



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4636

Introduced 1/21/2022, by Rep. Tony McCombie - Dave Severin

SYNOPSIS AS INTRODUCED:

20 ILCS 505/45 new
50 ILCS 705/14 new
430 ILCS 66/75

Amends the Children and Family Services Act. Creates the Caseworker Self-Defense Law. Provides that DCFS caseworkers may carry a concealed handgun during the performance of their official duties. Provides that in order to carry a concealed weapon, a caseworker must be licensed to carry a concealed handgun under the Firearm Concealed Carry Act, and must annually complete a course of training provided by the Illinois Law Enforcement Training Standards Board. Provides liability protection for the Department for caseworkers who carry concealed handguns during the performance of their official duties. Amends the Illinois Police Training Act. Requires the Illinois Law Enforcement Training Standards Board to create a course of training for DCFS caseworkers and provides standards for such training. Amends the Firearm Concealed Carry Act. Provides that training for DCFS caseworkers under the Illinois Police Training Act satisfies the training requirements of the Firearm Concealed Carry Act. Effective immediately.

LRB102 24466 RLC 33700 b

1 AN ACT concerning State government.

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

4 Section 5. The Children and Family Services Act is amended
5 by adding Section 45 as follows:

6 (20 ILCS 505/45 new)

7 Sec. 45. Caseworker self-defense. This Section may be
8 known as the Caseworker Self-Defense Law.

9 (a) A caseworker may, in his or her sole discretion, carry
10 a concealed handgun during the performance of his or her
11 official duties, subject to the requirements of subsection
12 (b).

13 (b) In order to carry a concealed handgun during the
14 performance of his or her official duties, a caseworker must:

15 (1) be a current licensee under the Firearm Concealed
16 Carry Act; and

17 (2) annually complete training approved under Section
18 14 of the Illinois Police Training Act.

19 (c) The Department shall not be civilly or criminally
20 liable for the decision of a caseworker to carry a concealed
21 handgun under this Section or for the caseworker's use of a
22 concealed handgun during the performance of his or her
23 official duties.

1 (d) The Department may by rule provide for the
2 implementation of this Section.

3 (e) As used in this Section, "caseworker" includes both a
4 caseworker employed by the Department and any other employee
5 of the Department who, as a part of his or her employment, has
6 direct contact with the public outside of Department
7 facilities.

8 Section 10. The Illinois Police Training Act is amended by
9 adding Section 14 as follows:

10 (50 ILCS 705/14 new)

11 Sec. 14. Caseworker self-defense.

12 (a) No later than one year after the effective date of this
13 amendatory Act of the 102nd General Assembly, the Board shall
14 create training standards for caseworkers of the Department of
15 Children and Family Services to carry concealed handguns
16 during the performance of their official duties under Section
17 45 of the Children and Family Services Act. The training
18 standards shall include, but are not limited to, fulfilling
19 the requirements of Section 75 of the Firearm Concealed Carry
20 Act, together with such other information that the Board may
21 deem useful to caseworkers of the Department of Children and
22 Family Services in the performance of their official duties.

23 (b) The Board shall provide the training in subsection (a)
24 for caseworkers of the Department of Children and Family

1 Services, and may authorize other parties to provide this
2 training.

3 Section 15. The Firearm Concealed Carry Act is amended by
4 changing Section 75 as follows:

5 (430 ILCS 66/75)

6 Sec. 75. Applicant firearm training.

7 (a) Within 60 days of the effective date of this Act, the
8 Illinois State Police shall begin approval of firearm training
9 courses and shall make a list of approved courses available on
10 the Illinois State Police's website.

11 (b) An applicant for a new license shall provide proof of
12 completion of a firearms training course or combination of
13 courses approved by the Illinois State Police of at least 16
14 hours, which includes range qualification time under
15 subsection (c) of this Section, that covers the following:

16 (1) firearm safety;

17 (2) the basic principles of marksmanship;

18 (3) care, cleaning, loading, and unloading of a
19 concealable firearm;

20 (4) all applicable State and federal laws relating to
21 the ownership, storage, carry, and transportation of a
22 firearm; and

23 (5) instruction on the appropriate and lawful
24 interaction with law enforcement while transporting or

1 carrying a concealed firearm.

2 (c) An applicant for a new license shall provide proof of
3 certification by a certified instructor that the applicant
4 passed a live fire exercise with a concealable firearm
5 consisting of:

6 (1) a minimum of 30 rounds; and

7 (2) 10 rounds from a distance of 5 yards; 10 rounds
8 from a distance of 7 yards; and 10 rounds from a distance
9 of 10 yards at a B-27 silhouette target approved by the
10 Illinois State Police.

11 (d) An applicant for renewal of a license shall provide
12 proof of completion of a firearms training course or
13 combination of courses approved by the Illinois State Police
14 of at least 3 hours.

15 (e) A certificate of completion for an applicant's firearm
16 training course shall not be issued to a student who:

17 (1) does not follow the orders of the certified
18 firearms instructor;

19 (2) in the judgment of the certified instructor,
20 handles a firearm in a manner that poses a danger to the
21 student or to others; or

22 (3) during the range firing portion of testing fails
23 to hit the target with 70% of the rounds fired.

24 (f) An instructor shall maintain a record of each
25 student's performance for at least 5 years, and shall make all
26 records available upon demand of authorized personnel of the

1 Illinois State Police.

2 (g) The Illinois State Police and certified firearms
3 instructors shall recognize up to 8 hours of training already
4 completed toward the 16 hour training requirement under this
5 Section if the training course is submitted to and approved by
6 the Illinois State Police. Any remaining hours that the
7 applicant completes must at least cover the classroom subject
8 matter of paragraph (4) of subsection (b) of this Section, and
9 the range qualification in subsection (c) of this Section.

10 (h) A person who has qualified to carry a firearm as an
11 active law enforcement or corrections officer, who has
12 successfully completed firearms training as required by his or
13 her law enforcement agency and is authorized by his or her
14 agency to carry a firearm; a person currently certified as a
15 firearms instructor by this Act or by the Illinois Law
16 Enforcement Training Standards Board; or a person who has
17 completed the required training and has been issued a firearm
18 control card by the Department of Financial and Professional
19 Regulation shall be exempt from the requirements of this
20 Section.

21 (i) The Illinois State Police and certified firearms
22 instructors shall recognize 8 hours of training as completed
23 toward the 16 hour training requirement under this Section, if
24 the applicant is an active, retired, or honorably discharged
25 member of the United States Armed Forces. Any remaining hours
26 that the applicant completes must at least cover the classroom

1 subject matter of paragraph (4) of subsection (b) of this
2 Section, and the range qualification in subsection (c) of this
3 Section.

4 (j) The Illinois State Police and certified firearms
5 instructors shall recognize up to 8 hours of training already
6 completed toward the 16 hour training requirement under this
7 Section if the training course is approved by the Illinois
8 State Police and was completed in connection with the
9 applicant's previous employment as a law enforcement or
10 corrections officer. Any remaining hours that the applicant
11 completes must at least cover the classroom subject matter of
12 paragraph (4) of subsection (b) of this Section, and the range
13 qualification in subsection (c) of this Section. A former law
14 enforcement or corrections officer seeking credit under this
15 subsection (j) shall provide evidence that he or she separated
16 from employment in good standing from each law enforcement
17 agency where he or she was employed. An applicant who was
18 discharged from a law enforcement agency for misconduct or
19 disciplinary reasons is not eligible for credit under this
20 subsection (j).

21 (k) The course of training prescribed under Section 14 of
22 the Illinois Police Training Act for caseworkers of the
23 Department of Children and Family Services shall satisfy the
24 training requirements of this Section.

25 (Source: P.A. 102-538, eff. 8-20-21.)

26 Section 99. Effective date. This Act takes effect upon

1 becoming law.