



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB4648**

Introduced 2/5/2020, by Rep. Darren Bailey

#### SYNOPSIS AS INTRODUCED:

50 ILCS 705/2  
720 ILCS 5/24-2

from Ch. 85, par. 502

Amends the Illinois Police Training Act. Defines "retired law enforcement officer qualified under federal law" for purposes of the Act to permit the carrying of a concealed firearm. Amends the Criminal Code of 2012. Permits employed and qualified retired State correctional officers and county correctional officers to carry their own firearms off-duty without being in violation of the unlawful use of weapons and aggravated unlawful use of a weapon statutes if they meet certain training requirements. Provides that employed and qualified retired State correctional officers and county correctional officers shall carry a photographic identification and a valid annual firearm certificate while carrying their own firearms off-duty. Provides that the exemption only applies to correctional officers who have custody and control over inmates in an adult correctional facility. Effective immediately.

LRB101 15544 RLC 64887 b

1 AN ACT concerning firearms.

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

4 Section 5. The Illinois Police Training Act is amended by  
5 changing Section 2 as follows:

6 (50 ILCS 705/2) (from Ch. 85, par. 502)

7 Sec. 2. Definitions. As used in this Act, unless the  
8 context otherwise requires:

9 "Board" means the Illinois Law Enforcement Training  
10 Standards Board.

11 "Local governmental agency" means any local governmental  
12 unit or municipal corporation in this State. It does not  
13 include the State of Illinois or any office, officer,  
14 department, division, bureau, board, commission, or agency of  
15 the State, except that it does include a State-controlled  
16 university, college or public community college.

17 "Police training school" means any school located within  
18 the State of Illinois whether privately or publicly owned which  
19 offers a course in police or county corrections training and  
20 has been approved by the Board.

21 "Probationary police officer" means a recruit law  
22 enforcement officer required to successfully complete initial  
23 minimum basic training requirements at a police training school

1 to be eligible for permanent full-time employment as a local  
2 law enforcement officer.

3 "Probationary part-time police officer" means a recruit  
4 part-time law enforcement officer required to successfully  
5 complete initial minimum part-time training requirements to be  
6 eligible for employment on a part-time basis as a local law  
7 enforcement officer.

8 "Permanent police officer" means a law enforcement officer  
9 who has completed his or her probationary period and is  
10 permanently employed on a full-time basis as a local law  
11 enforcement officer by a participating local governmental unit  
12 or as a security officer or campus policeman permanently  
13 employed by a participating State-controlled university,  
14 college, or public community college.

15 "Part-time police officer" means a law enforcement officer  
16 who has completed his or her probationary period and is  
17 employed on a part-time basis as a law enforcement officer by a  
18 participating unit of local government or as a campus policeman  
19 by a participating State-controlled university, college, or  
20 public community college.

21 "Law enforcement officer" means an employee of a  
22 governmental agency who:

23 (1) is authorized by law to engage in or supervise the  
24 prevention, detection, investigation, or prosecution of,  
25 or the incarceration of any person for any violation of law  
26 and has statutory powers of arrest or apprehension granted

1 by statute;

2 (2) is authorized by the agency to carry a firearm;

3 (3) is not the subject of any disciplinary action by  
4 the agency which could result in suspension or loss of  
5 police powers;

6 (4) meets standards, if any, established by the agency  
7 which require the employee to regularly qualify in the use  
8 of a firearm;

9 (5) is not under the influence of alcohol or another  
10 intoxicating or hallucinatory drug or substance; and

11 (6) is not prohibited by federal law from carrying a  
12 firearm. ~~(i) any police officer of a local governmental~~  
13 ~~agency who is primarily responsible for prevention or~~  
14 ~~detection of crime and the enforcement of the criminal~~  
15 ~~code, traffic, or highway laws of this State or any~~  
16 ~~political subdivision of this State or (ii) any member of a~~  
17 ~~police force appointed and maintained as provided in~~  
18 ~~Section 2 of the Railroad Police Act.~~

19 "Recruit" means any full-time or part-time law enforcement  
20 officer or full-time county corrections officer who is enrolled  
21 in an approved training course.

22 "Retired law enforcement officer qualified under federal  
23 law" means an individual who:

24 (1) separated in good standing from service with a  
25 public agency as a law enforcement officer, other than for  
26 reasons of mental disability;

1           (2) before such separation, was authorized by law to  
2           engage in or supervise the prevention, detection,  
3           investigation, or prosecution of, or the incarceration of  
4           any person for, any violation of law, and had statutory  
5           powers of arrest or apprehension granted by statute;

6           (3) served as a law enforcement officer for an  
7           aggregate of 10 years or more before his or her separation  
8           in good standing from service with his or her agency, or  
9           separated from service in good standing, after completing  
10           any applicable probationary period of service, due to a  
11           service-connected disability as determined by the agency;

12           (4) has met State firearms training and qualifications  
13           that are the same as the training and qualifications for  
14           active duty officers;

15           (5) is not under the influence of alcohol or another  
16           intoxicating or hallucinatory drug or substance; and

17           (6) is not prohibited by federal law from carrying a  
18           firearm.

19           "Probationary county corrections officer" means a recruit  
20           county corrections officer required to successfully complete  
21           initial minimum basic training requirements at a police  
22           training school to be eligible for permanent employment on a  
23           full-time basis as a county corrections officer.

24           "Permanent county corrections officer" means a county  
25           corrections officer who has completed his probationary period  
26           and is permanently employed on a full-time basis as a county

1 corrections officer by a participating local governmental  
2 unit.

3 "County corrections officer" means any sworn officer of the  
4 sheriff who is primarily responsible for the control and  
5 custody of offenders, detainees or inmates.

6 "Probationary court security officer" means a recruit  
7 court security officer required to successfully complete  
8 initial minimum basic training requirements at a designated  
9 training school to be eligible for employment as a court  
10 security officer.

11 "Permanent court security officer" means a court security  
12 officer who has completed his or her probationary period and is  
13 employed as a court security officer by a participating local  
14 governmental unit.

15 "Court security officer" has the meaning ascribed to it in  
16 Section 3-6012.1 of the Counties Code.

17 (Source: P.A. 94-846, eff. 1-1-07.)

18 Section 10. The Criminal Code of 2012 is amended by  
19 changing Section 24-2 as follows:

20 (720 ILCS 5/24-2)

21 Sec. 24-2. Exemptions.

22 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
23 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
24 the following:

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

4           (2) Wardens, superintendents and keepers of prisons,  
5 penitentiaries, jails and other institutions for the  
6 detention of persons accused or convicted of an offense,  
7 while in the performance of their official duty, or while  
8 commuting between their homes and places of employment.

9           (3) Members of the Armed Services or Reserve Forces of  
10 the United States or the Illinois National Guard or the  
11 Reserve Officers Training Corps, while in the performance  
12 of their official duty.

13           (4) Special agents employed by a railroad or a public  
14 utility to perform police functions, and guards of armored  
15 car companies, while actually engaged in the performance of  
16 the duties of their employment or commuting between their  
17 homes and places of employment; and watchmen while actually  
18 engaged in the performance of the duties of their  
19 employment.

20           (5) Persons licensed as private security contractors,  
21 private detectives, or private alarm contractors, or  
22 employed by a private security contractor, private  
23 detective, or private alarm contractor agency licensed by  
24 the Department of Financial and Professional Regulation,  
25 if their duties include the carrying of a weapon under the  
26 provisions of the Private Detective, Private Alarm,

1 Private Security, Fingerprint Vendor, and Locksmith Act of  
2 2004, while actually engaged in the performance of the  
3 duties of their employment or commuting between their homes  
4 and places of employment. A person shall be considered  
5 eligible for this exemption if he or she has completed the  
6 required 20 hours of training for a private security  
7 contractor, private detective, or private alarm  
8 contractor, or employee of a licensed private security  
9 contractor, private detective, or private alarm contractor  
10 agency and 20 hours of required firearm training, and has  
11 been issued a firearm control card by the Department of  
12 Financial and Professional Regulation. Conditions for the  
13 renewal of firearm control cards issued under the  
14 provisions of this Section shall be the same as for those  
15 cards issued under the provisions of the Private Detective,  
16 Private Alarm, Private Security, Fingerprint Vendor, and  
17 Locksmith Act of 2004. The firearm control card shall be  
18 carried by the private security contractor, private  
19 detective, or private alarm contractor, or employee of the  
20 licensed private security contractor, private detective,  
21 or private alarm contractor agency at all times when he or  
22 she is in possession of a concealable weapon permitted by  
23 his or her firearm control card.

24 (6) Any person regularly employed in a commercial or  
25 industrial operation as a security guard for the protection  
26 of persons employed and private property related to such



1 commercial or industrial operation, while actually engaged  
2 in the performance of his or her duty or traveling between  
3 sites or properties belonging to the employer, and who, as  
4 a security guard, is a member of a security force  
5 registered with the Department of Financial and  
6 Professional Regulation; provided that such security guard  
7 has successfully completed a course of study, approved by  
8 and supervised by the Department of Financial and  
9 Professional Regulation, consisting of not less than 40  
10 hours of training that includes the theory of law  
11 enforcement, liability for acts, and the handling of  
12 weapons. A person shall be considered eligible for this  
13 exemption if he or she has completed the required 20 hours  
14 of training for a security officer and 20 hours of required  
15 firearm training, and has been issued a firearm control  
16 card by the Department of Financial and Professional  
17 Regulation. Conditions for the renewal of firearm control  
18 cards issued under the provisions of this Section shall be  
19 the same as for those cards issued under the provisions of  
20 the Private Detective, Private Alarm, Private Security,  
21 Fingerprint Vendor, and Locksmith Act of 2004. The firearm  
22 control card shall be carried by the security guard at all  
23 times when he or she is in possession of a concealable  
24 weapon permitted by his or her firearm control card.

25 (7) Agents and investigators of the Illinois  
26 Legislative Investigating Commission authorized by the

1 Commission to carry the weapons specified in subsections  
2 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
3 any investigation for the Commission.

4 (8) Persons employed by a financial institution as a  
5 security guard for the protection of other employees and  
6 property related to such financial institution, while  
7 actually engaged in the performance of their duties,  
8 commuting between their homes and places of employment, or  
9 traveling between sites or properties owned or operated by  
10 such financial institution, and who, as a security guard,  
11 is a member of a security force registered with the  
12 Department; provided that any person so employed has  
13 successfully completed a course of study, approved by and  
14 supervised by the Department of Financial and Professional  
15 Regulation, consisting of not less than 40 hours of  
16 training which includes theory of law enforcement,  
17 liability for acts, and the handling of weapons. A person  
18 shall be considered to be eligible for this exemption if he  
19 or she has completed the required 20 hours of training for  
20 a security officer and 20 hours of required firearm  
21 training, and has been issued a firearm control card by the  
22 Department of Financial and Professional Regulation.  
23 Conditions for renewal of firearm control cards issued  
24 under the provisions of this Section shall be the same as  
25 for those issued under the provisions of the Private  
26 Detective, Private Alarm, Private Security, Fingerprint

1 Vendor, and Locksmith Act of 2004. The firearm control card  
2 shall be carried by the security guard at all times when he  
3 or she is in possession of a concealable weapon permitted  
4 by his or her firearm control card. For purposes of this  
5 subsection, "financial institution" means a bank, savings  
6 and loan association, credit union or company providing  
7 armored car services.

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

11 (10) Persons who have been classified as peace officers  
12 pursuant to the Peace Officer Fire Investigation Act.

13 (11) Investigators of the Office of the State's  
14 Attorneys Appellate Prosecutor authorized by the board of  
15 governors of the Office of the State's Attorneys Appellate  
16 Prosecutor to carry weapons pursuant to Section 7.06 of the  
17 State's Attorneys Appellate Prosecutor's Act.

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

20 (12.5) Probation officers while in the performance of  
21 their duties, or while commuting between their homes,  
22 places of employment or specific locations that are part of  
23 their assigned duties, with the consent of the chief judge  
24 of the circuit for which they are employed, if they have  
25 received weapons training according to requirements of the  
26 Peace Officer and Probation Officer Firearm Training Act.

1           (13) Court Security Officers while in the performance  
2           of their official duties, or while commuting between their  
3           homes and places of employment, with the consent of the  
4           Sheriff.

5           (13.5) A person employed as an armed security guard at  
6           a nuclear energy, storage, weapons or development site or  
7           facility regulated by the Nuclear Regulatory Commission  
8           who has completed the background screening and training  
9           mandated by the rules and regulations of the Nuclear  
10          Regulatory Commission.

11          (14) Manufacture, transportation, or sale of weapons  
12          to persons authorized under subdivisions (1) through  
13          (13.5) of this subsection to possess those weapons.

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

19          (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply  
20          to or affect a qualified current or retired law enforcement  
21          officer qualified under the laws of this State or under the  
22          federal Law Enforcement Officers Safety Act.

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

25                  (1) Members of any club or organization organized for  
26                  the purpose of practicing shooting at targets upon

1 established target ranges, whether public or private, and  
2 patrons of such ranges, while such members or patrons are  
3 using their firearms on those target ranges.

4 (2) Duly authorized military or civil organizations  
5 while parading, with the special permission of the  
6 Governor.

7 (3) Hunters, trappers or fishermen with a license or  
8 permit while engaged in hunting, trapping or fishing.

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

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

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

17 (1) Peace officers while in performance of their  
18 official duties.

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

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

25 (4) Manufacture, transportation, or sale of machine  
26 guns to persons authorized under subdivisions (1) through

1 (3) of this subsection to possess machine guns, if the  
2 machine guns are broken down in a non-functioning state or  
3 are not immediately accessible.

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

18 During transportation, such weapons shall be broken  
19 down in a non-functioning state or not immediately  
20 accessible.

21 (6) The manufacture, transport, testing, delivery,  
22 transfer or sale, and all lawful commercial or experimental  
23 activities necessary thereto, of rifles, shotguns, and  
24 weapons made from rifles or shotguns, or ammunition for  
25 such rifles, shotguns or weapons, where engaged in by a  
26 person operating as a contractor or subcontractor pursuant

1 to a contract or subcontract for the development and supply  
2 of such rifles, shotguns, weapons or ammunition to the  
3 United States government or any branch of the Armed Forces  
4 of the United States, when such activities are necessary  
5 and incident to fulfilling the terms of such contract.

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

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

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

26 (e) Subsection 24-1(a)(8) does not apply to any owner,

1 manager or authorized employee of any place specified in that  
2 subsection nor to any law enforcement officer.

3 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and  
4 Section 24-1.6 do not apply to members of any club or  
5 organization organized for the purpose of practicing shooting  
6 at targets upon established target ranges, whether public or  
7 private, while using their firearms on those target ranges.

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

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

13 (2) Bonafide collectors of antique or surplus military  
14 ordnance.

15 (3) Laboratories having a department of forensic  
16 ballistics, or specializing in the development of  
17 ammunition or explosive ordnance.

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



1 (g-5) Subsection 24-1(a)(6) does not apply to or affect  
2 persons licensed under federal law to manufacture any device or  
3 attachment of any kind designed, used, or intended for use in  
4 silencing the report of any firearm, firearms, or ammunition  
5 for those firearms equipped with those devices, and actually  
6 engaged in the business of manufacturing those devices,  
7 firearms, or ammunition, but only with respect to activities  
8 that are within the lawful scope of that business, such as the  
9 manufacture, transportation, or testing of those devices,  
10 firearms, or ammunition. This exemption does not authorize the  
11 general private possession of any device or attachment of any  
12 kind designed, used, or intended for use in silencing the  
13 report of any firearm, but only such possession and activities  
14 as are within the lawful scope of a licensed manufacturing  
15 business described in this subsection (g-5). During  
16 transportation, these devices shall be detached from any weapon  
17 or not immediately accessible.

18 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
19 24-1.6 do not apply to or affect any parole agent or parole  
20 supervisor who meets the qualifications and conditions  
21 prescribed in Section 3-14-1.5 of the Unified Code of  
22 Corrections.

23 (g-7) Subsection 24-1(a)(6) does not apply to a peace  
24 officer while serving as a member of a tactical response team  
25 or special operations team. A peace officer may not personally  
26 own or apply for ownership of a device or attachment of any

1 kind designed, used, or intended for use in silencing the  
2 report of any firearm. These devices shall be owned and  
3 maintained by lawfully recognized units of government whose  
4 duties include the investigation of criminal acts.

5 (g-8) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
6 24-1.6 do not apply to or affect an employed or qualified  
7 retired State correctional officer who meets the  
8 qualifications and conditions prescribed in this subsection  
9 (g-8).

10 (1) In this subsection (g-8):

11 "State correctional officer" means an employee of the  
12 Department of Corrections who has custody and control over  
13 inmates in an adult correctional facility.

14 "Qualified retired State correctional officer" means a  
15 former State correctional officer who:

16 (A) was separated from service with the Department  
17 of Corrections in good standing;

18 (B) before the separation, was authorized by law to  
19 engage in or supervise the activities of prevention,  
20 detection, investigation, prosecution, or  
21 incarceration of any person for any violation of law;

22 (C) before the separation, served as a State  
23 correctional officer for an aggregate of 10 years or  
24 more;

25 (D) has not either:

26 (i) been officially found, as the Department

1 shall by rule provide, by a qualified medical  
2 professional employed by the Department of  
3 Corrections to be unqualified for reasons relating  
4 to mental health and as a result of this finding  
5 will not be issued the photographic identification  
6 as described in subparagraph (E) of paragraph (2);  
7 or

8 (ii) entered into an agreement with the  
9 Department of Corrections in which that individual  
10 acknowledges he or she is not qualified under this  
11 Section for reasons relating to mental health and  
12 for those reasons will not receive or accept the  
13 photographic identification as described in  
14 subparagraph (E) of paragraph (2);

15 (E) is not under the influence of alcohol or any  
16 other intoxicating or hallucinatory drug or substance;  
17 and

18 (F) is not prohibited by State or federal law from  
19 owning or possessing a firearm.

20 (2) (A) The employed or qualified retired State  
21 correctional officer must receive training in the use of  
22 firearms while off-duty conducted by the Illinois Law  
23 Enforcement Training Standards Board and be certified as  
24 having successfully completed the training by the Board.  
25 The Board shall determine the amount of the training and  
26 the course content for the training. The employed or

1 qualified retired State correctional officer shall  
2 requalify for the firearms training annually at a State  
3 range certified by the Illinois Law Enforcement Training  
4 Standards Board. The expenses of the retraining shall be  
5 paid by the employed or qualified retired State  
6 correctional officer and moneys for the costs of the  
7 requalification shall be expended at the request of the  
8 Illinois Law Enforcement Training Standards Board.

9 (B) The employed or qualified retired State  
10 correctional officer shall purchase the firearm at his or  
11 her own expense and shall register the firearm with the  
12 Department of State Police and with any local law  
13 enforcement agencies that require the registration.

14 (C) The employed or qualified retired State  
15 correctional officer may not carry any Department of  
16 Corrections State-issued firearm while off-duty. A person  
17 who violates this subparagraph (C) is subject to  
18 disciplinary action by the Department of Corrections.

19 (D) State correctional officers who are or were  
20 discharged from employment by the Department of  
21 Corrections are not law enforcement officials after the  
22 date of discharge.

23 (E) The employed or qualified retired State  
24 correctional officer shall carry photographic  
25 identification issued by the Department of Corrections  
26 identifying him or her as an employed or qualified retired

1 State correctional officer while carrying a firearm  
2 off-duty, along with a valid annual firearm certificate  
3 issued by the Illinois Law Enforcement Training Standards  
4 Board stating that he or she is qualified to carry a  
5 concealed weapon.

6 (g-9) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
7 24-1.6 do not apply to or affect an employed or qualified  
8 retired county correctional officer who meets the  
9 qualifications and conditions prescribed in this subsection  
10 (g-9).

11 (1) In this subsection (g-9):

12 "County correctional officer" means an employee of a  
13 county sheriff's office within this State who has custody  
14 and control over adult inmates in a county jail.

15 "Qualified retired county correctional officer" means  
16 a former county correctional officer who:

17 (A) was separated from service with the county  
18 sheriff's office in good standing;

19 (B) before the separation, was authorized by law to  
20 engage in or supervise the activities of prevention,  
21 detection, investigation, prosecution, or  
22 incarceration of any person for any violation of law;

23 (C) before the separation, served as a county  
24 correctional officer for an aggregate of 10 years or  
25 more;

26 (D) has not either:

1           (i) been officially found, as the county  
2           sheriff shall by rule provide, by a qualified  
3           medical professional employed by the county  
4           sheriff to be unqualified for reasons relating to  
5           mental health and as a result of this finding will  
6           not be issued the photographic identification as  
7           described in subparagraph (E) of paragraph (2); or

8           (ii) entered into an agreement with the county  
9           sheriff's office from which the individual is  
10           separated from service in which that individual  
11           acknowledges he or she is not qualified under this  
12           Section for reasons relating to mental health and  
13           for those reasons will not receive or accept the  
14           photographic identification as described in  
15           subparagraph (E) of paragraph (2);

16           (E) is not under the influence of alcohol or any  
17           other intoxicating or hallucinatory drug or substance;  
18           and

19           (F) is not prohibited by State or federal law from  
20           receiving a firearm.

21           (2) (A) The employed or qualified retired county  
22           correctional officer must receive training in the use of  
23           firearms while off-duty conducted by the Illinois Law  
24           Enforcement Training Standards Board and be certified as  
25           having successfully completed the training by the Board.  
26           The Board shall determine the amount of the training and

1 the course content for the training. The employed or  
2 qualified retired county correctional officer shall  
3 requalify for the firearms training annually at a State  
4 range certified by the Illinois Law Enforcement Training  
5 Standards Board. The expenses of the retraining shall be  
6 paid by the employed or qualified retired county  
7 correctional officer and moneys for the costs of the  
8 requalification shall be expended at the request of the  
9 Illinois Law Enforcement Training Standards Board.

10 (B) The employed or qualified retired county  
11 correctional officer shall purchase the firearm at his or  
12 her own expense and shall register the firearm with the  
13 Department of State Police and with any other local law  
14 enforcement agencies that require the registration.

15 (C) The employed or qualified retired county  
16 correctional officer may not carry any county  
17 sheriff-issued firearm while off-duty. A person who  
18 violates this subparagraph (C) is subject to disciplinary  
19 action by the county sheriff.

20 (D) County correctional officers who are or were  
21 discharged from employment by the county sheriff shall no  
22 longer be considered law enforcement officials and all  
23 their rights as law enforcement officials shall be revoked  
24 permanently.

25 (E) The employed or qualified retired county  
26 correctional officer shall carry a photographic

1       identification issued by his or her agency identifying him  
2       or her as an employed or qualified retired county  
3       correctional officer while carrying a firearm off-duty,  
4       along with a valid annual firearm certificate issued by the  
5       Illinois Law Enforcement Training Standards Board stating  
6       that he or she is qualified to carry a concealed weapon.

7       (g-10)       Subsections     24-1(a)(4),     24-1(a)(8),     and  
8       24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an  
9       athlete's possession, transport on official Olympic and  
10      Paralympic transit systems established for athletes, or use of  
11      competition firearms sanctioned by the International Olympic  
12      Committee, the International Paralympic Committee, the  
13      International Shooting Sport Federation, or USA Shooting in  
14      connection with such athlete's training for and participation  
15      in shooting competitions at the 2016 Olympic and Paralympic  
16      Games and sanctioned test events leading up to the 2016 Olympic  
17      and Paralympic Games.

18      (h) An information or indictment based upon a violation of  
19      any subsection of this Article need not negative any exemptions  
20      contained in this Article. The defendant shall have the burden  
21      of proving such an exemption.

22      (i) Nothing in this Article shall prohibit, apply to, or  
23      affect the transportation, carrying, or possession, of any  
24      pistol or revolver, stun gun, taser, or other firearm consigned  
25      to a common carrier operating under license of the State of  
26      Illinois or the federal government, where such transportation,



1 carrying, or possession is incident to the lawful  
2 transportation in which such common carrier is engaged; and  
3 nothing in this Article shall prohibit, apply to, or affect the  
4 transportation, carrying, or possession of any pistol,  
5 revolver, stun gun, taser, or other firearm, not the subject of  
6 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of  
7 this Article, which is unloaded and enclosed in a case, firearm  
8 carrying box, shipping box, or other container, by the  
9 possessor of a valid Firearm Owners Identification Card.

10 (Source: P.A. 100-201, eff. 8-18-17; 101-80, eff. 7-12-19.)

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