



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

SB2642

Introduced 2/8/2018, by Sen. Antonio Muñoz

SYNOPSIS AS INTRODUCED:

225 ILCS 447/35-35

Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Provides that an individual who is a former peace officer but continues to perform services in an armed capacity that is a licensed activity under the Act is required to obtain a permanent employee registration card but is not required to obtain a firearm control card if the individual is in compliance with the federal Law Enforcement Officers Safety Act of 2004. Provides that an agency that employs an officer who elects to carry a firearm pursuant to the federal Law Enforcement Officers Safety Act of 2004 shall submit a notice of such election along with a fee to the Department of Financial and Professional Regulation. Effective immediately.

LRB100 18424 XWW 33638 b

1 AN ACT concerning regulation.

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

4 Section 5. The Private Detective, Private Alarm, Private
5 Security, Fingerprint Vendor, and Locksmith Act of 2004 is
6 amended by changing Section 35-35 as follows:

7 (225 ILCS 447/35-35)

8 (Section scheduled to be repealed on January 1, 2024)

9 Sec. 35-35. Requirement of a firearm control card.

10 (a) No person shall perform duties that include the use,
11 carrying, or possession of a firearm in the performance of
12 those duties without complying with the provisions of this
13 Section and having been issued a valid firearm control card by
14 the Department.

15 (b) No employer shall employ any person to perform the
16 duties for which licensure or employee registration is required
17 and allow that person to carry a firearm unless that person has
18 complied with all the firearm training requirements of this
19 Section and has been issued a firearm control card. This Act
20 permits only the following to carry firearms while actually
21 engaged in the performance of their duties or while commuting
22 directly to or from their places of employment: persons
23 licensed as private detectives and their registered employees;

1 persons licensed as private security contractors and their
2 registered employees; persons licensed as private alarm
3 contractors and their registered employees; and employees of a
4 registered armed proprietary security force.

5 (c) Possession of a valid firearm control card allows a
6 licensee or employee to carry a firearm not otherwise
7 prohibited by law while the licensee or employee is engaged in
8 the performance of his or her duties or while the licensee or
9 employee is commuting directly to or from the licensee's or
10 employee's place or places of employment.

11 (d) The Department shall issue a firearm control card to a
12 person who has passed an approved firearm training course, who
13 is currently licensed or employed by an agency licensed by this
14 Act and has met all the requirements of this Act, and who
15 possesses a valid firearm owner identification card.
16 Application for the firearm control card shall be made by the
17 employer to the Department on forms provided by the Department.
18 The Department shall forward the card to the employer who shall
19 be responsible for its issuance to the licensee or employee.
20 The firearm control card shall be issued by the Department and
21 shall identify the person holding it and the name of the course
22 where the licensee or employee received firearm instruction and
23 shall specify the type of weapon or weapons the person is
24 authorized by the Department to carry and for which the person
25 has been trained.

26 (e) Expiration and requirements for renewal of firearm

1 control cards shall be determined by rule.

2 (f) The Department may, in addition to any other
3 disciplinary action permitted by this Act, refuse to issue,
4 suspend, or revoke a firearm control card if the applicant or
5 holder has been convicted of any felony or crime involving the
6 illegal use, carrying, or possession of a deadly weapon or for
7 a violation of this Act or rules promulgated under this Act.
8 The Department shall refuse to issue or shall revoke a firearm
9 control card if the applicant or holder fails to possess a
10 valid firearm owners identification card without hearing. The
11 Secretary shall summarily suspend a firearm control card if the
12 Secretary finds that its continued use would constitute an
13 imminent danger to the public. A hearing shall be held before
14 the Board within 30 days if the Secretary summarily suspends a
15 firearm control card.

16 (g) Notwithstanding any other provision of this Act to the
17 contrary, all requirements relating to firearms control cards
18 do not apply to a peace officer. If an individual ceases to be
19 employed as a peace officer and continues to perform services
20 in an armed capacity under this Act that are licensed
21 activities, then the individual is required to obtain a
22 permanent employee registration card pursuant to Section 35-30
23 of this Act, but is not required to obtain a firearm control
24 card if the individual is otherwise in continuing compliance
25 with the federal Law Enforcement Officers Safety Act of 2004.
26 If an individual elects to carry a firearm pursuant to the

1 federal Law Enforcement Officers Safety Act of 2004, then the
2 agency employing the officer is required to submit a notice of
3 that election to the Department along with a fee specified by
4 rule.

5 (h) The Department may issue a temporary firearm control
6 card pending issuance of a new firearm control card upon an
7 agency's acquiring of an established armed account. An agency
8 that has acquired armed employees as a result of acquiring an
9 established armed account may, on forms supplied by the
10 Department, request the issuance of a temporary firearm control
11 card for each acquired employee who held a valid firearm
12 control card under his or her employment with the newly
13 acquired established armed account immediately preceding the
14 acquiring of the account and who continues to meet all of the
15 qualifications for issuance of a firearm control card set forth
16 in this Act and any rules adopted under this Act. The
17 Department shall, by rule, set the fee for issuance of a
18 temporary firearm control card.

19 (i) The Department shall not issue a firearm control card
20 to a licensed fingerprint vendor or a licensed locksmith or
21 employees of a licensed fingerprint vendor agency or a licensed
22 locksmith agency.

23 (Source: P.A. 98-253, eff. 8-9-13.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.