



Sen. Bill Brady

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LRB094 09786 RLC 44345 a

1 AMENDMENT TO SENATE BILL 1900

2 AMENDMENT NO. _____. Amend Senate Bill 1900 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 and State's Attorneys 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, a State's
16 Attorney, or an Assistant State's Attorney;

17 (ii) is at least 21 years of age;

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

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

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

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

1 application is submitted; and

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

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

19 (1) proof that the applicant is a Judge, a State's
20 Attorney, or an Assistant State's Attorney;

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

23 (3) a head and shoulder color photograph taken within
24 30 days preceding the date on which the application is
25 submitted;

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

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

33 (6) a waiver of privacy and confidentiality rights and

1 privileges enjoyed by the applicant under all federal and
2 state laws governing access to juvenile court, criminal
3 justice, psychological, or psychiatric records, or records
4 relating to the applicant's history of
5 institutionalization, and an affirmative request that any
6 person having custody of any such record provide it or
7 information concerning it to the sheriff;

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

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

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

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

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

1 applicant resides:

2 (i) A head and shoulder color photograph as required by
3 Section 25 in a size specified by the sheriff taken within
4 30 days preceding the date on which the application is
5 submitted.

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

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

13 Section 35. Approval of application.

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

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

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

1 receiving any additional documentation, the sheriff shall
2 reconsider his or her decision and inform the applicant within
3 30 days of the result of the reconsideration. The applicant
4 shall further be informed of the right to appeal the denial in
5 the circuit court of his or her place of residence.

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

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

1 until the order is terminated.

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

7 Section 50. Renewal of permit.

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

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

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

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

30 (b) If a person issued a permit to carry a concealed
31 firearm changes residence within this State, or changes his or

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

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

19 Section 60. Concealed firearms permit.

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

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

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

30 (iii) Any courthouse, solely occupied by the Circuit,
31 Appellate, or Supreme Court or a courtroom of any of those
32 courts, or court proceeding, except that nothing in this
33 Section shall preclude a judge, a State's Attorney, or an

1 Assistant State's Attorney holding a concealed firearm
2 permit, from carrying a concealed firearm within a
3 courthouse.

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

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

32 (v) Any portion of an establishment licensed to
33 dispense beer or alcoholic beverages for consumption on the
34 premises, which portion of the establishment is primarily

1 devoted to that purpose.

2 This paragraph (v) does not apply to any bona fide
3 restaurant open to the general public having dining
4 facilities for not less than 50 persons and that receives
5 at least 50% of its gross annual income from the dining
6 facilities by the sale of food.

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

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

11 (viii) Any elementary or secondary school facility
12 without the consent of school authorities.

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

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

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

21 (xii) Any stadium, arena, or collegiate or
22 professional sporting event.

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

24 A violation of this subsection (a) is a Class A
25 misdemeanor.

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

28 (b) The owner, business or commercial lessee, manager of a
29 private business enterprise, or any other organization,
30 entity, or person may prohibit persons holding a permit for
31 concealed firearms from carrying concealed firearms on the
32 premises and may prohibit employees, not authorized by the
33 employer, holding a permit for concealed firearms from carrying
34 concealed firearms on the property of the employer. If the

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

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

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

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

26 New permit..\$100

27 Renewal..\$75

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

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

30 Late renewal fee..\$25

31 (ii) The Secretary of State shall conduct a study to
32 determine the cost and feasibility of creating a method of

1 adding an identifiable code, background, or other means to show
2 that an individual has been issued a permit to carry a
3 concealed firearm by the sheriff on the person's driver's
4 license.

5 Section 75. Applicant training.

6 (a) The applicant training course is a standardized
7 training course taught by a qualified firearms instructor that
8 consists of:

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

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

13 (ii) the basic principles of marksmanship;

14 (iii) care and cleaning of handguns;

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

19 (v) laws relating to the justifiable use of force
20 as prescribed in Article 7 of the Criminal Code of
21 1961.

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

24 (i) from a standing position;

25 (ii) a minimum of 20 rounds;

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

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

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

1 (2) An applicant training course student shall
2 complete a course application form, which shall include a
3 statement acknowledging receipt of copies of pertinent
4 statutory provisions listed in clauses (iv) and (v) of
5 paragraph (1) of subsection (a) and a liability waiver.

6 (3) The course application form may be obtained from
7 the qualified firearms instructor at the time of the
8 course.

9 (d) At the conclusion of the classroom portion of the
10 applicant training course, the qualified firearms instructor
11 shall:

12 (1) distribute a standard course examination to the
13 students;

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

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

18 (4) not grade the examinations in the presence of
19 students; and

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

23 (e) A person shall not:

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

26 (2) Possess the applicant training course examination,
27 or questions from the examination, unless authorized by the
28 sheriff; or

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

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

33 (2) Prior to conducting range firing, the certified
34 firearms instructor shall:

- 1 (i) inspect each applicant's firearm; and
2 (ii) not allow the firing of a handgun that is not
3 in sound mechanical condition or otherwise may pose a
4 safety hazard.

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

7 (1) does not follow the orders of the certified
8 firearms instructor;

9 (2) in the judgment of the certified firearms
10 instructor, handles a firearm in a manner that poses a
11 danger to the applicant or to others; or

12 (3) during the testing portion of the range work fails
13 to hit the silhouette portion of the target with a majority
14 of 20 rounds.

15 (h) Certified firearms instructors shall:

16 (1) allow monitoring of their classes by officials of
17 any certifying agency;

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

20 (3) not divulge course records except as authorized by
21 the certifying agency.

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

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

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

28 (j) An applicant training course shall not have more than
29 40 students in the classroom portion or more than 5 students
30 per range officer engaged in range firing.

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

33 (1) grade the examinations; and

34 (2) mail to the sheriff:

1 (i) the completed course application form,
2 showing each student's score on the written
3 examination and indicating whether the student
4 passed or failed the range work; and

5 (ii) the graded examinations.

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

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

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

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

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

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

16 (n) (i) Students who score below 70% on the written
17 examination may retake the examination one time without having
18 to retake the course.

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

22 (iii) Notices of failure must include information on
23 whether the student failed the written exam, the range
24 firing, or both.

25 Section 80. Firearms instructors training.

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

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

32 (c) Persons who are not certified instructor trainers shall
33 not teach instructor qualification courses.

1 (d) Persons wishing to become qualified firearms
2 instructors shall:

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

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

5 (e) Persons wishing to become instructor trainers, in
6 addition to the requirements of subsection (d) of this Section,
7 shall:

8 (1) possess a high school diploma or GED certificate;

9 and

10 (2) have at least one of the following valid firearms
11 instructor certifications:

12 (I) National Rifle Association Personal Protection
13 Instructor;

14 (II) National Rifle Association Pistol
15 Marksmanship Instructor;

16 (III) Certification from a firearms instructor's
17 course offered by a State or federal governmental
18 agency; or

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

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

24 (2) An applicant may be disqualified from taking
25 firearms instructor training, or have his or her instructor
26 qualification revoked, if the applicant:

27 (A) provides false or misleading information on
28 the application; or

29 (B) has had a prior instructor qualification
30 revoked by the sheriff.

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

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

3 (720 ILCS 5/24-2) (from Ch. 38, par. 24-2)

4 Sec. 24-2. Exemptions.

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

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

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

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

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

26 (5) Persons licensed as private security contractors,
27 private detectives, or private alarm contractors, or
28 employed by an agency certified by the Department of
29 Professional Regulation, if their duties include the
30 carrying of a weapon under the provisions of the Private
31 Detective, Private Alarm, Private Security, and Locksmith
32 Act of 2004, while actually engaged in the performance of
33 the duties of their employment or commuting between their

1 homes and places of employment, provided that such
2 commuting is accomplished within one hour from departure
3 from home or place of employment, as the case may be.
4 Persons exempted under this subdivision (a)(5) shall be
5 required to have completed a course of study in firearms
6 handling and training approved and supervised by the
7 Department of Professional Regulation as prescribed by
8 Section 28 of the Private Detective, Private Alarm, Private
9 Security, and Locksmith Act of 2004, prior to becoming
10 eligible for this exemption. The Department of
11 Professional Regulation shall provide suitable
12 documentation demonstrating the successful completion of
13 the prescribed firearms training. Such documentation shall
14 be carried at all times when such persons are in possession
15 of a concealable weapon.

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

1 renewal of firearm authorization cards issued under the
2 provisions of this Section shall be the same as for those
3 cards issued under the provisions of the Private Detective,
4 Private Alarm, Private Security, and Locksmith Act of 2004.
5 Such firearm authorization card shall be carried by the
6 security guard at all times when he or she is in possession
7 of a concealable weapon.

8 (7) Agents and investigators of the Illinois
9 Legislative Investigating Commission authorized by the
10 Commission to carry the weapons specified in subsections
11 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
12 any investigation for the Commission.

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

1 trained at all times when such person is in possession of a
2 concealable weapon. For purposes of this subsection,
3 "financial institution" means a bank, savings and loan
4 association, credit union or company providing armored car
5 services.

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

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

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

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

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

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

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

33 (14) Manufacture, transportation, or sale of weapons
34 to persons authorized under subdivisions (1) through

1 (13.5) of this subsection to possess those weapons.

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

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

9 (2) Duly authorized military or civil organizations
10 while parading, with the special permission of the
11 Governor.

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

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

16 (5) Carrying a concealed firearm by a permittee who has
17 been issued a permit to carry a concealed firearm under the
18 Judicial and State's Attorneys Personal Protection Act.

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

21 (1) Peace officers while in performance of their
22 official duties.

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

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

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

34 (5) Persons licensed under federal law to manufacture

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

14 During transportation, such weapons shall be broken
15 down in a non-functioning state or not immediately
16 accessible.

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

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

34 During transportation, any such weapon shall be broken

1 down in a non-functioning state, or not immediately
2 accessible.

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

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

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

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

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

19 (2) Bonafide collectors of antique or surplus military
20 ordinance.

21 (3) Laboratories having a department of forensic
22 ballistics, or specializing in the development of
23 ammunition or explosive ordinance.

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

33 (g-5) Subsection 24-1(a)(6) does not apply to or affect
34 persons licensed under federal law to manufacture any device or

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

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

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

34 (Source: P.A. 92-325, eff. 8-9-01; 93-438, eff. 8-5-03; 93-439,

1 eff. 8-5-03; 93-576, eff. 1-1-04; revised 9-15-03.)

2 (720 ILCS 5/24-11 new)

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

14 Section 999. Effective date. This Act takes effect upon
15 becoming law."