**Section 1240.400 Registration of Armed Proprietary Security Force**

a) Pursuant to Section 35-45 of the Act and Section 24-2 of the Criminal Code of 2012 [720 ILCS 5/24-2], all commercial or industrial operations that employ one or more persons as armed employees in accordance with Section 24-2(a)(6) and all financial institutions that employ armed employees in accordance with Section 24-2(a)(8) shall register their security forces with the Division, on forms provided by the Division, which include the following:

1) Business name and address of the armed proprietary security force;

2) Any doing business as (d/b/a) names used by the armed proprietary security force and proof of legal authorization to use that name;

3) The type of business (sole proprietorship, partnership, corporation, etc.).

A) If a sole proprietorship, the name and address of the owner;

B) If a partnership, a listing of all partners and addresses;

C) If a corporation, a copy of Articles of Incorporation, a Certificate of Good Standing issued by the Secretary of State within the previous 60 days, and a listing of all officers and members of the board of directors. If the corporation is a foreign corporation, a copy of the authorization to conduct business in Illinois, a copy of the Articles of Incorporation, and a list of all officers and members of the board of directors shall be submitted;

D) If a limited liability company, a copy of the Articles of Organization, a Certificate of Good Standing issued by the Secretary of State within the previous 60 days, and a listing of all officers and members of the limited liability company. If the limited liability company is a foreign limited liability company, a copy of the authorization to conduct business in Illinois, a copy of the Articles of Organization, and a list of all officers and members of the limited liability company shall be submitted.

4) The nature or type of business conducted or to be conducted;

5) The number of armed employees; and

6) The name, title, and email address of the security director who will be registering armed employees and who is responsible for the daily activities of the force.

b) For the purposes of this Section, "armed employee" means an employee whose primary employment responsibility is one or more of the functions of a private security contractor as defined in Section 5-10 of the Act.

c) All armed employees of the registered armed proprietary security force in subsection (a) shall be required to complete a 20-hour basic training course in accordance with Section 1240.505 and a 28-hour firearm training course in accordance with Section 1240.510. All armed employees of the registered security force shall also be subject to the annual refresher training requirement in accordance with Section 1240.510.

d) Except as otherwise provided in this Section, each armed proprietary security force shall be required to apply to the Division, on forms supplied by the Division, for the issuance of a firearm control card, in accordance with Section 1240.530(b) and (c), for each armed employee of the security force. Each application shall include:

1) One of the following:

A) Copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors whose equipment has been certified by ISP or a fingerprint vendor agency licensed by the Division;

B) Out-of-state residents unable to utilize the ISP electronic fingerprint process may submit to ISP one fingerprint card issued by ISP, accompanied by the fee specified by ISP; or

C) In lieu of fingerprints, verification, on forms provided by the Division, of proof of retirement as a peace officer, as defined in Section 5-10 of the Act, within 12 months prior to application. The verification shall be signed by the applicant's employer;

2) Verification that the employee has completed the training required in subsection (c). If the employee's firearm training was completed more than two years before the request for a firearm control card, the employer shall submit evidence that the employee has completed refresher training in accordance with Section 1240.510(o) within the one year preceding the request; and

3) The fee required in Section 1240.570.

e) The firearm control card or retired police card for an eligible employee shall be retained by the employee for the term of employment. The employer shall maintain a copy of the firearm control card or retired police card in its files, available for inspection upon request by the Division. Upon termination of employment, the card shall be returned to the Division by the employer. In the event an employee fails to return a firearm control card or retired police card to the employer, the employer shall notify the Division in writing why the card was not returned.

f) Except as otherwise provided in this Section, no employee shall carry a firearm until the requirements of this Section have been satisfied. An employee who has been issued a license to carry a concealed firearm under the Firearm Concealed Carry Act [430 ILCS 66] is not exempt from compliance with the requirements of this Section. An armed employee shall be in possession of a valid firearm control card, a valid retired police card or otherwise be in compliance with this Section at all times that the armed employee is engaged in employment related duties.

g) If an employee is employed by more than one armed proprietary security force, that employee must possess a separate firearm control card or retired police card for each armed proprietary security force for which the employee uses, carries, or possesses a firearm.

h) The Division may conduct an inspection to verify the information on the application prior to the armed proprietary security force being registered or renewed with the Division.

i) All armed proprietary security force registrations and renewals shall expire on the date specified in the registration or last renewal. The Division shall renew the registration after payment of the renewal fee and upon proof that:

1) The armed proprietary security force still meets all requirements for registration under the Act and this Part; and

2) The armed proprietary security force has either updated or reaffirmed all required information on file with the Division.

j) All armored car companies registered as armed proprietary security forces pursuant to this Section shall have all employees who are required to carry a firearm control card complete classroom and range training in weapons on an annual basis and shall maintain a copy of the verification of fingerprint processing from ISP or from one of the ISP live scan vendors. The armored car company shall make these documents available to the Division upon request.

k) Individuals currently employed as peace officers, as defined in Section 5-10 of the Act, who are in good standing are not required to obtain firearm control cards. If the individual ceases to be employed as a peace officer, then the individual is required to obtain a firearm control card in accordance with this Section unless the individual is obtaining a retired police card in accordance with subsection (f) of Section 1240.530. For active peace officers, the armed proprietary security force shall maintain on file a copy of the current police identification card and a signed letter from the peace officer's chief of police or the chief of police's designee indicating current status as a peace officer. The armed proprietary security force shall annually re-verify and maintain proof of the employee's qualifications for the peace officer exemption.

l) Maintaining a security director responsible for the daily activities of the force is a continuing requirement for armed proprietary security force registration. The Division must be notified within 14 days after any change in name or title of the security director.

m) When the accuracy, relevance or sufficiency of any submitted documentation or information is questioned by the Division because of lack of information, discrepancies or conflicts in information given, or a need for clarification, the applicant seeking registration shall be requested to:

1) Provide information as may be necessary; and/or

2) Appear for an interview before the Board to explain the accuracy, relevance or sufficiency of any submitted documentation or information or lack of information, discrepancies or conflicts in information given.

(Source: Amended at 46 Ill. Reg. 16228, effective September 6, 2022)