



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3619

Introduced 2/17/2023, by Rep. Steven Reick

SYNOPSIS AS INTRODUCED:

50 ILCS 705/2 from Ch. 85, par. 502
720 ILCS 5/24-2
730 ILCS 5/3-2-15 new
730 ILCS 5/3-2-14 rep.
730 ILCS 125/26.2 new
730 ILCS 125/26.1 rep.

Amends the Illinois Police Training Act. Defines "retired law enforcement officer qualified under federal law" for purposes of the Act to permit the carrying of a concealed weapon. Amends the Criminal Code of 2012, the Unified Code of Corrections, and the County Jail Act. Permits currently employed and qualified retired State correctional officers and county correctional officers to carry their own firearms off-duty without being in violation of the unlawful use of weapons and aggravated unlawful use of weapons statutes if they meet certain training requirements. Provides that currently employed and qualified retired State correctional officers and county correctional officers shall carry a photographic identification and a valid annual firearm certificate while carrying their own firearms off-duty. Limited to correctional officers who have custody and control over inmates in an adult correctional facility. Repeals inconsistent provisions in Public Act 102-779. Effective immediately.

LRB103 30284 RLC 56712 b

1 AN ACT concerning firearms.

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

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

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

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

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

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

17 "Law Enforcement agency" means any entity with statutory
18 police powers and the ability to employ individuals authorized
19 to make arrests. It does not include the Illinois State Police
20 as defined in the State Police Act. A law enforcement agency
21 may include any university, college, or community college.

22 "Local law enforcement agency" means any law enforcement
23 unit of government or municipal corporation in this State. It

1 does not include the State of Illinois or any office, officer,
2 department, division, bureau, board, commission, or agency of
3 the State, except that it does include a State-controlled
4 university, college or public community college.

5 "Retired law enforcement officer qualified under federal
6 law" means an individual who:

7 (1) was separated from service in good standing with a
8 public agency as a law enforcement officer, other than for
9 reasons of mental disability;

10 (2) before such separation, was authorized by law to
11 engage in or supervise the prevention, detection,
12 investigation, or prosecution of, or the incarceration of
13 any person for, any violation of law, and had statutory
14 powers of arrest or apprehension granted by statute;

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

21 (4) has met State firearms training and qualifications
22 that are the same as the training and qualifications for
23 active duty officers;

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

26 (6) is not prohibited by federal law from carrying a

1 firearm.

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

7 "Panel" means the Certification Review Panel.

8 "Basic training school" means any school located within
9 the State of Illinois whether privately or publicly owned
10 which offers a course in basic law enforcement or county
11 corrections training and has been approved by the Board.

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

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

22 "Permanent law enforcement officer" means a law
23 enforcement officer who has completed the officer's
24 probationary period and is permanently employed on a full-time
25 basis as a local law enforcement officer, as a security
26 officer, or campus police officer permanently employed by a

1 law enforcement agency.

2 "Part-time law enforcement officer" means a law
3 enforcement officer who has completed the officer's
4 probationary period and is employed on a part-time basis as a
5 law enforcement officer or as a campus police officer by a law
6 enforcement agency.

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

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

17 "Review Committee" means the committee at the Board for
18 certification disciplinary cases in which the Panel, a law
19 enforcement officer, or a law enforcement agency may file for
20 reconsideration of a decertification decision made by the
21 Board.

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

1 "Permanent county corrections officer" means a county
2 corrections officer who has completed the officer's
3 probationary period and is permanently employed on a full-time
4 basis as a county corrections officer by a participating law
5 enforcement agency.

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

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

14 "Permanent court security officer" means a court security
15 officer who has completed the officer's probationary period
16 and is employed as a court security officer by a participating
17 law enforcement agency.

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

20 (Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22.)

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

23 (720 ILCS 5/24-2)

24 Sec. 24-2. Exemptions.

1 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
2 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
3 the following:

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

7 (2) Wardens, superintendents and keepers of prisons,
8 penitentiaries, jails and other institutions for the
9 detention of persons accused or convicted of an offense,
10 while in the performance of their official duty, or while
11 commuting between their homes and places of employment.

12 (3) Members of the Armed Services or Reserve Forces of
13 the United States or the Illinois National Guard or the
14 Reserve Officers Training Corps, while in the performance
15 of their official duty.

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

23 (5) Persons licensed as private security contractors,
24 private detectives, or private alarm contractors, or
25 employed by a private security contractor, private
26 detective, or private alarm contractor agency licensed by

1 the Department of Financial and Professional Regulation,
2 if their duties include the carrying of a weapon under the
3 provisions of the Private Detective, Private Alarm,
4 Private Security, Fingerprint Vendor, and Locksmith Act of
5 2004, while actually engaged in the performance of the
6 duties of their employment or commuting between their
7 homes and places of employment. A person shall be
8 considered eligible for this exemption if he or she has
9 completed the required 20 hours of training for a private
10 security contractor, private detective, or private alarm
11 contractor, or employee of a licensed private security
12 contractor, private detective, or private alarm contractor
13 agency and 28 hours of required firearm training, and has
14 been issued a firearm control card by the Department of
15 Financial and Professional Regulation. Conditions for the
16 renewal of firearm control cards issued under the
17 provisions of this Section shall be the same as for those
18 cards issued under the provisions of the Private
19 Detective, Private Alarm, Private Security, Fingerprint
20 Vendor, and Locksmith Act of 2004. The firearm control
21 card shall be carried by the private security contractor,
22 private detective, or private alarm contractor, or
23 employee of the licensed private security contractor,
24 private detective, or private alarm contractor agency at
25 all times when he or she is in possession of a concealable
26 weapon permitted by his or her firearm control card.

1 (6) Any person regularly employed in a commercial or
2 industrial operation as a security guard for the
3 protection of persons employed and private property
4 related to such commercial or industrial operation, while
5 actually engaged in the performance of his or her duty or
6 traveling between sites or properties belonging to the
7 employer, and who, as a security guard, is a member of a
8 security force registered with the Department of Financial
9 and Professional Regulation; provided that such security
10 guard has successfully completed a course of study,
11 approved by and supervised by the Department of Financial
12 and Professional Regulation, consisting of not less than
13 48 hours of training that includes the theory of law
14 enforcement, liability for acts, and the handling of
15 weapons. A person shall be considered eligible for this
16 exemption if he or she has completed the required 20 hours
17 of training for a security officer and 28 hours of
18 required firearm training, and has been issued a firearm
19 control card by the Department of Financial and
20 Professional Regulation. Conditions for the renewal of
21 firearm control cards issued under the provisions of this
22 Section shall be the same as for those cards issued under
23 the provisions of the Private Detective, Private Alarm,
24 Private Security, Fingerprint Vendor, and Locksmith Act of
25 2004. The firearm control card shall be carried by the
26 security guard at all times when he or she is in possession

1 of a concealable weapon permitted by his or her firearm
2 control card.

3 (7) Agents and investigators of the Illinois
4 Legislative Investigating Commission authorized by the
5 Commission to carry the weapons specified in subsections
6 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
7 any investigation for the Commission.

8 (8) Persons employed by a financial institution as a
9 security guard for the protection of other employees and
10 property related to such financial institution, while
11 actually engaged in the performance of their duties,
12 commuting between their homes and places of employment, or
13 traveling between sites or properties owned or operated by
14 such financial institution, and who, as a security guard,
15 is a member of a security force registered with the
16 Department; provided that any person so employed has
17 successfully completed a course of study, approved by and
18 supervised by the Department of Financial and Professional
19 Regulation, consisting of not less than 48 hours of
20 training which includes theory of law enforcement,
21 liability for acts, and the handling of weapons. A person
22 shall be considered to be eligible for this exemption if
23 he or she has completed the required 20 hours of training
24 for a security officer and 28 hours of required firearm
25 training, and has been issued a firearm control card by
26 the Department of Financial and Professional Regulation.

1 Conditions for renewal of firearm control cards issued
2 under the provisions of this Section shall be the same as
3 for those issued under the provisions of the Private
4 Detective, Private Alarm, Private Security, Fingerprint
5 Vendor, and Locksmith Act of 2004. The firearm control
6 card shall be carried by the security guard at all times
7 when he or she is in possession of a concealable weapon
8 permitted by his or her firearm control card. For purposes
9 of this subsection, "financial institution" means a bank,
10 savings and loan association, credit union or company
11 providing armored car services.

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

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

18 (11) Investigators of the Office of the State's
19 Attorneys Appellate Prosecutor authorized by the board of
20 governors of the Office of the State's Attorneys Appellate
21 Prosecutor to carry weapons pursuant to Section 7.06 of
22 the State's Attorneys Appellate Prosecutor's Act.

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

25 (12.5) Probation officers while in the performance of
26 their duties, or while commuting between their homes,

1 places of employment or specific locations that are part
2 of their assigned duties, with the consent of the chief
3 judge of the circuit for which they are employed, if they
4 have received weapons training according to requirements
5 of the Peace Officer and Probation Officer Firearm
6 Training Act.

7 (13) Court Security Officers while in the performance
8 of their official duties, or while commuting between their
9 homes and places of employment, with the consent of the
10 Sheriff.

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

17 (14) Manufacture, transportation, or sale of weapons
18 to persons authorized under subdivisions (1) through
19 (13.5) of this subsection to possess those weapons.

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

25 (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
26 to or affect a qualified current or retired law enforcement

1 ~~officer or a current or retired deputy, county correctional~~
2 ~~officer, or correctional officer of the Department of~~
3 ~~Corrections~~ qualified under the laws of this State or under
4 the federal Law Enforcement Officers Safety Act.

5 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
6 24-1.6 do not apply to or affect any of the following:

7 (1) Members of any club or organization organized for
8 the purpose of practicing shooting at targets upon
9 established target ranges, whether public or private, and
10 patrons of such ranges, while such members or patrons are
11 using their firearms on those target ranges.

12 (2) Duly authorized military or civil organizations
13 while parading, with the special permission of the
14 Governor.

15 (3) Hunters, trappers, or fishermen while engaged in
16 lawful hunting, trapping, or fishing under the provisions
17 of the Wildlife Code or the Fish and Aquatic Life Code.

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

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

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

26 (1) Peace officers while in performance of their

1 official duties.

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

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

8 (4) Manufacture, transportation, or sale of machine
9 guns to persons authorized under subdivisions (1) through
10 (3) of this subsection to possess machine guns, if the
11 machine guns are broken down in a non-functioning state or
12 are not immediately accessible.

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

1 During transportation, such weapons shall be broken
2 down in a non-functioning state or not immediately
3 accessible.

4 (6) The manufacture, transport, testing, delivery,
5 transfer or sale, and all lawful commercial or
6 experimental activities necessary thereto, of rifles,
7 shotguns, and weapons made from rifles or shotguns, or
8 ammunition for such rifles, shotguns or weapons, where
9 engaged in by a person operating as a contractor or
10 subcontractor pursuant to a contract or subcontract for
11 the development and supply of such rifles, shotguns,
12 weapons or ammunition to the United States government or
13 any branch of the Armed Forces of the United States, when
14 such activities are necessary and incident to fulfilling
15 the terms of such contract.

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

22 (7) A person possessing a rifle with a barrel or
23 barrels less than 16 inches in length if: (A) the person
24 has been issued a Curios and Relics license from the U.S.
25 Bureau of Alcohol, Tobacco, Firearms and Explosives; or
26 (B) the person is an active member of a bona fide,

1 nationally recognized military re-enacting group and the
2 modification is required and necessary to accurately
3 portray the weapon for historical re-enactment purposes;
4 the re-enactor is in possession of a valid and current
5 re-enacting group membership credential; and the overall
6 length of the weapon as modified is not less than 26
7 inches.

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

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

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

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

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

24 (2) Bonafide collectors of antique or surplus military
25 ordnance.

26 (3) Laboratories having a department of forensic

1 ballistics, or specializing in the development of
2 ammunition or explosive ordnance.

3 (4) Commerce, preparation, assembly or possession of
4 explosive bullets by manufacturers of ammunition licensed
5 by the federal government, in connection with the supply
6 of those organizations and persons exempted by subdivision
7 (g) (1) of this Section, or like organizations and persons
8 outside this State, or the transportation of explosive
9 bullets to any organization or person exempted in this
10 Section by a common carrier or by a vehicle owned or leased
11 by an exempted manufacturer.

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

1 During transportation, these devices shall be detached from
2 any weapon or not immediately accessible.

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

8 (g-7) Subsection 24-1(a)(6) does not apply to a peace
9 officer while serving as a member of a tactical response team
10 or special operations team. A peace officer may not personally
11 own or apply for ownership of a device or attachment of any
12 kind designed, used, or intended for use in silencing the
13 report of any firearm. These devices shall be owned and
14 maintained by lawfully recognized units of government whose
15 duties include the investigation of criminal acts.

16 (g-8) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
17 24-1.6 do not apply to or affect any currently employed or
18 qualified retired State correctional officer who meets the
19 qualifications and conditions prescribed in Section 3-2-15 of
20 the Unified Code of Corrections.

21 (g-9) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
22 24-1.6 do not apply to or affect any currently employed or
23 qualified retired county correctional officer who meets the
24 qualifications and conditions prescribed in Section 26.2 of
25 the County Jail Act.

26 (g-10) (Blank).

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

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

20 (Source: P.A. 101-80, eff. 7-12-19; 102-152, eff. 1-1-22;
21 102-779, eff. 1-1-23; 102-837, eff. 5-13-22; revised
22 12-14-22.)

23 Section 15. The Unified Code of Corrections is amended by
24 adding Section 3-2-15 as follows:

1 (730 ILCS 5/3-2-15 new)

2 Sec. 3-2-15. State correctional officers; off-duty
3 firearms.

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

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

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

11 (2) before the separation, was authorized by law to
12 engage in or supervise the activities of prevention,
13 detection, investigation, prosecution, or incarceration of
14 any person for any violation of law;

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

17 (4) has not either:

18 (A) been officially found, as the Department shall
19 by rule provide, by a qualified medical professional
20 employed by the Department of Corrections to be
21 unqualified for reasons relating to mental health and
22 as a result of this finding will not be issued the
23 photographic identification as described in paragraph

24 (5) of subsection (c); or

25 (B) entered into an agreement with the Department
26 of Corrections in which that individual acknowledges

1 he or she is not qualified under this Section for
2 reasons relating to mental health and for those
3 reasons will not receive or accept the photographic
4 identification as described in paragraph (5) of
5 subsection (c);

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

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

10 (c) Paragraphs (4) and (10) of subsection (a) of Section
11 24-1 and Section 24-1.6 of the Criminal Code of 2012 do not
12 apply to currently employed or qualified retired State
13 correctional officers who meet the following conditions:

14 (1) The currently employed or qualified retired State
15 correctional officer must receive training in the use of
16 firearms while off-duty conducted by the Illinois Law
17 Enforcement Training Standards Board and be certified as
18 having successfully completed the training by the Board.
19 The Board shall determine the amount of the training and
20 the course content for the training. The currently
21 employed or qualified retired State correctional officer
22 shall requalify for the firearms training annually at a
23 State range certified by the Illinois Law Enforcement
24 Training Standards Board. The expenses of the retraining
25 shall be paid by the currently employed or qualified
26 retired State correctional officer and moneys for the

1 costs of the requalification shall be expended at the
2 request of the Illinois Law Enforcement Training Standards
3 Board.

4 (2) The currently employed or qualified retired State
5 correctional officer shall purchase the firearm at his or
6 her own expense and shall register the firearm with the
7 Illinois State Police and with any local law enforcement
8 agencies that require the registration.

9 (3) The currently employed or qualified retired State
10 correctional officer may not carry any Department of
11 Corrections State-issued firearm while off-duty. A person
12 who violates this paragraph (3) is subject to disciplinary
13 action by the Department of Corrections.

14 (4) State correctional officers who are or were
15 discharged from employment by the Department of
16 Corrections are not law enforcement officials after the
17 date of discharge.

18 (5) The currently employed or qualified retired State
19 correctional officer shall carry photographic
20 identification issued by the Department of Corrections
21 identifying him or her as a currently employed or
22 qualified retired State correctional officer while
23 carrying a firearm off-duty, along with a valid annual
24 firearm certificate issued by the Illinois Law Enforcement
25 Training Standards Board stating that he or she is
26 qualified to carry a concealed weapon.

1 (730 ILCS 5/3-2-14 rep.)

2 Section 20. The Unified Code of Corrections is amended by
3 repealing Section 3-2-14.

4 Section 25. The County Jail Act is amended by adding
5 Section 26.2 as follows:

6 (730 ILCS 125/26.2 new)

7 Sec. 26.2. County correctional officers; off-duty
8 firearms.

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

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

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

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

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

23 (4) has not either:

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

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

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

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

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

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

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

14 (2) The currently employed or qualified retired county
15 correctional officer shall purchase the firearm at his or
16 her own expense and shall register the firearm with the
17 Illinois State Police and with any other local law
18 enforcement agencies that require the registration.

19 (3) The currently employed or qualified retired county
20 correctional officer may not carry any county
21 sheriff-issued firearm while off-duty. A person who
22 violates this paragraph (3) is subject to disciplinary
23 action by the county sheriff.

24 (4) County correctional officers who are or were
25 discharged from employment by the county sheriff shall no
26 longer be considered law enforcement officials and all

1 their rights as law enforcement officials shall be revoked
2 permanently.

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

12 (730 ILCS 125/26.1 rep.)

13 Section 30. The County Jail Act is amended by repealing
14 Section 26.1.

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