



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4331

Introduced 1/5/2022, by Rep. Thomas M. Bennett

SYNOPSIS AS INTRODUCED:

50 ILCS 705/2 from Ch. 85, par. 502
720 ILCS 5/24-2
730 ILCS 5/3-2-14 new
730 ILCS 125/26.1 new

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

LRB102 22131 RLC 31260 b

1 AN ACT concerning firearms.

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

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

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

7 (Text of Section before amendment by P.A. 101-652)

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

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

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

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

22 "Probationary police officer" means a recruit law
23 enforcement officer required to successfully complete initial

1 minimum basic training requirements at a police training
2 school to be eligible for permanent full-time employment as a
3 local law enforcement officer.

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

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

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

22 "Law enforcement officer" means (i) any police officer of
23 a local governmental agency who is primarily responsible for
24 prevention or detection of crime and the enforcement of the
25 criminal code, traffic, or highway laws of this State or any
26 political subdivision of this State or (ii) any member of a

1 police force appointed and maintained as provided in Section 2
2 of the Railroad Police Act.

3 "Recruit" means any full-time or part-time law enforcement
4 officer or full-time county corrections officer who is
5 enrolled in an approved training course.

6 "Probationary county corrections officer" means a recruit
7 county corrections officer required to successfully complete
8 initial minimum basic training requirements at a police
9 training school to be eligible for permanent employment on a
10 full-time basis as a county corrections officer.

11 "Permanent county corrections officer" means a county
12 corrections officer who has completed his probationary period
13 and is permanently employed on a full-time basis as a county
14 corrections officer by a participating local governmental
15 unit.

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

19 "Probationary court security officer" means a recruit
20 court security officer required to successfully complete
21 initial minimum basic training requirements at a designated
22 training school to be eligible for employment as a court
23 security officer.

24 "Permanent court security officer" means a court security
25 officer who has completed his or her probationary period and
26 is employed as a court security officer by a participating

1 local governmental unit.

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

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

5 (Text of Section after amendment by P.A. 101-652)

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

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

10 "Full-time law enforcement officer" means a law
11 enforcement officer who has completed the officer's
12 probationary period and is employed on a full-time basis as a
13 law enforcement officer by a local government agency, State
14 government agency, or as a campus police officer by a
15 participating State-controlled university, college, or public
16 community college.

17 "Governmental agency" means any local governmental agency
18 and any State governmental agency.

19 "Local governmental agency" means any local governmental
20 unit or municipal corporation in this State. It does not
21 include the State of Illinois or any office, officer,
22 department, division, bureau, board, commission, or agency of
23 the State, except that it does include a State-controlled
24 university, college or public community college.

25 "State governmental agency" means any governmental unit of

1 this State. This includes any office, officer, department,
2 division, bureau, board, commission, or agency of the State.
3 It does not include the Illinois State Police as defined in the
4 State Police Act.

5 "Panel" means the Certification Review Panel.

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

10 "Probationary police officer" means a recruit law
11 enforcement officer required to successfully complete initial
12 minimum basic training requirements at a police training
13 school to be eligible for permanent full-time employment as a
14 local law enforcement officer.

15 "Probationary part-time police officer" means a recruit
16 part-time law enforcement officer required to successfully
17 complete initial minimum part-time training requirements to be
18 eligible for employment on a part-time basis as a local law
19 enforcement officer.

20 "Permanent law enforcement officer" means a law
21 enforcement officer who has completed the officer's
22 probationary period and is permanently employed on a full-time
23 basis as a local law enforcement officer by a participating
24 local governmental unit or as a security officer or campus
25 police officer permanently employed by a participating
26 State-controlled university, college, or public community

1 college.

2 "Part-time law enforcement officer" means a law
3 enforcement officer who has completed the officer's
4 probationary period and is employed on a part-time basis as a
5 law enforcement officer by a participating unit of local
6 government or as a campus police officer by a participating
7 State-controlled university, college, or public community
8 college.

9 "Law enforcement officer" means (i) any police officer of
10 a local governmental agency who is primarily responsible for
11 prevention or detection of crime and the enforcement of the
12 criminal code, traffic, or highway laws of this State or any
13 political subdivision of this State or (ii) any member of a
14 police force appointed and maintained as provided in Section 2
15 of the Railroad Police Act.

16 "Recruit" means any full-time or part-time law enforcement
17 officer or full-time county corrections officer who is
18 enrolled in an approved training course.

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

24 "Permanent county corrections officer" means a county
25 corrections officer who has completed the officer's
26 probationary period and is permanently employed on a full-time

1 basis as a county corrections officer by a participating local
2 governmental unit.

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

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

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

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

17 "Retired law enforcement officer qualified under federal
18 law" means an individual who:

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

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

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

7 (4) has met State firearms training and qualifications
8 that are the same as the training and qualifications for
9 active duty officers;

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

12 (6) is not prohibited by federal law from carrying a
13 firearm.

14 (Source: P.A. 101-652, eff. 1-1-22.)

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

17 (720 ILCS 5/24-2)

18 (Text of Section before amendment by P.A. 102-152)

19 Sec. 24-2. Exemptions.

20 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
21 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
22 the following:

23 (1) Peace officers, and any person summoned by a peace
24 officer to assist in making arrests or preserving the

1 peace, while actually engaged in assisting such officer.

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

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

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

18 (5) Persons licensed as private security contractors,
19 private detectives, or private alarm contractors, or
20 employed by a private security contractor, private
21 detective, or private alarm contractor agency licensed by
22 the Department of Financial and Professional Regulation,
23 if their duties include the carrying of a weapon under the
24 provisions of the Private Detective, Private Alarm,
25 Private Security, Fingerprint Vendor, and Locksmith Act of
26 2004, while actually engaged in the performance of the

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

22 (6) Any person regularly employed in a commercial or
23 industrial operation as a security guard for the
24 protection of persons employed and private property
25 related to such commercial or industrial operation, while
26 actually engaged in the performance of his or her duty or

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

24 (7) Agents and investigators of the Illinois
25 Legislative Investigating Commission authorized by the
26 Commission to carry the weapons specified in subsections

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

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

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

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

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

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

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

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

1 Training Act.

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

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

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

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

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

24 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
25 24-1.6 do not apply to or affect any of the following:

26 (1) Members of any club or organization organized for

1 the purpose of practicing shooting at targets upon
2 established target ranges, whether public or private, and
3 patrons of such ranges, while such members or patrons are
4 using their firearms on those target ranges.

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

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

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

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

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

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

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

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

26 (4) Manufacture, transportation, or sale of machine

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

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

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

22 (6) The manufacture, transport, testing, delivery,
23 transfer or sale, and all lawful commercial or
24 experimental activities necessary thereto, of rifles,
25 shotguns, and weapons made from rifles or shotguns, or
26 ammunition for such rifles, shotguns or weapons, where

1 engaged in by a person operating as a contractor or
2 subcontractor pursuant to a contract or subcontract for
3 the development and supply of such rifles, shotguns,
4 weapons or ammunition to the United States government or
5 any branch of the Armed Forces of the United States, when
6 such activities are necessary and incident to fulfilling
7 the terms of such contract.

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

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

26 (d) Subsection 24-1(a)(1) does not apply to the purchase,

1 possession or carrying of a black-jack or slung-shot by a
2 peace officer.

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

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

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

13 (1) 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 (2) Bonafide collectors of antique or surplus military
17 ordnance.

18 (3) Laboratories having a department of forensic
19 ballistics, or specializing in the development of
20 ammunition or explosive ordnance.

21 (4) Commerce, preparation, assembly or possession of
22 explosive bullets by manufacturers of ammunition licensed
23 by the federal government, in connection with the supply
24 of those organizations and persons exempted by subdivision
25 (g)(1) of this Section, or like organizations and persons
26 outside this State, or the transportation of explosive

1 bullets to any organization or person exempted in this
2 Section by a common carrier or by a vehicle owned or leased
3 by an exempted manufacturer.

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

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

26 (g-7) Subsection 24-1(a)(6) does not apply to a peace

1 officer while serving as a member of a tactical response team
2 or special operations team. A peace officer may not personally
3 own or apply for ownership of a device or attachment of any
4 kind designed, used, or intended for use in silencing the
5 report of any firearm. These devices shall be owned and
6 maintained by lawfully recognized units of government whose
7 duties include the investigation of criminal acts.

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

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

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

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

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

13 (Text of Section after amendment by P.A. 102-152)

14 Sec. 24-2. Exemptions.

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

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

21 (2) Wardens, superintendents and keepers of prisons,
22 penitentiaries, jails and other institutions for the
23 detention of persons accused or convicted of an offense,
24 while in the performance of their official duty, or while
25 commuting between their homes and places of employment.

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

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

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

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

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

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

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

23 (8) Persons employed by a financial institution as a
24 security guard for the protection of other employees and
25 property related to such financial institution, while
26 actually engaged in the performance of their duties,

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

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

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

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

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

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

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

26 (13.5) A person employed as an armed security guard at

1 a nuclear energy, storage, weapons or development site or
2 facility regulated by the Nuclear Regulatory Commission
3 who has completed the background screening and training
4 mandated by the rules and regulations of the Nuclear
5 Regulatory Commission.

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

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

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

18 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
19 24-1.6 do not apply to or affect any of the following:

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

25 (2) Duly authorized military or civil organizations
26 while parading, with the special permission of the

1 Governor.

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

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

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

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

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

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

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

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

25 (5) Persons licensed under federal law to manufacture
26 any weapon from which 8 or more shots or bullets can be

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

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

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

1 the terms of such contract.

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

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

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

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

26 (f) Subsection 24-1(a)(4) and subsection 24-1(a)(10) and

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

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

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

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

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

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

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

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

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

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

1 duties include the investigation of criminal acts.

2 (g-8) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
3 24-1.6 do not apply to or affect any currently employed or
4 qualified retired State correctional officer who meets the
5 qualifications and conditions prescribed in Section 3-2-14 of
6 the Unified Code of Corrections.

7 (g-9) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
8 24-1.6 do not apply to or affect any currently employed or
9 qualified retired county correctional officer who meets the
10 qualifications and conditions prescribed in Section 26.1 of
11 the County Jail Act.

12 (g-10) (Blank).

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

17 (i) Nothing in this Article shall prohibit, apply to, or
18 affect the transportation, carrying, or possession, of any
19 pistol or revolver, stun gun, taser, or other firearm
20 consigned to a common carrier operating under license of the
21 State of Illinois or the federal government, where such
22 transportation, carrying, or possession is incident to the
23 lawful transportation in which such common carrier is engaged;
24 and nothing in this Article shall prohibit, apply to, or
25 affect the transportation, carrying, or possession of any
26 pistol, revolver, stun gun, taser, or other firearm, not the

1 subject of and regulated by subsection 24-1(a)(7) or
2 subsection 24-2(c) of this Article, which is unloaded and
3 enclosed in a case, firearm carrying box, shipping box, or
4 other container, by the possessor of a valid Firearm Owners
5 Identification Card.

6 (Source: P.A. 101-80, eff. 7-12-19; 102-152, eff. 1-1-22.)

7 Section 15. The Unified Code of Corrections is amended by
8 adding Section 3-2-14 as follows:

9 (730 ILCS 5/3-2-14 new)

10 Sec. 3-2-14. State correctional officers; off-duty
11 firearms.

12 (a) In this Section, "State correctional officer" means an
13 employee of the Department of Corrections who has custody and
14 control over inmates in an adult correctional facility.

15 (b) In this Section, "qualified retired State correctional
16 officer" means a former State correctional officer who:

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

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

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

1 (4) has not either:

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

9 (B) entered into an agreement with the Department
10 of Corrections in which that individual acknowledges
11 he or she is not qualified under this Section for
12 reasons relating to mental health and for those
13 reasons will not receive or accept the photographic
14 identification as described in paragraph (4) of
15 subsection (c);

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

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

20 (c) Paragraphs (4) and (10) of subsection (a) of Section
21 24-1 and Section 24-1.6 of the Criminal Code of 2012 do not
22 apply to currently employed or qualified retired State
23 correctional officers who meet the following conditions:

24 (1) The currently employed or qualified retired State
25 correctional officer must receive training in the use of
26 firearms while off-duty conducted by the Illinois Law

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

14 (2) The currently employed or qualified retired State
15 correctional officer may not carry any Department of
16 Corrections State-issued firearm while off-duty. A person
17 who violates this paragraph (2) is subject to disciplinary
18 action by the Department of Corrections.

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

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

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

6 Section 20. The County Jail Act is amended by adding
7 Section 26.1 as follows:

8 (730 ILCS 125/26.1 new)

9 Sec. 26.1. County correctional officers; off-duty
10 firearms.

11 (a) In this Section, "county correctional officer" means
12 an employee of a county sheriff's office within this State who
13 has custody and control over adult inmates in a county jail.

14 (b) In this Section, "qualified retired county
15 correctional officer" means a former county correctional
16 officer who:

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

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

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

1 (4) has not either:

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

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

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

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

21 (c) Paragraphs (4) and (10) of subsection (a) of Section
22 24-1 and Section 24-1.6 of the Criminal Code of 2012 do not
23 apply to currently employed or qualified retired county
24 correctional officers who meet the following conditions:

25 (1) The currently employed or qualified retired county
26 correctional officer must receive training in the use of

1 firearms while off-duty conducted by the Illinois Law
2 Enforcement Training Standards Board and be certified as
3 having successfully completed the training by the Board.
4 The Board shall determine the amount of the training and
5 the course content for the training. The currently
6 employed or qualified retired county correctional officer
7 shall requalify for the firearms training annually at a
8 State range certified by the Illinois Law Enforcement
9 Training Standards Board. The expenses of the retraining
10 shall be paid by the currently employed or qualified
11 retired county correctional officer and moneys for the
12 costs of the requalification shall be expended at the
13 request of the Illinois Law Enforcement Training Standards
14 Board.

15 (2) The currently employed or qualified retired county
16 correctional officer may not carry any county
17 sheriff-issued firearm while off-duty. A person who
18 violates this paragraph (2) is subject to disciplinary
19 action by the county sheriff.

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

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

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

8 Section 95. No acceleration or delay. Where this Act makes
9 changes in a statute that is represented in this Act by text
10 that is not yet or no longer in effect (for example, a Section
11 represented by multiple versions), the use of that text does
12 not accelerate or delay the taking effect of (i) the changes
13 made by this Act or (ii) provisions derived from any other
14 Public Act.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.