



Sen. John G. Mulroe

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LRB098 18638 RLC 59788 a

1 AMENDMENT TO HOUSE BILL 4417

2 AMENDMENT NO. _____. Amend House Bill 4417 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Peace Officer Fire Investigation Act is
5 amended by changing Section 1 as follows:

6 (20 ILCS 2910/1) (from Ch. 127 1/2, par. 501)

7 Sec. 1. Peace Officer Status.

8 (a) Any person who is a sworn member of any organized and
9 paid fire department of a political subdivision of this State
10 and is authorized to investigate fires or explosions for such
11 political subdivision and to determine the cause, origin and
12 circumstances of fires or explosions that are suspected to be
13 arson or arson-related crimes, may be classified as a peace
14 officer by the political subdivision or agency employing such
15 person. A person so classified shall possess the same powers of
16 arrest, search and seizure and the securing and service of

1 warrants as sheriffs of counties, and police officers within
2 the jurisdiction of their political subdivision. While in the
3 actual investigation and matters incident thereto, such person
4 may carry weapons as may be necessary, but only if that person
5 has satisfactorily completed (1) a training program offered or
6 approved by the Illinois Law Enforcement Training Standards
7 Board which substantially conforms to standards promulgated
8 pursuant to the Illinois Police Training Act and the Peace
9 Officer and Probation Officer Firearm Training Act; and (2) a
10 course in fire and arson investigation approved by the Office
11 of the State Fire Marshal pursuant to the Illinois Fire
12 Protection Training Act. Such training need not include
13 exposure to vehicle and traffic law, traffic control and
14 accident investigation, or first aid, but shall include
15 training in the law relating to the rights of persons suspected
16 of involvement in criminal activities.

17 Any person granted the powers enumerated in this subsection
18 (a) may exercise such powers only during the actual
19 investigation of the cause, origin and circumstances of such
20 fires or explosions that are suspected to be arson or
21 arson-related crimes.

22 (b) Persons employed by the Office of the State Fire
23 Marshal to conduct arson investigations shall be designated
24 State Fire Marshal Arson Investigator Special Agents and shall
25 be peace officers with all of the powers of peace officers in
26 cities and sheriffs in counties, except that they may exercise

1 those powers throughout the State. These Special Agents may
2 exercise these powers only when engaging in official duties
3 during the actual investigation of the cause, origin, and
4 circumstances of such fires or explosions that are suspected to
5 be arson or arson-related crimes and may carry weapons at all
6 times, but only if they have satisfactorily completed (1) a
7 training course approved by the Illinois Law Enforcement
8 Training Standards Board that substantially conforms to the
9 standards promulgated pursuant to the Peace Officer and
10 Probation Officer Firearm Training Act and (2) a course in fire
11 and arson investigation approved by the Office of the State
12 Fire Marshal pursuant to the Illinois Fire Protection Training
13 Act. Such training need not include exposure to vehicle and
14 traffic law, traffic control and accident investigation, or
15 first aid, but shall include training in the law relating to
16 the rights of persons suspected of involvement in criminal
17 activities.

18 For purposes of this subsection (b), a "State Fire Marshal
19 Arson Investigator Special Agent" does not include any fire
20 investigator, fireman, police officer, or other employee of the
21 federal government; any fire investigator, fireman, police
22 officer, or other employee of any unit of local government; or
23 any fire investigator, fireman, police officer, or other
24 employee of the State of Illinois other than an employee of the
25 Office of the State Fire Marshal assigned to investigate arson.

26 The State Fire Marshal must authorize to each employee of

1 the Office of the State Fire Marshal who is exercising the
2 powers of a peace officer a distinct badge that, on its face,
3 (i) clearly states that the badge is authorized by the Office
4 of the State Fire Marshal and (ii) contains a unique
5 identifying number. No other badge shall be authorized by the
6 Office of the State Fire Marshal, except that a badge,
7 different from the badge issued to peace officers, may be
8 authorized by the Office of the State Fire Marshal for the use
9 of fire prevention inspectors employed by that Office. Nothing
10 in this subsection prohibits the State Fire Marshal from
11 issuing shields or other distinctive identification to
12 employees not exercising the powers of a peace officer if the
13 State Fire Marshal determines that a shield or distinctive
14 identification is needed by the employee to carry out his or
15 her responsibilities.

16 (Source: P.A. 95-502, eff. 8-28-07.)

17 Section 10. The Illinois Police Training Act is amended by
18 changing Section 10.4 as follows:

19 (50 ILCS 705/10.4)

20 Sec. 10.4. Weapon certification for retired law
21 enforcement officers. The Board may initiate, administer, and
22 conduct annual firearm certification courses consistent with
23 the requirements enumerated in the Peace Officer and Probation
24 Officer Firearm Training Act for retired law enforcement

1 officers qualified under federal law to carry a concealed
2 weapon.

3 (Source: P.A. 94-103, eff. 7-1-05.)

4 Section 15. The Peace Officer Firearm Training Act is
5 amended by changing the title of the Act and Sections 0.01, 1,
6 2, 2.5, and 3 as follows:

7 (50 ILCS 710/Act title)

8 An Act in relation to firearms training for peace officers
9 and probation officers.

10 (50 ILCS 710/0.01) (from Ch. 85, par. 514)

11 Sec. 0.01. Short title. This Act may be cited as the Peace
12 Officer and Probation Officer Firearm Training Act.

13 (Source: P.A. 86-1324.)

14 (50 ILCS 710/1) (from Ch. 85, par. 515)

15 Sec. 1. Definitions. As used in this Act:

16 (a) "Peace officer" means (i) any person who by virtue of
17 his office or public employment is vested by law with a primary
18 duty to maintain public order or to make arrests for offenses,
19 whether that duty extends to all offenses or is limited to
20 specific offenses, and who is employed in such capacity by any
21 county or municipality or (ii) any retired law enforcement
22 officers qualified under federal law to carry a concealed

1 weapon.

2 (a-5) "Probation officer" means a county probation officer
3 authorized by the Chief Judge of the Circuit Court to carry a
4 firearm as part of his or her duties under Section 12 of the
5 Probation and Probation Officers Act and Section 24-2 of the
6 Criminal Code of 2012.

7 (b) "Firearms" means any weapon or device defined as a
8 firearm in Section 1.1 of "An Act relating to the acquisition,
9 possession and transfer of firearms and firearm ammunition, to
10 provide a penalty for the violation thereof and to make an
11 appropriation in connection therewith", approved August 3,
12 1967, as amended.

13 (Source: P.A. 94-103, eff. 7-1-05.)

14 (50 ILCS 710/2) (from Ch. 85, par. 516)

15 Sec. 2. Training course for peace officers and probation
16 officers.

17 (a) Successful completion of a 40 hour course of training
18 in use of a suitable type firearm shall be a condition
19 precedent to the possession and use of that respective firearm
20 by any peace officer or probation officer in this State in
21 connection with the officer's official duties. The training
22 must be approved by the Illinois Law Enforcement Training
23 Standards Board ("the Board") and may be given in logical
24 segments but must be completed by a peace officer within 6
25 months from the date of the officer's initial employment and by

1 a probation officer before possession and use of a firearms in
2 connection with the probation officer's official duties. To
3 satisfy the requirements of this Act, the training must include
4 the following:

5 (1) Instruction in the dangers of misuse of the
6 firearm, safety rules, and care and cleaning of the
7 firearm.

8 (2) Practice firing on a range and qualification with
9 the firearm in accordance with the standards established by
10 the Board.

11 (3) Instruction in the legal use of firearms under the
12 Criminal Code of 2012 and relevant court decisions.

13 (4) A forceful presentation of the ethical and moral
14 considerations assumed by any person who uses a firearm.

15 (b) Any officer who successfully completes the Basic
16 Training Course prescribed for recruits by the Board shall be
17 presumed to have satisfied the requirements of this Act.

18 (c) The Board shall cause the training courses to be
19 conducted twice each year within each of the Mobile Team
20 Regions, but no training course need be held when there are no
21 police officers or probation officers requiring the training.

22 (d) (Blank).

23 (e) The Board may waive, or may conditionally waive, the 40
24 hour course of training if, in the Board's opinion, the officer
25 has previously successfully completed a course of similar
26 content and duration. In cases of waiver, the officer shall

1 demonstrate his or her knowledge and proficiency by passing the
2 written examination on firearms and by successfully passing the
3 range qualification portion of the prescribed course of
4 training.

5 (Source: P.A. 97-1150, eff. 1-25-13.)

6 (50 ILCS 710/2.5)

7 Sec. 2.5. Annual range qualification. The annual range
8 qualification for peace officers and probation officers shall
9 consist of range fire approved by the Illinois Law Enforcement
10 Training Standards Board.

11 (Source: P.A. 94-103, eff. 7-1-05.)

12 (50 ILCS 710/3) (from Ch. 85, par. 517)

13 Sec. 3. The Board is charged with enforcing this Act and
14 making inspections to insure compliance with its provisions,
15 and is empowered to promulgate rules necessary for its
16 administration and enforcement, including those relating to
17 the annual certification of retired law enforcement officers
18 qualified under federal law to carry a concealed weapon. All
19 units of government or other agencies which employ or utilize
20 peace officers, probation officers, or that certify retired law
21 enforcement officers qualified under federal law to carry a
22 concealed weapon, shall cooperate with the Board by furnishing
23 relevant information which the Board may require. The Executive
24 Director of the Board shall report annually, no later than

1 February 1, to the Board, with copies to the Governor and the
2 General Assembly, the results of these inspections and provide
3 other related information and recommendations as it deems
4 proper.

5 (Source: P.A. 94-103, eff. 7-1-05.)

6 Section 20. The Counties Code is amended by changing
7 Sections 3-6013 and 5-37011 as follows:

8 (55 ILCS 5/3-6013) (from Ch. 34, par. 3-6013)

9 Sec. 3-6013. Duties, training and compensation of
10 auxiliary deputies. Auxiliary deputies shall not supplement
11 members of the regular county police department or regular
12 deputies in the performance of their assigned and normal
13 duties, except as provided herein. Auxiliary deputies may be
14 assigned and directed by the sheriff to perform the following
15 duties in the county:

16 To aid or direct traffic within the county, to aid in
17 control of natural or human made disasters, to aid in case of
18 civil disorder as assigned and directed by the sheriff,
19 provided, that in emergency cases which render it impractical
20 for members of the regular county police department or regular
21 deputies to perform their assigned and normal duties, the
22 sheriff is hereby authorized to assign and direct auxiliary
23 deputies to perform such regular and normal duties.
24 Identification symbols worn by such auxiliary deputies shall be

1 different and distinct from those used by members of the
2 regular county police department or regular deputies. Such
3 auxiliary deputies shall at all times during the performance of
4 their duties be subject to the direction and control of the
5 sheriff of the county. Such auxiliary deputies shall not carry
6 firearms, except with the permission of the sheriff, and only
7 while in uniform and in the performance of their assigned
8 duties.

9 Auxiliary deputies, prior to entering upon any of their
10 duties, shall receive a course of training in the use of
11 weapons and other police procedures as shall be appropriate in
12 the exercise of the powers conferred upon them under this
13 Division, which training and course of study shall be
14 determined and provided by the sheriff of each county utilizing
15 auxiliary deputies, provided that, before being permitted to
16 carry a firearm an auxiliary deputy must have the same course
17 of training as required of peace officers in Section 2 of the
18 Peace Officer and Probation Officer Firearm Training Act. The
19 county authorities shall require that all auxiliary deputies be
20 residents of the county served by them. Prior to the
21 appointment of any auxiliary deputy his or her fingerprints
22 shall be taken and no person shall be appointed as such
23 auxiliary deputy if he or she has been convicted of a felony or
24 other crime involving moral turpitude.

25 Auxiliary deputies may receive such compensation as is set
26 by the County Board, with the advice and consent of the

1 Sheriff, not to exceed the lowest hourly pay of a full-time
2 sworn member of the regular county police or sheriff's
3 department and not be paid a salary, except as provided in
4 Section 3-6036, but may be reimbursed for actual expenses
5 incurred in performing their assigned duty. The County Board
6 must approve such actual expenses and arrange for payment.

7 Nothing in this Division shall preclude an auxiliary deputy
8 from holding a simultaneous appointment as an auxiliary police
9 officer pursuant to Section 3-6-5 of the Illinois Municipal
10 Code.

11 (Source: P.A. 97-379, eff. 8-15-11.)

12 (55 ILCS 5/5-37011) (from Ch. 34, par. 5-37011)

13 Sec. 5-37011. Hospital security police force. The board of
14 commissioners, subject to the applicable merit system rules,
15 may establish and maintain a Hospital Security Police Force and
16 may define and prescribe all such peace officers' duties and
17 compensation. Every security police officer appointed by the
18 board to such Security Police Force, as the same shall be from
19 time to time hereafter constituted, shall have and is hereby
20 vested with police powers, and is hereby authorized to act as a
21 conservator of the peace within and upon any and all hospital
22 facilities operated and hospital premises controlled by such
23 board, and shall have power to make arrests or cause to be
24 arrested, with or without process, any person who breaks the
25 peace, or may be found violating any State statutes or city or

1 county ordinances within or upon such facilities or premises.

2 The board may establish reasonable eligibility
3 requirements for appointment to such Security Police Force
4 relating to residence, health, habits and moral character.
5 However, no person may be appointed hereunder unless that
6 person is at least 21 years of age. No person may be appointed
7 to or be retained in the Hospital Security Police Force unless
8 that person is of good character and not a habitual drunkard,
9 gambler or a person convicted of a felony or a crime involving
10 moral turpitude. All Security Police Force personnel
11 authorized to carry weapons within or upon hospital facilities
12 or premises while on-duty shall receive a course of training in
13 the legal and practical use of such weapons as is required of a
14 police officer under the Peace Officer and Probation Officer
15 Firearm Training Act ~~"An Act in relation to firearms training~~
16 ~~for peace officers", approved August 29, 1975, as amended,~~ and
17 all such Security Police Force personnel shall also have
18 received the training and certification required by the
19 "Illinois Police Training Act" as now or hereafter amended.
20 Security Police Force personnel shall not carry weapons while
21 off-duty and all weapons shall be checked and secured on the
22 hospital premises while such personnel remain off-duty.

23 (Source: P.A. 86-962.)

24 Section 25. The Township Code is amended by changing
25 Section 100-10 as follows:

1 (60 ILCS 1/100-10)

2 Sec. 100-10. Township enforcement officer.

3 (a) The township board may appoint one or more township
4 enforcement officers to serve for a term of one year and may
5 remove an officer with or without cause. Every person appointed
6 to the office of township enforcement officer, before entering
7 on the duties of the office and within 10 days after being
8 notified of the appointment, shall cause to be filed in the
9 office of the township clerk a notice signifying his or her
10 acceptance of the office. A neglect to cause the notice to be
11 filed shall be deemed a refusal to serve.

12 (b) The sheriff of the county in which the township is
13 situated may disapprove any such appointment within 30 days
14 after the notice is filed. The disapproval precludes that
15 person from serving as a township enforcement officer, and the
16 township board may appoint another person to that position
17 subject to approval by the sheriff.

18 (c) Every person appointed to the office of township
19 enforcement officer, before entering upon the duties of the
20 office, shall execute, with sufficient sureties to be approved
21 by the supervisor or clerk of the township, an instrument in
22 writing by which the township enforcement officer and his or
23 her sureties shall jointly and severally agree to pay to each
24 and every person who may be entitled thereto all sums of money
25 as the township enforcement officer may become liable to pay on

1 account of any neglect or default of the township enforcement
2 officer or on account of any misfeasance of the township
3 enforcement officer in the discharge of, or failure to
4 faithfully perform, any of the duties of the office.

5 (d) The township enforcement officers shall have the same
6 power and authority within the township as a deputy sheriff but
7 only for the purpose of enforcing township ordinances.
8 Notwithstanding any other provisions of this Section, township
9 enforcement officers are authorized to enforce county
10 ordinances within areas of a county located within the township
11 pursuant to intergovernmental agreements between the
12 respective county and township to the extent authorized by the
13 agreement. The township enforcement officer shall not carry
14 firearms and will not be required to comply with the Peace
15 Officer and Probation Officer Firearm Training Act. The officer
16 shall attend law enforcement training classes conducted by the
17 Illinois Law Enforcement Training Standards Board. The
18 township board shall appropriate all necessary monies for the
19 training.

20 (d-5) (1) Except as provided in paragraph (2) of this
21 subsection, in all actions for the violation of any township
22 ordinance, township enforcement officers shall be authorized
23 to issue and to serve upon any person who the township
24 enforcement officer has reasonable grounds to believe is guilty
25 of a violation of a township ordinance a notice of violation
26 that shall constitute a summons and complaint. A copy of such

1 notice of violation shall be forwarded to the circuit court
2 having jurisdiction over the township where the violation is
3 alleged to have been committed. Every person who has been
4 issued a summons shall appear for trial, and the action shall
5 be prosecuted in the corporate name of the township.
6 Enforcement of county ordinances shall be in accordance with
7 procedures adopted by the county and any applicable State law.

8 (2) In all actions for violation of any township ordinance
9 when the fine would not be in excess of \$500 and no jail term
10 could be imposed, service of summons may be made by the
11 township clerk by certified mail, return receipt requested,
12 whether service is to be within or without the State.

13 (e) The township enforcement officers shall carry
14 identification documents provided by the township board
15 identifying him or her as a township enforcement officer. The
16 officers shall notify the township clerk of any violations of
17 township ordinances.

18 (f) Nothing in this Code precludes a county auxiliary
19 deputy or deputy sheriff, or a municipal policeman or auxiliary
20 police officer from serving as a township enforcement officer
21 during off-duty hours.

22 (g) The township board may provide compensation for the
23 township enforcement officer on either a per diem or a salary
24 basis.

25 (h) (Blank).

26 (Source: P.A. 97-330, eff. 8-12-11.)

1 Section 30. The Illinois Municipal Code is amended by
2 changing Section 3.1-30-20 as follows:

3 (65 ILCS 5/3.1-30-20) (from Ch. 24, par. 3.1-30-20)

4 Sec. 3.1-30-20. Auxiliary police officers.

5 (a) Auxiliary police officers shall not be members of the
6 regular police department of the municipality. Auxiliary
7 police officers shall not supplement members of the regular
8 police department of any municipality in the performance of
9 their assigned and normal duties, except as otherwise provided
10 in this Code. Auxiliary police officers shall only be assigned
11 to perform the following duties in a municipality: (i) to aid
12 or direct traffic within the municipality, (ii) to aid in
13 control of natural or man made disasters, and (iii) to aid in
14 case of civil disorder as directed by the chief of police. When
15 it is impractical for members of the regular police department
16 to perform those normal and regular police duties, however, the
17 chief of police of the regular police department may assign
18 auxiliary police officers to perform those normal and regular
19 police duties. Identification symbols worn by auxiliary police
20 officers shall be different and distinct from those used by
21 members of the regular police department. Auxiliary police
22 officers shall at all times during the performance of their
23 duties be subject to the direction and control of the chief of
24 police of the municipality. Auxiliary police officers shall not

1 carry firearms, except with the permission of the chief of
2 police and while in uniform and in the performance of their
3 duties. Auxiliary police officers, when on duty, shall also be
4 conservators of the peace and shall have the powers specified
5 in Section 3.1-15-25.

6 (b) Auxiliary police officers, before entering upon any of
7 their duties, shall receive a course of training in the use of
8 weapons and other police procedures appropriate for the
9 exercise of the powers conferred upon them under this Code. The
10 training and course of study shall be determined and provided
11 by the corporate authorities of each municipality employing
12 auxiliary police officers. Before being permitted to carry a
13 firearm, however, an auxiliary police officer must have the
14 same course of training as required of peace officers under
15 Section 2 of the Peace Officer and Probation Officer Firearm
16 Training Act. The municipal authorities may require that all
17 auxiliary police officers be residents of the municipality
18 served by them. Before the appointment of an auxiliary police
19 officer, the person's fingerprints shall be taken, and no
20 person shall be appointed as an auxiliary police officer if
21 that person has been convicted of a felony or other crime
22 involving moral turpitude.

23 (c) The Line of Duty Compensation Act shall be applicable
24 to auxiliary police officers upon their death in the line of
25 duty described in this Code.

26 (Source: P.A. 94-984, eff. 6-30-06.)

1 Section 35. The Civic Center Code is amended by changing
2 Section 240-40 as follows:

3 (70 ILCS 200/240-40)

4 Sec. 240-40. Security police force. The Board of the
5 Authority may establish and maintain a Security Police Force
6 and may define and prescribe all such peace officers' duties
7 and compensation. Every security police officer appointed by
8 the Board to such Security Police Force, as the same shall be
9 from time to time hereafter constituted, shall have and is
10 hereby vested with police powers, and is hereby authorized to
11 act as a conservator of the peace within and upon driveways,
12 sidewalks and property controlled by such Authority, and shall
13 have power to make arrests or cause to be arrested, with or
14 without process, any person who breaks the peace, or may be
15 found violating any of the penal ordinances of such Authority,
16 or of the City of Rockford or any criminal law of the State.

17 An arrest may be made by any such officer without a warrant
18 when a criminal offense is committed or attempted in his
19 presence or when a criminal offense has, in fact, been
20 committed, and the officer has reasonable ground for believing
21 that the person to be arrested has committed it. Any person so
22 arrested shall, without unnecessary delay, be taken by such
23 officer before the circuit court of the county having
24 jurisdiction of the offense committed or charged against such

1 person, and such police officer shall thereupon make and file a
2 complaint in writing under oath, against such defendant,
3 charging the violation by such defendant of such statute or
4 ordinance, and such offender shall thereupon be dealt with
5 according to law in the same manner as if he had been arrested
6 in the first instance under warrant lawfully issued. However,
7 no member of any such Security Police Force shall be vested
8 with any police power outside the limits of the metropolitan
9 area except pursuant to and in accordance with an
10 intergovernmental cooperation agreement to which the Authority
11 is a party.

12 In all actions for the violation of any ordinance of the
13 Authority, the first process shall be a summons or a warrant. A
14 warrant for the arrest of an accused person may issue upon the
15 affidavit of any person that an ordinance has been violated,
16 and that person making the complaint has reasonable grounds to
17 believe that the party charged is guilty thereof. Every person
18 arrested upon a warrant, without unnecessary delay, shall be
19 taken before the proper officer for trial.

20 The Board of the Authority may establish reasonable
21 eligibility requirements for appointment to such Security
22 Police Force relating to health, habits and moral character.
23 However, no person may be appointed hereunder unless that
24 person is at least 21 years of age. No person may be appointed
25 to or be retained in the Security Police Force unless that
26 person is of good character and not a habitual drunkard,

1 gambler or a person convicted of a felony or a crime involving
2 moral turpitude. All such Security Police Force personnel
3 authorized to carry weapons shall receive a course of training
4 in the legal and practical use of such weapons as is required
5 of a police officer under the Peace Officer and Probation
6 Officer Firearm Training Act, and all such Security Police
7 Force personnel shall also have received the training and
8 certification required by the Illinois Police Training Act.

9 (Source: P.A. 90-328, eff. 1-1-98.)

10 Section 40. The Park District Police Act is amended by
11 changing Section 1 as follows:

12 (70 ILCS 1325/1) (from Ch. 105, par. 330a)

13 Sec. 1. Park police powers.

14 (a) Whenever any park district establishes a police force
15 under Section 4-7 of the Park District Code, each officer of
16 that force is vested with police powers, is authorized to act
17 as a conservator of the peace within that park district, and
18 may arrest or cause to be arrested, with or without a warrant,
19 any person who breaks the peace, or who violates any ordinance
20 of a city, town, or village, or of the park district, or any
21 criminal law of the State. If a park district maintains an
22 airport, this authority also extends to any violation of a rule
23 or regulation of a governing federal agency or any federal,
24 State, or local law relating to that operation. The authority

1 granted under this Section is expressly limited to park
2 district property and shall not be construed to extend to any
3 other jurisdiction except in cases of fresh pursuit or under a
4 validly executed intergovernmental cooperation agreement.

5 (b) An arrest may be made by a park police officer without
6 a warrant when a criminal offense is committed or attempted in
7 his presence, or when a criminal offense has been committed and
8 the officer has reasonable ground for believing that the person
9 to be arrested has committed it. Any person so arrested shall,
10 without unnecessary delay, be taken by the officer before the
11 circuit court of the county having jurisdiction, and the
12 officer shall file a complaint in writing under oath, charging
13 the defendant with a violation of a statute or ordinance.

14 (c) A full or part-time police officer employed under this
15 Section shall comply with the requirements of the Illinois
16 Police Training Act. In addition, before carrying a firearm,
17 each officer shall complete a training course under the Peace
18 Officer and Probation Officer Firearm Training Act.

19 (Source: P.A. 89-458, eff. 5-24-96.)

20 Section 45. The Private College Campus Police Act is
21 amended by changing Section 1 as follows:

22 (110 ILCS 1020/1) (from Ch. 144, par. 1951)

23 Sec. 1. The Board of Trustees of a private college or
24 private university, may appoint persons to be members of a

1 campus police department. The Board shall assign duties,
2 including the enforcement of college or university
3 regulations, and prescribe the oath of office. With respect to
4 any such campus police department established for police
5 protection, the members of such campus police department shall
6 be persons who have successfully completed the Minimum
7 Standards Basic Law Enforcement Training Course offered at a
8 police training school established under the Illinois Police
9 Training Act, as such Act may be now or hereafter amended. All
10 members of such campus police departments must also
11 successfully complete the Firearms Training for Peace Officers
12 established under the Peace Officer and Probation Officer
13 Firearm Training Act ~~an Act in Relation To Firearms Training~~
14 ~~for Peace Officers, as such Act may be now or hereafter~~
15 ~~amended~~. Members of the campus police department shall have the
16 powers of municipal peace officers and county sheriffs,
17 including the power to make arrests under the circumstances
18 prescribed in Section 107-2 of the Code of Criminal Procedure
19 of 1963, as amended, for violations of state statutes or
20 municipal or county ordinances, including the ability to
21 regulate and control traffic on the public way contiguous to
22 the college or university property, for the protection of
23 students, employees, visitors and their property, and the
24 property branches, and interests of the college or university,
25 in the county where the college or university is located.
26 Campus police shall have no authority to serve civil process.

1 Members of the campus police department at a private
2 college or private university shall not be eligible to
3 participate in any State, county or municipal retirement fund
4 and shall not be reimbursed for training with state funds. the
5 uniforms, vehicles, and badges of such officers shall be
6 distinctive from those of the local law enforcement agency
7 where the main campus is located.

8 The Board of Trustees shall provide liability insurance
9 coverage for each member of the campus police department
10 without cost to the member, which insures the member against
11 any liability which arises out of or in the course of the
12 member's employment for no less than \$250,000 of coverage,
13 unless such indemnification is provided by a program of
14 self-insurance.

15 For the purposes of this Section, "private college" or
16 "private university" means: (1) any college or university which
17 is not owned or controlled by the State or any political
18 subdivision thereof, and (2) which provides a program of
19 education in residence leading to a baccalaureate degree, or
20 which provides a program of education in residence, for which
21 the baccalaureate degree is a prerequisite, leading to an
22 academic or professional degree, and (3) which is accredited by
23 the North Central Association or other nationally recognized
24 accrediting agency.

25 (Source: P.A. 96-594, eff. 1-1-10.)

1 Section 50. The Animal Control Act is amended by changing
2 Section 5 as follows:

3 (510 ILCS 5/5) (from Ch. 8, par. 355)

4 Sec. 5. Duties and powers.

5 (a) It shall be the duty of the Administrator or the Deputy
6 Administrator, through sterilization, humane education, rabies
7 inoculation, stray control, impoundment, quarantine, and any
8 other means deemed necessary, to control and prevent the spread
9 of rabies and to exercise dog and cat overpopulation control.
10 It shall also be the duty of the Administrator to investigate
11 and substantiate all claims made under Section 19 of this Act.

12 (b) Counties may by ordinance determine the extent of the
13 police powers that may be exercised by the Administrator,
14 Deputy Administrators, and Animal Control Wardens, which
15 powers shall pertain only to this Act. The Administrator,
16 Deputy Administrators, and Animal Control Wardens may issue and
17 serve citations and orders for violations of this Act. The
18 Administrator, Deputy Administrators, and Animal Control
19 Wardens may not carry weapons unless they have been
20 specifically authorized to carry weapons by county ordinance.
21 Animal Control Wardens, however, may use tranquilizer guns and
22 other nonlethal weapons and equipment without specific weapons
23 authorization.

24 A person authorized to carry firearms by county ordinance
25 under this subsection must have completed the training course

1 for peace officers prescribed in the Peace Officer and
2 Probation Officer Firearm Training Act. The cost of this
3 training shall be paid by the county.

4 (c) The sheriff and all sheriff's deputies and municipal
5 police officers shall cooperate with the Administrator and his
6 or her representatives in carrying out the provisions of this
7 Act.

8 (d) The Administrator and animal control wardens shall aid
9 in the enforcement of the Humane Care for Animals Act and have
10 the ability to impound animals and apply for security posting
11 for violation of that Act.

12 (Source: P.A. 93-548, eff. 8-19-03; 94-639, eff. 8-22-05.)

13 Section 55. The Criminal Code of 2012 is amended by
14 changing Section 24-2 as follows:

15 (720 ILCS 5/24-2)

16 Sec. 24-2. Exemptions.

17 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
18 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
19 the following:

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

23 (2) Wardens, superintendents and keepers of prisons,
24 penitentiaries, jails and other institutions for the

1 detention of persons accused or convicted of an offense,
2 while in the performance of their official duty, or while
3 commuting between their homes and places of employment.

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

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

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

1 considered eligible for this exemption if he or she has
2 completed the required 20 hours of training for a private
3 security contractor, private detective, or private alarm
4 contractor, or employee of a licensed agency and 20 hours
5 of required firearm training, and has been issued a firearm
6 control card by the Department of Financial and
7 Professional Regulation. Conditions for the renewal of
8 firearm control cards issued under the provisions of this
9 Section shall be the same as for those cards issued under
10 the provisions of the Private Detective, Private Alarm,
11 Private Security, Fingerprint Vendor, and Locksmith Act of
12 2004. The firearm control card shall be carried by the
13 private security contractor, private detective, or private
14 alarm contractor, or employee of the licensed agency at all
15 times when he or she is in possession of a concealable
16 weapon.

17 (6) Any person regularly employed in a commercial or
18 industrial operation as a security guard for the protection
19 of persons employed and private property related to such
20 commercial or industrial operation, while actually engaged
21 in the performance of his or her duty or traveling between
22 sites or properties belonging to the employer, and who, as
23 a security guard, is a member of a security force of at
24 least 5 persons registered with the Department of Financial
25 and Professional Regulation; provided that such security
26 guard has successfully completed a course of study,

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

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

23 (8) Persons employed by a financial institution for the
24 protection of other employees and property related to such
25 financial institution, while actually engaged in the
26 performance of their duties, commuting between their homes

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

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

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

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

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

10 (12.5) Probation officers while in the performance of
11 their duties, or while commuting between their homes,
12 places of employment or specific locations that are part of
13 their assigned duties, with the consent of the chief judge
14 of the circuit for which they are employed, if they have
15 received weapons training according to requirements of the
16 Peace Officer and Probation Officer Firearm Training Act.

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

21 (13.5) A person employed as an armed security guard at
22 a nuclear energy, storage, weapons or development site or
23 facility regulated by the Nuclear Regulatory Commission
24 who has completed the background screening and training
25 mandated by the rules and regulations of the Nuclear
26 Regulatory Commission.

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

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

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

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

16 (2) Duly authorized military or civil organizations
17 while parading, with the special permission of the
18 Governor.

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

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

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

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

3 (1) Peace officers while in performance of their
4 official duties.

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

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

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

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

1 firing device, but only such possession and activities as
2 are within the lawful scope of a licensed manufacturing
3 business described in this paragraph.

4 During transportation, such weapons shall be broken
5 down in a non-functioning state or not immediately
6 accessible.

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

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

24 (7) A person possessing a rifle with a barrel or
25 barrels less than 16 inches in length if: (A) the person
26 has been issued a Curios and Relics license from the U.S.

1 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)
2 the person is an active member of a bona fide, nationally
3 recognized military re-enacting group and the modification
4 is required and necessary to accurately portray the weapon
5 for historical re-enactment purposes; the re-enactor is in
6 possession of a valid and current re-enacting group
7 membership credential; and the overall length of the weapon
8 as modified is not less than 26 inches.

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

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

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

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

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

25 (2) Bonafide collectors of antique or surplus military
26 ordinance.

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

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

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

1 business described in this subsection (g-5). During
2 transportation, these devices shall be detached from any weapon
3 or not immediately accessible.

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

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

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

1 and Paralympic Games.

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

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

20 (Source: P.A. 97-465, eff. 8-22-11; 97-676, eff. 6-1-12;
21 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13; 98-63, eff. 7-9-13;
22 98-463, eff. 8-16-13.)

23 Section 60. The Probation and Probation Officers Act is
24 amended by adding Section 17 as follows:

1 (730 ILCS 110/17 new)

2 Sec. 17. Authorization to carry weapons. Probation
3 officers may only carry weapons while in the performance of
4 their official duties, or while commuting between their homes,
5 places of employment, or specific locations that are part of
6 their assigned duties, provided they have received the prior
7 consent of the Chief Judge of the Circuit Court for which they
8 are employed, and they have received weapons training according
9 to requirements of the Peace Officer and Probation Officer
10 Firearm Training Act."