



Sen. Tim Bivins

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LRB096 17108 RLC 38509 a

1 AMENDMENT TO SENATE BILL 2578

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2578 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by  
5 changing Section 24-2 as follows:

6 (720 ILCS 5/24-2)

7 Sec. 24-2. Exemptions.

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

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

14 (2) Wardens, superintendents and keepers of prisons,  
15 penitentiaries, jails and other institutions for the  
16 detention of persons accused or convicted of an offense,

1 while in the performance of their official duty, or while  
2 commuting between their homes and places of employment.

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

7 (4) Special agents employed by a railroad or a public  
8 utility to perform police functions, and guards of armored  
9 car companies, while actually engaged in the performance of  
10 the duties of their employment or commuting between their  
11 homes and places of employment; and watchmen while actually  
12 engaged in the performance of the duties of their  
13 employment.

14 (5) Persons licensed as private security contractors,  
15 private detectives, or private alarm contractors, or  
16 employed by an agency certified by the Department of  
17 Professional Regulation, if their duties include the  
18 carrying of a weapon under the provisions of the Private  
19 Detective, Private Alarm, Private Security, Fingerprint  
20 Vendor, and Locksmith Act of 2004, while actually engaged  
21 in the performance of the duties of their employment or  
22 commuting between their homes and places of employment,  
23 provided that such commuting is accomplished within one  
24 hour from departure from home or place of employment, as  
25 the case may be. Persons exempted under this subdivision  
26 (a)(5) shall be required to have completed a course of

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

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

1 security officer and 20 hours of required firearm training,  
2 and has been issued a firearm control card by the  
3 Department of Professional Regulation. Conditions for the  
4 renewal of firearm control cards issued under the  
5 provisions of this Section shall be the same as for those  
6 cards issued under the provisions of the Private Detective,  
7 Private Alarm, Private Security, Fingerprint Vendor, and  
8 Locksmith Act of 2004. Such firearm control card shall be  
9 carried by the security guard at all times when he or she  
10 is in possession of a concealable weapon.

11 (7) Agents and investigators of the Illinois  
12 Legislative Investigating Commission authorized by the  
13 Commission to carry the weapons specified in subsections  
14 24-1(a)(3) and 24-1(a)(4), while on duty in the course of  
15 any investigation for the Commission.

16 (8) Persons employed by a financial institution for the  
17 protection of other employees and property related to such  
18 financial institution, while actually engaged in the  
19 performance of their duties, commuting between their homes  
20 and places of employment, or traveling between sites or  
21 properties owned or operated by such financial  
22 institution, provided that any person so employed has  
23 successfully completed a course of study, approved by and  
24 supervised by the Department of Professional Regulation,  
25 consisting of not less than 40 hours of training which  
26 includes theory of law enforcement, liability for acts, and

1 the handling of weapons. A person shall be considered to be  
2 eligible for this exemption if he or she has completed the  
3 required 20 hours of training for a security officer and 20  
4 hours of required firearm training, and has been issued a  
5 firearm control card by the Department of Professional  
6 Regulation. Conditions for renewal of firearm control  
7 cards issued under the provisions of this Section shall be  
8 the same as for those issued under the provisions of the  
9 Private Detective, Private Alarm, Private Security,  
10 Fingerprint Vendor, and Locksmith Act of 2004. Such firearm  
11 control card shall be carried by the person so trained at  
12 all times when such person is in possession of a  
13 concealable weapon. For purposes of this subsection,  
14 "financial institution" means a bank, savings and loan  
15 association, credit union or company providing armored car  
16 services.

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

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

22 (11) Investigators of the Office of the State's  
23 Attorneys Appellate Prosecutor authorized by the board of  
24 governors of the Office of the State's Attorneys Appellate  
25 Prosecutor to carry weapons pursuant to Section 7.06 of the  
26 State's Attorneys Appellate Prosecutor's Act.

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

3           (12.5) Probation officers while in the performance of  
4 their duties, or while commuting between their homes,  
5 places of employment or specific locations that are part of  
6 their assigned duties, with the consent of the chief judge  
7 of the circuit for which they are employed.

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

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

18           (14) Manufacture, transportation, or sale of weapons  
19 to persons authorized under subdivisions (1) through  
20 (13.5) of this subsection to possess those weapons.

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

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

1 using their firearms on those target ranges.

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

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

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

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

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

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

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

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

23 (4) Manufacture, transportation, or sale of machine  
24 guns to persons authorized under subdivisions (1) through  
25 (3) of this subsection to possess machine guns, if the  
26 machine guns are broken down in a non-functioning state or

1 are not immediately accessible.

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

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

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



1 United States government or any branch of the Armed Forces  
2 of the United States, when such activities are necessary  
3 and incident to fulfilling the terms of such contract.

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

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

13 (7) An active member of a bona fide, nationally  
14 recognized military re-enacting group possessing a vintage  
15 rifle or modern reproduction thereof with a barrel or  
16 barrels less than 16 inches in length for the purpose of  
17 using the rifle during historical re-enactments if: the  
18 modification is required and necessary to accurately  
19 portray the weapon for historical re-enactment purposes;  
20 the re-enactor is in possession of a valid and current  
21 re-enacting group membership credential; and the overall  
22 length of the weapon as modified is not less than 26  
23 inches.

24 During transportation, any such weapon shall be broken  
25 down in a non-functioning state, or not immediately  
26 accessible.

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

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

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

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

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

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

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

22           (4) Commerce, preparation, assembly or possession of  
23 explosive bullets by manufacturers of ammunition licensed  
24 by the federal government, in connection with the supply of  
25 those organizations and persons exempted by subdivision  
26 (g)(1) of this Section, or like organizations and persons

1 outside this State, or the transportation of explosive  
2 bullets to any organization or person exempted in this  
3 Section by a common carrier or by a vehicle owned or leased  
4 by an exempted manufacturer.

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

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

1 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and  
2 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an  
3 athlete's possession, transport on official Olympic and  
4 Paralympic transit systems established for athletes, or use of  
5 competition firearms sanctioned by the International Olympic  
6 Committee, the International Paralympic Committee, the  
7 International Shooting Sport Federation, or USA Shooting in  
8 connection with such athlete's training for and participation  
9 in shooting competitions at the 2016 Olympic and Paralympic  
10 Games and sanctioned test events leading up to the 2016 Olympic  
11 and Paralympic Games.

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

16 (i) Nothing in this Article shall prohibit, apply to, or  
17 affect the transportation, carrying, or possession, of any  
18 pistol or revolver, stun gun, taser, or other firearm consigned  
19 to a common carrier operating under license of the State of  
20 Illinois or the federal government, where such transportation,  
21 carrying, or possession is incident to the lawful  
22 transportation in which such common carrier is engaged; and  
23 nothing in this Article shall prohibit, apply to, or affect the  
24 transportation, carrying, or possession of any pistol,  
25 revolver, stun gun, taser, or other firearm, not the subject of  
26 and regulated by subsection 24-1(a)(7) or subsection 24-2(c) of

1 this Article, which is unloaded and enclosed in a case, firearm  
2 carrying box, shipping box, or other container, by the  
3 possessor of a valid Firearm Owners Identification Card.

4 (Source: P.A. 95-331, eff. 8-21-07; 95-613, eff. 9-11-07;  
5 95-885, eff. 1-1-09; 96-7, eff. 4-3-09; 96-230, eff. 1-1-10;  
6 96-742, eff. 8-25-09; revised 10-9-09.)

7 Section 99. Effective date. This Act takes effect upon  
8 becoming law.".