession of any weapon from which 8 or more shots or  
8       bullets can be discharged by a single function of the  
9       firing device, but only such possession and activities as  
10      are within the lawful scope of a licensed manufacturing  
11      business described in this paragraph.

12       During transportation, such weapons shall be broken  
13      down in a non-functioning state or not immediately  
14      accessible.

15       (6) The manufacture, transport, testing, delivery,  
16      transfer, or sale, and all lawful commercial or  
17      experimental activities necessary thereto, of rifles,  
18      shotguns, and weapons made from rifles or shotguns, or  
19      ammunition for such rifles, shotguns, or weapons, where  
20      engaged in by a person operating as a contractor or  
21      subcontractor pursuant to a contract or subcontract for  
22      the development and supply of such rifles, shotguns,  
23      weapons, or ammunition to the United States government or  
24      any branch of the Armed Forces of the United States, when  
25      such activities are necessary and incident to fulfilling  
26      the terms of such contract.

1           The exemption granted under this subdivision (c)(6)  
2           shall also apply to any authorized agent of any such  
3           contractor or subcontractor who is operating within the  
4           scope of his employment, where such activities involving  
5           such weapon, weapons, or ammunition are necessary and  
6           incident to fulfilling the terms of such contract.

7           (7) A person possessing a rifle with a barrel or  
8           barrels less than 16 inches in length if: (A) the person  
9           has been issued a Curios and Relics license from the U.S.  
10          Bureau of Alcohol, Tobacco, Firearms and Explosives; or  
11          (B) the person is an active member of a bona fide,  
12          nationally recognized military re-enacting group and the  
13          modification is required and necessary to accurately  
14          portray the weapon for historical re-enactment purposes;  
15          the re-enactor is in possession of a valid and current  
16          re-enacting group membership credential; and the overall  
17          length of the weapon as modified is not less than 26  
18          inches.

19          (d) Subsection 24-1(a)(1) does not apply to the purchase,  
20          possession or carrying of a black-jack or slung-shot by a  
21          peace officer.

22          (e) Subsection 24-1(a)(8) does not apply to any owner,  
23          manager, or authorized employee of any place specified in that  
24          subsection nor to any law enforcement officer.

25          (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and  
26          Section 24-1.6 do not apply to members of any club or

1 organization organized for the purpose of practicing shooting  
2 at targets upon established target ranges, whether public or  
3 private, while using their firearms on those target ranges.

4 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply  
5 to:

6 (1) Members of the Armed Services or Reserve Forces of  
7 the United States or the Illinois National Guard, while in  
8 the performance of their official duty.

9 (2) Bonafide collectors of antique or surplus military  
10 ordnance.

11 (3) Laboratories having a department of forensic  
12 ballistics<sup>7</sup> or specializing in the development of  
13 ammunition or explosive ordnance.

14 (4) Commerce, preparation, assembly<sup>u</sup> or possession of  
15 explosive bullets by manufacturers of ammunition licensed  
16 by the federal government, in connection with the supply  
17 of those organizations and persons exempted by subdivision  
18 (g)(1) of this Section, or like organizations and persons  
19 outside this State, or the transportation of explosive  
20 bullets to any organization or person exempted in this  
21 Section by a common carrier or by a vehicle owned or leased  
22 by an exempted manufacturer.

23 (g-5) Subsection 24-1(a)(6) does not apply to or affect  
24 persons licensed under federal law to manufacture any device  
25 or attachment of any kind designed, used, or intended for use  
26 in silencing the report of any firearm, firearms, or

1 ammunition for those firearms equipped with those devices, and  
2 actually engaged in the business of manufacturing those  
3 devices, firearms, or ammunition, but only with respect to  
4 activities that are within the lawful scope of that business,  
5 such as the manufacture, transportation, or testing of those  
6 devices, firearms, or ammunition. This exemption does not  
7 authorize the general private possession of any device or  
8 attachment of any kind designed, used, or intended for use in  
9 silencing the report of any firearm, but only such possession  
10 and activities as are within the lawful scope of a licensed  
11 manufacturing business described in this subsection (g-5).  
12 During transportation, these devices shall be detached from  
13 any weapon or not immediately accessible.

14 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
15 24-1.6 do not apply to or affect any parole agent or parole  
16 supervisor who meets the qualifications and conditions  
17 prescribed in Section 3-14-1.5 of the Unified Code of  
18 Corrections.

19 (g-7) Subsection 24-1(a)(6) does not apply to a peace  
20 officer while serving as a member of a tactical response team  
21 or special operations team. A peace officer may not personally  
22 own or apply for ownership of a device or attachment of any  
23 kind designed, used, or intended for use in silencing the  
24 report of any firearm. These devices shall be owned and  
25 maintained by lawfully recognized units of government whose  
26 duties include the investigation of criminal acts.

1 (g-10) (Blank).

2 (h) An information or indictment based upon a violation of  
3 any subsection of this Article need not negate ~~negative~~ any  
4 exemptions contained in this Article. The defendant shall have  
5 the burden of proving such an exemption.

6 (i) Nothing in this Article shall prohibit, apply to, or  
7 affect the transportation, carrying, or possession<sup>7</sup> of any  
8 pistol or revolver, stun gun, taser, or other firearm  
9 consigned to a common carrier operating under license of the  
10 State of Illinois or the federal government, where such  
11 transportation, carrying, or possession is incident to the  
12 lawful transportation in which such common carrier is engaged;  
13 and nothing in this Article shall prohibit, apply to, or  
14 affect the transportation, carrying, or possession of any  
15 pistol, revolver, stun gun, taser, or other firearm, not the  
16 subject of and regulated by subsection 24-1(a)(7) or  
17 subsection 24-2(c) of this Article, which is unloaded and  
18 enclosed in a case, firearm carrying box, shipping box, or  
19 other container, by the possessor of a valid Firearm Owners  
20 Identification Card.

21 (Source: P.A. 102-152, eff. 1-1-22; 102-779, eff. 1-1-23;  
22 102-837, eff. 5-13-22; 103-154, eff. 6-30-23; revised  
23 7-22-24.)

24 Section 10. The County Jail Act is amended by changing  
25 Section 26.1 as follows:

1 (730 ILCS 125/26.1)

2 Sec. 26.1. Deputies, court security officers, and county  
3 correctional officers; coverage under the federal Law  
4 Enforcement Officers Safety Act of 2004. Deputies, court  
5 security officers, and county correctional officers shall be  
6 deemed to be qualified law enforcement officers or, if  
7 retired, shall be deemed qualified retired or separated law  
8 enforcement officers in Illinois for purposes of coverage  
9 under the federal Law Enforcement Officers Safety Act of 2004  
10 and shall have all rights and privileges granted by that Act if  
11 the deputy, court security officer, or county correctional  
12 officer or retired deputy, court security officer, or county  
13 correctional officer is otherwise compliant with the  
14 applicable laws of this State governing the implementation and  
15 administration of the federal Law Enforcement Officers Safety  
16 Act of 2004 in the State of Illinois.

17 (Source: P.A. 102-779, eff. 1-1-23.)