

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 1961 is amended by changing
5 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,
17 while in the performance of their official duty, or while
18 commuting between their homes and places of employment.

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

23 (4) Special agents employed by a railroad or a public

1 utility to perform police functions, and guards of armored
2 car companies, while actually engaged in the performance of
3 the duties of their employment or commuting between their
4 homes and places of employment; and watchmen while actually
5 engaged in the performance of the duties of their
6 employment.

7 (5) Persons licensed as private security contractors,
8 private detectives, or private alarm contractors, or
9 employed by an agency certified by the Department of
10 Financial and Professional Regulation, if their duties
11 include the carrying of a weapon under the provisions of
12 the Private Detective, Private Alarm, Private Security,
13 Fingerprint Vendor, and Locksmith Act of 2004, while
14 actually engaged in the performance of the duties of their
15 employment or commuting between their homes and places of
16 employment, provided that such commuting is accomplished
17 within one hour from departure from home or place of
18 employment, as the case may be. A person shall be
19 considered eligible for this exemption if he or she has
20 completed the required 20 hours of training for a private
21 security contractor, private detective, or private alarm
22 contractor, or employee of a licensed agency and 20 hours
23 of required firearm training, and has been issued a firearm
24 control card by the Department of Financial and
25 Professional Regulation. Conditions for the renewal of
26 firearm control cards issued under the provisions of this

1 Section shall be the same as for those cards issued under
2 the provisions of the Private Detective, Private Alarm,
3 Private Security, Fingerprint Vendor, and Locksmith Act of
4 2004. The firearm control card shall be carried by the
5 private security contractor, private detective, or private
6 alarm contractor, or employee of the licensed agency at all
7 times when he or she is in possession of a concealable
8 weapon. Persons exempted under this subdivision (a) (5)
9 shall be required to have completed a course of study in
10 firearms handling and training approved and supervised by
11 the Department of Professional Regulation as prescribed by
12 Section 28 of the Private Detective, Private Alarm, Private
13 Security, Fingerprint Vendor, and Locksmith Act of 2004,
14 prior to becoming eligible for this exemption. The
15 Department of Professional Regulation shall provide
16 suitable documentation demonstrating the successful
17 completion of the prescribed firearms training. Such
18 documentation shall be carried at all times when such
19 persons are in possession of a concealable weapon.

20 (6) Any person regularly employed in a commercial or
21 industrial operation as a security guard for the protection
22 of persons employed and private property related to such
23 commercial or industrial operation, while actually engaged
24 in the performance of his or her duty or traveling between
25 sites or properties belonging to the employer, and who, as
26 a security guard, is a member of a security force of at

1 least 5 persons registered with the Department of Financial
2 and Professional Regulation; provided that such security
3 guard has successfully completed a course of study,
4 approved by and supervised by the Department of Financial
5 and Professional Regulation, consisting of not less than 40
6 hours of training that includes the theory of law
7 enforcement, liability for acts, and the handling of
8 weapons. A person shall be considered eligible for this
9 exemption if he or she has completed the required 20 hours
10 of training for a security officer and 20 hours of required
11 firearm training, and has been issued a firearm control
12 card by the Department of Financial and Professional
13 Regulation. Conditions for the renewal of firearm control
14 cards issued under the provisions of this Section shall be
15 the same as for those cards issued under the provisions of
16 the Private Detective, Private Alarm, Private Security,
17 Fingerprint Vendor, and Locksmith Act of 2004. The ~~Such~~
18 firearm control card shall be carried by the security guard
19 at all times when he or she is in possession of a
20 concealable weapon.

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

26 (8) Persons employed by a financial institution for the

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

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

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

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

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

13 (12.5) Probation officers while in the performance of
14 their duties, or while commuting between their homes,
15 places of employment or specific locations that are part of
16 their assigned duties, with the consent of the chief judge
17 of the circuit for which they are employed.

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

22 (13.5) A person employed as an armed security guard at
23 a nuclear energy, storage, weapons or development site or
24 facility regulated by the Nuclear Regulatory Commission
25 who has completed the background screening and training
26 mandated by the rules and regulations of the Nuclear

1 Regulatory Commission.

2 (14) Manufacture, transportation, or sale of weapons
3 to persons authorized under subdivisions (1) through
4 (13.5) of this subsection to possess those weapons.

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

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

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

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

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

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

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

25 (1) Peace officers while in performance of their
26 official duties.

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

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

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

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

26 During transportation, such weapons shall be broken

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

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

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

20 During transportation, any such weapon shall be broken
21 down in a non-functioning state, or not immediately
22 accessible.

23 (7) An active member of a bona fide, nationally
24 recognized military re-enacting group possessing a vintage
25 rifle or modern reproduction thereof with a barrel or
26 barrels less than 16 inches in length for the purpose of

1 using the rifle during historical re-enactments if: (A) the
2 person has been issued a Curios and Relics license from the
3 U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives;
4 or (B) the modification is required and necessary to
5 accurately portray the weapon for historical re-enactment
6 purposes; the re-enactor is in possession of a valid and
7 current re-enacting group membership credential; and the
8 overall length of the weapon as modified is not less than
9 26 inches.

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

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

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

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

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

26 (1) Members of the Armed Services or Reserve Forces of

1 the United States or the Illinois National Guard, while in
2 the performance of their official duty.

3 (2) Bonafide collectors of antique or surplus military
4 ordinance.

5 (3) Laboratories having a department of forensic
6 ballistics, or specializing in the development of
7 ammunition or explosive ordinance.

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

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

1 general private possession of any device or attachment of any
2 kind designed, used, or intended for use in silencing the
3 report of any firearm, but only such possession and activities
4 as are within the lawful scope of a licensed manufacturing
5 business described in this subsection (g-5). During
6 transportation, those devices shall be detached from any weapon
7 or not immediately accessible.

8 (g-6) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
9 24-1.6 do not apply to or affect any parole agent or parole
10 supervisor who meets the qualifications and conditions
11 prescribed in Section 3-14-1.5 of the Unified Code of
12 Corrections.

13 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
14 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
15 athlete's possession, transport on official Olympic and
16 Paralympic transit systems established for athletes, or use of
17 competition firearms sanctioned by the International Olympic
18 Committee, the International Paralympic Committee, the
19 International Shooting Sport Federation, or USA Shooting in
20 connection with such athlete's training for and participation
21 in shooting competitions at the 2016 Olympic and Paralympic
22 Games and sanctioned test events leading up to the 2016 Olympic
23 and Paralympic Games.

24 (h) An information or indictment based upon a violation of
25 any subsection of this Article need not negative any exemptions
26 contained in this Article. The defendant shall have the burden

1 of proving such an exemption.

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

16 (Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742,
17 eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11.)