



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB0836

Introduced 2/10/2021, by Rep. Marcus C. Evans, Jr.

#### SYNOPSIS AS INTRODUCED:

225 ILCS 447/5-10  
225 ILCS 447/15-25  
225 ILCS 447/20-20  
225 ILCS 447/25-20  
225 ILCS 447/35-40  
225 ILCS 447/35-45  
720 ILCS 5/24-2

Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. In a provision requiring training for registered employees of a private detective agency within 30 days of their employment, specifies that the training may be classroom-based or online Internet-based and removes certain topics that must be included in that training. Provides that registered employees of a private detective agency and private detectives shall complete an additional 8 hours of annual training each calendar year. Provides that private security contractors shall complete an additional 4 hours of annual training each calendar year. Provides that classroom basic training for private security contractors may be provided in a classroom setting or may be Internet-based online or other supervised computerized training. Provides that if a private security contractor owns or is employed by a private security contractor agency, the private security contractor agency shall maintain a record of the annual training and must make the record of annual training available to the Department of Financial and Professional Regulation upon request. Provides that a licensee applying for a firearm control card must complete a firearm training course consisting of 48 hours (rather than 40 hours) of training. Provides that a licensee or employee in possession of a valid firearm control card shall complete an additional 8 hours of refresher training each calendar year. Requires that commercial or industrial operations that employ one or more persons (rather than 5 or more persons) shall register their security forces with the Department and that registration subjects the security force to certain requirements. Makes other changes. Amends the Criminal Code of 2012 to make conforming changes.

LRB102 11349 SPS 16682 b

A BILL FOR

1 AN ACT concerning regulation.

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

4 Section 5. The Private Detective, Private Alarm, Private  
5 Security, Fingerprint Vendor, and Locksmith Act of 2004 is  
6 amended by changing Sections 5-10, 15-25, 20-20, 25-20, 35-40,  
7 and 35-45 as follows:

8 (225 ILCS 447/5-10)

9 (Section scheduled to be repealed on January 1, 2024)

10 Sec. 5-10. Definitions. As used in this Act:

11 "Address of record" means the designated address recorded  
12 by the Department in the applicant's application file or the  
13 licensee's license file, as maintained by the Department's  
14 licensure maintenance unit.

15 "Advertisement" means any public media, including printed  
16 or electronic material, that is published or displayed in a  
17 phone book, newspaper, magazine, pamphlet, newsletter,  
18 website, or other similar type of publication or electronic  
19 format that is intended to either attract business or merely  
20 provide contact information to the public for an agency or  
21 licensee. Advertisement shall not include a licensee's or an  
22 agency's letterhead, business cards, or other stationery used  
23 in routine business correspondence or customary name, address,

1 and number type listings in a telephone directory.

2 "Alarm system" means any system, including an electronic  
3 access control system, a surveillance video system, a security  
4 video system, a burglar alarm system, a fire alarm system, or  
5 any other electronic system that activates an audible,  
6 visible, remote, or recorded signal that is designed for the  
7 protection or detection of intrusion, entry, theft, fire,  
8 vandalism, escape, or trespass, or other electronic systems  
9 designed for the protection of life by indicating the  
10 existence of an emergency situation. "Alarm system" also  
11 includes an emergency communication system and a mass  
12 notification system.

13 "Applicant" means a person or business applying for  
14 licensure, registration, or authorization under this Act. Any  
15 applicant or person who holds himself or herself out as an  
16 applicant is considered a licensee or registrant for the  
17 purposes of enforcement, investigation, hearings, and the  
18 Illinois Administrative Procedure Act.

19 "Armed employee" means a licensee or registered person who  
20 is employed by an agency licensed or an armed proprietary  
21 security force registered under this Act who carries a weapon  
22 while engaged in the performance of official duties within the  
23 course and scope of his or her employment during the hours and  
24 times the employee is scheduled to work or is commuting  
25 between his or her home or place of employment.

26 "Armed proprietary security force" means a security force

1 made up of one or more armed individuals employed by a  
2 commercial or industrial operation or by a financial  
3 institution as security officers for the protection of persons  
4 or property.

5 "Board" means the Private Detective, Private Alarm,  
6 Private Security, Fingerprint Vendor, and Locksmith Board.

7 "Branch office" means a business location removed from the  
8 place of business for which an agency license has been issued,  
9 including, but not limited to, locations where active employee  
10 records that are required to be maintained under this Act are  
11 kept, where prospective new employees are processed, or where  
12 members of the public are invited in to transact business. A  
13 branch office does not include an office or other facility  
14 located on the property of an existing client that is utilized  
15 solely for the benefit of that client and is not owned or  
16 leased by the agency.

17 "Canine handler" means a person who uses or handles a  
18 trained dog to protect persons or property or to conduct  
19 investigations.

20 "Canine handler authorization card" means a card issued by  
21 the Department that authorizes the holder to use or handle a  
22 trained dog to protect persons or property or to conduct  
23 investigations during the performance of his or her duties as  
24 specified in this Act.

25 "Canine trainer" means a person who acts as a dog trainer  
26 for the purpose of training dogs to protect persons or

1 property or to conduct investigations.

2 "Canine trainer authorization card" means a card issued by  
3 the Department that authorizes the holder to train a dog to  
4 protect persons or property or to conduct investigations  
5 during the performance of his or her duties as specified in  
6 this Act.

7 "Canine training facility" means a facility operated by a  
8 licensed private detective agency or private security  
9 contractor agency wherein dogs are trained for the purposes of  
10 protecting persons or property or to conduct investigations.

11 "Corporation" means an artificial person or legal entity  
12 created by or under the authority of the laws of a state,  
13 including without limitation a corporation, limited liability  
14 company, or any other legal entity.

15 "Department" means the Department of Financial and  
16 Professional Regulation.

17 "Emergency communication system" means any system that  
18 communicates information about emergencies, including but not  
19 limited to fire, terrorist activities, shootings, other  
20 dangerous situations, accidents, and natural disasters.

21 "Employee" means a person who works for a person or agency  
22 that has the right to control the details of the work performed  
23 and is not dependent upon whether or not federal or state  
24 payroll taxes are withheld.

25 "Fingerprint vendor" means a person that offers,  
26 advertises, or provides services to fingerprint individuals,

1 through electronic or other means, for the purpose of  
2 providing fingerprint images and associated demographic data  
3 to the Department of State Police for processing fingerprint  
4 based criminal history record information inquiries.

5 "Fingerprint vendor agency" means a person, firm,  
6 corporation, or other legal entity that engages in the  
7 fingerprint vendor business and employs, in addition to the  
8 fingerprint vendor licensee-in-charge, at least one other  
9 person in conducting that business.

10 "Fingerprint vendor licensee-in-charge" means a person who  
11 has been designated by a fingerprint vendor agency to be the  
12 licensee-in-charge of an agency who is a full-time management  
13 employee or owner who assumes sole responsibility for  
14 maintaining all records required by this Act and who assumes  
15 sole responsibility for assuring the licensed agency's  
16 compliance with its responsibilities as stated in this Act.  
17 The Department shall adopt rules mandating licensee-in-charge  
18 participation in agency affairs.

19 "Fire alarm system" means any system that is activated by  
20 an automatic or manual device in the detection of smoke, heat,  
21 or fire that activates an audible, visible, or remote signal  
22 requiring a response.

23 "Firearm control card" means a card issued by the  
24 Department that authorizes the holder, who has complied with  
25 the training and other requirements of this Act, to carry a  
26 weapon during the performance of his or her duties as

1 specified in this Act.

2 "Firm" means an unincorporated business entity, including  
3 but not limited to proprietorships and partnerships.

4 "Licensee" means a person or business licensed under this  
5 Act. Anyone who holds himself or herself out as a licensee or  
6 who is accused of unlicensed practice is considered a licensee  
7 for purposes of enforcement, investigation, hearings, and the  
8 Illinois Administrative Procedure Act.

9 "Locksmith" means a person who engages in a business or  
10 holds himself out to the public as providing a service that  
11 includes, but is not limited to, the servicing, installing,  
12 originating first keys, re-coding, repairing, maintaining,  
13 manipulating, or bypassing of a mechanical or electronic  
14 locking device, access control or video surveillance system at  
15 premises, vehicles, safes, vaults, safe deposit boxes, or  
16 automatic teller machines.

17 "Locksmith agency" means a person, firm, corporation, or  
18 other legal entity that engages in the locksmith business and  
19 employs, in addition to the locksmith licensee-in-charge, at  
20 least one other person in conducting such business.

21 "Locksmith licensee-in-charge" means a person who has been  
22 designated by agency to be the licensee-in-charge of an  
23 agency, who is a full-time management employee or owner who  
24 assumes sole responsibility for maintaining all records  
25 required by this Act, and who assumes sole responsibility for  
26 assuring the licensed agency's compliance with its

1 responsibilities as stated in this Act. The Department shall  
2 adopt rules mandating licensee-in-charge participation in  
3 agency affairs.

4 "Mass notification system" means any system that is used  
5 to provide information and instructions to people in a  
6 building or other space using voice communications, including  
7 visible signals, text, graphics, tactile, or other  
8 communication methods.

9 "Peace officer" or "police officer" means a person who, by  
10 virtue of office or public employment, is vested by law with a  
11 duty to maintain public order or to make arrests for offenses,  
12 whether that duty extends to all offenses or is limited to  
13 specific offenses. Officers, agents, or employees of the  
14 federal government commissioned by federal statute to make  
15 arrests for violations of federal laws are considered peace  
16 officers.

17 "Permanent employee registration card" means a card issued  
18 by the Department to an individual who has applied to the  
19 Department and meets the requirements for employment by a  
20 licensed agency under this Act.

21 "Person" means a natural person.

22 "Private alarm contractor" means a person who engages in a  
23 business that individually or through others undertakes,  
24 offers to undertake, purports to have the capacity to  
25 undertake, or submits a bid to sell, install, design, monitor,  
26 maintain, test, inspect, alter, repair, replace, or service



1 alarm and other security-related systems or parts thereof,  
2 including fire alarm systems, at protected premises or  
3 premises to be protected or responds to alarm systems at a  
4 protected premises on an emergency basis and not as a  
5 full-time security officer. "Private alarm contractor" does  
6 not include a person, firm, or corporation that manufactures  
7 or sells alarm systems only from its place of business and does  
8 not sell, install, monitor, maintain, alter, repair, replace,  
9 service, or respond to alarm systems at protected premises or  
10 premises to be protected.

11 "Private alarm contractor agency" means a person,  
12 corporation, or other entity that engages in the private alarm  
13 contracting business and employs, in addition to the private  
14 alarm contractor-in-charge, at least one other person in  
15 conducting such business.

16 "Private alarm contractor licensee-in-charge" means a  
17 person who has been designated by an agency to be the  
18 licensee-in-charge of an agency, who is a full-time management  
19 employee or owner who assumes sole responsibility for  
20 maintaining all records required by this Act, and who assumes  
21 sole responsibility for assuring the licensed agency's  
22 compliance with its responsibilities as stated in this Act.  
23 The Department shall adopt rules mandating licensee-in-charge  
24 participation in agency affairs.

25 "Private detective" means any person who by any means,  
26 including, but not limited to, manual, canine odor detection,

1 or electronic methods, engages in the business of, accepts  
2 employment to furnish, or agrees to make or makes  
3 investigations for a fee or other consideration to obtain  
4 information relating to:

5 (1) Crimes or wrongs done or threatened against the  
6 United States, any state or territory of the United  
7 States, or any local government of a state or territory.

8 (2) The identity, habits, conduct, business  
9 occupation, honesty, integrity, credibility, knowledge,  
10 trustworthiness, efficiency, loyalty, activity,  
11 movements, whereabouts, affiliations, associations,  
12 transactions, acts, reputation, or character of any  
13 person, firm, or other entity by any means, manual or  
14 electronic.

15 (3) The location, disposition, or recovery of lost or  
16 stolen property.

17 (4) The cause, origin, or responsibility for fires,  
18 accidents, or injuries to individuals or real or personal  
19 property.

20 (5) The truth or falsity of any statement or  
21 representation.

22 (6) Securing evidence to be used before any court,  
23 board, or investigating body.

24 (7) The protection of individuals from bodily harm or  
25 death (bodyguard functions).

26 (8) Service of process in criminal and civil

1 proceedings.

2 "Private detective agency" means a person, firm,  
3 corporation, or other legal entity that engages in the private  
4 detective business and employs, in addition to the  
5 licensee-in-charge, one or more persons in conducting such  
6 business.

7 "Private detective licensee-in-charge" means a person who  
8 has been designated by an agency to be the licensee-in-charge  
9 of an agency, who is a full-time management employee or owner  
10 who assumes sole responsibility for maintaining all records  
11 required by this Act, and who assumes sole responsibility for  
12 assuring the licensed agency's compliance with its  
13 responsibilities as stated in this Act. The Department shall  
14 adopt rules mandating licensee-in-charge participation in  
15 agency affairs.

16 "Private security contractor" means a person who engages  
17 in the business of providing a private security officer,  
18 watchman, patrol, guard dog, canine odor detection, or a  
19 similar service by any other title or name on a contractual  
20 basis for another person, firm, corporation, or other entity  
21 for a fee or other consideration and performing one or more of  
22 the following functions:

23 (1) The prevention or detection of intrusion, entry,  
24 theft, vandalism, abuse, fire, or trespass on private or  
25 governmental property.

26 (2) The prevention, observation, or detection of any

1 unauthorized activity on private or governmental property.

2 (3) The protection of persons authorized to be on the  
3 premises of the person, firm, or other entity for which  
4 the security contractor contractually provides security  
5 services.

6 (4) The prevention of the misappropriation or  
7 concealment of goods, money, bonds, stocks, notes,  
8 documents, or papers.

9 (5) The control, regulation, or direction of the  
10 movement of the public for the time specifically required  
11 for the protection of property owned or controlled by the  
12 client.

13 (6) The protection of individuals from bodily harm or  
14 death (bodyguard functions).

15 "Private security contractor agency" means a person, firm,  
16 corporation, or other legal entity that engages in the private  
17 security contractor business and that employs, in addition to  
18 the licensee-in-charge, one or more persons in conducting such  
19 business.

20 "Private security contractor licensee-in-charge" means a  
21 person who has been designated by an agency to be the  
22 licensee-in-charge of an agency, who is a full-time management  
23 employee or owner who assumes sole responsibility for  
24 maintaining all records required by this Act, and who assumes  
25 sole responsibility for assuring the licensed agency's  
26 compliance with its responsibilities as stated in this Act.

1 The Department shall adopt rules mandating licensee-in-charge  
2 participation in agency affairs.

3 "Public member" means a person who is not a licensee or  
4 related to a licensee, or who is not an employer or employee of  
5 a licensee. The term "related to" shall be determined by the  
6 rules of the Department.

7 "Secretary" means the Secretary of the Department of  
8 Financial and Professional Regulation.

9 (Source: P.A. 98-253, eff. 8-9-13.)

10 (225 ILCS 447/15-25)

11 (Section scheduled to be repealed on January 1, 2024)

12 Sec. 15-25. Training; private detective and employees.

13 (a) Registered employees of a private detective agency  
14 shall complete, within 30 days of their employment, a minimum  
15 of 20 hours of basic training provided by a qualified  
16 instructor. The substance of the training shall be related to  
17 the work performed by the registered employee. The training  
18 may be classroom-based or online Internet-based but shall not  
19 be conducted as on-the-job training and shall include relevant  
20 information as to the identification of terrorists, acts of  
21 terrorism, and terrorist organizations, as defined by federal  
22 and State statutes.

23 (a-5) In addition to the basic training required in  
24 subsection (a), registered employees of a private detective  
25 agency shall complete an additional minimum of 8 hours of

1 annual training for every calendar year, commencing with the  
2 calendar year beginning after the employee's hire date.

3 (a-10) Annual training for registered employees shall be  
4 based on subjects related to the work performed as determined  
5 by the employer and may be conducted in a classroom or seminar  
6 setting or via Internet-based online learning programs. Annual  
7 training may not be conducted as on-the-job training.

8 (b) It is the responsibility of the employer to certify,  
9 on a form provided by the Department, that the employee has  
10 successfully completed the basic and annual training. The  
11 original form or a copy shall be a permanent record of training  
12 completed by the employee and shall be placed in the  
13 employee's file with the employer for the period the employee  
14 remains with the employer. An agency may place a ~~notarized~~  
15 copy of the Department form in lieu of the original into the  
16 permanent employee registration card file. The original form  
17 shall be given to the employee when his or her employment is  
18 terminated. Failure to return the original form to the  
19 employee is grounds for disciplinary action. The employee  
20 shall not be required to repeat the required training once the  
21 employee has been issued the form. An employer may provide or  
22 require additional training.

23 (c) (Blank). ~~Any certification of completion of the~~  
24 ~~20-hour basic training issued under the Private Detective,~~  
25 ~~Private Alarm, Private Security, and Locksmith Act of 1993 or~~  
26 ~~any prior Act shall be accepted as proof of training under this~~

1 ~~Act.~~

2 (d) All private detectives shall complete a minimum of 8  
3 hours of annual training on a topic of their choosing,  
4 provided that the subject matter is reasonably related to  
5 their private detective practice. The annual training for  
6 private detectives may be completed utilizing any combination  
7 of hours obtained in a formal educational classroom setting,  
8 including, but not limited to, a live educational workshop or  
9 seminar or an Internet-based online learning program. The  
10 Department shall adopt rules to administer this subsection.

11 (e) The annual training requirements for private  
12 detectives shall not apply until the calendar year following  
13 the issuance of the private detective license.

14 (f) It shall be the responsibility of the private  
15 detective to keep and maintain a personal log of all training  
16 hours earned along with sufficient documentation for the  
17 Department to verify the annual training completed for at  
18 least 5 years. The personal training log and documentation  
19 shall be provided to the Department in the same manner as other  
20 documentation and records required under this Act.

21 (g) If the private detective owns or is employed by a  
22 private detective agency, the private detective agency shall  
23 maintain a record of the annual training. The private  
24 detective agency must make the record of annual training  
25 available to the Department upon request.

26 (h) Recognizing the diverse professional practices of

1 private detectives licensed under this Act, it is the intent  
2 of the training requirements in this Section to allow for a  
3 broad interpretation of the coursework, seminar subjects, or  
4 class topics to be considered reasonably related to the  
5 practice of any profession licensed under this Act.

6 (i) Notwithstanding any other professional license a  
7 private detective holds under this Act, no more than 8 hours of  
8 annual training shall be required for any one year.

9 (Source: P.A. 95-613, eff. 9-11-07.)

10 (225 ILCS 447/20-20)

11 (Section scheduled to be repealed on January 1, 2024)

12 Sec. 20-20. Training; private alarm contractor and  
13 employees.

14 (a) Registered employees of the private alarm contractor  
15 agency who carry a firearm and respond to alarm systems shall  
16 complete, within 30 days of their employment, a minimum of 20  
17 hours of classroom training provided by a qualified instructor  
18 and shall include all of the following subjects:

19 (1) The law regarding arrest and search and seizure as  
20 it applies to the private alarm industry.

21 (2) Civil and criminal liability for acts related to  
22 the private alarm industry.

23 (3) The use of force, including but not limited to the  
24 use of nonlethal force (i.e., disabling spray, baton,  
25 stungun, or similar weapon).



1 (4) Arrest and control techniques.

2 (5) The offenses under the Criminal Code of 2012 that  
3 are directly related to the protection of persons and  
4 property.

5 (6) The law on private alarm forces and on reporting  
6 to law enforcement agencies.

7 (7) Fire prevention, fire equipment, and fire safety.

8 (8) Civil rights and public relations.

9 (9) The identification of terrorists, acts of  
10 terrorism, and terrorist organizations, as defined by  
11 federal and State statutes.

12 Pursuant to directives set forth by the U.S. Department of  
13 Homeland Security and the provisions set forth by the National  
14 Fire Protection Association in the National Fire Alarm Code  
15 and the Life Safety Code, training may include the  
16 installation, repair, and maintenance of emergency  
17 communication systems and mass notification systems.

18 (b) All other employees of a private alarm contractor  
19 agency shall complete a minimum of 20 hours of basic training  
20 provided by a qualified instructor within 30 days of their  
21 employment. The training may be provided in a classroom  
22 setting or may be Internet-based online or other supervised  
23 computerized training. The substance of the training shall be  
24 related to the work performed by the registered employee.

25 (c) It is the responsibility of the employer to certify,  
26 on forms provided by the Department, that the employee has

1 successfully completed the training. The form shall be a  
2 permanent record of training completed by the employee and  
3 shall be placed in the employee's file with the employer for  
4 the term the employee is retained by the employer. A private  
5 alarm contractor agency may place a notarized copy of the  
6 Department form in lieu of the original into the permanent  
7 employee registration card file. The form shall be returned to  
8 the employee when his or her employment is terminated. Failure  
9 to return the form to the employee is grounds for discipline.  
10 The employee shall not be required to complete the training  
11 required under this Act once the employee has been issued a  
12 form.

13 (d) Nothing in this Act prevents any employer from  
14 providing or requiring additional training beyond the required  
15 20 hours that the employer feels is necessary and appropriate  
16 for competent job performance.

17 (e) Any certification of completion of the 20-hour basic  
18 training issued under the Private Detective, Private Alarm,  
19 Private Security, and Locksmith Act of 1993 or any prior Act  
20 shall be accepted as proof of training under this Act.

21 (Source: P.A. 96-847, eff. 6-1-10; 97-1150, eff. 1-25-13.)

22 (225 ILCS 447/25-20)

23 (Section scheduled to be repealed on January 1, 2024)

24 Sec. 25-20. Training; private security contractor and  
25 employees.

1 (a) Registered employees of the private security  
2 contractor agency who provide traditional guarding or other  
3 private security related functions or who respond to alarm  
4 systems shall complete, within 30 days of their employment, a  
5 minimum of 20 hours of ~~classroom~~ basic training, which may be  
6 provided in a classroom setting or may be Internet-based  
7 online or other supervised computerized training, and shall be  
8 provided by a qualified instructor, which shall include the  
9 following subjects:

10 (1) The law regarding arrest and search and seizure as  
11 it applies to private security.

12 (2) Civil and criminal liability for acts related to  
13 private security.

14 (3) The use of force, including but not limited to the  
15 use of nonlethal force (i.e., disabling spray, baton,  
16 stungun, taser, or similar weapon).

17 (4) Verbal communication skills ~~Arrest and control~~  
18 ~~techniques.~~

19 (5) The offenses under the Criminal Code of 2012 that  
20 are directly related to the protection of persons and  
21 property.

22 (6) Private security officers and the criminal justice  
23 system ~~The law on private security forces and on reporting~~  
24 ~~to law enforcement agencies.~~

25 (7) Fire prevention, fire equipment, and fire safety.

26 (8) Report ~~The procedures for report writing and~~ and

1 observation techniques.

2 (9) Customer service, civil ~~Civil~~ rights, and public  
3 relations.

4 (10) The identification of terrorists, acts of  
5 terrorism, and terrorist organizations, as defined by  
6 federal and State statutes.

7 (b) All other employees of a private security contractor  
8 agency shall complete a minimum of 20 hours of basic training  
9 provided by the qualified instructor within 30 days of their  
10 employment. The training may be provided in a classroom  
11 setting or may be Internet-based online or other supervised  
12 computerized training. The substance of the training shall be  
13 related to the work performed by the registered employee.

14 (c) Registered employees of the private security  
15 contractor agency who provide guarding or other private  
16 security related functions, in addition to the basic ~~classroom~~  
17 training required under subsection (a), within 6 months of  
18 their employment, shall complete an additional 8 hours of  
19 training on subjects to be determined by the employer, which  
20 training may be site-specific and may be conducted on the job.  
21 The training may be provided in a classroom setting or may be  
22 Internet-based online or other supervised computerized  
23 training.

24 (d) In addition to the basic training provided for in  
25 subsections (a) and (c), registered employees of the private  
26 security contractor agency who provide guarding or other

1 private security related functions shall complete an  
2 additional 8 hours of refresher training on subjects to be  
3 determined by the employer each calendar year commencing with  
4 the calendar year following the employee's first employment  
5 anniversary date, which refresher training may be  
6 site-specific and may be conducted on the job.

7 (e) It is the responsibility of the employer to certify,  
8 on a form provided by the Department, that the employee has  
9 successfully completed the basic and refresher training. The  
10 original form or a copy shall be a permanent record of training  
11 completed by the employee and shall be placed in the  
12 employee's file with the employer for the period the employee  
13 remains with the employer. ~~An agency may place a notarized~~  
14 ~~copy of the Department form in lieu of the original into the~~  
15 ~~permanent employee registration card file.~~ The original form  
16 shall be given to the employee when his or her employment is  
17 terminated. Failure to return the original form to the  
18 employee is grounds for disciplinary action. The employee  
19 shall not be required to repeat the required training once the  
20 employee has been issued the form. An employer may provide or  
21 require additional training.

22 (f) (Blank). ~~Any certification of completion of the~~  
23 ~~20-hour basic training issued under the Private Detective,~~  
24 ~~Private Alarm, Private Security and Locksmith Act of 1993 or~~  
25 ~~any prior Act shall be accepted as proof of training under this~~  
26 ~~Act.~~

1       (g) All private security contractors shall complete a  
2 minimum of 4 hours of annual training on a topic of their  
3 choosing, provided that the subject matter of the training is  
4 reasonably related to their private security contractor  
5 practice. The training may be provided in a classroom setting  
6 or may be Internet-based online or other supervised  
7 computerized training. The Department shall adopt rules to  
8 administer this subsection.

9       (h) It shall be the responsibility of the private security  
10 contractor to keep and maintain a personal log of all training  
11 hours earned along with sufficient documentation necessary for  
12 the Department to verify the annual training completed for at  
13 least 5 years. The personal training log and documentation  
14 shall be provided to the Department in the same manner as other  
15 documentation and records required under this Act.

16       (i) If the private security contractor owns or is employed  
17 by a private security contractor agency, the private security  
18 contractor agency shall maintain a record of the annual  
19 training. The private security contractor agency must make the  
20 record of annual training available to the Department upon  
21 request.

22       (j) Recognizing the diverse professional practices of  
23 private security contractors licensed under this Act, it is  
24 the intent of the training requirements in this Section to  
25 allow for a broad interpretation of the coursework, seminar  
26 subjects, or class topics to be considered reasonably related

1 to the practice of any profession licensed under this Act.

2 (k) Notwithstanding any other professional license a  
3 private security contractor holds under this Act, no more than  
4 4 hours of annual training shall be required for any one year.

5 (l) The annual training requirements for private security  
6 contractors shall not apply until the calendar year following  
7 the issuance of the private security contractor license.

8 (Source: P.A. 97-1150, eff. 1-25-13; 98-253, eff. 8-9-13;  
9 98-756, eff. 7-16-14.)

10 (225 ILCS 447/35-40)

11 (Section scheduled to be repealed on January 1, 2024)

12 Sec. 35-40. Firearm control; training requirements.

13 (a) The Department shall, pursuant to rule, approve or  
14 disapprove training programs for the firearm training course,  
15 which shall be taught by a qualified instructor.  
16 Qualifications for instructors shall be set by rule. The  
17 firearm training course shall be conducted by entities, by a  
18 licensee, or by an agency licensed by this Act, provided the  
19 course is approved by the Department. The firearm course shall  
20 consist of the following minimum requirements:

21 (1) ~~48 40~~ hours of training as follows:

22 (A) 20 hours consisting of training ~~which shall be~~  
23 ~~as described in Sections 15-20, 20-20, or 25-20, as~~  
24 ~~applicable; and 20 hours of which shall include all~~  
25 ~~of the following:~~

1           (B) 8 hours consisting of practice firing on a  
2           range with live ammunition, including, but not limited  
3           to, firing a minimum of 50 rounds of live ammunition  
4           (factory loaded service ammunition or factory reloaded  
5           ammunition) and attaining a minimum score of 70%  
6           accuracy with each type of weapon the person is  
7           authorized by the Department to carry and for which  
8           the person has been trained; and

9           (C) 20 hours consisting of instruction in: ~~(A)~~  
10          ~~Instruction in~~

11                 (i) the dangers of and misuse of firearms,  
12                 their storage, safety rules, and care and cleaning  
13                 of firearms;

14                 (ii) defensive tactics for in-holster weapon  
15                 retention;

16                 (iii). ~~(B) Practice firing on a range with~~  
17                 ~~live ammunition. (C) Instruction in the legal use~~  
18                 of firearms;

19                 (iv). ~~(D) A presentation of the ethical and~~  
20                 moral considerations necessary for any person who  
21                 possesses a firearm;

22                 (v). ~~(E) A review of the laws regarding~~  
23                 arrest, search, and seizure; and

24                 (vi) liability. ~~(F) Liability~~ for acts that  
25                 may be performed in the course of employment.

26          (2) An examination shall be given at the completion of



1 the course. The examination shall consist of a firearms  
2 qualification course and a written examination. Successful  
3 completion shall be determined by the Department.

4 (b) The firearm training requirement may be waived for a  
5 licensee or employee who has completed training provided by  
6 the Illinois Law Enforcement Training Standards Board or the  
7 equivalent public body of another state or is a qualified  
8 retired law enforcement officer as defined in the federal Law  
9 Enforcement Officers Safety Act of 2004 and is in compliance  
10 with all of the requirements of that Act, provided  
11 documentation showing requalification with the weapon on the  
12 firing range is submitted to the Department.

13 (c) In addition to the training provided for in subsection  
14 (a), a licensee or employee in possession of a valid firearm  
15 control card shall complete an additional 8 hours of refresher  
16 training each calendar year commencing with the calendar year  
17 following one year after the date of the issuance of the  
18 firearm control card. The 8 hours of training shall consist of  
19 practice firing on a range with live ammunition, including,  
20 but not limited to, firing a minimum of 50 rounds of live  
21 ammunition (factory loaded service ammunition or factory  
22 reloaded ammunition) and attaining a minimum score of 70%  
23 accuracy with each type of weapon the person is authorized by  
24 the Department to carry and for which the person has been  
25 trained.

26 (Source: P.A. 98-253, eff. 8-9-13.)

1 (225 ILCS 447/35-45)

2 (Section scheduled to be repealed on January 1, 2024)

3 Sec. 35-45. Armed proprietary security force.

4 (a) All financial institutions or commercial or industrial  
5 operations that employ one or more armed employees ~~and all~~  
6 ~~commercial or industrial operations that employ 5 or more~~  
7 ~~persons as armed employees~~ shall register their security  
8 forces with the Department on forms provided by the  
9 Department. Registration subjects the security force to all of  
10 the requirements of this Section. For the purposes of this  
11 Section, "financial institution" includes a bank, savings and  
12 loan association, credit union, currency exchange, or company  
13 providing armored car services.

14 ~~(a-1) Commercial or industrial operations that employ less~~  
15 ~~than 5 persons as armed employees may register their security~~  
16 ~~forces with the Department on forms provided by the~~  
17 ~~Department. Registration subjects the security force to all of~~  
18 ~~the requirements of this Section.~~

19 (b) All armed employees of the registered proprietary  
20 security force must complete a 20-hour basic training course  
21 and all the 20-hour firearm training requirements of this  
22 Section.

23 (c) Every proprietary security force is required to apply  
24 to the Department, on forms supplied by the Department, for a  
25 firearm control card for each armed employee. Each armed

1 employee shall have his or her fingerprints submitted to the  
2 Department of State Police in an electronic format that  
3 complies with the form and manner for requesting and  
4 furnishing criminal history record information as prescribed  
5 by the Department of State Police. These fingerprints shall be  
6 checked against the Department of State Police and Federal  
7 Bureau of Investigation criminal history record databases. The  
8 Department of State Police shall charge the armed employee a  
9 fee for conducting the criminal history records check, which  
10 shall be deposited in the State Police Services Fund and shall  
11 not exceed the actual cost of the records check. The  
12 Department of State Police shall furnish, pursuant to positive  
13 identification, records of Illinois convictions to the  
14 Department. The Department may require armed employees to pay  
15 a separate fingerprinting fee, either to the Department or  
16 directly to the vendor. The Department, in its discretion, may  
17 allow an armed employee who does not have reasonable access to  
18 a designated vendor to provide his or her fingerprints in an  
19 alternative manner. The Department, in its discretion, may  
20 also use other procedures in performing or obtaining criminal  
21 background checks of armed employees. Instead of submitting  
22 his or her fingerprints, an individual may submit proof that  
23 is satisfactory to the Department that an equivalent security  
24 clearance has been conducted. Also, an individual who has  
25 retired as a peace officer within 12 months before application  
26 may submit verification, on forms provided by the Department

1 and signed by his or her employer, of his or her previous  
2 full-time employment as a peace officer.

3 (d) The Department may provide rules for the  
4 administration of this Section.

5 (Source: P.A. 98-253, eff. 8-9-13.)

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

8 (720 ILCS 5/24-2)

9 Sec. 24-2. Exemptions.

10 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and  
11 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of  
12 the following:

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

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

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

1           (4) Special agents employed by a railroad or a public  
2 utility to perform police functions, and guards of armored  
3 car companies, while actually engaged in the performance  
4 of the duties of their employment or commuting between  
5 their homes and places of employment; and watchmen while  
6 actually engaged in the performance of the duties of their  
7 employment.

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

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

12 (6) Any person regularly employed in a commercial or  
13 industrial operation as a security guard for the  
14 protection of persons employed and private property  
15 related to such commercial or industrial operation, while  
16 actually engaged in the performance of his or her duty or  
17 traveling between sites or properties belonging to the  
18 employer, and who, as a security guard, is a member of a  
19 security force registered with the Department of Financial  
20 and Professional Regulation; provided that such security  
21 guard has successfully completed a course of study,  
22 approved by and supervised by the Department of Financial  
23 and Professional Regulation, consisting of not less than  
24 40 hours of training that includes the theory of law  
25 enforcement, liability for acts, and the handling of  
26 weapons. A person shall be considered eligible for this

1 exemption if he or she has completed the required 28 ~~20~~  
2 hours of training for a security officer and 20 hours of  
3 required firearm training, and has been issued a firearm  
4 control card by the Department of Financial and  
5 Professional Regulation. Conditions for the renewal of  
6 firearm control cards issued under the provisions of this  
7 Section shall be the same as for those cards issued under  
8 the provisions of the Private Detective, Private Alarm,  
9 Private Security, Fingerprint Vendor, and Locksmith Act of  
10 2004. The firearm control card shall be carried by the  
11 security guard at all times when he or she is in possession  
12 of a concealable weapon permitted by his or her firearm  
13 control card.

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

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

1 Department; provided that any person so employed has  
2 successfully completed a course of study, approved by and  
3 supervised by the Department of Financial and Professional  
4 Regulation, consisting of not less than 40 hours of  
5 training which includes theory of law enforcement,  
6 liability for acts, and the handling of weapons. A person  
7 shall be considered to be eligible for this exemption if  
8 he or she has completed the required 20 hours of training  
9 for a security officer and 28 ~~20~~ hours of required firearm  
10 training, and has been issued a firearm control card by  
11 the Department of Financial and Professional Regulation.  
12 Conditions for renewal of firearm control cards issued  
13 under the provisions of this Section shall be the same as  
14 for those issued under the provisions of the Private  
15 Detective, Private Alarm, Private Security, Fingerprint  
16 Vendor, and Locksmith Act of 2004. The firearm control  
17 card shall be carried by the security guard at all times  
18 when he or she is in possession of a concealable weapon  
19 permitted by his or her firearm control card. For purposes  
20 of this subsection, "financial institution" means a bank,  
21 savings and loan association, credit union or company  
22 providing armored car services.

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

26 (10) Persons who have been classified as peace



1 officers pursuant to the Peace Officer Fire Investigation  
2 Act.

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

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

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

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

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

1 Regulatory Commission.

2 (14) Manufacture, transportation, or sale of weapons  
3 to persons authorized under subdivisions (1) through  
4 (13.5) of this subsection to possess those weapons.

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

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

14 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
15 24-1.6 do not apply to or affect any of the following:

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

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

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

26 (4) Transportation of weapons that are broken down in

1 a non-functioning state or are not immediately accessible.

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

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

8 (1) Peace officers while in performance of their  
9 official duties.

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

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

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

21 (5) Persons licensed under federal law to manufacture  
22 any weapon from which 8 or more shots or bullets can be  
23 discharged by a single function of the firing device, or  
24 ammunition for such weapons, and actually engaged in the  
25 business of manufacturing such weapons or ammunition, but  
26 only with respect to activities which are within the

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

9 During transportation, such weapons shall be broken  
10 down in a non-functioning state or not immediately  
11 accessible.

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

24 The exemption granted under this subdivision (c)(6)  
25 shall also apply to any authorized agent of any such  
26 contractor or subcontractor who is operating within the

1 scope of his employment, where such activities involving  
2 such weapon, weapons or ammunition are necessary and  
3 incident to fulfilling the terms of such contract.

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

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

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

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

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

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

6 (2) Bonafide collectors of antique or surplus military  
7 ordnance.

8 (3) Laboratories having a department of forensic  
9 ballistics, or specializing in the development of  
10 ammunition or explosive ordnance.

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

20 (g-5) Subsection 24-1(a)(6) does not apply to or affect  
21 persons licensed under federal law to manufacture any device  
22 or attachment of any kind designed, used, or intended for use  
23 in silencing the report of any firearm, firearms, or  
24 ammunition for those firearms equipped with those devices, and  
25 actually engaged in the business of manufacturing those  
26 devices, firearms, or ammunition, but only with respect to

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

11 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
12 24-1.6 do not apply to or affect any parole agent or parole  
13 supervisor who meets the qualifications and conditions  
14 prescribed in Section 3-14-1.5 of the Unified Code of  
15 Corrections.

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

24 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and  
25 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an  
26 athlete's possession, transport on official Olympic and

1 Paralympic transit systems established for athletes, or use of  
2 competition firearms sanctioned by the International Olympic  
3 Committee, the International Paralympic Committee, the  
4 International Shooting Sport Federation, or USA Shooting in  
5 connection with such athlete's training for and participation  
6 in shooting competitions at the 2016 Olympic and Paralympic  
7 Games and sanctioned test events leading up to the 2016  
8 Olympic and Paralympic Games.

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

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



1 Identification Card.

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