



Rep. Marcus C. Evans, Jr.

Filed: 3/25/2021

10200HB0836ham001

LRB102 11349 SPS 23289 a

1 AMENDMENT TO HOUSE BILL 836

2 AMENDMENT NO. _____. Amend House Bill 836 by replacing
3 everything after the enacting clause with the following:

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9 (Section scheduled to be repealed on January 1, 2024)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

1 phone book, newspaper, magazine, pamphlet, newsletter,
2 website, or other similar type of publication or electronic
3 format that is intended to either attract business or merely
4 provide contact information to the public for an agency or
5 licensee. Advertisement shall not include a licensee's or an
6 agency's letterhead, business cards, or other stationery used
7 in routine business correspondence or customary name, address,
8 and number type listings in a telephone directory.

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

20 "Applicant" means a person or business applying for
21 licensure, registration, or authorization under this Act. Any
22 applicant or person who holds himself or herself out as an
23 applicant is considered a licensee or registrant for the
24 purposes of enforcement, investigation, hearings, and the
25 Illinois Administrative Procedure Act.

26 "Armed employee" means a licensee or registered person who

1 is employed by an agency licensed or an armed proprietary
2 security force registered under this Act who carries a weapon
3 while engaged in the performance of official duties within the
4 course and scope of his or her employment during the hours and
5 times the employee is scheduled to work or is commuting
6 between his or her home or place of employment.

7 "Armed proprietary security force" means a security force
8 made up of one or more armed individuals employed by a
9 commercial or industrial operation or by a financial
10 institution as security officers for the protection of persons
11 or property.

12 "Board" means the Private Detective, Private Alarm,
13 Private Security, Fingerprint Vendor, and Locksmith Board.

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

24 "Canine handler" means a person who uses or handles a
25 trained dog to protect persons or property or to conduct
26 investigations.

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

6 "Canine trainer" means a person who acts as a dog trainer
7 for the purpose of training dogs to protect persons or
8 property or to conduct investigations.

9 "Canine trainer authorization card" means a card issued by
10 the Department that authorizes the holder to train a dog to
11 protect persons or property or to conduct investigations
12 during the performance of his or her duties as specified in
13 this Act.

14 "Canine training facility" means a facility operated by a
15 licensed private detective agency or private security
16 contractor agency wherein dogs are trained for the purposes of
17 protecting persons or property or to conduct investigations.

18 "Corporation" means an artificial person or legal entity
19 created by or under the authority of the laws of a state,
20 including without limitation a corporation, limited liability
21 company, or any other legal entity.

22 "Department" means the Department of Financial and
23 Professional Regulation.

24 "Emergency communication system" means any system that
25 communicates information about emergencies, including but not
26 limited to fire, terrorist activities, shootings, other

1 dangerous situations, accidents, and natural disasters.

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

6 "Fingerprint vendor" means a person that offers,
7 advertises, or provides services to fingerprint individuals,
8 through electronic or other means, for the purpose of
9 providing fingerprint images and associated demographic data
10 to the Department of State Police for processing fingerprint
11 based criminal history record information inquiries.

12 "Fingerprint vendor agency" means a person, firm,
13 corporation, or other legal entity that engages in the
14 fingerprint vendor business and employs, in addition to the
15 fingerprint vendor licensee-in-charge, at least one other
16 person in conducting that business.

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

26 "Fire alarm system" means any system that is activated by

1 an automatic or manual device in the detection of smoke, heat,
2 or fire that activates an audible, visible, or remote signal
3 requiring a response.

4 "Firearm control card" means a card issued by the
5 Department that authorizes the holder, who has complied with
6 the training and other requirements of this Act, to carry a
7 weapon during the performance of his or her duties as
8 specified in this Act.

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

11 "Licensee" means a person or business licensed under this
12 Act. Anyone who holds himself or herself out as a licensee or
13 who is accused of unlicensed practice is considered a licensee
14 for purposes of enforcement, investigation, hearings, and the
15 Illinois Administrative Procedure Act.

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

24 "Locksmith agency" means a person, firm, corporation, or
25 other legal entity that engages in the locksmith business and
26 employs, in addition to the locksmith licensee-in-charge, at

1 least one other person in conducting such business.

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

11 "Mass notification system" means any system that is used
12 to provide information and instructions to people in a
13 building or other space using voice communications, including
14 visible signals, text, graphics, tactile, or other
15 communication methods.

16 "Peace officer" or "police officer" means a person who, by
17 virtue of office or public employment, is vested by law with a
18 duty to maintain public order or to make arrests for offenses,
19 whether that duty extends to all offenses or is limited to
20 specific offenses. Officers, agents, or employees of the
21 federal government commissioned by federal statute to make
22 arrests for violations of federal laws are considered peace
23 officers.

24 "Permanent employee registration card" means a card issued
25 by the Department to an individual who has applied to the
26 Department and meets the requirements for employment by a

1 licensed agency under this Act.

2 "Person" means a natural person.

3 "Private alarm contractor" means a person who engages in a
4 business that individually or through others undertakes,
5 offers to undertake, purports to have the capacity to
6 undertake, or submits a bid to sell, install, design, monitor,
7 maintain, test, inspect, alter, repair, replace, or service
8 alarm and other security-related systems or parts thereof,
9 including fire alarm systems, at protected premises or
10 premises to be protected or responds to alarm systems at a
11 protected premises on an emergency basis and not as a
12 full-time security officer. "Private alarm contractor" does
13 not include a person, firm, or corporation that manufactures
14 or sells alarm systems only from its place of business and does
15 not sell, install, monitor, maintain, alter, repair, replace,
16 service, or respond to alarm systems at protected premises or
17 premises to be protected.

18 "Private alarm contractor agency" means a person,
19 corporation, or other entity that engages in the private alarm
20 contracting business and employs, in addition to the private
21 alarm contractor-in-charge, at least one other person in
22 conducting such business.

23 "Private alarm contractor licensee-in-charge" means a
24 person who has been designated by an agency to be the
25 licensee-in-charge of an agency, who is a full-time management
26 employee or owner who assumes sole responsibility for

1 maintaining all records required by this Act, and who assumes
2 sole responsibility for assuring the licensed agency's
3 compliance with its responsibilities as stated in this Act.
4 The Department shall adopt rules mandating licensee-in-charge
5 participation in agency affairs.

6 "Private detective" means any person who by any means,
7 including, but not limited to, manual, canine odor detection,
8 or electronic methods, engages in the business of, accepts
9 employment to furnish, or agrees to make or makes
10 investigations for a fee or other consideration to obtain
11 information relating to:

12 (1) Crimes or wrongs done or threatened against the
13 United States, any state or territory of the United
14 States, or any local government of a state or territory.

15 (2) The identity, habits, conduct, business
16 occupation, honesty, integrity, credibility, knowledge,
17 trustworthiness, efficiency, loyalty, activity,
18 movements, whereabouts, affiliations, associations,
19 transactions, acts, reputation, or character of any
20 person, firm, or other entity by any means, manual or
21 electronic.

22 (3) The location, disposition, or recovery of lost or
23 stolen property.

24 (4) The cause, origin, or responsibility for fires,
25 accidents, or injuries to individuals or real or personal
26 property.

1 (5) The truth or falsity of any statement or
2 representation.

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

5 (7) The protection of individuals from bodily harm or
6 death (bodyguard functions).

7 (8) Service of process in criminal and civil
8 proceedings.

9 "Private detective agency" means a person, firm,
10 corporation, or other legal entity that engages in the private
11 detective business and employs, in addition to the
12 licensee-in-charge, one or more persons in conducting such
13 business.

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

23 "Private security contractor" means a person who engages
24 in the business of providing a private security officer,
25 watchman, patrol, guard dog, canine odor detection, or a
26 similar service by any other title or name on a contractual

1 basis for another person, firm, corporation, or other entity
2 for a fee or other consideration and performing one or more of
3 the following functions:

4 (1) The prevention or detection of intrusion, entry,
5 theft, vandalism, abuse, fire, or trespass on private or
6 governmental property.

7 (2) The prevention, observation, or detection of any
8 unauthorized activity on private or governmental property.

9 (3) The protection of persons authorized to be on the
10 premises of the person, firm, or other entity for which
11 the security contractor contractually provides security
12 services.

13 (4) The prevention of the misappropriation or
14 concealment of goods, money, bonds, stocks, notes,
15 documents, or papers.

16 (5) The control, regulation, or direction of the
17 movement of the public for the time specifically required
18 for the protection of property owned or controlled by the
19 client.

20 (6) The protection of individuals from bodily harm or
21 death (bodyguard functions).

22 "Private security contractor agency" means a person, firm,
23 corporation, or other legal entity that engages in the private
24 security contractor business and that employs, in addition to
25 the licensee-in-charge, one or more persons in conducting such
26 business.

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

10 "Public member" means a person who is not a licensee or
11 related to a licensee, or who is not an employer or employee of
12 a licensee. The term "related to" shall be determined by the
13 rules of the Department.

14 "Secretary" means the Secretary of the Department of
15 Financial and Professional Regulation.

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

17 (225 ILCS 447/15-25)

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

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

20 (a) Registered employees of a private detective agency
21 shall complete, within 30 days of their employment, a minimum
22 of 20 hours of basic training provided by a qualified
23 instructor. The substance of the training shall be related to
24 the work performed by the registered employee. The training
25 may be classroom-based or online Internet-based but shall not

1 ~~be conducted as on-the-job training and shall include relevant~~
2 ~~information as to the identification of terrorists, acts of~~
3 ~~terrorism, and terrorist organizations, as defined by federal~~
4 ~~and State statutes.~~

5 (a-5) In addition to the basic training required in
6 subsection (a), registered employees of a private detective
7 agency shall complete an additional minimum of 8 hours of
8 annual training for every calendar year, commencing with the
9 calendar year beginning after the employee's hire date.

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

15 (b) It is the responsibility of the employer to certify,
16 on a form provided by the Department, that the employee has
17 successfully completed the basic and annual training. The
18 original form or a copy shall be a permanent record of training
19 completed by the employee and shall be placed in the
20 employee's file with the employer for the period the employee
21 remains with the employer. ~~An agency may place a notarized~~
22 ~~copy of the Department form in lieu of the original into the~~
23 ~~permanent employee registration card file.~~ The original form
24 or a copy shall be given to the employee when his or her
25 employment is terminated. Failure to return the original form
26 or a copy to the employee is grounds for disciplinary action.

1 The employee shall not be required to repeat the required
2 training once the employee has been issued the form. An
3 employer may provide or require additional training.

4 (c) (Blank). ~~Any certification of completion of the~~
5 ~~20 hour basic training issued under the Private Detective,~~
6 ~~Private Alarm, Private Security, and Locksmith Act of 1993 or~~
7 ~~any prior Act shall be accepted as proof of training under this~~
8 ~~Act.~~

9 (d) All private detectives shall complete a minimum of 8
10 hours of annual training on a topic of their choosing,
11 provided that the subject matter is reasonably related to
12 their private detective practice. The annual training for
13 private detectives may be completed utilizing any combination
14 of hours obtained in a classroom or seminar setting or via
15 Internet-based online learning programs. The Department shall
16 adopt rules to administer this subsection.

17 (e) The annual training requirements for private
18 detectives shall not apply until the calendar year following
19 the issuance of the private detective license.

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

1 (g) If the private detective owns or is employed by a
2 private detective agency, the private detective agency shall
3 maintain a record of the annual training. The private
4 detective agency must make the record of annual training
5 available to the Department upon request.

6 (h) Recognizing the diverse professional practices of
7 private detectives licensed under this Act, it is the intent
8 of the training requirements in this Section to allow for a
9 broad interpretation of the coursework, seminar subjects, or
10 class topics to be considered reasonably related to the
11 practice of any profession licensed under this Act.

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

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

16 (225 ILCS 447/20-20)

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

18 Sec. 20-20. Training; private alarm contractor and
19 employees.

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

25 (1) The law regarding arrest and search and seizure as

1 it applies to the private alarm industry.

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

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

7 (4) Arrest and control techniques.

8 (5) The offenses under the Criminal Code of 2012 that
9 are directly related to the protection of persons and
10 property.

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

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

14 (8) Civil rights and public relations.

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

18 Pursuant to directives set forth by the U.S. Department of
19 Homeland Security and the provisions set forth by the National
20 Fire Protection Association in the National Fire Alarm Code
21 and the Life Safety Code, training may include the
22 installation, repair, and maintenance of emergency
23 communication systems and mass notification systems.

24 (b) All other employees of a private alarm contractor
25 agency shall complete a minimum of 20 hours of basic training
26 provided by a qualified instructor within 30 days of their

1 employment. The training may be provided in a classroom or
2 seminar setting or via Internet-based online learning
3 programs. The substance of the training shall be related to
4 the work performed by the registered employee.

5 (c) It is the responsibility of the employer to certify,
6 on forms provided by the Department, that the employee has
7 successfully completed the training. The original form or a
8 copy shall be a permanent record of training completed by the
9 employee and shall be placed in the employee's file with the
10 employer for the term the employee is retained by the
11 employer. A private alarm contractor agency may place a
12 ~~notarized~~ copy of the Department form in lieu of the original
13 into the permanent employee registration card file. The
14 original form or a copy shall be returned to the employee when
15 his or her employment is terminated. Failure to return the
16 original form or a copy to the employee is grounds for
17 discipline. The employee shall not be required to complete the
18 training required under this Act once the employee has been
19 issued a form.

20 (d) Nothing in this Act prevents any employer from
21 providing or requiring additional training beyond the required
22 20 hours that the employer feels is necessary and appropriate
23 for competent job performance.

24 (e) Any certification of completion of the 20-hour basic
25 training issued under the Private Detective, Private Alarm,
26 Private Security, and Locksmith Act of 1993 or any prior Act

1 shall be accepted as proof of training under this Act.

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

3 (225 ILCS 447/25-20)

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

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

7 (a) Registered employees of the private security
8 contractor agency who provide traditional guarding or other
9 private security related functions or who respond to alarm
10 systems shall complete, within 30 days of their employment, a
11 minimum of 20 hours of ~~classroom~~ basic training, which may be
12 provided in a classroom or seminar setting or via
13 Internet-based online learning programs, and shall be provided
14 by a qualified instructor, which shall include the following
15 subjects:

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

18 (2) Civil and criminal liability for acts related to
19 private security.

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

23 (4) Verbal communication skills ~~Arrest and control~~
24 ~~techniques~~.

25 (5) The offenses under the Criminal Code of 2012 that

1 are directly related to the protection of persons and
2 property.

3 (6) Private security officers and the criminal justice
4 system ~~The law on private security forces and on reporting~~
5 ~~to law enforcement agencies.~~

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

7 (8) Report ~~The procedures for report writing and~~
8 observation techniques.

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

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

14 (b) All other employees of a private security contractor
15 agency shall complete a minimum of 20 hours of basic training
16 provided by the qualified instructor within 30 days of their
17 employment. The training may be provided in a classroom or
18 seminar setting or via Internet-based online learning
19 programs. The substance of the training shall be related to
20 the work performed by the registered employee.

21 (c) Registered employees of the private security
22 contractor agency who provide guarding or other private
23 security related functions, in addition to the basic ~~classroom~~
24 training required under subsection (a), within 6 months of
25 their employment, shall complete an additional 8 hours of
26 training on subjects to be determined by the employer, which

1 training may be site-specific and may be conducted on the job.
2 The training may be provided in a classroom or seminar setting
3 or via Internet-based online learning programs.

4 (d) In addition to the basic training provided for in
5 subsections (a) and (c), registered employees of the private
6 security contractor agency who provide guarding or other
7 private security related functions shall complete an
8 additional 8 hours of refresher training on subjects to be
9 determined by the employer each calendar year commencing with
10 the calendar year following the employee's first employment
11 anniversary date, which refresher training may be
12 site-specific and may be conducted on the job.

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

1 employer may provide or require additional training.

2 (f) (Blank). ~~Any certification of completion of the~~
3 ~~20-hour basic training issued under the Private Detective,~~
4 ~~Private Alarm, Private Security and Locksmith Act of 1993 or~~
5 ~~any prior Act shall be accepted as proof of training under this~~
6 ~~Act.~~

7 (g) All private security contractors shall complete a
8 minimum of 4 hours of annual training on a topic of their
9 choosing, provided that the subject matter of the training is
10 reasonably related to their private security contractor
11 practice. The training may be provided in a classroom setting
12 or seminar setting or via Internet-based online learning
13 programs. The Department shall adopt rules to administer this
14 subsection.

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

22 (i) If the private security contractor owns or is employed
23 by a private security contractor agency, the private security
24 contractor agency shall maintain a record of the annual
25 training. The private security contractor agency must make the
26 record of annual training available to the Department upon

1 request.

2 (j) Recognizing the diverse professional practices of
3 private security contractors licensed under this Act, it is
4 the intent of the training requirements in this Section to
5 allow for a broad interpretation of the coursework, seminar
6 subjects, or class topics to be considered reasonably related
7 to the practice of any profession licensed under this Act.

8 (k) Notwithstanding any other professional license a
9 private security contractor holds under this Act, no more than
10 4 hours of annual training shall be required for any one year.

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

14 (Source: P.A. 97-1150, eff. 1-25-13; 98-253, eff. 8-9-13;
15 98-756, eff. 7-16-14.)

16 (225 ILCS 447/35-40)

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

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

19 (a) The Department shall, pursuant to rule, approve or
20 disapprove training programs for the firearm training course,
21 which shall be taught by a qualified instructor.
22 Qualifications for instructors shall be set by rule. The
23 firearm training course shall be conducted by entities, by a
24 licensee, or by an agency licensed by this Act, provided the
25 course is approved by the Department. The firearm course shall

1 consist of the following minimum requirements:

2 (1) 48 ~~40~~ hours of training as follows:

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

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

15 (C) 20 hours consisting of instruction in: ~~(A)~~
16 ~~Instruction in~~

17 (i) the dangers of and misuse of firearms,
18 their storage, safety rules, and care and cleaning
19 of firearms;

20 (ii) defensive tactics for in-holster weapon
21 retention;

22 (iii). ~~(B) Practice firing on a range with~~
23 ~~live ammunition. (C) Instruction in the legal use~~
24 ~~of firearms;~~

25 (iv). ~~(D) A presentation of the ethical and~~
26 ~~moral considerations necessary for any person who~~

1 possesses a firearm;

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

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

6 (2) An examination shall be given at the completion of
7 the course. The examination shall consist of a firearms
8 qualification course and a written examination. Successful
9 completion shall be determined by the Department.

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

19 (c) In addition to the training provided for in subsection
20 (a), a licensee or employee in possession of a valid firearm
21 control card shall complete an additional 8 hours of refresher
22 training each calendar year commencing with the calendar year
23 following one year after the date of the issuance of the
24 firearm control card. The 8 hours of training shall consist of
25 practice firing on a range with live ammunition, including,
26 but not limited to, firing a minimum of 50 rounds of live

1 ammunition (factory loaded service ammunition or factory
2 reloaded ammunition) and attaining a minimum score of 70%
3 accuracy with each type of weapon the person is authorized by
4 the Department to carry and for which the person has been
5 trained.

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

7 (225 ILCS 447/35-45)

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

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

10 (a) All financial institutions or commercial or industrial
11 operations that employ one or more armed employees ~~and all~~
12 ~~commercial or industrial operations that employ 5 or more~~
13 ~~persons as armed employees~~ shall register their security
14 forces with the Department on forms provided by the
15 Department. Registration subjects the security force to all of
16 the requirements of Section 35-40. For the purposes of this
17 Section, "financial institution" includes a bank, savings and
18 loan association, credit union, currency exchange, or company
19 providing armored car services.

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

25 (b) All armed employees of the registered proprietary

1 security force must complete a 20-hour basic training course
2 and all the 20-hour firearm training requirements of Section
3 35-40.

4 (c) Every proprietary security force is required to apply
5 to the Department, on forms supplied by the Department, for a
6 firearm control card for each armed employee. Each armed
7 employee shall have his or her fingerprints submitted to the
8 Department of State Police in an electronic format that
9 complies with the form and manner for requesting and
10 furnishing criminal history record information as prescribed
11 by the Department of State Police. These fingerprints shall be
12 checked against the Department of State Police and Federal
13 Bureau of Investigation criminal history record databases. The
14 Department of State Police shall charge the armed employee a
15 fee for conducting the criminal history records check, which
16 shall be deposited in the State Police Services Fund and shall
17 not exceed the actual cost of the records check. The
18 Department of State Police shall furnish, pursuant to positive
19 identification, records of Illinois convictions to the
20 Department. The Department may require armed employees to pay
21 a separate fingerprinting fee, either to the Department or
22 directly to the vendor. The Department, in its discretion, may
23 allow an armed employee who does not have reasonable access to
24 a designated vendor to provide his or her fingerprints in an
25 alternative manner. The Department, in its discretion, may
26 also use other procedures in performing or obtaining criminal

1 background checks of armed employees. Instead of submitting
2 his or her fingerprints, an individual may submit proof that
3 is satisfactory to the Department that an equivalent security
4 clearance has been conducted. Also, an individual who has
5 retired as a peace officer within 12 months before application
6 may submit verification, on forms provided by the Department
7 and signed by his or her employer, of his or her previous
8 full-time employment as a peace officer.

9 (d) The Department may provide rules for the
10 administration of this Section.

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

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

14 (720 ILCS 5/24-2)

15 Sec. 24-2. Exemptions.

16 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
17 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
18 the following:

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

22 (2) Wardens, superintendents and keepers of prisons,
23 penitentiaries, jails and other institutions for the
24 detention of persons accused or convicted of an offense,

1 while in the performance of their official duty, or while
2 commuting between their homes and places of employment.

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

7 (4) Special agents employed by a railroad or a public
8 utility to perform police functions, and guards of armored
9 car companies, while actually engaged in the performance
10 of the duties of their employment or commuting between
11 their homes and places of employment; and watchmen while
12 actually engaged in the performance of the duties of their
13 employment.

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

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

18 (6) Any person regularly employed in a commercial or
19 industrial operation as a security guard for the
20 protection of persons employed and private property
21 related to such commercial or industrial operation, while
22 actually engaged in the performance of his or her duty or
23 traveling between sites or properties belonging to the
24 employer, and who, as a security guard, is a member of a
25 security force registered with the Department of Financial
26 and Professional Regulation; provided that such security

1 guard has successfully completed a course of study,
2 approved by and supervised by the Department of Financial
3 and Professional Regulation, consisting of not less than
4 48 ~~40~~ hours of training that includes the theory of law
5 enforcement, liability for acts, and the handling of
6 weapons. A person shall be considered eligible for this
7 exemption if he or she has completed the required 20 hours
8 of training for a security officer and 28 ~~20~~ hours of
9 required firearm training, and has been issued a firearm
10 control card by the Department of Financial and
11 Professional Regulation. Conditions for the renewal of
12 firearm control cards issued under the provisions of this
13 Section shall be the same as for those cards issued under
14 the provisions of the Private Detective, Private Alarm,
15 Private Security, Fingerprint Vendor, and Locksmith Act of
16 2004. The firearm control card shall be carried by the
17 security guard at all times when he or she is in possession
18 of a concealable weapon permitted by his or her firearm
19 control card.

20 (7) Agents and investigators of the Illinois
21 Legislative Investigating Commission authorized by the
22 Commission to carry the weapons specified in subsections
23 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
24 any investigation for the Commission.

25 (8) Persons employed by a financial institution as a
26 security guard for the protection of other employees and

1 property related to such financial institution, while
2 actually engaged in the performance of their duties,
3 commuting between their homes and places of employment, or
4 traveling between sites or properties owned or operated by
5 such financial institution, and who, as a security guard,
6 is a member of a security force registered with the
7 Department; provided that any person so employed has
8 successfully completed a course of study, approved by and
9 supervised by the Department of Financial and Professional
10 Regulation, consisting of not less than 48 ~~40~~ hours of
11 training which includes theory of law enforcement,
12 liability for acts, and the handling of weapons. A person
13 shall be considered to be eligible for this exemption if
14 he or she has completed the required 20 hours of training
15 for a security officer and 28 ~~20~~ hours of required firearm
16 training, and has been issued a firearm control card by
17 the Department of Financial and Professional Regulation.
18 Conditions for renewal of firearm control cards issued
19 under the provisions of this Section shall be the same as
20 for those issued under the provisions of the Private
21 Detective, Private Alarm, Private Security, Fingerprint
22 Vendor, and Locksmith Act of 2004. The firearm control
23 card shall be carried by the security guard at all times
24 when he or she is in possession of a concealable weapon
25 permitted by his or her firearm control card. For purposes
26 of this subsection, "financial institution" means a bank,

1 savings and loan association, credit union or company
2 providing armored car services.

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

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

9 (11) Investigators of the Office of the State's
10 Attorneys Appellate Prosecutor authorized by the board of
11 governors of the Office of the State's Attorneys Appellate
12 Prosecutor to carry weapons pursuant to Section 7.06 of
13 the State's Attorneys Appellate Prosecutor's Act.

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

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

24 (13) Court Security Officers while in the performance
25 of their official duties, or while commuting between their
26 homes and places of employment, with the consent of the

1 Sheriff.

2 (13.5) A person employed as an armed security guard at
3 a nuclear energy, storage, weapons or development site or
4 facility regulated by the Nuclear Regulatory Commission
5 who has completed the background screening and training
6 mandated by the rules and regulations of the Nuclear
7 Regulatory Commission.

8 (14) Manufacture, transportation, or sale of weapons
9 to persons authorized under subdivisions (1) through
10 (13.5) of this subsection to possess those weapons.

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

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

20 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
21 24-1.6 do not apply to or affect any of the following:

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

1 (2) Duly authorized military or civil organizations
2 while parading, with the special permission of the
3 Governor.

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

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

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

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

14 (1) Peace officers while in performance of their
15 official duties.

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

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

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

15 During transportation, such weapons shall be broken
16 down in a non-functioning state or not immediately
17 accessible.

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

1 any branch of the Armed Forces of the United States, when
2 such activities are necessary and incident to fulfilling
3 the terms of such contract.

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

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

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

25 (e) Subsection 24-1(a)(8) does not apply to any owner,
26 manager or authorized employee of any place specified in that

1 subsection nor to any law enforcement officer.

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

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

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

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

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

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

26 (g-5) Subsection 24-1(a)(6) does not apply to or affect

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

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

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

1 report of any firearm. These devices shall be owned and
2 maintained by lawfully recognized units of government whose
3 duties include the investigation of criminal acts.

4 (g-10) (Blank). ~~Subsections 24-1(a)(4), 24-1(a)(8), and~~
5 ~~24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an~~
6 ~~athlete's possession, transport on official Olympic and~~
7 ~~Paralympic transit systems established for athletes, or use of~~
8 ~~competition firearms sanctioned by the International Olympic~~
9 ~~Committee, the International Paralympic Committee, the~~
10 ~~International Shooting Sport Federation, or USA Shooting in~~
11 ~~connection with such athlete's training for and participation~~
12 ~~in shooting competitions at the 2016 Olympic and Paralympic~~
13 ~~Games and sanctioned test events leading up to the 2016~~
14 ~~Olympic and Paralympic Games.~~

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

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

1 affect the transportation, carrying, or possession of any
2 pistol, revolver, stun gun, taser, or other firearm, not the
3 subject of and regulated by subsection 24-1(a)(7) or
4 subsection 24-2(c) of this Article, which is unloaded and
5 enclosed in a case, firearm carrying box, shipping box, or
6 other container, by the possessor of a valid Firearm Owners
7 Identification Card.

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