



Sen. Bill Cunningham

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10200HB4667sam001

LRB102 24195 HEP 38816 a

1 AMENDMENT TO HOUSE BILL 4667

2 AMENDMENT NO. _____. Amend House Bill 4667 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by
5 changing Section 24-2 as follows:

6 (720 ILCS 5/24-2)

7 Sec. 24-2. Exemptions.

8 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
9 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
10 the following:

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

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,

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 hours of required firearm training, and has
5 been issued a firearm control card by the Department of
6 Financial and Professional Regulation. Conditions for the
7 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 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 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 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 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 or a current or retired deputy, county correctional
19 officer, or correctional officer of the Department of
20 Corrections qualified under the laws of this State or under
21 the federal Law Enforcement Officers Safety Act.

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

24 (1) Members of any club or organization organized for
25 the purpose of practicing shooting at targets upon
26 established target ranges, whether public or private, and

1 patrons of such ranges, while such members or patrons are
2 using their firearms on those target ranges.

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

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

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

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

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

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

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

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

24 (4) Manufacture, transportation, or sale of machine
25 guns to persons authorized under subdivisions (1) through
26 (3) of this subsection to possess machine guns, if the

1 machine guns are broken down in a non-functioning state or
2 are not immediately accessible.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 by an exempted manufacturer.

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

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

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

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

6 (g-10) (Blank).

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

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

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

1 Section 10. The Unified Code of Corrections is amended by
2 adding Section 3-2-14 as follows:

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

4 Sec. 3-2-14. Correctional officers of the Department of
5 Corrections; coverage under the federal Law Enforcement
6 Officers Safety Act of 2004. Correctional officers of the
7 Department of Corrections shall be deemed to be qualified law
8 enforcement officers or, for retired correctional officers of
9 the Department of Corrections, shall be deemed qualified
10 retired or separated law enforcement officers in Illinois for
11 purposes of coverage under the federal Law Enforcement
12 Officers Safety Act of 2004 and shall have all rights and
13 privileges granted by that Act if the correctional officer or
14 retired correctional officer is otherwise compliant with the
15 applicable laws of this State governing the implementation and
16 administration of the federal Law Enforcement Officers Safety
17 Act of 2004 in the State of Illinois.

18 Section 15. The County Jail Act is amended by adding
19 Section 26.1 as follows:

20 (730 ILCS 125/26.1 new)

21 Sec. 26.1. Deputies and county correctional officers;
22 coverage under the federal Law Enforcement Officers Safety Act

1 of 2004. Deputies and county correctional officers shall be
2 deemed to be qualified law enforcement officers or, if
3 retired, shall be deemed qualified retired or separated law
4 enforcement officers in Illinois for purposes of coverage
5 under the federal Law Enforcement Officers Safety Act of 2004
6 and shall have all rights and privileges granted by that Act if
7 the deputy or county correctional officer or retired deputy or
8 county correctional officer is otherwise compliant with the
9 applicable laws of this State governing the implementation and
10 administration of the federal Law Enforcement Officers Safety
11 Act of 2004 in the State of Illinois.".