



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB2395

Introduced 2/15/2023, by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Repeals the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 on January 1, 2029 (rather than January 1, 2024). Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Provides that all applicants and licensees shall provide a valid address and email address to the Department of Financial and Professional Regulation, which serves as the address of record and email address of record, respectively, at the time of application for licensure or renewal of a license. Removes provisions providing that: any person who has providing canine odor detection services, or canine trainer services, for hire prior to January 1, 2005 is exempt from specified requirements and may be granted a private detective license if he or she meets other specified requirements; exhibits shall be certified without cost; and the Department shall maintain a roster. Provides that the original training certification form or a copy (rather than just the original form) shall be given to the employee when the employee's employment is terminated. Makes changes in provisions concerning: applications for licenses; forms; hearings and rehearings; subpoenas; the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board; rules; and the Illinois Administrative Procedure Act. Makes corresponding and other changes. Provisions amending the Regulatory Sunset Act are effective immediately.

LRB103 28370 AMQ 54750 b

1 AN ACT concerning regulation.

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

4 Section 5. The Regulatory Sunset Act is amended by
5 changing Sections 4.34 and 4.39 as follows:

6 (5 ILCS 80/4.34)

7 Sec. 4.34. Acts and Section repealed on January 1, 2024.

8 The following Acts and Section of an Act are repealed on
9 January 1, 2024:

10 The Crematory Regulation Act.

11 The Electrologist Licensing Act.

12 The Illinois Certified Shorthand Reporters Act of
13 1984.

14 The Illinois Occupational Therapy Practice Act.

15 The Illinois Public Accounting Act.

16 ~~The Private Detective, Private Alarm, Private~~
17 ~~Security, Fingerprint Vendor, and Locksmith Act of 2004.~~

18 The Registered Surgical Assistant and Registered
19 Surgical Technologist Title Protection Act.

20 Section 2.5 of the Illinois Plumbing License Law.

21 The Veterinary Medicine and Surgery Practice Act of
22 2004.

23 (Source: P.A. 102-291, eff. 8-6-21.)

1 (5 ILCS 80/4.39)

2 Sec. 4.39. Acts repealed on January 1, 2029 and December
3 31, 2029.

4 (a) The following Act is repealed on January 1, 2029:

5 The Environmental Health Practitioner Licensing Act.

6 The Private Detective, Private Alarm, Private
7 Security, Fingerprint Vendor, and Locksmith Act of 2004.

8 (b) The following Act is repealed on December 31, 2029:

9 The Structural Pest Control Act.

10 (Source: P.A. 100-716, eff. 8-3-18; 100-796, eff. 8-10-18;
11 101-81, eff. 7-12-19.)

12 Section 10. The Private Detective, Private Alarm, Private
13 Security, Fingerprint Vendor, and Locksmith Act of 2004 is
14 amended by changing Sections 5-10, 10-5, 10-20, 10-37, 10-45,
15 15-5, 15-10, 15-15, 15-25, 20-10, 20-15, 20-20, 25-5, 25-10,
16 25-15, 25-20, 25-30, 30-5, 30-10, 30-15, 30-20, 30-30, 31-5,
17 31-10, 31-15, 31-20, 35-5, 35-10, 35-15, 35-25, 35-30, 35-35,
18 35-43, 35-45, 40-5, 40-10, 40-20, 40-25, 40-30, 45-10, 45-15,
19 45-40, 45-55, 50-5, 50-10, 50-15, 50-20, and 50-45 as follows:

20 (225 ILCS 447/5-10)

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

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

23 "Address of record" means the designated address recorded

1 by the Department in the applicant's application file or the
2 licensee's license file, as maintained by the Department's
3 licensure maintenance unit.

4 "Advertisement" means any public media, including printed
5 or electronic material, that is published or displayed in a
6 phone book, newspaper, magazine, pamphlet, newsletter,
7 website, or other similar type of publication or electronic
8 format that is intended to either attract business or merely
9 provide contact information to the public for an agency or
10 licensee. Advertisement shall not include a licensee's or an
11 agency's letterhead, business cards, or other stationery used
12 in routine business correspondence or customary name, address,
13 and number type listings in a telephone directory.

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

25 "Applicant" means a person or business applying for
26 licensure, registration, or authorization under this Act. Any

1 applicant or person who holds oneself ~~himself or herself~~ out
2 as an applicant is considered a licensee or registrant for the
3 purposes of enforcement, investigation, hearings, and the
4 Illinois Administrative Procedure Act.

5 "Armed employee" means a licensee or registered person who
6 is employed by an agency licensed or an armed proprietary
7 security force registered under this Act who carries a weapon
8 while engaged in the performance of official duties within the
9 course and scope of the employee's ~~his or her~~ employment
10 during the hours and times the employee is scheduled to work or
11 is commuting between the employee's ~~his or her~~ home or place of
12 employment.

13 "Armed proprietary security force" means a security force
14 made up of one or more armed individuals employed by a
15 commercial or industrial operation or by a financial
16 institution as security officers for the protection of persons
17 or property.

18 "Board" means the Private Detective, Private Alarm,
19 Private Security, Fingerprint Vendor, and Locksmith Board.

20 "Branch office" means a business location removed from the
21 place of business for which an agency license has been issued,
22 including, but not limited to, locations where active employee
23 records that are required to be maintained under this Act are
24 kept, where prospective new employees are processed, or where
25 members of the public are invited in to transact business. A
26 branch office does not include an office or other facility

1 located on the property of an existing client that is utilized
2 solely for the benefit of that client and is not owned or
3 leased by the agency.

4 "Canine handler" means a person who uses or handles a
5 trained dog to protect persons or property or to conduct
6 investigations.

7 "Canine handler authorization card" means a card issued by
8 the Department that authorizes the holder to use or handle a
9 trained dog to protect persons or property or to conduct
10 investigations during the performance of the holder's ~~his or~~
11 ~~her~~ duties as specified in this Act.

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

15 "Canine trainer authorization card" means a card issued by
16 the Department that authorizes the holder to train a dog to
17 protect persons or property or to conduct investigations
18 during the performance of the holder's ~~his or her~~ duties as
19 specified in this Act.

20 "Canine training facility" means a facility operated by a
21 licensed private detective agency or private security
22 contractor agency wherein dogs are trained for the purposes of
23 protecting persons or property or to conduct investigations.

24 "Corporation" means an artificial person or legal entity
25 created by or under the authority of the laws of a state,
26 including without limitation a corporation, limited liability

1 company, or any other legal entity.

2 "Department" means the Department of Financial and
3 Professional Regulation.

4 "Email address of record" means the designated email
5 address recorded by the Department in the applicant's
6 application file or the licensee's license file, as maintained
7 by the Department's licensure maintenance unit.

8 "Emergency communication system" means any system that
9 communicates information about emergencies, including but not
10 limited to fire, terrorist activities, shootings, other
11 dangerous situations, accidents, and natural disasters.

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

16 "Fingerprint vendor" means a person that offers,
17 advertises, or provides services to fingerprint individuals,
18 through electronic or other means, for the purpose of
19 providing fingerprint images and associated demographic data
20 to the Illinois State Police for processing fingerprint based
21 criminal history record information inquiries.

22 "Fingerprint vendor agency" means a person, firm,
23 corporation, or other legal entity that engages in the
24 fingerprint vendor business and employs, in addition to the
25 fingerprint vendor licensee-in-charge, at least one other
26 person in conducting that business.

1 "Fingerprint vendor licensee-in-charge" means a person who
2 has been designated by a fingerprint vendor 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 "Fire alarm system" means any system that is activated by
11 an automatic or manual device in the detection of smoke, heat,
12 or fire that activates an audible, visible, or remote signal
13 requiring a response.

14 "Firearm control card" means a card issued by the
15 Department that authorizes the holder, who has complied with
16 the training and other requirements of this Act, to carry a
17 weapon during the performance of the holder's ~~his or her~~
18 duties as specified in this Act.

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

21 "Licensee" means a person or business licensed under this
22 Act. Anyone who holds oneself ~~himself or herself~~ out as a
23 licensee or who is accused of unlicensed practice is
24 considered a licensee for purposes of enforcement,
25 investigation, hearings, and the Illinois Administrative
26 Procedure Act.

1 "Locksmith" means a person who engages in a business or
2 holds oneself ~~himself~~ out to the public as providing a service
3 that includes, but is not limited to, the servicing,
4 installing, originating first keys, re-coding, repairing,
5 maintaining, manipulating, or bypassing of a mechanical or
6 electronic locking device, access control or video
7 surveillance system at premises, vehicles, safes, vaults, safe
8 deposit boxes, or automatic teller machines.

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

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

22 "Mass notification system" means any system that is used
23 to provide information and instructions to people in a
24 building or other space using voice communications, including
25 visible signals, text, graphics, tactile, or other
26 communication methods.

1 "Peace officer" or "police officer" means a person who, by
2 virtue of office or public employment, is vested by law with a
3 duty to maintain public order or to make arrests for offenses,
4 whether that duty extends to all offenses or is limited to
5 specific offenses. Officers, agents, or employees of the
6 federal government commissioned by federal statute to make
7 arrests for violations of federal laws are considered peace
8 officers.

9 "Permanent employee registration card" means a card issued
10 by the Department to an individual who has applied to the
11 Department and meets the requirements for employment by a
12 licensed agency under this Act.

13 "Person" means a natural person.

14 "Private alarm contractor" means a person who engages in a
15 business that individually or through others undertakes,
16 offers to undertake, purports to have the capacity to
17 undertake, or submits a bid to sell, install, design, monitor,
18 maintain, test, inspect, alter, repair, replace, or service
19 alarm and other security-related systems or parts thereof,
20 including fire alarm systems, at protected premises or
21 premises to be protected or responds to alarm systems at a
22 protected premises on an emergency basis and not as a
23 full-time security officer. "Private alarm contractor" does
24 not include a person, firm, or corporation that manufactures
25 or sells alarm systems only from its place of business and does
26 not sell, install, monitor, maintain, alter, repair, replace,

1 service, or respond to alarm systems at protected premises or
2 premises to be protected.

3 "Private alarm contractor agency" means a person,
4 corporation, or other entity that engages in the private alarm
5 contracting business and employs, in addition to the private
6 alarm contractor-in-charge, at least one other person in
7 conducting such business.

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

17 "Private detective" means any person who by any means,
18 including, but not limited to, manual, canine odor detection,
19 or electronic methods, engages in the business of, accepts
20 employment to furnish, or agrees to make or makes
21 investigations for a fee or other consideration to obtain
22 information relating to:

23 (1) Crimes or wrongs done or threatened against the
24 United States, any state or territory of the United
25 States, or any local government of a state or territory.

26 (2) The identity, habits, conduct, business

1 occupation, honesty, integrity, credibility, knowledge,
2 trustworthiness, efficiency, loyalty, activity,
3 movements, whereabouts, affiliations, associations,
4 transactions, acts, reputation, or character of any
5 person, firm, or other entity by any means, manual or
6 electronic.

7 (3) The location, disposition, or recovery of lost or
8 stolen property.

9 (4) The cause, origin, or responsibility for fires,
10 accidents, or injuries to individuals or real or personal
11 property.

12 (5) The truth or falsity of any statement or
13 representation.

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

16 (7) The protection of individuals from bodily harm or
17 death (bodyguard functions).

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

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

25 "Private detective licensee-in-charge" means a person who
26 has been designated by an agency to be the licensee-in-charge

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

8 "Private security contractor" means a person who engages
9 in the business of providing a private security officer,
10 watchman, patrol, guard dog, canine odor detection, or a
11 similar service by any other title or name on a contractual
12 basis for another person, firm, corporation, or other entity
13 for a fee or other consideration and performing one or more of
14 the following functions:

15 (1) The prevention or detection of intrusion, entry,
16 theft, vandalism, abuse, fire, or trespass on private or
17 governmental property.

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

20 (3) The protection of persons authorized to be on the
21 premises of the person, firm, or other entity for which
22 the security contractor contractually provides security
23 services.

24 (4) The prevention of the misappropriation or
25 concealment of goods, money, bonds, stocks, notes,
26 documents, or papers.

1 (5) The control, regulation, or direction of the
2 movement of the public for the time specifically required
3 for the protection of property owned or controlled by the
4 client.

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

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

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

21 "Public member" means a person who is not a licensee or
22 related to a licensee, or who is not an employer or employee of
23 a licensee. The term "related to" shall be determined by the
24 rules of the Department.

25 "Secretary" means the Secretary of the Department of
26 Financial and Professional Regulation.

1 (Source: P.A. 102-152, eff. 1-1-22; 102-538, eff. 8-20-21;
2 102-813, eff. 5-13-22.)

3 (225 ILCS 447/10-5)

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

5 Sec. 10-5. Requirement of license.

6 (a) It is unlawful for a person to act as or provide the
7 functions of a private detective, private security contractor,
8 private alarm contractor, fingerprint vendor, or locksmith or
9 to advertise or to assume to act as any one of these, or to use
10 these or any other title implying that the person is engaged in
11 any of these activities unless licensed as such by the
12 Department. An individual or sole proprietor who does not
13 employ any employees other than himself or herself may operate
14 under a "doing business as" or assumed name certification
15 without having to obtain an agency license, so long as the
16 assumed name is first registered with the Department.

17 (b) It is unlawful for a person, firm, corporation, or
18 other legal entity to act as an agency licensed under this Act,
19 to advertise, or to assume to act as a licensed agency or to
20 use a title implying that the person, firm, or other entity is
21 engaged in the practice as a private detective agency, private
22 security contractor agency, private alarm contractor agency,
23 fingerprint vendor agency, or locksmith agency unless licensed
24 by the Department.

25 (c) No agency shall operate a branch office without first

1 applying for and receiving a branch office license for each
2 location.

3 (d) ~~It Beginning 12 months after the adoption of rules~~
4 ~~providing for the licensure of fingerprint vendors under this~~
5 ~~Act, it~~ is unlawful for a person to operate live scan
6 fingerprint equipment or other equipment designed to obtain
7 fingerprint images for the purpose of providing fingerprint
8 images and associated demographic data to the Illinois State
9 Police, unless the person ~~he or she~~ has successfully completed
10 a fingerprint training course conducted or authorized by the
11 Illinois State Police and is licensed as a fingerprint vendor.

12 (e) ~~No Beginning 12 months after the adoption of rules~~
13 ~~providing for the licensure of canine handlers and canine~~
14 ~~trainers under this Act, no~~ person shall operate a canine
15 training facility unless licensed as a private detective
16 agency or private security contractor agency under this Act,
17 and no person shall act as a canine trainer unless the person
18 ~~he or she~~ is licensed as a private detective or private
19 security contractor or is a registered employee of a private
20 detective agency or private security contractor agency
21 approved by the Department.

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

23 (225 ILCS 447/10-20)

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

25 Sec. 10-20. Application for license; forms.

1 (a) Each license application shall be on forms provided by
2 the Department.

3 (b) Application for a license by endorsement shall be made
4 in accordance with the provisions of Section 10-40.

5 (c) Every application for an original license shall
6 include the applicant's Social Security number or federal
7 individual taxpayer identification number, which shall be
8 retained in the agency's records pertaining to the license. As
9 soon as practical, the Department shall assign a customer's
10 identification number to each applicant for a license.

11 Every application for a renewal or restored license shall
12 require the applicant's customer identification number.

13 (Source: P.A. 97-400, eff. 1-1-12.)

14 (225 ILCS 447/10-37)

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

16 Sec. 10-37. Address of record; email address of record.

17 All applicants and licensees shall:

18 (1) provide a valid address and email address to the
19 Department, which serves as the address of record and
20 email address of record, respectively, at the time of
21 application for licensure or renewal of a license; and

22 (2) It is the duty of the applicant or licensee to
23 inform the Department of any change of address within 14
24 days after such change either through the Department's
25 website or by contacting the Department's licensure

1 maintenance unit.

2 (Source: P.A. 96-1445, eff. 8-20-10.)

3 (225 ILCS 447/10-45)

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

5 Sec. 10-45. Emergency care without a fee. A license
6 holder, agency, or registered employee of a private security
7 contractor, as defined in Section 5-10 of this Act, who in good
8 faith provides emergency care without fee to any person or
9 takes actions in good faith that directly relate to the
10 employee's job responsibilities to protect people and
11 property, as defined by the areas in which registered security
12 officers receive training under Sections 20-20 and 25-20 shall
13 not, as a result of those ~~his or her~~ acts or omissions, except
14 willful and wanton misconduct, in providing the care, be
15 liable to a person to whom such care is provided for civil
16 damages.

17 (Source: P.A. 93-438, eff. 8-5-03.)

18 (225 ILCS 447/15-5)

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

20 Sec. 15-5. Exemptions; private detective. The provisions
21 of this Act relating to the licensure of private detectives do
22 not apply to any of the following:

23 (1) An employee of the United States, Illinois, or a
24 political subdivision of either while the employee is

1 engaged in the performance of the employee's ~~his or her~~
2 official duties within the scope of the employee's ~~his or~~
3 ~~her~~ employment. However, any such person who offers ~~his or~~
4 ~~her~~ services as a private detective or uses a similar
5 title when these services are performed for compensation
6 or other consideration, whether received directly or
7 indirectly, is subject to this Act.

8 (2) A person, firm, or other entity engaged
9 exclusively in tracing and compiling lineage or ancestry
10 who does not hold oneself ~~himself or herself~~ out to be a
11 private detective.

12 (3) A person engaged exclusively in obtaining and
13 furnishing information, including providing reports, as to
14 the financial rating or creditworthiness of persons in
15 connection with (i) consumer credit transactions, (ii)
16 information for employment purposes, or (iii) information
17 for the underwriting of consumer insurance.

18 (4) Insurance adjusters employed or under contract as
19 adjusters who engage in no other investigative activities
20 other than those directly connected with adjustment of
21 claims against an insurance company or a self-insured
22 entity by which they are employed or with which they have a
23 contract. No insurance adjuster or company may use the
24 term "investigation" or any derivative thereof, in its
25 name or in its advertising.

26 (5) A person, firm, or other entity engaged in

1 providing computer forensics services so long as the
2 person, firm, or other entity does not hold oneself
3 ~~himself or herself~~ out to be a private detective. For the
4 purposes of this item (5), "computer forensics services"
5 means a branch of forensic science pertaining to the
6 recovery and analysis of electronically stored
7 information.

8 (6) A person employed as an investigator exclusively
9 by only one employer in connection with the exclusive
10 activities of that employer and who does not hold oneself
11 ~~himself or herself~~ out to be a private detective.

12 (7) A person appointed by the circuit court pursuant
13 to the Code of Civil Procedure to make service of process
14 in a specific case, provided that such person is not
15 otherwise engaged in the business of serving process.

16 (8) A person appointed by the circuit court pursuant
17 to the Code of Civil Procedure who is an honorably
18 discharged veteran of the armed forces of the United
19 States and is self-employed as a process server.

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

21 (225 ILCS 447/15-10)

22 (Section scheduled to be repealed January 1, 2024)

23 Sec. 15-10. Qualifications for licensure as a private
24 detective.

25 (a) A person is qualified for licensure as a private

1 detective if the person ~~he or she~~ meets all of the following
2 requirements:

3 (1) Is at least 21 years of age.

4 (2) Has not been convicted of any felony in any
5 jurisdiction or at least 10 years have elapsed since the
6 time of full discharge from a sentence imposed for a
7 felony conviction.

8 (3) Is of good moral character. Good character is a
9 continuing requirement of licensure. Conviction of crimes
10 other than felonies may be used in determining moral
11 character, but shall not constitute an absolute bar to
12 licensure, except where the applicant is a registered sex
13 offender.

14 (4) Has not been declared by any court of competent
15 jurisdiction to be incompetent by reason of mental or
16 physical defect or disease, unless a court has
17 subsequently declared him or her to be competent.

18 (5) Is not suffering from dependence on alcohol or
19 from narcotic addiction or dependence.

20 (6) Has a minimum of 3 years experience of the 5 years
21 immediately preceding application working full-time for a
22 licensed private detective agency as a registered private
23 detective agency employee or with 3 years experience of
24 the 5 years immediately preceding ~~his or her~~ application
25 employed as a full-time investigator for a licensed
26 attorney, for an in-house investigative unit for a

1 corporation having 100 or more employees, for any of the
2 armed forces of the United States, or in a law enforcement
3 agency of the federal government, a state, or a state
4 political subdivision, which shall include a state's
5 attorney's office or a public defender's office. The Board
6 and the Department shall approve such full-time
7 investigator experience and may accept, in lieu of the
8 experience requirement in this item (6), alternative
9 experience working full-time for a private detective
10 agency licensed in another state or for a private
11 detective agency in a state that does not license such
12 agencies if the experience is substantially equivalent to
13 that gained working for an Illinois licensed private
14 detective agency. An applicant who has a baccalaureate
15 degree, or higher, in law enforcement or a related field
16 or a business degree from an accredited college or
17 university shall be given credit for 2 of the 3 years of
18 the required experience. An applicant who has an associate
19 degree in law enforcement or in a related field or in
20 business from an accredited college or university shall be
21 given credit for one of the 3 years of the required
22 experience. An applicant who has completed a non-degree
23 military training program in law enforcement or a related
24 field shall be given credit for one of the 3 years of the
25 required experience if the Board and the Department
26 determine that such training is substantially equivalent

1 to that received in an associate degree program.

2 (7) Has not been dishonorably discharged from the
3 armed forces of the United States or has not been
4 discharged from a law enforcement agency of the United
5 States or of any state or of any political subdivision
6 thereof, which shall include a state's attorney's office,
7 for reasons relating to ~~his or her~~ conduct as an employee
8 of that law enforcement agency.

9 (8) Has passed an examination authorized by the
10 Department.

11 (9) Submits the applicant's ~~his or her~~ fingerprints,
12 proof of having general liability insurance required under
13 subsection (b), and the required license fee.

14 (10) Has not violated Section 10-5 of this Act.

15 (b) It is the responsibility of the applicant to obtain
16 general liability insurance in an amount and coverage
17 appropriate for the applicant's circumstances as determined by
18 rule. The applicant shall provide evidence of insurance to the
19 Department before being issued a license. Failure to maintain
20 general liability insurance and to provide the Department with
21 written proof of the insurance shall result in cancellation of
22 the license without hearing.

23 (c) (Blank). ~~Any person who has been providing canine odor~~
24 ~~detection services for hire prior to January 1, 2005 is exempt~~
25 ~~from the requirements of item (6) of subsection (a) of this~~
26 ~~Section and may be granted a private detective license if (i)~~

1 ~~he or she meets the requirements of items (1) through (5) and~~
2 ~~items (7) through (10) of subsection (a) of this Section, (ii)~~
3 ~~pays all applicable fees, and (iii) presents satisfactory~~
4 ~~evidence to the Department of the provision of canine odor~~
5 ~~detection services for hire since January 1, 2005.~~

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

7 (225 ILCS 447/15-15)

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

9 Sec. 15-15. Qualifications for licensure as a private
10 detective agency.

11 (a) Upon receipt of the required fee and proof that the
12 applicant has a full-time Illinois licensed private detective
13 licensee-in-charge, which is a continuing requirement for
14 agency licensure, the Department shall issue a license as a
15 private detective agency to any of the following:

16 (1) An individual who submits an application and is a
17 licensed private detective under this Act.

18 (2) A firm that submits an application and all of the
19 members of the firm are licensed private detectives under
20 this Act.

21 (3) A corporation or limited liability company doing
22 business in Illinois that is authorized to engage in the
23 business of conducting a private detective agency,
24 provided at least one full-time executive employee is
25 licensed as a private detective under this Act and all

1 unlicensed officers and directors of the corporation or
2 limited liability company are determined by the Department
3 to be persons of good moral character.

4 (b) No private detective may be the licensee-in-charge for
5 more than one private detective agency. Upon written request
6 by a representative of an agency, within 10 days after the loss
7 of a licensee-in-charge of an agency because of the death of
8 that individual or because of the termination of the
9 employment of that individual, the Department shall issue a
10 temporary certificate of authority allowing the continuing
11 operation of the licensed agency. No temporary certificate of
12 authority shall be valid for more than 90 days. An extension of
13 an additional 90 days may be granted upon written request by
14 the representative of the agency. Not more than 2 extensions
15 may be granted to any agency. No temporary permit shall be
16 issued for a loss of the licensee-in-charge because of
17 disciplinary action by the Department related to the
18 licensee-in-charge's ~~his or her~~ conduct on behalf of the
19 agency.

20 (c) Upon issuance of the temporary certificate of
21 authority as provided for in subsection (b) of this Section,
22 and at any time thereafter while the temporary certificate of
23 authority is in effect, the Department may request in writing
24 additional information from the agency regarding the loss of
25 its licensee-in-charge, the selection of a new
26 licensee-in-charge, and the management of the agency. Failure

1 of the agency to respond or respond to the satisfaction of the
2 Department shall cause the Department to deny any extension of
3 the temporary certificate of authority. While the temporary
4 certificate of authority is in effect, the Department may
5 disapprove the selection of a new licensee-in-charge by the
6 agency if the person's license is not operative or the
7 Department has good cause to believe that the person selected
8 will not fully exercise the responsibilities of a
9 licensee-in-charge. If the Department has disapproved the
10 selection of a new licensee-in-charge and the temporary
11 certificate of authority expires or is about to expire without
12 the agency selecting another new licensee-in-charge, the
13 Department shall grant an extension of the temporary
14 certificate of authority for an additional 90 days, except as
15 otherwise prohibited in subsection (b) or this subsection (c).

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.

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

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

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

25 (c) (Blank).

26 (d) All private detectives shall complete a minimum of 8

1 hours of annual training on a topic of their choosing,
2 provided that the subject matter is reasonably related to
3 their private detective practice. The annual training for
4 private detectives may be completed utilizing any combination
5 of hours obtained in a classroom or seminar setting or via
6 Internet-based online learning programs. The Department shall
7 adopt rules to administer this subsection.

8 (e) The annual training requirements for private
9 detectives shall not apply until the calendar year following
10 the issuance of the private detective license.

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

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

23 (h) Recognizing the diverse professional practices of
24 private detectives licensed under this Act, it is the intent
25 of the training requirements in this Section to allow for a
26 broad interpretation of the coursework, seminar subjects, or

1 class topics to be considered reasonably related to the
2 practice of any profession licensed under this Act.

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

6 (Source: P.A. 102-152, eff. 1-1-22.)

7 (225 ILCS 447/20-10)

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

9 Sec. 20-10. Qualifications for licensure as a private
10 alarm contractor.

11 (a) A person is qualified for licensure as a private alarm
12 contractor if the person ~~he or she~~ meets all of the following
13 requirements:

14 (1) Is at least 21 years of age.

15 (2) Has not been convicted of any felony in any
16 jurisdiction or at least 10 years have elapsed since the
17 time of full discharge from a sentence imposed for a
18 felony conviction.

19 (3) Is of good moral character. Good moral character
20 is a continuing requirement of licensure. Conviction of
21 crimes other than felonies may be used in determining
22 moral character, but shall not constitute an absolute bar
23 to licensure, except where the applicant is a registered
24 sex offender.

25 (4) Has not been declared by any court of competent

1 jurisdiction to be incompetent by reason of mental or
2 physical defect or disease, unless a court has
3 subsequently declared him or her to be competent.

4 (5) Is not suffering from dependence on alcohol or
5 from narcotic addiction or dependence.

6 (6) Has a minimum of 3 years experience during the 5
7 years immediately preceding the application (i) working as
8 a full-time manager for a licensed private alarm
9 contractor agency or (ii) working for a government, one of
10 the armed forces of the United States, or private entity
11 that inspects, reviews, designs, sells, installs,
12 operates, services, or monitors alarm systems that, in the
13 judgment of the Board, satisfies the standards of alarm
14 industry competence. The Board and the Department may
15 accept, in lieu of the experience requirement in this item
16 (6), alternative experience working as a full-time manager
17 for a private alarm contractor agency licensed in another
18 state or for a private alarm contractor agency in a state
19 that does not license such agencies, if the experience is
20 substantially equivalent to that gained working for an
21 Illinois licensed private alarm contractor agency. An
22 applicant who has received a 4-year degree or higher in
23 electrical engineering or a related field from a program
24 approved by the Board or a business degree from an
25 accredited college or university shall be given credit for
26 2 years of the required experience. An applicant who has

1 successfully completed a national certification program
2 approved by the Board shall be given credit for one year of
3 the required experience.

4 (7) Has not been dishonorably discharged from the
5 armed forces of the United States.

6 (8) Has passed an examination authorized by the
7 Department.

8 (9) Submits the applicant's ~~his or her~~ fingerprints,
9 proof of having general liability insurance required under
10 subsection (c), and the required license fee.

11 (10) Has not violated Section 10-5 of this Act.

12 (b) (Blank).

13 (c) It is the responsibility of the applicant to obtain
14 general liability insurance in an amount and coverage
15 appropriate for the applicant's circumstances as determined by
16 rule. The applicant shall provide evidence of insurance to the
17 Department before being issued a license. Failure to maintain
18 general liability insurance and to provide the Department with
19 written proof of the insurance shall result in cancellation of
20 the license without hearing.

21 (Source: P.A. 98-253, eff. 8-9-13; 99-174, eff. 7-29-15.)

22 (225 ILCS 447/20-15)

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

24 Sec. 20-15. Qualifications for licensure as a private
25 alarm contractor agency.

1 (a) Upon receipt of the required fee and proof that the
2 applicant has a full-time Illinois licensed private alarm
3 contractor licensee-in-charge, which is a continuing
4 requirement for agency licensure, the Department shall issue a
5 license as a private alarm contractor agency to any of the
6 following:

7 (1) An individual who submits an application and is a
8 licensed private alarm contractor under this Act.

9 (2) A firm that submits an application and all of the
10 members of the firm are licensed private alarm contractors
11 under this Act.

12 (3) A corporation or limited liability company doing
13 business in Illinois that is authorized by its articles of
14 incorporation or organization to engage in the business of
15 conducting a private alarm contractor agency if at least
16 one executive employee is licensed as a private alarm
17 contractor under this Act and all unlicensed officers and
18 directors of the corporation or limited liability company
19 are determined by the Department to be persons of good
20 moral character.

21 (b) No private alarm contractor may be the
22 licensee-in-charge for more than one private alarm contractor
23 agency. Upon written request by a representative of an agency,
24 within 10 days after the loss of a licensee-in-charge of an
25 agency because of the death of that individual or because of
26 the termination of the employment of that individual, the

1 Department shall issue a temporary certificate of authority
2 allowing the continuing operation of the licensed agency. No
3 temporary certificate of authority shall be valid for more
4 than 90 days. An extension of an additional 90 days may be
5 granted upon written request by the representative of the
6 agency. Not more than 2 extensions may be granted to any
7 agency. No temporary permit shall be issued for loss of the
8 licensee-in-charge because of disciplinary action by the
9 Department related to the licensee-in-charge's ~~his or her~~
10 conduct on behalf of the agency.

11 (c) No private alarm contractor, private alarm contractor
12 agency, or person may install or connect an alarm system or
13 fire alarm system that connects automatically and directly to
14 a governmentally operated police or fire dispatch system in a
15 manner that violates subsection (a) of Section 15.2 of the
16 Emergency Telephone System Act. In addition to the penalties
17 provided by the Emergency Telephone System Act, a private
18 alarm contractor agency that violates this Section shall pay
19 the Department an additional penalty of \$250 per occurrence.

20 (d) Upon issuance of the temporary certificate of
21 authority as provided for in subsection (b) of this Section
22 and at any time thereafter while the temporary certificate of
23 authority is in effect, the Department may request in writing
24 additional information from the agency regarding the loss of
25 its licensee-in-charge, the selection of a new
26 licensee-in-charge, and the management of the agency. Failure

1 of the agency to respond or respond to the satisfaction of the
2 Department shall cause the Department to deny any extension of
3 the temporary certificate of authority. While the temporary
4 certificate of authority is in effect, the Department may
5 disapprove the selection of a new licensee-in-charge by the
6 agency if the person's license is not operative or the
7 Department has good cause to believe that the person selected
8 will not fully exercise the responsibilities of a
9 licensee-in-charge. If the Department has disapproved the
10 selection of another new licensee-in-charge and the temporary
11 certificate of authority expires or is about to expire without
12 the agency selecting a new licensee-in-charge, the Department
13 shall grant an extension of the temporary certificate of
14 authority for an additional 90 days, except as otherwise
15 prohibited in subsection (b) or this subsection (d).

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

17 (225 ILCS 447/20-20)

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

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

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

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

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

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

8 (4) Arrest and control techniques.

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

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

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

15 (8) Civil rights and public relations.

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

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

25 (b) All other employees of a private alarm contractor
26 agency shall complete a minimum of 20 hours of basic training

1 provided by a qualified instructor within 30 days of their
2 employment. The training may be provided in a classroom or
3 seminar setting or via Internet-based online learning
4 programs. The substance of the training shall be related to
5 the work performed by the registered employee.

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

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

25 (e) Any certification of completion of the 20-hour basic
26 training issued under the Private Detective, Private Alarm,

1 Private Security, and Locksmith Act of 1993 or any prior Act
2 shall be accepted as proof of training under this Act.

3 (Source: P.A. 102-152, eff. 1-1-22.)

4 (225 ILCS 447/25-5)

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

6 Sec. 25-5. Exemptions; private security contractor. The
7 provisions of this Act related to licensure of a private
8 security contractor do not apply to any of the following:

9 (1) An employee of the United States, Illinois, or a
10 political subdivision of either while the employee is
11 engaged in the performance of the employee's ~~his or her~~
12 official duties within the scope of the employee's ~~his or~~
13 ~~her~~ employment. However, any such person who offers the
14 person's ~~his or her~~ services as a private security
15 contractor or uses a similar title when these services are
16 performed for compensation or other consideration, whether
17 received directly or indirectly, is subject to this Act.

18 (2) A person employed as either an armed or unarmed
19 security officer at a nuclear energy, storage, weapons, or
20 development site or facility regulated by the United
21 States Nuclear Regulatory Commission who has completed the
22 background screening and training mandated by the
23 regulations of the United States Nuclear Regulatory
24 Commission.

25 (3) A person, watchman, or proprietary security

1 officer employed exclusively by only one employer in
2 connection with the exclusive activities of that employer.

3 (Source: P.A. 93-438, eff. 8-5-03.)

4 (225 ILCS 447/25-10)

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

6 Sec. 25-10. Qualifications for licensure as a private
7 security contractor.

8 (a) A person is qualified for licensure as a private
9 security contractor if the person ~~he or she~~ meets all of the
10 following requirements:

11 (1) Is at least 21 years of age.

12 (2) Has not been convicted of any felony in any
13 jurisdiction or at least 10 years have elapsed since the
14 time of full discharge from a sentence imposed for a
15 felony conviction.

16 (3) Is of good moral character. Good character is a
17 continuing requirement of licensure. Conviction of crimes
18 other than felonies may be used in determining moral
19 character, but shall not constitute an absolute bar to
20 licensure, except where the applicant is a registered sex
21 offender.

22 (4) Has not been declared by any court of competent
23 jurisdiction to be incompetent by reason of mental or
24 physical defect or disease, unless a court has
25 subsequently declared him or her to be competent.

1 (5) Is not suffering from dependence on alcohol or
2 from narcotic addiction or dependence.

3 (6) Has a minimum of 3 years experience of the 5 years
4 immediately preceding application working as a full-time
5 manager for a licensed private security contractor agency
6 or a manager of a proprietary security force of 30 or more
7 persons registered with the Department or with 3 years
8 experience of the 5 years immediately preceding ~~his or her~~
9 application employed as a full-time supervisor for an
10 in-house security unit for a corporation having 100 or
11 more employees, for a military police or related security
12 unit in any of the armed forces of the United States, or in
13 a law enforcement agency of the federal government, a
14 state, or a state political subdivision, which shall
15 include a state's attorney's office, a public defender's
16 office, or the Department of Corrections. The Board and
17 the Department shall approve such full-time supervisory
18 experience and may accept, in lieu of the experience
19 requirement in this subsection, alternative experience
20 working as a full-time manager for a private security
21 contractor agency licensed in another state or for a
22 private security contractor agency in a state that does
23 not license such agencies if the experience is
24 substantially equivalent to that gained working for an
25 Illinois licensed private security contractor agency. An
26 applicant who has a baccalaureate degree or higher in

1 police science or a related field or a business degree
2 from an accredited college or university shall be given
3 credit for 2 of the 3 years of the required experience. An
4 applicant who has completed a non-degree military training
5 program in police science or a related field shall be
6 given credit for one of the 3 years of the required
7 experience if the Board and the Department determine that
8 such training is substantially equivalent to that received
9 in an associate degree program. An applicant who has an
10 associate degree in police science or in a related field
11 or in business from an accredited college or university
12 shall be given credit for one of the 3 years of the
13 required experience.

14 (7) Has not been dishonorably discharged from the
15 armed forces of the United States.

16 (8) Has passed an examination authorized by the
17 Department.

18 (9) Submits the applicant's ~~his or her~~ fingerprints,
19 proof of having general liability insurance required under
20 subsection (b), and the required license fee.

21 (10) Has not violated Section 10-5 of this Act.

22 (b) It is the responsibility of the applicant to obtain
23 general liability insurance in an amount and coverage
24 appropriate for the applicant's circumstances as determined by
25 rule. The applicant shall provide evidence of insurance to the
26 Department before being issued a license. Failure to maintain

1 general liability insurance and to provide the Department with
2 written proof of the insurance shall result in cancellation of
3 the license without hearing.

4 (c) (Blank). ~~Any person who has been providing canine odor~~
5 ~~detection services for hire prior to January 1, 2005 is exempt~~
6 ~~from the requirements of item (6) of subsection (a) of this~~
7 ~~Section and may be granted a private security contractor~~
8 ~~license if (i) he or she meets the requirements of items (1)~~
9 ~~through (5) and items (7) through (10) of subsections (a) of~~
10 ~~this Section, (ii) pays all applicable fees, and (iii)~~
11 ~~presents satisfactory evidence to the Department of the~~
12 ~~provision of canine odor detection services for hire since~~
13 ~~January 1, 2005.~~

14 (Source: P.A. 100-181, eff. 8-18-17.)

15 (225 ILCS 447/25-15)

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

17 Sec. 25-15. Qualifications for licensure as a private
18 security contractor agency.

19 (a) Upon receipt of the required fee and proof that the
20 applicant has a full-time Illinois licensed private security
21 licensee-in-charge, which is a continuing requirement for
22 agency licensure, the Department shall issue a license as a
23 private security contractor agency to any of the following:

24 (1) An individual who submits an application and is a
25 licensed private security contractor under this Act.

1 (2) A firm that submits an application and all of the
2 members of the firm are licensed private security
3 contractors under this Act.

4 (3) A corporation or limited liability company doing
5 business in Illinois that is authorized to engage in the
6 business of conducting a private security contractor
7 agency if at least one officer or executive employee is
8 licensed as a private security contractor under this Act
9 and all unlicensed officers and directors of the
10 corporation or limited liability company are determined by
11 the Department to be persons of good moral character.

12 (b) No private security contractor may be the
13 licensee-in-charge for more than one private security
14 contractor agency. Upon written request by a representative of
15 the agency, within 10 days after the loss of a
16 licensee-in-charge of an agency because of the death of that
17 individual or because of the termination of the employment of
18 that individual, the Department shall issue a temporary
19 certificate of authority allowing the continuing operation of
20 the licensed agency. No temporary certificate of authority
21 shall be valid for more than 90 days. An extension of an
22 additional 90 days may be granted upon written request by the
23 representative of the agency. Not more than 2 extensions may
24 be granted to any agency. No temporary permit shall be issued
25 for loss of the licensee-in-charge because of disciplinary
26 action by the Department related to the licensee-in-charge's

1 ~~his or her~~ conduct on behalf of the agency.

2 (c) Upon issuance of the temporary certificate of
3 authority as provided for in subsection (b) of this Section
4 and at any time thereafter while the temporary certificate of
5 authority is in effect, the Department may request in writing
6 additional information from the agency regarding the loss of
7 its licensee-in-charge, the selection of a new
8 licensee-in-charge, and the management of the agency. Failure
9 of the agency to respond or respond to the satisfaction of the
10 Department shall cause the Department to deny any extension of
11 the temporary certificate of authority. While the temporary
12 certificate of authority is in effect, the Department may
13 disapprove the selection of a new licensee-in-charge by the
14 agency if the person's license is not operative or the
15 Department has good cause to believe that the person selected
16 will not fully exercise the responsibilities of a
17 licensee-in-charge. If the Department has disapproved the
18 selection of a new licensee-in-charge and the temporary
19 certificate of authority expires or is about to expire without
20 the agency selecting another new licensee-in-charge, the
21 Department shall grant an extension of the temporary
22 certificate of authority for an additional 90 days, except as
23 otherwise prohibited in subsection (b) or this subsection (c).
24 (Source: P.A. 98-253, eff. 8-9-13.)

25 (225 ILCS 447/25-20)

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

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

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

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

14 (2) Civil and criminal liability for acts related to
15 private security.

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

19 (4) Verbal communication skills.

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

23 (6) Private security officers and the criminal justice
24 system.

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

26 (8) Report writing and observation techniques.

1 (9) Customer service, civil rights, and public
2 relations.

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

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

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

22 (d) In addition to the basic training provided for in
23 subsections (a) and (c), registered employees of the private
24 security contractor agency who provide guarding or other
25 private security related functions shall complete an
26 additional 8 hours of refresher training on subjects to be

1 determined by the employer each calendar year commencing with
2 the calendar year following the employee's first employment
3 anniversary date, which refresher training may be
4 site-specific and may be conducted on the job.

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

18 (f) (Blank).

19 (g) All private security contractors shall complete a
20 minimum of 4 hours of annual training on a topic of their
21 choosing, provided that the subject matter of the training is
22 reasonably related to their private security contractor
23 practice. The training may be provided in a classroom setting
24 or seminar setting or via Internet-based online learning
25 programs. The Department shall adopt rules to administer this
26 subsection.

1 (h) It shall be the responsibility of the private security
2 contractor to keep and maintain a personal log of all training
3 hours earned along with sufficient documentation necessary for
4 the Department to verify the annual training completed for at
5 least 5 years. The personal training log and documentation
6 shall be provided to the Department in the same manner as other
7 documentation and records required under this Act.

8 (i) If the private security contractor owns or is employed
9 by a private security contractor agency, the private security
10 contractor agency shall maintain a record of the annual
11 training. The private security contractor agency must make the
12 record of annual training available to the Department upon
13 request.

14 (j) Recognizing the diverse professional practices of
15 private security contractors licensed under this Act, it is
16 the intent of the training requirements in this Section to
17 allow for a broad interpretation of the coursework, seminar
18 subjects, or class topics to be considered reasonably related
19 to the practice of any profession licensed under this Act.

20 (k) Notwithstanding any other professional license a
21 private security contractor holds under this Act, no more than
22 4 hours of annual training shall be required for any one year.

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

26 (Source: P.A. 102-152, eff. 1-1-22.)

1 (225 ILCS 447/25-30)

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

3 Sec. 25-30. Uniforms.

4 (a) No licensee under this Act or any employee of a
5 licensed agency shall wear or display a badge, shoulder patch
6 or other identification that contains the words "law" or
7 "enforcement". No license holder or employee of a licensed
8 agency shall imply in any manner that the person is an employee
9 or agent of a governmental entity, display a badge or
10 identification card, emblem, or uniform using the words
11 "police", "sheriff", "highway patrol", "trooper", "law
12 enforcement" or any similar term.

13 (b) All military-style uniforms, if worn by employees of a
14 licensed private security contractor agency, must bear the
15 name of the private security contractor agency, which shall be
16 plainly visible on a patch, badge, or other insignia.

17 (c) All uniforms, if worn by employees of a licensed
18 private security contractor agency, may only be worn in the
19 performance of their duties or while commuting directly to or
20 from the employee's place or places of employment.

21 (d) Employees shall return any uniform, ~~badge,~~
22 ~~identification card,~~ or equipment issued, but not sold, to the
23 employee by the agency and any badge or identification card
24 issued to the employee by the agency within 72 hours of
25 termination of employment.

1 (e) Licensees under this Act of any employee of a licensed
2 agency are prohibited from using the Illinois State Seal on
3 badges, company logos, identification cards, patches, or other
4 insignia.

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

6 (225 ILCS 447/30-5)

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

8 Sec. 30-5. Exemptions; locksmith. The provisions of this
9 Act do not apply to any of the following if the person
10 performing the service does not hold himself or herself out as
11 a locksmith:

12 (1) Automobile service dealers who service, install,
13 repair, or rebuild automobile locks.

14 (2) Police officers, firefighters, or municipal
15 employees who open a lock in an emergency situation.

16 (3) A retail merchant selling locks or similar
17 security accessories, duplicating keys, or installing,
18 programming, repairing, maintaining, reprogramming,
19 rebuilding, or servicing electronic garage door devices.

20 (4) A member of the building trades who installs or
21 removes complete locks or locking devices in the course of
22 residential or commercial new construction or remodeling.

23 (5) An employee of a towing service, reposessor,
24 roadside assistance service, or automobile club opening
25 automotive locks in the normal course of the employee's

1 ~~his or her~~ duties. Additionally, this Act shall not
2 prohibit an employee of a towing service or roadside
3 assistance service from opening motor vehicles to enable a
4 vehicle to be moved without towing, provided the towing
5 service or roadside assistance service does not hold
6 itself out to the public, by directory advertisement,
7 through a sign at the facilities of the towing service or
8 roadside assistance service, or by any other form of
9 advertisement, as a locksmith.

10 (6) A student in the course of study in locksmith
11 programs approved by the Department.

12 (7) Warranty service by a lock manufacturer or its
13 employees on the manufacturer's own products.

14 (8) A maintenance employee of a property management
15 company at a multi-family residential building who
16 services, installs, repairs, or opens locks for tenants.

17 (9) A person employed exclusively by only one employer
18 in connection with the exclusive activities of that
19 employer, providing that person does not hold oneself
20 ~~himself or herself~~ out to the public as a locksmith.

21 (10) Persons who have no access to confidential or
22 security information and who otherwise do not provide
23 traditional locksmith services, as defined in this Act,
24 are exempt from employee registration. Examples of exempt
25 employees include, but are not limited to, employees
26 working in the capacity of key cutters, cashiers, drivers,

1 and reception personnel. Confidential or security
2 information is that which pertains to employee files,
3 scheduling, client contracts, master key charts, access
4 codes, or technical security and alarm data.

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

6 (225 ILCS 447/30-10)

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

8 Sec. 30-10. Qualifications for licensure as a locksmith.

9 (a) A person is qualified for licensure as a locksmith if
10 the person ~~he or she~~ meets all of the following requirements:

11 (1) Is at least 18 years of age.

12 (2) Has not been convicted of any felony in any
13 jurisdiction or at least 10 years have elapsed since the
14 time of full discharge from a sentence imposed for a
15 felony conviction.

16 (3) Is of good moral character. Good moral character
17 is a continuing requirement of licensure. Conviction of
18 crimes other than felonies may be used in determining
19 moral character, but shall not constitute an absolute bar
20 to licensure, except where the applicant is a registered
21 sex offender.

22 (4) Has not been declared by any court of competent
23 jurisdiction to be incompetent by reason of mental or
24 physical defect or disease, unless a court has
25 subsequently declared him or her to be competent.

1 (5) Is not suffering from dependence on alcohol or
2 from narcotic addiction or dependence.

3 (6) Has not been dishonorably discharged from the
4 armed forces of the United States.

5 (7) Has passed an examination authorized by the
6 Department.

7 (8) Submits the applicant's ~~his or her~~ fingerprints,
8 proof of having general liability insurance required under
9 subsection (b), and the required license fee.

10 (9) Has not violated Section 10-5 of this Act.

11 (b) It is the responsibility of the applicant to obtain
12 general liability insurance in an amount and coverage
13 appropriate for the applicant's circumstances as determined by
14 rule. The applicant shall provide evidence of insurance to the
15 Department before being issued a license. Failure to maintain
16 general liability insurance and to provide the Department with
17 written proof of the insurance shall result in cancellation of
18 the license without hearing. A locksmith employed by a
19 licensed locksmith agency or employed by a private concern may
20 provide proof that the locksmith's ~~his or her~~ actions as a
21 locksmith are covered by the liability insurance of the
22 locksmith's ~~his or her~~ employer.

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

24 (225 ILCS 447/30-15)

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

1 Sec. 30-15. Qualifications for licensure as a locksmith
2 agency.

3 (a) Upon receipt of the required fee and proof that the
4 applicant has a full-time Illinois licensed locksmith
5 licensee-in-charge, which is a continuing requirement for
6 agency licensure, the Department shall issue a license as a
7 locksmith agency to any of the following:

8 (1) An individual who submits an application and is a
9 licensed locksmith under this Act.

10 (2) A firm that submits an application and all of the
11 members of the firm are licensed locksmiths under this
12 Act.

13 (3) A corporation or limited liability company doing
14 business in Illinois that is authorized to engage in the
15 business of conducting a locksmith agency if at least one
16 officer or executive employee is a licensed locksmith
17 under this Act and all unlicensed officers and directors
18 of the corporation or limited liability company are
19 determined by the Department to be persons of good moral
20 character.

21 (b) An individual licensed as a locksmith operating under
22 a business name other than the licensed locksmith's own name
23 shall not be required to obtain a locksmith agency license if
24 that licensed locksmith does not employ any persons to engage
25 in the practice of locksmithing and registers under the
26 Assumed Business Name Act.

1 (c) No locksmith may be the licensee in-charge for more
2 than one locksmith agency. Upon written request by a
3 representative of the agency, within 10 days after the loss of
4 a licensee-in-charge of an agency because of the death of that
5 individual or because of the termination of the employment of
6 that individual, the Department shall issue a temporary
7 certificate of authority allowing the continuing operation of
8 the licensed agency. No temporary certificate of authority
9 shall be valid for more than 90 days. An extension of an
10 additional 90 days may be granted upon written request by the
11 representative of the agency. Not more than 2 extensions may
12 be granted to any agency. No temporary permit shall be issued
13 for loss of the licensee-in-charge because of disciplinary
14 action by the Department related to the licensee-in-charge's
15 ~~his or her~~ conduct on behalf of the agency.

16 (c-1) Upon issuance of the temporary certificate of
17 authority as provided for in subsection (c) of this Section
18 and at any time thereafter while the temporary certificate of
19 authority is in effect, the Department may request in writing
20 additional information from the agency regarding the loss of
21 its licensee-in-charge, the selection of a new
22 licensee-in-charge, and the management of the agency. Failure
23 of the agency to respond to the satisfaction of the Department
24 shall cause the Department to deny any extension of the
25 temporary certificate of authority. While the temporary
26 certificate of authority is in effect, the Department may

1 disapprove the selection of a new licensee-in-charge by the
2 agency if the person's license is not operative or the
3 Department has good cause to believe that the person selected
4 will not fully exercise the responsibilities of a
5 licensee-in-charge. If the Department has disapproved the
6 selection of a new licensee-in-charge and the temporary
7 certificate of authority expires or is about to expire without
8 the agency selecting another new licensee-in-charge, the
9 Department shall grant an extension of the temporary
10 certificate of authority for an additional 90 days, except as
11 otherwise prohibited in subsection (c) or this subsection
12 (c-1).

13 (d) The Department shall require without limitation all of
14 the following information from each applicant for licensure as
15 a locksmith agency under this Act:

16 (1) The name, full business address, and telephone
17 number of the locksmith agency. The business address for
18 the locksmith agency shall be a complete street address
19 from which business is actually conducted, shall be
20 located within the State, and may not be a P.O. Box. The
21 applicant shall submit proof that the business location is
22 or will be used to conduct the locksmith agency's
23 business. The Department may approve of an out-of-state
24 business location if it is not over 50 miles in distance
25 from the borders of this State.

26 (2) All trade or business names used by the licensee.

1 (3) The type of ownership or operation, such as a
2 partnership, corporation, or sole proprietorship.

3 (4) The name of the owner or operator of the locksmith
4 agency, including:

5 (A) if a person, then the name and address of
6 record of the person;

7 (B) if a partnership, then the name and address of
8 record of each partner and the name of the
9 partnership;

10 (C) if a corporation, then the name, address of
11 record, and title of each corporate officer and
12 director, the corporate names, and the name of the
13 state of incorporation; and

14 (D) if a sole proprietorship, then the full name
15 and address of record of the sole proprietor and the
16 name of the business entity.

17 (5) The name and license number of the
18 licensee-in-charge for the locksmith agency.

19 (6) Any additional information required by the
20 Department by rule.

21 (e) A licensed locksmith agency may operate under a "doing
22 business as" or assumed name certification without having to
23 obtain a separate locksmith agency license if the "doing
24 business as" or assumed name is first registered with the
25 Department. A licensed locksmith agency may register no more
26 than one assumed name.

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

2 (225 ILCS 447/30-20)

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

4 Sec. 30-20. Training; locksmith and employees.

5 (a) Registered employees of a licensed locksmith agency
6 shall complete a minimum of 20 hours of training provided by a
7 qualified instructor within 30 days of their employment. The
8 substance of the training shall be prescribed by rule.

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

24 (c) Any certification of completion of the 20-hour basic
25 training issued under the Private Detective, Private Alarm,

1 Private Security and Locksmith Act of 1993 or any prior Act
2 shall be accepted as proof of training under this Act.

3 (Source: P.A. 93-438, eff. 8-5-03.)

4 (225 ILCS 447/30-30)

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

6 Sec. 30-30. Consumer protection; required information for
7 consumers.

8 (a) A licensee providing any locksmith services shall
9 document on a work order, invoice, or receipt the name,
10 address, and telephone number of the person requesting the
11 work to be done.

12 (b) The locksmith who performs the services shall include
13 on the work order, invoice, or receipt the locksmith's ~~his or~~
14 ~~her~~ name and license number.

15 (c) If the locksmith who performs the services is employed
16 by a locksmith agency, then the name, address, and license
17 number of the locksmith agency and the name and license or
18 registration number of the locksmith who performed the
19 services shall be included on the work order, invoice, or
20 receipt.

21 (d) A copy of the work order, invoice, or receipt shall be
22 provided to the customer at the time of service and the
23 original copy of the work order, invoice, or receipt shall be
24 kept by the licensed locksmith or locksmith agency for a
25 period of 2 years.

1 (e) The name, address, and license number of the locksmith
2 or locksmith agency, if applicable, shall be pre-printed on
3 the work order, invoice, or receipt required under this
4 Section.

5 (f) A locksmith may be disciplined by the Department
6 pursuant to this Act for gross or willful overcharging for
7 professional locksmith services, including filing false
8 statements for the collection of fees for services not
9 rendered.

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

11 (225 ILCS 447/31-5)

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

13 Sec. 31-5. Exemptions.

14 (a) The provisions of this Act regarding fingerprint
15 vendors do not apply to any of the following, if the person
16 performing the service does not hold oneself ~~himself or~~
17 ~~herself~~ out as a fingerprint vendor or fingerprint vendor
18 agency:

19 (1) An employee of the United States, Illinois, or a
20 political subdivision, including public school districts,
21 ~~of either~~ while the employee is engaged in the performance
22 of the employee's ~~his or her~~ official duties within the
23 scope of the employee's ~~his or her~~ employment. However,
24 any such person who offers the person's ~~his or her~~
25 services as a fingerprint vendor or uses a similar title

1 when these services are performed for compensation or
2 other consideration, whether received directly or
3 indirectly, is subject to this Act.

4 (2) A person employed exclusively by only one employer
5 in connection with the exclusive activities of that
6 employer, provided that person does not hold oneself
7 ~~himself or herself~~ out to the public as a fingerprint
8 vendor.

9 (3) Any member of local law enforcement in the
10 performance of ~~his or her~~ duties for criminal justice
11 purposes, notwithstanding whether the local law
12 enforcement agency charges a reasonable fee related to the
13 cost of offering fingerprinting services.

14 (b) The provisions of this Act regarding fingerprint
15 vendors do not apply to any member of a local law enforcement
16 agency, acting on behalf of the local law enforcement agency
17 that is registered with the Illinois State Police to provide
18 fingerprinting services for non-criminal justice purposes,
19 notwithstanding whether the local law enforcement agency
20 charges a reasonable fee related to the cost of offering
21 fingerprinting services.

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

23 (225 ILCS 447/31-10)

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

25 Sec. 31-10. Qualifications for licensure as a fingerprint

1 vendor.

2 (a) A person is qualified for licensure as a fingerprint
3 vendor if the person ~~he or she~~ meets all of the following
4 requirements:

5 (1) Is at least 18 years of age.

6 (2) Has not been convicted of any felony in any
7 jurisdiction or at least 10 years have elapsed since the
8 time of full discharge from a sentence imposed for a
9 felony conviction.

10 (3) Is of good moral character. Good moral character
11 is a continuing requirement of licensure. Conviction of
12 crimes other than felonies may be used in determining
13 moral character, but shall not constitute an absolute bar
14 to licensure, except where the applicant is a registered
15 sex offender.

16 (4) Has not been declared by any court of competent
17 jurisdiction to be incompetent by reason of mental or
18 physical defect or disease, unless a court has
19 subsequently declared him or her to be competent.

20 (5) Is not suffering from dependence on alcohol or
21 from narcotic addiction or dependence.

22 (6) Has not been dishonorably discharged from the
23 armed forces of the United States.

24 (7) Submits certification issued by the Illinois State
25 Police that the applicant has successfully completed a
26 fingerprint vendor training course conducted or authorized

1 by the Illinois State Police.

2 (8) Submits the applicant's ~~his or her~~ fingerprints,
3 in accordance with subsection (b) of this Section.

4 (9) Has not violated any provision of this Act or any
5 rule adopted under this Act.

6 (10) Provides evidence satisfactory to the Department
7 that the applicant has obtained general liability
8 insurance in an amount and with coverage as determined by
9 rule. Failure to maintain general liability insurance and
10 failure to provide the Department with written proof of
11 the insurance, upon request, shall result in cancellation
12 of the license without hearing. A fingerprint vendor
13 employed by a licensed fingerprint vendor agency may
14 provide proof that the employee's ~~his or her~~ actions as a
15 fingerprint vendor are covered by the liability insurance
16 of the employee's ~~his or her~~ employer.

17 (11) Pays the required licensure fee.

18 (12) (Blank).

19 (13) Submits proof that the applicant maintains a
20 business office located in the State of Illinois.

21 (14) Provides proof of compliance with subsection (e)
22 of Section 31-15 of this Act if the applicant is not
23 required to obtain a fingerprint vendor agency license
24 pursuant to subsection (b) of Section 31-15 of this Act.

25 (b) Each applicant for a fingerprint vendor license shall
26 have the applicant's ~~his or her~~ fingerprints submitted to the

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

1 by the applicant's ~~his or her~~ employer, of the applicant's ~~his~~
2 ~~or her~~ previous full-time employment as a peace officer.

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

4 (225 ILCS 447/31-15)

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

6 Sec. 31-15. Qualifications for licensure as a fingerprint
7 vendor agency.

8 (a) Upon receipt of the required fee, compliance with
9 subsection (e) of this Section, and proof that the applicant
10 has a full-time Illinois licensed fingerprint vendor
11 licensee-in-charge, which is a continuing requirement for
12 agency licensure, the Department may issue a license as a
13 fingerprint vendor agency to any of the following:

14 (1) An individual who submits an application and is a
15 licensed fingerprint vendor under this Act.

16 (2) A firm that submits an application and all of the
17 members of the firm are licensed fingerprint vendors under
18 this Act.

19 (3) A corporation or limited liability company doing
20 business in Illinois that is authorized to engage in the
21 business of conducting a fingerprint vendor agency if at
22 least one officer or executive employee is a licensed
23 fingerprint vendor under this Act and all unlicensed
24 officers and directors of the corporation or limited
25 liability company are determined by the Department to be

1 persons of good moral character.

2 (b) An individual licensed as a fingerprint vendor
3 operating under a business name other than the licensed
4 fingerprint vendor's own name shall not be required to obtain
5 a fingerprint vendor agency license if that licensed
6 fingerprint vendor does not employ any persons to provide
7 fingerprinting services. However, in either circumstance, the
8 individual shall comply with the requirements of subsection
9 (e) of this Section as a requirement for licensure.

10 (c) No fingerprint vendor may be the licensee-in-charge
11 for more than one fingerprint vendor agency. Upon written
12 request by a representative of the agency, within 10 days
13 after the loss of a licensee-in-charge of an agency because of
14 the death of that individual or because of the termination of
15 the employment of that individual, the Department shall issue
16 a temporary certificate of authority allowing the continuing
17 operation of the licensed agency. No temporary certificate of
18 authority shall be valid for more than 90 days. An extension of
19 an additional 90 days may be granted upon written request by
20 the representative of the agency. Not more than 2 extensions
21 may be granted to any agency. No temporary permit shall be
22 issued for loss of the licensee-in-charge because of
23 disciplinary action by the Department related to the
24 licensee-in-charge's ~~his or her~~ conduct on behalf of the
25 agency.

26 (d) Upon issuance of the temporary certificate of

1 authority as provided for in subsection (c) of this Section
2 and at any time thereafter while the temporary certificate of
3 authority is in effect, the Department may request in writing
4 additional information from the agency regarding the loss of
5 its licensee-in-charge, the selection of a new
6 licensee-in-charge, and the management of the agency. Failure
7 of the agency to respond or respond to the satisfaction of the
8 Department shall cause the Department to deny any extension of
9 the temporary certificate of authority. While the temporary
10 certificate of authority is in effect, the Department may
11 disapprove the selection of a new licensee-in-charge by the
12 agency if the person's license is not operative or the
13 Department has good cause to believe that the person selected
14 will not fully exercise the responsibilities of a
15 licensee-in-charge. If the Department has disapproved the
16 selection of a new licensee-in-charge and the temporary
17 certificate of authority expires or is about to expire without
18 the agency selecting another new licensee-in-charge, the
19 Department shall grant an extension of the temporary
20 certificate of authority for an additional 90 days, except as
21 otherwise prohibited in subsection (c) or this subsection (d).

22 (e) An applicant shall submit certification issued by the
23 Illinois State Police that the applicant's fingerprinting
24 equipment and software meets all specifications required by
25 the Illinois State Police. Compliance with Illinois State
26 Police fingerprinting equipment and software specifications is

1 a continuing requirement for licensure.

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

3 (225 ILCS 447/31-20)

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

5 Sec. 31-20. Training; fingerprint vendor and employees.

6 (a) Registered employees of a licensed fingerprint vendor
7 agency shall complete a minimum of 20 hours of training
8 provided by a qualified instructor within 30 days of their
9 employment. The substance of the training shall be prescribed
10 by rule.

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

1 (c) Any certification of completion of the 20-hour basic
2 training issued under this Act ~~the Private Detective, Private~~
3 ~~Alarm, Private Security, and Locksmith Act of 2004 or any~~
4 ~~prior Act~~ shall be accepted as proof of training ~~under this~~
5 ~~Act~~.

6 (d) No registered employee of a licensed fingerprint
7 vendor agency may operate live scan fingerprint equipment or
8 other equipment designed to obtain fingerprint images for the
9 purpose of providing fingerprint images and associated
10 demographic data to the Illinois State Police.

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

12 (225 ILCS 447/35-5)

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

14 Sec. 35-5. Display of license. Each licensee shall
15 prominently display the licensee's ~~his or her~~ individual,
16 agency, or branch office license at each place where business
17 is being conducted, as required under this Act. A
18 licensee-in-charge is required to post the licensee's ~~his or~~
19 ~~her~~ license only at the agency office.

20 (Source: P.A. 93-438, eff. 8-5-03.)

21 (225 ILCS 447/35-10)

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

23 Sec. 35-10. Inspection of facilities. Each licensee or
24 registrant shall permit the licensee's or registrant's ~~his or~~

1 ~~her~~ office facilities, business premises, canine training
2 facilities, firearm training facilities, and registered
3 employee files to be audited or inspected at reasonable times
4 and in a reasonable manner by the Department.

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

6 (225 ILCS 447/35-15)

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

8 Sec. 35-15. Advertisements; penalties.

9 (a) No licensee providing services regulated by this Act
10 may knowingly advertise those services without including the
11 licensee's ~~his or her~~ license number in the advertisement. The
12 publisher of the advertising, however, is not required to
13 verify the accuracy of the advertisement or the license
14 number.

15 (b) A licensee who advertises services regulated by this
16 Act who knowingly (i) fails to display the licensee's ~~his or~~
17 ~~her~~ license at the licensee's ~~his or her~~ place of business,
18 (ii) fails to provide the publisher with the current license
19 number, or (iii) provides the publisher with a false license
20 number or a license number other than that of the person or
21 agency doing the advertising or a licensee who knowingly
22 allows the licensee's ~~his or her~~ license number to be
23 displayed or used by another person or agency to circumvent
24 any provision of this subsection, is guilty of a Class A
25 misdemeanor. Each day an advertisement is published or a

1 licensee allows the licensee's ~~his or her~~ license to be used in
2 violation of this Section constitutes a separate offense. In
3 addition to the penalties and remedies provided in this
4 Section, a licensee who violates any provision of this Section
5 shall be subject to the disciplinary action, fines, and civil
6 penalty provisions of this Act.

7 (Source: P.A. 93-438, eff. 8-5-03.)

8 (225 ILCS 447/35-25)

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

10 Sec. 35-25. Duplicate licenses. If a license, permanent
11 employee registration card, or firearm control card is lost, a
12 duplicate shall be issued upon proof of such loss together
13 with the payment of the required fee. If a licensee decides to
14 change the licensee's ~~his or her~~ name, the Department shall
15 issue a license in the new name upon proof that the change was
16 done pursuant to law and payment of the required fee.
17 Notification of a name change shall be made to the Department
18 within 30 days after the change.

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

20 (225 ILCS 447/35-30)

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

22 Sec. 35-30. Employee requirements. All employees of a
23 licensed agency, other than those exempted, shall apply for a
24 permanent employee registration card. The holder of an agency

1 license issued under this Act, known in this Section as
2 "employer", may employ in the conduct of the employer's ~~his or~~
3 ~~her~~ business employees under the following provisions:

4 (a) No person shall be issued a permanent employee
5 registration card who:

6 (1) Is younger than 18 years of age.

7 (2) Is younger than 21 years of age if the services
8 will include being armed.

9 (3) Has been determined by the Department to be unfit
10 by reason of conviction of an offense in this or another
11 state, including registration as a sex offender, but not
12 including a traffic offense. Persons convicted of felonies
13 involving bodily harm, weapons, violence, or theft within
14 the previous 10 years shall be presumed to be unfit for
15 registration. The Department shall adopt rules for making
16 those determinations that shall afford the applicant due
17 process of law.

18 (4) Has had a license or permanent employee
19 registration card denied, suspended, or revoked under this
20 Act (i) within one year before the date the person's
21 application for permanent employee registration card is
22 received by the Department; and (ii) that refusal, denial,
23 suspension, or revocation was based on any provision of
24 this Act other than Section 40-50, item (6) or (8) of
25 subsection (a) of Section 15-10, subsection (b) of Section
26 15-10, item (6) or (8) of subsection (a) of Section 20-10,

1 subsection (b) of Section 20-10, item (6) or (8) of
2 subsection (a) of Section 25-10, subsection (b) of Section
3 25-10, item (7) of subsection (a) of Section 30-10,
4 subsection (b) of Section 30-10, or Section 10-40.

5 (5) Has been declared incompetent by any court of
6 competent jurisdiction by reason of mental disease or
7 defect and has not been restored.

8 (6) Has been dishonorably discharged from the armed
9 services of the United States.

10 (b) No person may be employed by a private detective
11 agency, private security contractor agency, private alarm
12 contractor agency, fingerprint vendor agency, or locksmith
13 agency under this Section until the person ~~he or she~~ has
14 executed and furnished to the employer, on forms furnished by
15 the Department, a verified statement to be known as
16 "Employee's Statement" setting forth:

17 (1) The person's full name, age, and residence
18 address.

19 (2) The business or occupation engaged in for the 5
20 years immediately before the date of the execution of the
21 statement, the place where the business or occupation was
22 engaged in, and the names of employers, if any.

23 (3) That the person has not had a license or employee
24 registration denied, revoked, or suspended under this Act
25 (i) within one year before the date the person's
26 application for permanent employee registration card is

1 received by the Department; and (ii) that refusal, denial,
2 suspension, or revocation was based on any provision of
3 this Act other than Section 40-50, item (6) or (8) of
4 subsection (a) of Section 15-10, subsection (b) of Section
5 15-10, item (6) or (8) of subsection (a) of Section 20-10,
6 subsection (b) of Section 20-10, item (6) or (8) of
7 subsection (a) of Section 25-10, subsection (b) of Section
8 25-10, item (7) of subsection (a) of Section 30-10,
9 subsection (b) of Section 30-10, or Section 10-40.

10 (4) Any conviction of a felony or misdemeanor.

11 (5) Any declaration of incompetence by a court of
12 competent jurisdiction that has not been restored.

13 (6) Any dishonorable discharge from the armed services
14 of the United States.

15 (7) Any other information as may be required by any
16 rule of the Department to show the good character,
17 competency, and integrity of the person executing the
18 statement.

19 (c) Each applicant for a permanent employee registration
20 card shall have the applicant's ~~his or her~~ fingerprints
21 submitted to the Illinois State Police in an electronic format
22 that complies with the form and manner for requesting and
23 furnishing criminal history record information as prescribed
24 by the Illinois State Police. These fingerprints shall be
25 checked against the Illinois State Police and Federal Bureau
26 of Investigation criminal history record databases now and

1 hereafter filed. The Illinois State Police shall charge
2 applicants a fee for conducting the criminal history records
3 check, which shall be deposited in the State Police Services
4 Fund and shall not exceed the actual cost of the records check.
5 The Illinois State Police shall furnish, pursuant to positive
6 identification, records of Illinois convictions to the
7 Department. The Department may require applicants to pay a
8 separate fingerprinting fee, either to the Department or
9 directly to the vendor. The Department, in its discretion, may
10 allow an applicant who does not have reasonable access to a
11 designated vendor to provide the applicant's ~~his or her~~
12 fingerprints in an alternative manner. The Department, in its
13 discretion, may also use other procedures in performing or
14 obtaining criminal background checks of applicants. Instead of
15 submitting the applicant's ~~his or her~~ fingerprints, an
16 individual may submit proof that is satisfactory to the
17 Department that an equivalent security clearance has been
18 conducted. Also, an individual who has retired as a peace
19 officer within 12 months of application may submit
20 verification, on forms provided by the Department and signed
21 by the applicant's ~~his or her~~ employer, of the applicant's ~~his~~
22 ~~or her~~ previous full-time employment as a peace officer.

23 (d) The Department shall issue a permanent employee
24 registration card, in a form the Department prescribes, to all
25 qualified applicants. The holder of a permanent employee
26 registration card shall carry the card at all times while

1 actually engaged in the performance of the duties of the
2 employee's ~~his or her~~ employment. Expiration and requirements
3 for renewal of permanent employee registration cards shall be
4 established by rule of the Department. Possession of a
5 permanent employee registration card does not in any way imply
6 that the holder of the card is employed by an agency unless the
7 permanent employee registration card is accompanied by the
8 employee identification card required by subsection (f) of
9 this Section.

10 (e) Each employer shall maintain a record of each employee
11 that is accessible to the duly authorized representatives of
12 the Department. The record shall contain the following
13 information:

14 (1) A photograph taken within 10 days of the date that
15 the employee begins employment with the employer. The
16 photograph shall be replaced with a current photograph
17 every 3 calendar years.

18 (2) The Employee's Statement specified in subsection
19 (b) of this Section.

20 (3) All correspondence or documents relating to the
21 character and integrity of the employee received by the
22 employer from any official source or law enforcement
23 agency.

24 (4) In the case of former employees, the employee
25 identification card of that person issued under subsection
26 (f) of this Section. Each employee record shall duly note

1 if the employee is employed in an armed capacity. Armed
2 employee files shall contain a copy of an active firearm
3 owner's identification card and a copy of an active
4 firearm control card. Each employer shall maintain a
5 record for each armed employee of each instance in which
6 the employee's weapon was discharged during the course of
7 the employee's ~~his or her~~ professional duties or
8 activities. The record shall be maintained on forms
9 provided by the Department, a copy of which must be filed
10 with the Department within 15 days of an instance. The
11 record shall include the date and time of the occurrence,
12 the circumstances involved in the occurrence, and any
13 other information as the Department may require. Failure
14 to provide this information to the Department or failure
15 to maintain the record as a part of each armed employee's
16 permanent file is grounds for disciplinary action. The
17 Department, upon receipt of a report, shall have the
18 authority to make any investigation it considers
19 appropriate into any occurrence in which an employee's
20 weapon was discharged and to take disciplinary action as
21 may be appropriate.

22 (5) A copy of the employee's permanent employee
23 registration card or a copy of the Department's "License
24 Lookup" Webpage showing that the employee has been issued
25 a valid permanent employee registration card by the
26 Department.

1 The Department may, by rule, prescribe further record
2 requirements.

3 (f) Every employer shall furnish an employee
4 identification card to each of the employer's ~~his or her~~
5 employees. This employee identification card shall contain a
6 recent photograph of the employee, the employee's name, the
7 name and agency license number of the employer, the employee's
8 personal description, the signature of the employer, the
9 signature of that employee, the date of issuance, and an
10 employee identification card number.

11 (g) No employer may issue an employee identification card
12 to any person who is not employed by the employer in accordance
13 with this Section or falsely state or represent that a person
14 is or has been in the employer's ~~his or her~~ employ. It is
15 unlawful for an applicant for registered employment to file
16 with the Department the fingerprints of a person other than
17 himself or herself.

18 (h) Every employer shall obtain the identification card of
19 every employee who terminates employment with the employer ~~him~~
20 ~~or her~~.

21 (i) Every employer shall maintain a separate roster of the
22 names of all employees currently working in an armed capacity
23 and submit the roster to the Department on request.

24 (j) No agency may employ any person to perform a licensed
25 activity under this Act unless the person possesses a valid
26 permanent employee registration card or a valid license under

1 this Act, or is exempt pursuant to subsection (n).

2 (k) Notwithstanding the provisions of subsection (j), an
3 agency may employ a person in a temporary capacity if all of
4 the following conditions are met:

5 (1) The agency completes in its entirety and submits
6 to the Department an application for a permanent employee
7 registration card, including the required fingerprint
8 receipt and fees.

9 (2) The agency has verification from the Department
10 that the applicant has no record of any criminal
11 conviction pursuant to the criminal history check
12 conducted by the Illinois State Police. The agency shall
13 maintain the verification of the results of the Illinois
14 State Police criminal history check as part of the
15 employee record as required under subsection (e) of this
16 Section.

17 (3) The agency exercises due diligence to ensure that
18 the person is qualified under the requirements of the Act
19 to be issued a permanent employee registration card.

20 (4) The agency maintains a separate roster of the
21 names of all employees whose applications are currently
22 pending with the Department and submits the roster to the
23 Department on a monthly basis. Rosters are to be
24 maintained by the agency for a period of at least 24
25 months.

26 An agency may employ only a permanent employee applicant

1 for which it either submitted a permanent employee application
2 and all required forms and fees or it confirms with the
3 Department that a permanent employee application and all
4 required forms and fees have been submitted by another agency,
5 licensee or the permanent employee and all other requirements
6 of this Section are met.

7 The Department shall have the authority to revoke, without
8 a hearing, the temporary authority of an individual to work
9 upon receipt of Federal Bureau of Investigation fingerprint
10 data or a report of another official authority indicating a
11 criminal conviction. If the Department has not received a
12 temporary employee's Federal Bureau of Investigation
13 fingerprint data within 120 days of the date the Department
14 received the Illinois State Police fingerprint data, the
15 Department may, at its discretion, revoke the employee's
16 temporary authority to work with 15 days written notice to the
17 individual and the employing agency.

18 An agency may not employ a person in a temporary capacity
19 if it knows or reasonably should have known that the person has
20 been convicted of a crime under the laws of this State, has
21 been convicted in another state of any crime that is a crime
22 under the laws of this State, has been convicted of any crime
23 in a federal court, or has been posted as an unapproved
24 applicant by the Department. Notice by the Department to the
25 agency, via certified mail, personal delivery, electronic
26 mail, or posting on the Department's Internet site accessible

1 to the agency that the person has been convicted of a crime
2 shall be deemed constructive knowledge of the conviction on
3 the part of the agency. The Department may adopt rules to
4 implement this subsection (k).

5 (l) No person may be employed under this Section in any
6 capacity if:

7 (1) the person, while so employed, is being paid by
8 the United States or any political subdivision for the
9 time so employed in addition to any payments the person ~~he~~
10 ~~or she~~ may receive from the employer; or

11 (2) the person wears any portion of the person's ~~his~~
12 ~~or her~~ official uniform, emblem of authority, or equipment
13 while so employed.

14 (m) If information is discovered affecting the
15 registration of a person whose fingerprints were submitted
16 under this Section, the Department shall so notify the agency
17 that submitted the fingerprints on behalf of that person.

18 (n) Peace officers shall be exempt from the requirements
19 of this Section relating to permanent employee registration
20 cards. The agency shall remain responsible for any peace
21 officer employed under this exemption, regardless of whether
22 the peace officer is compensated as an employee or as an
23 independent contractor and as further defined by rule.

24 (o) Persons who have no access to confidential or security
25 information, who do not go to a client's or prospective
26 client's residence or place of business, and who otherwise do

1 not provide traditional security services are exempt from
2 employee registration. Examples of exempt employees include,
3 but are not limited to, employees working in the capacity of
4 ushers, directors, ticket takers, cashiers, drivers, and
5 reception personnel. Confidential or security information is
6 that which pertains to employee files, scheduling, client
7 contracts, or technical security and alarm data.

8 (p) An applicant who is 21 years of age or older seeking a
9 religious exemption to the photograph requirement of this
10 Section shall furnish with the application an approved copy of
11 United States Department of the Treasury Internal Revenue
12 Service Form 4029. Regardless of age, an applicant seeking a
13 religious exemption to this photograph requirement shall
14 submit fingerprints in a form and manner prescribed by the
15 Department with the applicant's ~~his or her~~ application in lieu
16 of a photograph.

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

18 (225 ILCS 447/35-35)

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

20 Sec. 35-35. Requirement of a firearm control card.

21 (a) No person shall perform duties that include the use,
22 carrying, or possession of a firearm in the performance of
23 those duties without complying with the provisions of this
24 Section and having been issued a valid firearm control card by
25 the Department.

1 (b) No employer shall employ any person to perform the
2 duties for which licensure or employee registration is
3 required and allow that person to carry a firearm unless that
4 person has complied with all the firearm training requirements
5 of this Section and has been issued a firearm control card.
6 This Act permits only the following to carry firearms while
7 actually engaged in the performance of their duties or while
8 commuting directly to or from their places of employment:
9 persons licensed as private detectives and their registered
10 employees; persons licensed as private security contractors
11 and their registered employees; persons licensed as private
12 alarm contractors and their registered employees; and
13 employees of a registered armed proprietary security force.

14 (c) Possession of a valid firearm control card allows a
15 licensee or employee to carry a firearm not otherwise
16 prohibited by law while the licensee or employee is engaged in
17 the performance of the licensee's or employee's ~~his or her~~
18 duties or while the licensee or employee is commuting directly
19 to or from the licensee's or employee's place or places of
20 employment.

21 (d) The Department shall issue a firearm control card to a
22 person who has passed an approved firearm training course, who
23 is currently licensed or employed by an agency licensed by
24 this Act and has met all the requirements of this Act, and who
25 possesses a valid firearm owner identification card.
26 Application for the firearm control card shall be made by the

1 employer to the Department on forms provided by the
2 Department. The Department shall forward the card to the
3 employer who shall be responsible for its issuance to the
4 licensee or employee. The firearm control card shall be issued
5 by the Department and shall identify the person holding it and
6 the name of the course where the licensee or employee received
7 firearm instruction and shall specify the type of weapon or
8 weapons the person is authorized by the Department to carry
9 and for which the person has been trained.

10 (e) Expiration and requirements for renewal of firearm
11 control cards shall be determined by rule.

12 (f) The Department may, in addition to any other
13 disciplinary action permitted by this Act, refuse to issue,
14 suspend, or revoke a firearm control card if the applicant or
15 holder has been convicted of any felony or crime involving the
16 illegal use, carrying, or possession of a deadly weapon or for
17 a violation of this Act or rules promulgated under this Act.
18 The Department shall refuse to issue or shall revoke a firearm
19 control card if the applicant or holder fails to possess a
20 valid firearm owners identification card without hearing. The
21 Secretary shall summarily suspend a firearm control card if
22 the Secretary finds that its continued use would constitute an
23 imminent danger to the public. A hearing shall be held before
24 the Board within 30 days if the Secretary summarily suspends a
25 firearm control card.

26 (g) Notwithstanding any other provision of this Act to the

1 contrary, all requirements relating to firearms control cards
2 do not apply to a peace officer. If an individual ceases to be
3 employed as a peace officer and continues to perform services
4 in an armed capacity under this Act that are licensed
5 activities, then the individual is required to obtain a
6 permanent employee registration card pursuant to Section 35-30
7 of this Act and must possess a valid Firearm Owner's
8 Identification Card, but is not required to obtain a firearm
9 control card if the individual is otherwise in continuing
10 compliance with the federal Law Enforcement Officers Safety
11 Act of 2004. If an individual elects to carry a firearm
12 pursuant to the federal Law Enforcement Officers Safety Act of
13 2004, then the agency employing the officer shall ~~is required~~
14 ~~to~~ submit an application ~~a notice of that election~~ to the
15 Department for issuance of a waiver card along with a fee
16 specified by rule.

17 (h) The Department may issue a temporary firearm control
18 card pending issuance of a new firearm control card upon an
19 agency's acquiring of an established armed account. An agency
20 that has acquired armed employees as a result of acquiring an
21 established armed account may, on forms supplied by the
22 Department, request the issuance of a temporary firearm
23 control card for each acquired employee who held a valid
24 firearm control card under the employer's ~~his or her~~
25 employment with the newly acquired established armed account
26 immediately preceding the acquiring of the account and who

1 continues to meet all of the qualifications for issuance of a
2 firearm control card set forth in this Act and any rules
3 adopted under this Act. The Department shall, by rule, set the
4 fee for issuance of a temporary firearm control card.

5 (i) The Department shall not issue a firearm control card
6 to a licensed fingerprint vendor or a licensed locksmith or
7 employees of a licensed fingerprint vendor agency or a
8 licensed locksmith agency.

9 (Source: P.A. 100-712, eff. 8-3-18.)

10 (225 ILCS 447/35-43)

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

12 Sec. 35-43. Requirement of a canine trainer authorization
13 card; qualifications.

14 (a) No person may perform duties that include the training
15 of canine handlers and canines to protect persons or property
16 or to conduct investigations without having been issued a
17 valid canine trainer authorization card by the Department.

18 (b) No employer shall employ any person to perform the
19 duties for which employee registration is required under this
20 Act and allow that person to train canine handlers and canines
21 unless that person has been issued a canine trainer
22 authorization card.

23 (c) The Department shall issue a canine trainer
24 authorization card to a person who (i) has passed an approved
25 canine trainer training course, (ii) is currently employed by

1 an agency licensed under this Act, and (iii) has met all of the
2 applicable requirements of this Act. Application for the
3 canine trainer authorization card shall be made by the
4 employer to the Department on forms provided by the
5 Department. The Department shall forward the card to the
6 employer who shall be responsible for its issuance to the
7 employee.

8 (d) The Department may, in addition to any other
9 disciplinary action permitted by this Act, refuse to issue,
10 suspend, or revoke a canine trainer authorization card if the
11 applicant or holder has been convicted of any felony or
12 misdemeanor involving cruelty to animals or for a violation of
13 this Act or rules promulgated under this Act.

14 (e) Qualifications for canine trainers shall be set by the
15 Department by rule. ~~Any person who has been engaged in the~~
16 ~~provision of canine trainer services prior to January 1, 2005,~~
17 ~~shall be granted a canine trainer authorization card upon the~~
18 ~~submission of a completed application, the payment of~~
19 ~~applicable fees, and the demonstration satisfactory to the~~
20 ~~Department of the provision of such services.~~

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

22 (225 ILCS 447/35-45)

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

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

25 (a) All financial institutions or commercial or industrial

1 operations that employ one or more armed employees shall
2 register their security forces with the Department on forms
3 provided by the Department. Registration subjects the security
4 force to all of the requirements of Section 35-40. For the
5 purposes of this Section, "financial institution" includes a
6 bank, savings and loan association, credit union, currency
7 exchange, or company providing armored car services.

8 (b) All armed employees of the registered proprietary
9 security force must complete a 20-hour basic training course
10 and all the firearm training requirements of Section 35-40.

11 (c) Every proprietary security force is required to apply
12 to the Department, on forms supplied by the Department, for a
13 firearm control card for each armed employee. Each armed
14 employee shall have the employee's ~~his or her~~ fingerprints
15 submitted to the Department of State Police in an electronic
16 format that complies with the form and manner for requesting
17 and furnishing criminal history record information as
18 prescribed by the Department of State Police. These
19 fingerprints shall be checked against the Department of State
20 Police and Federal Bureau of Investigation criminal history
21 record databases. The Department of State Police shall charge
22 the armed employee a fee for conducting the criminal history
23 records check, which shall be deposited in the State Police
24 Services Fund and shall not exceed the actual cost of the
25 records check. The Department of State Police shall furnish,
26 pursuant to positive identification, records of Illinois

1 convictions to the Department. The Department may require
2 armed employees to pay a separate fingerprinting fee, either
3 to the Department or directly to the vendor. The Department,
4 in its discretion, may allow an armed employee who does not
5 have reasonable access to a designated vendor to provide the
6 employee's ~~his or her~~ fingerprints in an alternative manner.
7 The Department, in its discretion, may also use other
8 procedures in performing or obtaining criminal background
9 checks of armed employees. Instead of submitting the
10 employee's ~~his or her~~ fingerprints, an individual may submit
11 proof that is satisfactory to the Department that an
12 equivalent security clearance has been conducted. Also, an
13 individual who has retired as a peace officer within 12 months
14 before application may submit verification, on forms provided
15 by the Department and signed by the employee's ~~his or her~~
16 employer, of the employee's ~~his or her~~ previous full-time
17 employment as a peace officer.

18 (d) The Department may provide rules for the
19 administration of this Section.

20 (Source: P.A. 102-152, eff. 1-1-22.)

21 (225 ILCS 447/40-5)

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

23 Sec. 40-5. Injunctive relief.

24 (a) The practice of a private detective, private security
25 contractor, private alarm contractor, fingerprint vendor,

1 locksmith, private detective agency, private security
2 contractor agency, private alarm contractor agency,
3 fingerprint vendor agency, or locksmith agency by any person,
4 firm, corporation, or other legal entity that has not been
5 issued a license by the Department or whose license has been
6 suspended, revoked, or not renewed is hereby declared to be
7 inimical to the public safety and welfare and to constitute a
8 public nuisance. The Secretary may, in the name of the People
9 of the State of Illinois through the Attorney General of the
10 State of Illinois or the State's Attorney of any county in
11 which the violation is alleged to have occurred in the State of
12 Illinois, petition for an order enjoining the violation or for
13 an order enforcing compliance with this Act. Upon the filing
14 of a verified petition in court, if satisfied by affidavit or
15 otherwise that the person, firm, corporation, or other legal
16 entity is or has been conducting activities in violation of
17 this Act, the court may enter a temporary restraining order or
18 preliminary injunction, without bond, enjoining the defendant
19 from further activity. A copy of the verified complaint shall
20 be served upon the defendant and the proceedings shall be
21 conducted as in civil cases. If it is established the
22 defendant has been or is conducting activities in violation of
23 this Act, the court may enter a judgment enjoining the
24 defendant from that activity. In case of violation of any
25 injunctive order or judgment entered under this Section, the
26 court may punish the offender for contempt of court.

1 Injunctive proceedings shall be in addition to all other
2 penalties under this Act.

3 (b) If any person practices as a private detective,
4 private security contractor, private alarm contractor,
5 fingerprint vendor, locksmith, private detective agency,
6 private security contractor agency, private alarm contractor
7 agency, fingerprint vendor agency, or locksmith agency or
8 holds himself or herself out as such without having a valid
9 license under this Act, then any licensee, any interested
10 party, or any person injured thereby may, in addition to the
11 Secretary, petition for relief as provided in subsection (a)
12 of this Section. Reasonable attorney's fees and costs may be
13 awarded to the licensee, interested party, or person injured
14 if the licensee, interested party, or person injured ~~he or she~~
15 successfully obtains injunctive relief, whether by consent or
16 otherwise.

17 (Source: P.A. 102-418, eff. 8-20-21.)

18 (225 ILCS 447/40-10)

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

20 Sec. 40-10. Disciplinary sanctions.

21 (a) The Department may deny issuance, refuse to renew, or
22 restore or may reprimand, place on probation, suspend, revoke,
23 or take other disciplinary or non-disciplinary action against
24 any license, registration, permanent employee registration
25 card, canine handler authorization card, canine trainer

1 authorization card, or firearm control card, may impose a fine
2 not to exceed \$10,000 for each violation, and may assess costs
3 as provided for under Section 45-60, for any of the following:

4 (1) Fraud, deception, or misrepresentation in
5 obtaining or renewing of a license or registration.

6 (2) Professional incompetence as manifested by poor
7 standards of service.

8 (3) Engaging in dishonorable, unethical, or
9 unprofessional conduct of a character likely to deceive,
10 defraud, or harm the public.

11 (4) Conviction of or plea of guilty or plea of nolo
12 contendere to a felony or misdemeanor in this State or any
13 other jurisdiction or the entry of an administrative
14 sanction by a government agency in this State or any other
15 jurisdiction; action taken under this paragraph (4) for a
16 misdemeanor or an administrative sanction is limited to a
17 misdemeanor or administrative sanction that has as an
18 essential element of dishonesty or fraud or involves
19 larceny, embezzlement, or obtaining money, property, or
20 credit by false pretenses or by means of a confidence
21 game.

22 (5) Performing any services in a grossly negligent
23 manner or permitting any of a licensee's employees to
24 perform services in a grossly negligent manner, regardless
25 of whether actual damage to the public is established.

26 (6) Continued practice, although the person has become

1 unfit to practice due to any of the following:

2 (A) Physical illness, mental illness, or other
3 impairment, including, but not limited to,
4 deterioration through the aging process or loss of
5 motor skills that results in the inability to serve
6 the public with reasonable judgment, skill, or safety.

7 (B) (Blank).

8 (C) Habitual or excessive use or abuse of drugs
9 defined in law as controlled substances, alcohol, or
10 any other substance that results in the inability to
11 practice with reasonable judgment, skill, or safety.

12 (7) Receiving, directly or indirectly, compensation
13 for any services not rendered.

14 (8) Willfully deceiving or defrauding the public on a
15 material matter.

16 (9) Failing to account for or remit any moneys or
17 documents coming into the licensee's possession that
18 belong to another person or entity.

19 (10) Discipline by another United States jurisdiction,
20 foreign nation, or governmental agency, if at least one of
21 the grounds for the discipline is the same or
22 substantially equivalent to those set forth in this Act.

23 (11) Giving differential treatment to a person that is
24 to that person's detriment because of race, color, creed,
25 sex, religion, or national origin.

26 (12) Engaging in false or misleading advertising.

1 (13) Aiding, assisting, or willingly permitting
2 another person to violate this Act or rules promulgated
3 under it.

4 (14) Performing and charging for services without
5 authorization to do so from the person or entity serviced.

6 (15) Directly or indirectly offering or accepting any
7 benefit to or from any employee, agent, or fiduciary
8 without the consent of the latter's employer or principal
9 with intent to or the understanding that this action will
10 influence the person's ~~his or her~~ conduct in relation to
11 the person's ~~his or her~~ employer's or principal's affairs.

12 (16) Violation of any disciplinary order imposed on a
13 licensee by the Department.

14 (17) Performing any act or practice that is a
15 violation of this Act or the rules for the administration
16 of this Act, or having a conviction or administrative
17 finding of guilty as a result of violating any federal or
18 State laws, rules, or regulations that apply exclusively
19 to the practices of private detectives, private alarm
20 contractors, private security contractors, fingerprint
21 vendors, or locksmiths.

22 (18) Owning, operating, or managing ~~Conducting~~ an
23 agency without a valid license.

24 (19) Revealing confidential information, except as
25 required by law, including but not limited to information
26 available under Section 2-123 of the Illinois Vehicle

1 Code.

2 (20) Failing to make available to the Department, upon
3 request, any books, records, or forms required by this
4 Act.

5 (21) Failing, within 30 days, to respond to a written
6 request for information from the Department.

7 (22) Failing to provide employment information or
8 experience information required by the Department
9 regarding an applicant for licensure.

10 (23) Failing to make available to the Department at
11 the time of the request any indicia of licensure or
12 registration issued under this Act.

13 (24) Purporting to be a licensee-in-charge of an
14 agency without active participation in the agency.

15 (25) A finding by the Department that the licensee,
16 after having the licensee's ~~his or her~~ license placed on
17 probationary status, has violated the terms of probation.

18 (26) Violating subsection (f) of Section 30-30.

19 (27) A firearm control card holder having more
20 firearms in the holder's ~~his or her~~ immediate possession
21 than the holder ~~he or she~~ can reasonably exercise control
22 over.

23 (28) Failure to report in writing to the Department,
24 within 60 days of an entry of a settlement or a verdict in
25 excess of \$10,000, any legal action in which the quality
26 of the licensee's or registrant's professional services

1 was the subject of the legal action.

2 (b) All fines imposed under this Section shall be paid
3 within 60 days after the effective date of the order imposing
4 the fine.

5 (c) The Department shall adopt rules that set forth
6 standards of service for the following: (i) acceptable error
7 rate in the transmission of fingerprint images and other data
8 to the Illinois State Police; (ii) acceptable error rate in
9 the collection and documentation of information used to
10 generate fingerprint work orders; and (iii) any other standard
11 of service that affects fingerprinting services as determined
12 by the Department.

13 The determination by a circuit court that a licensee is
14 subject to involuntary admission or judicial admission, as
15 provided in the Mental Health and Developmental Disabilities
16 Code, operates as an automatic suspension. The suspension will
17 end only upon a finding by a court that the patient is no
18 longer subject to involuntary admission or judicial admission
19 and the issuance of an order so finding and discharging the
20 patient.

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

22 (225 ILCS 447/40-20)

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

24 Sec. 40-20. Confidential information; violation. Any
25 person who is or has been an employee of a licensee shall not

1 divulge to anyone, other than to the person's ~~his or her~~
2 employer, except as required by law or at the ~~his~~ employer's
3 direction, any confidential or proprietary information
4 acquired during the person's ~~his or her~~ employment. Any
5 individual who violates this Section or who files false papers
6 or reports to the person's ~~his or her~~ employer may be
7 disciplined under Section 40-10 of this Act.

8 (Source: P.A. 93-438, eff. 8-5-03.)

9 (225 ILCS 447/40-25)

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

11 Sec. 40-25. Submission to physical or mental examination.

12 (a) The Department or Board upon a showing of a possible
13 violation may compel an individual licensed to practice under
14 this Act, or who has applied for licensure under this Act, to
15 submit to a mental or physical examination, or both, which may
16 include a substance abuse or sexual offender evaluation, as
17 required by and at the expense of the Department. The
18 Department or Board shall specifically designate the examining
19 physician licensed to practice medicine in all of its branches
20 or, if applicable, the multidisciplinary team involved in
21 providing the mental or physical examination, evaluation, or
22 both. The multidisciplinary team shall be led by a physician
23 licensed to practice medicine in all of its branches and may
24 consist of one or more or a combination of physicians licensed
25 to practice medicine in all of its branches, licensed

1 chiropractic physicians, licensed clinical psychologists,
2 licensed clinical social workers, licensed clinical
3 professional counselors, and other professional and
4 administrative staff. Any examining physician or member of the
5 multidisciplinary team may require any person ordered to
6 submit to an examination and evaluation pursuant to this
7 Section to submit to any additional supplemental testing
8 deemed necessary to complete any examination or evaluation
9 process, including, but not limited to, blood testing,
10 urinalysis, psychological testing, or neuropsychological
11 testing. The Department or the Board may order the examining
12 physician or any member of the multidisciplinary team to
13 provide to the Department any and all records, including
14 business records, that relate to the examination and
15 evaluation, including any supplemental testing performed. The
16 Department or the Board may order the examining physician or
17 any member of the multidisciplinary team to present testimony
18 concerning this examination and evaluation of the licensee or
19 applicant, including testimony concerning any supplemental
20 testing or documents relating to the examination and
21 evaluation. No information, report, record, or other documents
22 in any way related to the examination and evaluation shall be
23 excluded by reason of any common law or statutory privilege
24 relating to communication between the licensee or applicant
25 and the examining physician or any member of the
26 multidisciplinary team. No authorization is necessary from the

1 licensee or applicant ordered to undergo an evaluation and
2 examination for the examining physician or any member of the
3 multidisciplinary team to provide information, reports,
4 records, or other documents or to provide any testimony
5 regarding the examination and evaluation. The individual to be
6 examined may have, at the individual's ~~his or her~~ own expense,
7 another physician of the individual's ~~his or her~~ choice
8 present during all aspects of this examination. Failure of an
9 individual to submit to a mental or physical examination, or
10 both, when directed, shall result in automatic suspension
11 without hearing, until such time as the individual submits to
12 the examination.

13 (b) In instances in which the Secretary immediately
14 suspends a person's license for the person's ~~his or her~~
15 failure to submit to a mental or physical examination when
16 directed, a hearing on that person's license must be convened
17 by the Department within 15 days after the suspension and
18 completed without appreciable delay.

19 (c) In instances in which the Secretary otherwise suspends
20 a person's license pursuant to the results of a compelled
21 mental or physical examination, a hearing on that person's
22 license must be convened by the Department within 15 days
23 after the suspension and completed without appreciable delay.
24 The Department and Board shall have the authority to review
25 the subject individual's record of treatment and counseling
26 regarding the impairment to the extent permitted by applicable

1 federal statutes and regulations safeguarding the
2 confidentiality of medical records.

3 (d) An individual licensed under this Act and affected
4 under this Section shall be afforded an opportunity to
5 demonstrate to the Department or Board that the individual ~~he~~
6 ~~or she~~ can resume practice in compliance with acceptable and
7 prevailing standards under the provisions of the individual's
8 ~~his or her~~ license.

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

10 (225 ILCS 447/40-30)

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

12 Sec. 40-30. Insufficient funds; checks. A person who
13 delivers a check or other payment to the Department that is
14 returned to the Department unpaid by the financial institution
15 upon which it was drawn shall pay to the Department, in
16 addition to the amount already owed, a penalty of \$50. The
17 Department shall notify the person by first class mail that
18 the person's ~~his or her~~ check or payment was returned and that
19 the person shall pay to the Department by certified check or
20 money order the amount of the returned check plus a \$50 penalty
21 within 30 calendar days after the date of the notification.
22 If, after the expiration of 30 calendar days of the
23 notification, the person has failed to remit the necessary
24 funds and penalty, the Department shall automatically
25 terminate the license or deny the application without a

1 hearing. If the returned check or other payment was for
2 issuance of a license under this Act and that person practices
3 as a licensee, that person may be subject to discipline for
4 unlicensed practice as provided in this Act. If, after
5 termination or denial, the person seeks a license, the person
6 ~~he or she~~ shall petition the Department for restoration and
7 the person ~~he or she~~ may be subject to additional discipline or
8 fines. The Secretary may waive the penalties or fines due
9 under this Section in individual cases where the Secretary
10 finds that the penalties or fines would be unreasonable or
11 unnecessarily burdensome.

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

13 (225 ILCS 447/45-10)

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

15 Sec. 45-10. Complaints; investigations; hearings.

16 (a) The Department may investigate the actions of any
17 applicant or of any person or persons holding or claiming to
18 hold a license or registration under this Act.

19 (b) The Department shall, before disciplining a licensee
20 under Section 40-10 or refusing to issue or license, at least
21 30 days before the date set for the hearing, (i) notify the
22 accused in writing of the charges made and the time and place
23 for the hearing on the charges, (ii) direct the accused ~~him or~~
24 ~~her~~ to file a written answer to the charges under oath within
25 20 days after service, and (iii) inform the applicant or

1 licensee that failure to answer will result in a default being
2 entered against the applicant or licensee.

3 (c) At the time and place fixed in the notice, the Board or
4 the hearing officer appointed by the Secretary shall proceed
5 to hear the charges, and the parties or their counsel shall be
6 accorded ample opportunity to present any pertinent
7 statements, testimony, evidence, and arguments. The Board or
8 hearing officer may continue the hearing from time to time. In
9 case the person, after receiving the notice, fails to file an
10 answer, the person's ~~his or her~~ license may, in the discretion
11 of the Secretary, having first received the recommendation of
12 the Board, be suspended, revoked, or placed on probationary
13 status, or be subject to whatever disciplinary action the
14 Secretary considers proper, including limiting the scope,
15 nature, or extent of the person's practice or the imposition
16 of a fine, without hearing, if the act or acts charged
17 constitute sufficient grounds for that action under this Act.

18 (d) The written notice and any notice in the subsequent
19 proceeding may be served by regular ~~or certified~~ mail to the
20 licensee's address of record or electronically to the
21 licensee's email address of record.

22 (e) The Secretary has the authority to appoint any
23 attorney licensed to practice law in the State of Illinois to
24 serve as the hearing officer in any action for refusal to
25 issue, restore, or renew a license or to discipline a
26 licensee. The hearing officer has full authority to conduct

1 the hearing.

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

3 (225 ILCS 447/45-15)

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

5 Sec. 45-15. Hearing; rehearing.

6 (a) The Board or the hearing officer authorized by the
7 Department shall hear evidence in support of the formal
8 charges and evidence produced by the licensee. At the
9 conclusion of the hearing, the Board shall present to the
10 Secretary a written report of its findings of fact,
11 conclusions of law, and recommendations. The report shall
12 contain a finding of whether the accused person violated this
13 Act or failed to comply with the conditions required in this
14 Act. The Board shall specify the nature of the violation or
15 failure to comply and shall make its recommendation to the
16 Secretary.

17 (b) At the conclusion of the hearing, a copy of the Board
18 or hearing officer's report shall be served upon the applicant
19 or licensee by the Department, either personally or as
20 provided in this Act for the service of a notice of hearing.
21 Within 20 calendar days after service, the applicant or
22 licensee may present to the Secretary ~~Department~~ a motion in
23 writing for a rehearing, which shall specify the particular
24 grounds for rehearing. The Department may respond to the
25 motion for rehearing within 20 calendar days after its service

1 on the Department. If no motion for rehearing is filed, then
2 upon the expiration of the time specified for filing such a
3 motion, or upon denial of a motion for rehearing, the
4 Secretary may enter an order in accordance with the
5 recommendations of the Board or hearing officer. If the
6 applicant or licensee orders from the reporting service and
7 pays for a transcript of the record within the time for filing
8 a motion for rehearing, the 20-day period within which a
9 motion may be filed shall commence upon the delivery of the
10 transcript to the applicant or licensee.

11 (c) If the Secretary disagrees in any regard with the
12 report of the Board or the hearing officer, the Secretary may
13 issue an order contrary to the report. The finding is not
14 admissible in evidence against the person in a criminal
15 prosecution brought for the violation of this Act, but the
16 hearing and findings are not a bar to a criminal prosecution
17 for the violation of this Act.

18 (d) Whenever the Secretary is not satisfied that
19 substantial justice has been done, the Secretary may order a
20 rehearing by the same or another hearing officer.

21 (e) All proceedings under this Section are matters of
22 public record and shall be preserved.

23 (f) Upon the suspension or revocation of a license, the
24 licensee shall surrender the license to the Department and,
25 upon failure to do so, the Department shall seize the same.

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

1 (225 ILCS 447/45-40)

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

3 Sec. 45-40. Administrative review. All final
4 administrative decisions of the Department are subject to
5 judicial review under Article III of the Code of Civil
6 Procedure. The term "administrative decision" is defined as in
7 Section 3-101 of the Code of Civil Procedure. The proceedings
8 for judicial review shall be commenced in the circuit court of
9 the county in which the party applying for review resides; but
10 if the party is not a resident of Illinois, the venue shall be
11 in Sangamon County. The Department shall not be required to
12 certify any record to the court or file any answer in court or
13 otherwise appear in any court in a judicial review proceeding,
14 unless and until the Department has received from the
15 plaintiff payment of the costs of furnishing and certifying
16 the record, which costs shall be determined by the Department.
17 ~~Exhibits shall be certified without cost.~~ Failure on the part
18 of the applicant or licensee to file a receipt in court is
19 grounds for dismissal of the action. During all judicial
20 proceedings incident to a disciplinary action, the sanctions
21 imposed upon a licensee by the Department shall remain in
22 effect, unless the court determines justice requires a stay of
23 the order.

24 (Source: P.A. 96-1445, eff. 8-20-10.)

1 (225 ILCS 447/45-55)

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

3 Sec. 45-55. Subpoenas.

4 (a) The Department may subpoena and bring before it any
5 person to take the oral or written testimony or compel the
6 production of any books, papers, records, or any other
7 documents that the Secretary or the Secretary's ~~his or her~~
8 designee deems relevant or material to any such investigation
9 or hearing conducted by the Department with the same fees and
10 in the same manner as prescribed in civil cases in the courts
11 of this State.

12 (b) Any circuit court, upon the application of the
13 applicant, licensee, or Department, may order the attendance
14 and testimony of witnesses and the production of relevant
15 documents, files, records, books and papers in connection with
16 any hearing or investigation. The circuit court may compel
17 obedience to its order by proceedings for contempt.

18 (c) The Secretary, the hearing officer, any member of the
19 Board, or a certified shorthand court reporter may administer
20 oaths at any hearing the Department conducts. Notwithstanding
21 any other statute or Department rule to the contrary, all
22 requests for testimony, production of documents or records
23 shall be in accordance with this Act.

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

25 (225 ILCS 447/50-5)

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

2 Sec. 50-5. Personnel; investigators. The Secretary shall
3 employ, pursuant to the Personnel Code, personnel, on a
4 full-time or part-time basis, for the enforcement of this Act.
5 Each investigator shall have a minimum of 2 years
6 investigative experience out of the immediately preceding 5
7 years. No investigator may hold an active license issued
8 pursuant to this Act, nor may an investigator have a financial
9 interest in a business licensed under this Act. This
10 prohibition, however, does not apply to an investigator
11 holding stock in a business licensed under this Act, provided
12 the investigator does not hold more than 5% of the stock in the
13 business. Any person licensed under this Act who is employed
14 by the Department shall surrender the person's ~~his or her~~
15 license to the Department for the duration of that employment.
16 The licensee shall be exempt from all renewal fees while
17 employed. While employed by the Department, the licensee is
18 not required to maintain the general liability insurance
19 coverage required by this Act.

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

21 (225 ILCS 447/50-10)

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

23 Sec. 50-10. The Private Detective, Private Alarm, Private
24 Security, Fingerprint Vendor, and Locksmith Board.

25 (a) The Private Detective, Private Alarm, Private

1 Security, Fingerprint Vendor, and Locksmith Board shall
2 consist of 13 members appointed by the Secretary and comprised
3 of 2 licensed private detectives, 3 licensed private security
4 contractors, one licensed private detective or licensed
5 private security contractor who provides canine odor detection
6 services, 2 licensed private alarm contractors, one licensed
7 fingerprint vendor ~~except for the initial appointment who~~
8 ~~shall be required to have experience in the fingerprint vendor~~
9 ~~industry that is acceptable to the Department,~~ 2 licensed
10 locksmiths, one public member who is not licensed or
11 registered under this Act and who has no connection with a
12 business licensed under this Act, and one member representing
13 the employees registered under this Act. Each member shall be
14 a resident of Illinois. Each ~~Except for the initial~~
15 ~~appointment of a licensed fingerprint vendor after the~~
16 ~~effective date of this amendatory Act of the 95th General~~
17 ~~Assembly,~~ each licensed member shall have at least 5 years
18 experience as a licensee in the professional area in which the
19 person is licensed and be in good standing and actively
20 engaged in that profession. In making appointments, the
21 Secretary shall consider the recommendations of the
22 professionals and the professional organizations representing
23 the licensees. The membership shall reasonably reflect the
24 different geographic areas in Illinois.

25 (b) Members shall serve 4 year terms and may serve until
26 their successors are appointed. No member shall serve for more

1 than 2 successive terms. Appointments to fill vacancies shall
2 be made in the same manner as the original appointments for the
3 unexpired portion of the vacated term.

4 (c) A member of the Board may be removed for cause. A
5 member subject to formal disciplinary proceedings shall
6 disqualify oneself ~~himself or herself~~ from all Board business
7 until the charge is resolved. A member also shall disqualify
8 oneself ~~himself or herself~~ from any matter on which the member
9 cannot act objectively.

10 (d) Members shall receive compensation as set by law. Each
11 member shall receive reimbursement as set by the Governor's
12 Travel Control Board for expenses incurred in carrying out the
13 duties as a Board member.

14 (e) A majority of Board members constitutes a quorum. A
15 majority vote of the quorum is required for a decision.

16 (f) The Board shall elect a chairperson and vice
17 chairperson annually.

18 (g) Board members are not liable for their acts,
19 omissions, decisions, or other conduct in connection with
20 their duties on the Board, except those determined to be
21 willful, wanton, or intentional misconduct.

22 (h) The Board may recommend policies, procedures, and
23 rules relevant to the administration and enforcement of this
24 Act.

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

1 (225 ILCS 447/50-15)

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

3 Sec. 50-15. Powers and duties of the Department. Subject
4 to the provisions of this Act, the Department may exercise the
5 following powers and duties:

6 (1) Prescribe forms to be issued for the
7 administration and enforcement of this Act.

8 (2) Authorize examinations to ascertain the
9 qualifications and fitness of applicants for licensing as
10 a locksmith, private alarm contractor, private detective,
11 or private security contractor and pass upon the
12 qualifications of applicants for licensure.

13 (3) Examine the records of licensees or investigate
14 any other aspect of fingerprint vending, locksmithing,
15 private alarm contracting, private security contracting,
16 or practicing as a private detective that is relevant to
17 the Department's investigation or hearing.

18 (4) Conduct hearings on proceedings to refuse to issue
19 or renew licenses or to revoke, suspend, place on
20 probation, reprimand, or otherwise discipline a license
21 under this Act or take other non-disciplinary action.

22 (5) Adopt rules required for the administration of
23 this Act.

24 (6) (Blank). ~~Maintain rosters of the names and~~
25 ~~addresses of all licensees and all persons whose licenses~~
26 ~~have been suspended, revoked, denied renewal, or otherwise~~

1 ~~disciplined within the previous calendar year. These~~
2 ~~rosters shall be available upon written request and~~
3 ~~payment of the required fee as established by rule.~~

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

5 (225 ILCS 447/50-20)

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

7 Sec. 50-20. Rules. The Department may promulgate rules for
8 the administration and enforcement of this Act. The rules
9 shall include standards for registration, licensure,
10 professional conduct, and discipline. The Department shall
11 consult with the Board prior to promulgating any rule.
12 Proposed rules shall be transmitted, prior to publication in
13 the Illinois Register, to the Board and the Department shall
14 review the Board's recommendations ~~and shall notify the Board~~
15 ~~with an explanation of any deviations from the Board's~~
16 ~~recommendations.~~

17 (Source: P.A. 93-438, eff. 8-5-03.)

18 (225 ILCS 447/50-45)

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

20 Sec. 50-45. Illinois Administrative Procedure Act;
21 application. The Illinois Administrative Procedure Act is
22 expressly adopted and incorporated in this Act as if all of the
23 provisions of that Act were included in this Act, except that
24 the provision of paragraph (d) of Section 10-65 of the

1 Illinois Administrative Procedure Act, which provides that at
2 hearings the registrant or licensee has the right to show
3 compliance with all lawful requirements for retention or
4 continuation or renewal of the license, is specifically
5 excluded. For the purpose of this Act, the notice required
6 under Section 10-25 of the Illinois Administrative Procedure
7 Act is considered sufficient when mailed to the address of
8 record or sent electronically to the email address of record
9 ~~last known address of a party.~~

10 (Source: P.A. 96-1445, eff. 8-20-10.)

11 (225 ILCS 447/50-35 rep.)

12 Section 15. The Private Detective, Private Alarm, Private
13 Security, Fingerprint Vendor, and Locksmith Act of 2004 is
14 amended by repealing Section 50-35.

15 Section 99. Effective date. This Section and Section 5
16 take effect upon becoming law.

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