



Rep. Brandon W. Phelps

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LRB094 09731 RLC 44836 a

1 AMENDMENT TO HOUSE BILL 2567

2 AMENDMENT NO. _____. Amend House Bill 2567 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Judicial Personal Protection Act.

6 Section 5. Legislative declaration. The General Assembly
7 finds that as a matter of public policy it is necessary to
8 provide statewide uniform standards for issuing permits to
9 carry concealed firearms and that no person who does not
10 qualify under the provisions of this Act receives a permit to
11 carry concealed firearms. The General Assembly recognizes that
12 it already regulates the use and possession of concealed
13 firearms under Sections 24-1 and 24-1.6 of the Criminal Code of
14 1961 and that the regulation of concealed firearms is an
15 exclusive Statewide function. The General Assembly does not
16 delegate to the county sheriff the authority to regulate or
17 restrict the issuing of concealed firearms permits provided for
18 in this Act beyond those provisions contained in this Act.

19 Section 10. Definitions. As used in this Act:

20 "Concealed firearm" means a handgun carried on or about a
21 person completely or mostly concealed from view of the public,
22 or carried in a vehicle in such a way as it is concealed from
23 view of the public.

1 "Judge" means an Illinois Supreme Court Judge, an Appellate
2 Judge, a Circuit Judge, an Associate Judge, a United States
3 Circuit Court of Appeals Judge, a United States District Court
4 Judge, or a United States Magistrate Judge.

5 "Handgun" has the meaning ascribed to it in subsection (h)
6 of Section 24-3 of the Criminal Code of 1961.

7 "Permit" means a permit to carry a concealed firearm issued
8 by the county sheriff.

9 "Permittee" means a person who is issued a permit to carry
10 a concealed firearm by the county sheriff.

11 Section 15. Permit for concealed firearms. The county
12 sheriff is authorized to issue permits to carry concealed
13 firearms to persons qualified as provided in this Act. Permits
14 to carry concealed firearms shall be valid throughout the State
15 for a period of 3 years from the date of issuance. Any person
16 in compliance with the terms of the permit may carry concealed
17 firearms on or about his or her person. The permittee shall
18 carry the permit at all times the permittee is carrying a
19 concealed firearm and shall display the permit upon the request
20 of a law enforcement officer.

21 Section 20. Application for permit and qualifications of
22 applicants.

23 (a) An applicant for a permit shall obtain the application
24 from the county sheriff. The application for a permit or
25 renewal of a permit to carry a concealed firearm shall be
26 submitted to the office of the sheriff of the county in which
27 the applicant resides. The completed application and all
28 accompanying material plus an application fee of \$100 for a new
29 permit or \$75 for a renewal shall be presented to the office of
30 the sheriff of the county in which the applicant resides.

31 The sheriff shall evaluate the application, accompanying
32 material and any objections to the application within 10

1 working days. The application fee shall be retained by the
2 office of the sheriff for official expenses of the office.

3 The sheriff may state specific and articulable reasons to
4 deny an application for a concealed firearms permit. He or she
5 shall articulate the reasons for denial in a written report and
6 maintain that report in his or her office along with the
7 completed application which shall be available to the applicant
8 for a concealed firearms permit. Within 90 days, the sheriff
9 shall either issue or deny the permit.

10 (b) The county sheriff, upon a person's application for a
11 concealed firearms permit, upon receipt of the appropriate
12 fees, and after compliance with the procedures set out in this
13 Section, shall issue the applicant a concealed firearms permit
14 if the person:

15 (i) Is a Judge as defined in this Act;

16 (ii) Is at least 21 years of age;

17 (iii) Resides within the State of Illinois and is a
18 permanent resident of the United States;

19 (iv) Has not been convicted of a crime punishable by
20 imprisonment for a term exceeding one year, or of a
21 misdemeanor evidencing violence, is not free on any form of
22 bond or pretrial release, and has no outstanding warrants
23 for those crimes;

24 (v) Has no record of mental disease or mental illness
25 on file that would evidence incapacity, or lack of proper
26 mental capacity;

27 (vi) Has not been committed to a state or federal
28 facility for the abuse of a controlled substance or
29 cannabis and has not been convicted of a misdemeanor
30 violation of the Illinois Controlled Substances Act or
31 Cannabis Control Act or similar laws of any other state
32 relating to controlled substances or cannabis within a 10
33 year period immediately preceding the date on which the
34 application is submitted; and

1 (vii) Does not chronically and habitually use
2 alcoholic beverages as evidenced by the applicant having 2
3 or more convictions for violating Section 11-501 of the
4 Illinois Vehicle Code or a similar provision of a local
5 ordinance within 5 years preceding his or her application
6 or the applicant having elected treatment under the
7 supervision of a licensed program in accordance with the
8 Alcoholism and Other Drug Abuse and Dependency Act or
9 similar laws of any other state within a 5 year period
10 immediately preceding the date on which the application is
11 submitted.

12 Section 25. Contents of application. The initial
13 application shall be in writing, under oath and under the
14 penalties of perjury, on a standard form promulgated by the
15 county sheriff and shall be accompanied by the appropriate fees
16 and required documentation. The application shall contain only
17 the following information:

18 (1) proof that the applicant is a Judge;

19 (2) the applicant's name, address, gender, and date and
20 place of birth;

21 (3) a head and shoulder color photograph taken within
22 30 days preceding the date on which the application is
23 submitted;

24 (4) questions to certify or demonstrate that the
25 applicant has completed the firearms and deadly use of
26 force training and education prerequisites specified under
27 this Act;

28 (5) a statement that the applicant is a resident of the
29 State of Illinois and is a permanent resident of the United
30 States;

31 (6) a waiver of privacy and confidentiality rights and
32 privileges enjoyed by the applicant under all federal and
33 state laws governing access to juvenile court, criminal

1 justice, psychological, or psychiatric records, or records
2 relating to the applicant's history of
3 institutionalization, and an affirmative request that any
4 person having custody of any such record provide it or
5 information concerning it to the sheriff;

6 (7) a conspicuous warning that false statements made by
7 the applicant will result in prosecution for perjury in
8 accordance with Section 32-2 of the Criminal Code of 1961;

9 (8) an affirmation that the applicant is at least 21
10 years of age, that the applicant possesses a currently
11 valid Illinois Firearm Owner's Identification Card,
12 together with the card number, or is applying for the card
13 in conjunction with the concealed firearms permit
14 application;

15 (9) an affirmation that the applicant has never been
16 convicted of any felony or of a misdemeanor involving the
17 use or threat of physical force or violence to any person;
18 and has never been adjudicated a delinquent minor for an
19 offense which, had he or she been tried as an adult, would
20 have been such a felony or misdemeanor.

21 The application shall also contain the following statement
22 along with a signature line for use by the applicant, which
23 statement the applicant shall affirm under oath: "I, the
24 undersigned, state, under oath and subject to the penalty of
25 perjury, that I am not a streetgang member as defined in
26 Section 10 of the Illinois Streetgang Terrorism Omnibus
27 Prevention Act, and I will not join or become associated with a
28 criminal streetgang."

29 Section 30. Submission of identifying information; fee. In
30 addition to the completed application, the applicant must also
31 submit the following to the sheriff of the county in which the
32 applicant resides:

33 (i) A head and shoulder color photograph as required by

1 Section 25 in a size specified by the sheriff taken within
2 30 days preceding the date on which the application is
3 submitted.

4 (ii) A non-refundable permit fee of \$100 if he or she
5 has not previously been issued such a permit by the county
6 sheriff, or a non-refundable permit fee of \$75 for each
7 renewal of a permit.

8 (iii) A photocopy of a certificate or other evidence of
9 completion of a course to show compliance with Section 80
10 of this Act.

11 Section 35. Approval of application.

12 (a) If the sheriff finds that the applicant possesses a
13 valid Firearm Owner's Identification Card, meets the training
14 requirements of this Act and has provided the documentation and
15 paid the fees required for issuance of a concealed firearms
16 permit, and that, as nearly as it is possible to determine,
17 nothing in the applicant's background or present circumstances
18 disqualify him or her from possessing a firearm in Illinois, he
19 or she shall approve the application and issue the applicant a
20 wallet sized permit bearing the photograph of the applicant
21 within 90 days.

22 (b) The sheriff may consider any objection or
23 recommendation supported by specific and articulable reasons,
24 in a written report, why the applicant should be denied a
25 permit and may deny the permit based solely on those
26 objections.

27 (c) If the applicant is found to be ineligible, the sheriff
28 shall deny the application and notify the applicant in writing,
29 stating the grounds for denial and informing the applicant of
30 the right to submit, within 30 days, any additional
31 documentation relating to the grounds of the denial. Upon
32 receiving any additional documentation, the sheriff shall
33 reconsider his or her decision and inform the applicant within

1 30 days of the result of the reconsideration. The applicant
2 shall further be informed of the right to appeal the denial in
3 the circuit court of his or her place of residence.

4 (d) The sheriff shall maintain an automated listing of
5 permit holders and pertinent information, and this information
6 shall be available on-line, upon request, at all times to all
7 Illinois law enforcement agencies. Except as provided in this
8 subsection, information on applications for permits, names and
9 addresses, or other identifying information relating to permit
10 holders shall be confidential and shall not be made available
11 except to law enforcement agencies. No requests for lists of
12 local or statewide permit holders shall be made to any State or
13 local law enforcement agency. No other agency of government
14 other than the sheriff shall provide any information to a
15 requester not entitled to it by law. The names of all persons,
16 other than law enforcement agencies and peace officers,
17 requesting information under this Section shall be public
18 records.

19 Section 40. Revocation of a permit. A permit issued under
20 Section 35 shall be suspended or revoked if the permit holder
21 becomes ineligible to be issued a permit under the criteria set
22 forth in paragraphs (i), (ii), (iii), (iv), (v), (vi), and
23 (vii) of subsection (b) of Section 20 or subsection (b) of
24 Section 35 of this Act. When an order of protection is issued
25 under Section 112A-14 of the Code of Criminal Procedure of 1963
26 or under Section 214 of the Illinois Domestic Violence Act of
27 1986 against a person holding a permit issued under this Act,
28 the holder of the permit shall surrender the permit to the
29 court or to the officer serving the order. The officer to whom
30 the permit is surrendered shall forthwith transmit the permit
31 to the court issuing the order. The permit shall be suspended
32 until the order is terminated.

1 Section 45. Notification of renewal. Not later than 120
2 days before the expiration of any permit issued under this Act,
3 the sheriff shall notify the permit holder in writing of the
4 expiration and furnish an application for renewal of the
5 permit.

6 Section 50. Renewal of permit.

7 (a) The permit shall be renewed for a qualified applicant
8 upon receipt of the properly completed renewal application and
9 required renewal fee. The renewal application shall contain the
10 same required information as set forth in paragraphs (1)
11 through (9) of Section 25, except that in lieu of the firearm
12 education and use of deadly force training, the applicant need
13 only demonstrate previous issuance of and continued
14 eligibility for a concealed firearms permit.

15 (b) A permittee who fails to file a renewal application on
16 or before the permit's expiration date must pay an additional
17 late fee of \$25. A person who fails to renew his or her permit
18 within 6 months after its expiration must reapply for a new
19 permit and pay the fee for a new application.

20 Section 55. Change of address, change of name, or lost or
21 destroyed permits.

22 (a) Within 30 days after the changing of a permanent
23 residence, or within 30 days after loss or destruction of a
24 concealed firearms permit, the permittee shall notify the
25 sheriff of the loss, destruction, change of name, or change of
26 residence. Failure to notify the sheriff shall constitute a
27 noncriminal violation with a penalty of \$25 payable to the
28 sheriff.

29 (b) If a person issued a permit to carry a concealed
30 firearm changes residence within this State, or changes his or
31 her name, the person to whom the permit was issued may upon
32 payment of \$25 to the sheriff obtain a corrected concealed

1 firearms permit with a change of address or change of name upon
2 furnishing a notarized statement to the sheriff that the
3 permittee has changed residence or his or her name and upon
4 submission of an application as set forth in Section 20 and a
5 photograph as set forth in paragraph (3) of Section 25 of this
6 Act. A concealed firearms permit shall be automatically invalid
7 after 30 days if the permittee has not notified the sheriff of
8 a change of residence.

9 (c) If a permit to carry a concealed firearm is lost or
10 destroyed, the permit shall be automatically invalid, and the
11 person to whom the permit was issued may upon payment of \$25 to
12 the sheriff obtain a duplicate, and upon furnishing a notarized
13 statement to the sheriff that the permit was lost or destroyed,
14 and submission of an application as set forth in Section 20 and
15 a photograph as set forth in paragraph (3) of Section 25 of
16 this Act.

17 Section 60. Concealed firearms permit.

18 (a) A concealed firearm permit shall authorize the person
19 in whose name the permit is issued to carry concealed firearms
20 on or about his or her person or vehicle throughout the State.
21 No permit issued under this Section shall authorize any person
22 to carry a concealed firearm into or upon:

23 (i) Any police, sheriff, or highway patrol office or
24 station without the consent of the chief law enforcement
25 officer in charge of that office or station.

26 (ii) The facility of any adult or juvenile detention or
27 correctional institution, prison, or jail.

28 (iii) Any courthouse, solely occupied by the Circuit,
29 Appellate, or Supreme Court or a courtroom of any of those
30 courts, or court proceeding, except that nothing in this
31 Section shall preclude a judge, holding a concealed firearm
32 permit, from carrying a concealed firearm within a
33 courthouse.

1 (iv) Any meeting of the governing body of a unit of
2 local government; or any meeting of the General Assembly or
3 a committee of the General Assembly, except that nothing in
4 this Section shall preclude a member of the body holding a
5 concealed firearms permit from carrying a concealed
6 firearm at a meeting of the body of which he or she is a
7 member.

8 The General Assembly or a county or municipality may by
9 statute or ordinance prohibit or limit the carrying of
10 concealed firearms by permit holders in that portion of a
11 building owned, leased or controlled by that unit of
12 government. That portion of a building in which the
13 carrying of concealed firearms is prohibited or limited
14 shall be clearly identified by signs posted at the entrance
15 to the restricted area. The statute or ordinance shall
16 exempt any building used for public housing by private
17 persons, highways or rest areas, firing ranges, and private
18 dwellings owned, leased, or controlled by that unit of
19 government from any restriction on the carrying or
20 possession of a firearm. The statute or ordinance shall not
21 specify any criminal penalty for its violation but may
22 specify that persons violating the statute or ordinance may
23 be denied entrance to the building, be ordered to leave the
24 building, and, if employees of the unit of government, be
25 subjected to disciplinary measures for violation of the
26 provisions of the statute or ordinance. The provisions of
27 this Section shall not apply to any other unit of
28 government.

29 (v) Any portion of an establishment licensed to
30 dispense beer or alcoholic beverages for consumption on the
31 premises, which portion of the establishment is primarily
32 devoted to that purpose.

33 This paragraph (v) does not apply to any bona fide
34 restaurant open to the general public having dining

1 facilities for not less than 50 persons and that receives
2 at least 50% of its gross annual income from the dining
3 facilities by the sale of food.

4 (vi) Any area of an airport to which access is
5 controlled by the inspection of persons and property.

6 (vii) Any place where the carrying of a firearm is
7 prohibited by federal law.

8 (viii) Any elementary or secondary school facility
9 without the consent of school authorities.

10 (ix) Any portion of a building used as a child care
11 facility without the consent of the manager. Nothing in
12 this Section shall prevent the operator of a child care
13 facility in a family home from owning or possessing a
14 firearm or permit.

15 (x) A riverboat gambling operation or horse racing
16 facility accessible by the public.

17 (xi) Any gated area of an amusement park.

18 (xii) Any stadium, arena, or collegiate or
19 professional sporting event.

20 (xiii) A church or other place of religious worship.

21 A violation of this subsection (a) is a Class A
22 misdemeanor.

23 A concealed firearm permit does not authorize the concealed
24 carrying or transportation of a stun gun or taser.

25 (b) The owner, business or commercial lessee, manager of a
26 private business enterprise, or any other organization,
27 entity, or person may prohibit persons holding a permit for
28 concealed firearms from carrying concealed firearms on the
29 premises and may prohibit employees, not authorized by the
30 employer, holding a permit for concealed firearms from carrying
31 concealed firearms on the property of the employer. If the
32 building or the premises are open to the public, the employer
33 of the business enterprise shall post signs on or about the
34 premises if carrying a concealed firearm is prohibited.

1 Possession of a firearm in a vehicle on the premises shall not
2 be a criminal offense so long as the firearm is not removed
3 from the vehicle or brandished while the vehicle is on the
4 premises. An employer may prohibit employees or other persons
5 holding a permit for a concealed firearm from carrying a
6 concealed firearm in vehicles owned by the employer. Carrying
7 of a concealed firearm in a location specified in this
8 subsection by a permit holder shall not be a criminal act but
9 may subject the person to denial to the premises or removal
10 from the premises.

11 Section 65. Immunity of sheriff and his or her employees
12 and agents. The sheriff or office of the county sheriff or any
13 employee or agent of the sheriff shall not be liable for
14 damages in any civil action arising from alleged wrongful or
15 improper granting, renewing, or failure to revoke permits
16 issued under this Act. The office of the county sheriff or any
17 employee or agent of the office of the county sheriff shall not
18 be liable for stating specific and articulable reasons why an
19 applicant should be denied a permit.

20 Section 70. Fees. Fees collected under this Act shall be
21 used for administrating the provisions of this Act.

22 (i) Fees for a concealed firearms permit shall be:

23 New permit..\$100

24 Renewal..\$75

25 Duplicate due to lost or destroyed..\$25

26 Corrected permit due to change of address or name..\$25

27 Late renewal fee..\$25

28 (ii) The Secretary of State shall conduct a study to
29 determine the cost and feasibility of creating a method of
30 adding an identifiable code, background, or other means to show
31 that an individual has been issued a permit to carry a
32 concealed firearm by the sheriff on the person's driver's

1 license.

2 Section 75. Applicant training.

3 (a) The applicant training course is a standardized
4 training course taught by a qualified firearms instructor that
5 consists of:

6 (1) Twelve hours of classroom instruction, covering at
7 least the following topics:

8 (i) handgun safety in the classroom, at home, on
9 the firing range or while carrying the firearm;

10 (ii) the basic principles of marksmanship;

11 (iii) care and cleaning of handguns;

12 (iv) laws relating to firearms as prescribed in the
13 Firearm Owners Identification Card Act, Article 24 of
14 the Criminal Code of 1961, and 18 U.S.C. 921 through
15 930; and

16 (v) laws relating to the justifiable use of force
17 as prescribed in Article 7 of the Criminal Code of
18 1961.

19 (2) Live firing exercises of sufficient duration for
20 each applicant to fire a handgun:

21 (i) from a standing position;

22 (ii) a minimum of 20 rounds;

23 (iii) at a distance from a B-21 silhouette target,
24 or an equivalent as approved by the sheriff, of 7
25 yards.

26 (b) The classroom portion of the course may be, at the
27 qualified firearms instructor's discretion, divided into
28 segments of not less than 2 hours each.

29 (c) (1) An applicant training course shall not be open to
30 persons who are less than 21 years of age.

31 (2) An applicant training course student shall
32 complete a course application form, which shall include a
33 statement acknowledging receipt of copies of pertinent

1 statutory provisions listed in clauses (iv) and (v) of
2 paragraph (1) of subsection (a) and a liability waiver.

3 (3) The course application form may be obtained from
4 the qualified firearms instructor at the time of the
5 course.

6 (d) At the conclusion of the classroom portion of the
7 applicant training course, the qualified firearms instructor
8 shall:

9 (1) distribute a standard course examination to the
10 students;

11 (2) not leave the room in which the examination is
12 being held while the examination is in progress;

13 (3) collect examination booklets and answer sheets
14 from each student at the end of the examination period;

15 (4) not grade the examinations in the presence of
16 students; and

17 (5) not divulge an applicant's numeric score on the day
18 of the examination, but may indicate whether an applicant
19 passed or failed the examination.

20 (e) A person shall not:

21 (1) Make an unauthorized copy of the applicant training
22 course examination, in whole or in part;

23 (2) Possess the applicant training course examination,
24 or questions from the examination, unless authorized by the
25 sheriff; or

26 (3) Divulge the contents of an applicant training
27 course examination questions to another person.

28 (f) (1) Students shall provide their own safe, functional
29 handgun and factory-loaded ammunition.

30 (2) Prior to conducting range firing, the certified
31 firearms instructor shall:

32 (i) inspect each applicant's firearm; and

33 (ii) not allow the firing of a handgun that is not
34 in sound mechanical condition or otherwise may pose a

1 safety hazard.

2 (g) Grades of "passing" shall not be given on range work to
3 an applicant who:

4 (1) does not follow the orders of the certified
5 firearms instructor;

6 (2) in the judgment of the certified firearms
7 instructor, handles a firearm in a manner that poses a
8 danger to the applicant or to others; or

9 (3) during the testing portion of the range work fails
10 to hit the silhouette portion of the target with a majority
11 of 20 rounds.

12 (h) Certified firearms instructors shall:

13 (1) allow monitoring of their classes by officials of
14 any certifying agency;

15 (2) make all course records available upon demand to
16 authorized personnel of the sheriff; and

17 (3) not divulge course records except as authorized by
18 the certifying agency.

19 (i) (1) Fees for applicant training courses shall not
20 exceed \$75 per student.

21 (2) Qualified firearms instructors shall collect the
22 fee and remit \$25 of the fee to the sheriff.

23 (3) Fees shall not be refunded to students who fail or
24 otherwise do not complete the course.

25 (j) An applicant training course shall not have more than
26 40 students in the classroom portion or more than 5 students
27 per range officer engaged in range firing.

28 (k) Within 3 working days after the completion of the
29 course, the certified firearms instructor shall:

30 (1) grade the examinations; and

31 (2) mail to the sheriff:

32 (i) the completed course application form,
33 showing each student's score on the written
34 examination and indicating whether the student

1 passed or failed the range work; and

2 (ii) the graded examinations.

3 (l) Within 15 days after receipt of the material described
4 in subsection (k), the sheriff shall mail to the applicant:

5 (i) A certificate of successful course completion; or

6 (ii) Notification that the applicant has failed the
7 course and will not be certified.

8 (m) A student shall be issued a certificate of completion
9 if he or she:

10 (i) answers at least 70% of the written examination
11 questions correctly; and

12 (ii) achieves a grade of "passing" on the range work.

13 (n) (i) Students who score below 70% on the written
14 examination may retake the examination one time without having
15 to retake the course.

16 (ii) Students who do not achieve a grade of "passing"
17 on the range work may repeat the range work one time
18 without having to retake the course.

19 (iii) Notices of failure must include information on
20 whether the student failed the written exam, the range
21 firing, or both.

22 Section 80. Firearms instructors training.

23 (a) Persons who are not qualified firearms instructors
24 shall not teach applicant training courses.

25 (b) Persons who are not qualified firearms instructors
26 shall not advertise or otherwise represent courses they teach
27 as qualifying their students to meet the requirements to
28 receive a permit to carry concealed firearms in this State.

29 (c) Persons who are not certified instructor trainers shall
30 not teach instructor qualification courses.

31 (d) Persons wishing to become qualified firearms
32 instructors shall:

33 (1) be at least 21 years of age; and

1 (2) be a citizen of the United States.

2 (e) Persons wishing to become instructor trainers, in
3 addition to the requirements of subsection (d) of this Section,
4 shall:

5 (1) possess a high school diploma or GED certificate;
6 and

7 (2) have at least one of the following valid firearms
8 instructor certifications:

9 (I) National Rifle Association Personal Protection
10 Instructor;

11 (II) National Rifle Association Pistol
12 Marksmanship Instructor;

13 (III) Certification from a firearms instructor's
14 course offered by a State or federal governmental
15 agency; or

16 (IV) A similar firearms instructor qualifying
17 course, approved by the Executive Director of the
18 Illinois Law Enforcement Training Standards Board or
19 his or her designee.

20 (f) (1) Applicants shall agree to background checks.

21 (2) An applicant may be disqualified from taking
22 firearms instructor training, or have his or her instructor
23 qualification revoked, if the applicant:

24 (A) provides false or misleading information on
25 the application; or

26 (B) has had a prior instructor qualification
27 revoked by the sheriff.

28 Section 85. Severability. The provisions of this Act are
29 severable under Section 1.31 of the Statute on Statutes.

30 Section 900. The Criminal Code of 1961 is amended by
31 changing Section 24-2 and by adding Section 24-11 as follows:

1 (720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

2 Sec. 24-2. Exemptions.

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

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

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

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

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

24 (5) Persons licensed as private security contractors,
25 private detectives, or private alarm contractors, or
26 employed by an agency certified by the Department of
27 Professional Regulation, if their duties include the
28 carrying of a weapon under the provisions of the Private
29 Detective, Private Alarm, Private Security, and Locksmith
30 Act of 2004, while actually engaged in the performance of
31 the duties of their employment or commuting between their
32 homes and places of employment, provided that such
33 commuting is accomplished within one hour from departure
34 from home or place of employment, as the case may be.

1 Persons exempted under this subdivision (a)(5) shall be
2 required to have completed a course of study in firearms
3 handling and training approved and supervised by the
4 Department of Professional Regulation as prescribed by
5 Section 28 of the Private Detective, Private Alarm, Private
6 Security, and Locksmith Act of 2004, prior to becoming
7 eligible for this exemption. The Department of
8 Professional Regulation shall provide suitable
9 documentation demonstrating the successful completion of
10 the prescribed firearms training. Such documentation shall
11 be carried at all times when such persons are in possession
12 of a concealable weapon.

13 (6) Any person regularly employed in a commercial or
14 industrial operation as a security guard for the protection
15 of persons employed and private property related to such
16 commercial or industrial operation, while actually engaged
17 in the performance of his or her duty or traveling between
18 sites or properties belonging to the employer, and who, as
19 a security guard, is a member of a security force of at
20 least 5 persons registered with the Department of
21 Professional Regulation; provided that such security guard
22 has successfully completed a course of study, approved by
23 and supervised by the Department of Professional
24 Regulation, consisting of not less than 40 hours of
25 training that includes the theory of law enforcement,
26 liability for acts, and the handling of weapons. A person
27 shall be considered eligible for this exemption if he or
28 she has completed the required 20 hours of training for a
29 security officer and 20 hours of required firearm training,
30 and has been issued a firearm authorization card by the
31 Department of Professional Regulation. Conditions for the
32 renewal of firearm authorization cards issued under the
33 provisions of this Section shall be the same as for those
34 cards issued under the provisions of the Private Detective,

1 Private Alarm, Private Security, and Locksmith Act of 2004.
2 Such firearm authorization card shall be carried by the
3 security guard at all times when he or she is in possession
4 of a concealable weapon.

5 (7) Agents and investigators of the Illinois
6 Legislative Investigating Commission authorized by the
7 Commission to carry the weapons specified in subsections
8 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
9 any investigation for the Commission.

10 (8) Persons employed by a financial institution for the
11 protection of other employees and property related to such
12 financial institution, while actually engaged in the
13 performance of their duties, commuting between their homes
14 and places of employment, or traveling between sites or
15 properties owned or operated by such financial
16 institution, provided that any person so employed has
17 successfully completed a course of study, approved by and
18 supervised by the Department of Professional Regulation,
19 consisting of not less than 40 hours of training which
20 includes theory of law enforcement, liability for acts, and
21 the handling of weapons. A person shall be considered to be
22 eligible for this exemption if he or she has completed the
23 required 20 hours of training for a security officer and 20
24 hours of required firearm training, and has been issued a
25 firearm authorization card by the Department of
26 Professional Regulation. Conditions for renewal of firearm
27 authorization cards issued under the provisions of this
28 Section shall be the same as for those issued under the
29 provisions of the Private Detective, Private Alarm,
30 Private Security, and Locksmith Act of 2004. Such firearm
31 authorization card shall be carried by the person so
32 trained at all times when such person is in possession of a
33 concealable weapon. For purposes of this subsection,
34 "financial institution" means a bank, savings and loan

1 association, credit union or company providing armored car
2 services.

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

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

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

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

15 (12.5) Probation officers while in the performance of
16 their duties, or while commuting between their homes,
17 places of employment or specific locations that are part of
18 their assigned duties, with the consent of the chief judge
19 of the circuit for which they are employed.

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

24 (13.5) A person employed as an armed security guard at
25 a nuclear energy, storage, weapons or development site or
26 facility regulated by the Nuclear Regulatory Commission
27 who has completed the background screening and training
28 mandated by the rules and regulations of the Nuclear
29 Regulatory Commission.

30 (14) Manufacture, transportation, or sale of weapons
31 to persons authorized under subdivisions (1) through
32 (13.5) of this subsection to possess those weapons.

33 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
34 24-1.6 do not apply to or affect any of the following:

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

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

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

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

13 (5) Carrying a concealed firearm by a permittee who has
14 been issued a permit to carry a concealed firearm under the
15 Judicial Personal Protection Act.

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

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

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

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

26 (4) Manufacture, transportation, or sale of machine
27 guns to persons authorized under subdivisions (1) through
28 (3) of this subsection to possess machine guns, if the
29 machine guns are broken down in a non-functioning state or
30 are not immediately accessible.

31 (5) Persons licensed under federal law to manufacture
32 any weapon from which 8 or more shots or bullets can be
33 discharged by a single function of the firing device, or
34 ammunition for such weapons, and actually engaged in the

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

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

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

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

31 During transportation, any such weapon shall be broken
32 down in a non-functioning state, or not immediately
33 accessible.

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

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

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

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

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

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

16 (2) Bonafide collectors of antique or surplus military
17 ordinance.

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

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

30 (g-5) Subsection 24-1(a)(6) does not apply to or affect
31 persons licensed under federal law to manufacture any device or
32 attachment of any kind designed, used, or intended for use in
33 silencing the report of any firearm, firearms, or ammunition
34 for those firearms equipped with those devices, and actually

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

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

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

31 (Source: P.A. 92-325, eff. 8-9-01; 93-438, eff. 8-5-03; 93-439,
32 eff. 8-5-03; 93-576, eff. 1-1-04; revised 9-15-03.)

1 Sec. 24-11. Preemption. It is declared to be the policy of
2 this State that the regulation of the right to carry concealed
3 firearms is a power and function of the State. A unit of local
4 government, including a home rule unit, may not regulate the
5 carrying of concealed firearms by individuals issued permits by
6 a state agency, sheriff, or local law enforcement department in
7 a manner inconsistent with Section 60 of the Judicial Personal
8 Protection Act. This Section is a denial and limitation of home
9 rule powers and functions under subsection (i) of Section 6 of
10 Article VII of the Illinois Constitution.

11 Section 999. Effective date. This Act takes effect upon
12 becoming law.".