



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB0898

by Rep. John M. Cabello - Steven Reick - Dan Caulkins - Margo McDermed - Patrick Windhorst

SYNOPSIS AS INTRODUCED:

50 ILCS 705/2 from Ch. 85, par. 502
720 ILCS 5/24-2
730 ILCS 5/3-2-13 new
730 ILCS 125/26.1 new

Amends the Illinois Police Training Act. Defines "retired law enforcement officer qualified under federal law" for purposes of the Act to permit the carrying of a concealed weapon. Amends the Criminal Code of 2012, the Unified Code of Corrections, and the County Jail Act. Permits currently employed and qualified retired State correctional officers and county correctional officers to carry their own firearms off-duty without being in violation of the unlawful use of weapons and aggravated unlawful use of a weapon statutes if they meet certain training requirements. Provides that currently employed and qualified retired State correctional officers and county correctional officers shall carry a photographic identification and a valid annual firearm certificate while carrying their own firearms off-duty. Limited to correctional officers who have custody and control over inmates in an adult correctional facility. Effective immediately.

LRB101 07550 SLF 52595 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning firearms.

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

4 Section 5. The Illinois Police Training Act is amended by
5 changing Section 2 as follows:

6 (50 ILCS 705/2) (from Ch. 85, par. 502)

7 Sec. 2. Definitions. As used in this Act, unless the
8 context otherwise requires:

9 "Board" means the Illinois Law Enforcement Training
10 Standards Board.

11 "Local governmental agency" means any local governmental
12 unit or municipal corporation in this State. It does not
13 include the State of Illinois or any office, officer,
14 department, division, bureau, board, commission, or agency of
15 the State, except that it does include a State-controlled
16 university, college or public community college.

17 "Police training school" means any school located within
18 the State of Illinois whether privately or publicly owned which
19 offers a course in police or county corrections training and
20 has been approved by the Board.

21 "Probationary police officer" means a recruit law
22 enforcement officer required to successfully complete initial
23 minimum basic training requirements at a police training school

1 to be eligible for permanent full-time employment as a local
2 law enforcement officer.

3 "Probationary part-time police officer" means a recruit
4 part-time law enforcement officer required to successfully
5 complete initial minimum part-time training requirements to be
6 eligible for employment on a part-time basis as a local law
7 enforcement officer.

8 "Permanent police officer" means a law enforcement officer
9 who has completed his or her probationary period and is
10 permanently employed on a full-time basis as a local law
11 enforcement officer by a participating local governmental unit
12 or as a security officer or campus policeman permanently
13 employed by a participating State-controlled university,
14 college, or public community college.

15 "Part-time police officer" means a law enforcement officer
16 who has completed his or her probationary period and is
17 employed on a part-time basis as a law enforcement officer by a
18 participating unit of local government or as a campus policeman
19 by a participating State-controlled university, college, or
20 public community college.

21 "Law enforcement officer" means (i) any police officer of a
22 local governmental agency who is primarily responsible for
23 prevention or detection of crime and the enforcement of the
24 criminal code, traffic, or highway laws of this State or any
25 political subdivision of this State or (ii) any member of a
26 police force appointed and maintained as provided in Section 2

1 of the Railroad Police Act.

2 "Recruit" means any full-time or part-time law enforcement
3 officer or full-time county corrections officer who is enrolled
4 in an approved training course.

5 "Retired law enforcement officer qualified under federal
6 law" means an individual who:

7 (1) separated from service in good standing from
8 service with a public agency as a law enforcement officer,
9 other than for reasons of mental disability;

10 (2) before such separation, was authorized by law to
11 engage in or supervise the prevention, detection,
12 investigation, or prosecution of, or the incarceration of
13 any person for, any violation of law, and had statutory
14 powers of arrest or apprehension granted by statute;

15 (3) served as a law enforcement officer for an
16 aggregate of 10 years or more before his or her separation
17 in good standing from service with his or her agency, or
18 separated from service in good standing, after completing
19 any applicable probationary period of service, due to a
20 service-connected disability as determined by the agency;

21 (4) has met State firearms training and qualifications
22 that are the same as the training and qualifications for
23 active duty officers;

24 (5) is not under the influence of alcohol or another
25 intoxicating or hallucinatory drug or substance; and

26 (6) is not prohibited by federal law from carrying a

1 firearm.

2 "Probationary county corrections officer" means a recruit
3 county corrections officer required to successfully complete
4 initial minimum basic training requirements at a police
5 training school to be eligible for permanent employment on a
6 full-time basis as a county corrections officer.

7 "Permanent county corrections officer" means a county
8 corrections officer who has completed his probationary period
9 and is permanently employed on a full-time basis as a county
10 corrections officer by a participating local governmental
11 unit.

12 "County corrections officer" means any sworn officer of the
13 sheriff who is primarily responsible for the control and
14 custody of offenders, detainees or inmates.

15 "Probationary court security officer" means a recruit
16 court security officer required to successfully complete
17 initial minimum basic training requirements at a designated
18 training school to be eligible for employment as a court
19 security officer.

20 "Permanent court security officer" means a court security
21 officer who has completed his or her probationary period and is
22 employed as a court security officer by a participating local
23 governmental unit.

24 "Court security officer" has the meaning ascribed to it in
25 Section 3-6012.1 of the Counties Code.

26 (Source: P.A. 94-846, eff. 1-1-07.)

1 Section 10. The Criminal Code of 2012 is amended by
2 changing Section 24-2 as follows:

3 (720 ILCS 5/24-2)

4 Sec. 24-2. Exemptions.

5 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
6 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
7 the following:

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

11 (2) Wardens, superintendents and keepers of prisons,
12 penitentiaries, jails and other institutions for the
13 detention of persons accused or convicted of an offense,
14 while in the performance of their official duty, or while
15 commuting between their homes and places of employment.

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

20 (4) Special agents employed by a railroad or a public
21 utility to perform police functions, and guards of armored
22 car companies, while actually engaged in the performance of
23 the duties of their employment or commuting between their
24 homes and places of employment; and watchmen while actually

1 engaged in the performance of the duties of their
2 employment.

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

1 carried by the private security contractor, private
2 detective, or private alarm contractor, or employee of the
3 licensed private security contractor, private detective,
4 or private alarm contractor agency at all times when he or
5 she is in possession of a concealable weapon permitted by
6 his or her firearm control card.

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

1 cards issued under the provisions of this Section shall be
2 the same as for those cards issued under the provisions of
3 the Private Detective, Private Alarm, Private Security,
4 Fingerprint Vendor, and Locksmith Act of 2004. The firearm
5 control card shall be carried by the security guard at all
6 times when he or she is in possession of a concealable
7 weapon permitted by his or her firearm control card.

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

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

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

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

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

20 (14) Manufacture, transportation, or sale of weapons
21 to persons authorized under subdivisions (1) through
22 (13.5) of this subsection to possess those weapons.

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

1 the commission of the offense.

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

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

9 (2) Duly authorized military or civil organizations
10 while parading, with the special permission of the
11 Governor.

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

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

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

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

22 (1) Peace officers while in performance of their
23 official duties.

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

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

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

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

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

26 (6) The manufacture, transport, testing, delivery,

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

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

17 (7) A person possessing a rifle with a barrel or
18 barrels less than 16 inches in length if: (A) the person
19 has been issued a Curios and Relics license from the U.S.
20 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)
21 the person is an active member of a bona fide, nationally
22 recognized military re-enacting group and the modification
23 is required and necessary to accurately portray the weapon
24 for historical re-enactment purposes; the re-enactor is in
25 possession of a valid and current re-enacting group
26 membership credential; and the overall length of the weapon

1 as modified is not less than 26 inches.

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

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

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

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

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

18 (2) Bonafide collectors of antique or surplus military
19 ordnance.

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

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

1 (g)(1) of this Section, or like organizations and persons
2 outside this State, or the transportation of explosive
3 bullets to any organization or person exempted in this
4 Section by a common carrier or by a vehicle owned or leased
5 by an exempted manufacturer.

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

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

1 Corrections.

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

10 (g-8) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
11 24-1.6 do not apply to or affect any currently employed or
12 qualified retired State correctional officer who meets the
13 qualifications and conditions prescribed in Section 3-2-12 of
14 the Unified Code of Corrections.

15 (g-9) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
16 24-1.6 do not apply to or affect any currently employed or
17 qualified retired county correctional officer who meets the
18 qualifications and conditions prescribed in Section 26.1 of the
19 County Jail Act.

20 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
21 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
22 athlete's possession, transport on official Olympic and
23 Paralympic transit systems established for athletes, or use of
24 competition firearms sanctioned by the International Olympic
25 Committee, the International Paralympic Committee, the
26 International Shooting Sport Federation, or USA Shooting in

1 connection with such athlete's training for and participation
2 in shooting competitions at the 2016 Olympic and Paralympic
3 Games and sanctioned test events leading up to the 2016 Olympic
4 and Paralympic Games.

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

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

23 (Source: P.A. 99-174, eff. 7-29-15; 100-201, eff. 8-18-17.)

24 Section 15. The Unified Code of Corrections is amended by
25 adding Section 3-2-13 as follows:

1 (730 ILCS 5/3-2-13 new)

2 Sec. 3-2-13. State correctional officers; off-duty
3 firearms.

4 (a) In this Section, "State correctional officer" means an
5 employee of the Department of Corrections who has custody and
6 control over inmates in an adult correctional facility.

7 (b) In this Section, "qualified retired State correctional
8 officer" means a former State correctional officer who:

9 (1) was separated from service with the Department of
10 Corrections in good standing;

11 (2) before the separation, was authorized by law to
12 engage in or supervise the activities of prevention,
13 detection, investigation, prosecution, or incarceration of
14 any person for any violation of law;

15 (3) before the separation, served as a State
16 correctional officer for an aggregate of 10 years or more;

17 (4) has not either:

18 (A) been officially found, as the Department shall
19 by rule provide, by a qualified medical professional
20 employed by the Department of Corrections to be
21 unqualified for reasons relating to mental health and
22 as a result of this finding will not be issued the
23 photographic identification as described in paragraph

24 (5) of subsection (c); or

25 (B) entered into an agreement with the Department

1 of Corrections in which that individual acknowledges
2 he or she is not qualified under this Section for
3 reasons relating to mental health and for those reasons
4 will not receive or accept the photographic
5 identification as described in paragraph (5) of
6 subsection (c);

7 (5) is not under the influence of alcohol or any other
8 intoxicating or hallucinatory drug or substance; and

9 (6) is not prohibited by State or federal law from
10 owning or possessing a firearm.

11 (c) Paragraphs (4) and (10) of subsection (a) of Section
12 24-1 and Section 24-1.6 of the Criminal Code of 2012 do not
13 apply to currently employed or qualified retired State
14 correctional officers who meet the following conditions:

15 (1) The currently employed or qualified retired State
16 correctional officer must receive training in the use of
17 firearms while off-duty conducted by the Illinois Law
18 Enforcement Training Standards Board and be certified as
19 having successfully completed the training by the Board.
20 The Board shall determine the amount of the training and
21 the course content for the training. The currently employed
22 or qualified retired State correctional officer shall
23 requalify for the firearms training annually at a State
24 range certified by the Illinois Law Enforcement Training
25 Standards Board. The expenses of the retraining shall be
26 paid by the currently employed or qualified retired State

1 correctional officer and moneys for the costs of the
2 requalification shall be expended at the request of the
3 Illinois Law Enforcement Training Standards Board.

4 (2) The currently employed or qualified retired State
5 correctional officer shall purchase the firearm at his or
6 her own expense and shall register the firearm with the
7 Department of State Police and with any local law
8 enforcement agencies that require the registration.

9 (3) The currently employed or qualified retired State
10 correctional officer may not carry any Department of
11 Corrections State-issued firearm while off-duty. A person
12 who violates this paragraph (3) is subject to disciplinary
13 action by the Department of Corrections.

14 (4) State correctional officers who are or were
15 discharged from employment by the Department of
16 Corrections are not law enforcement officials after the
17 date of discharge.

18 (5) The currently employed or qualified retired State
19 correctional officer shall carry photographic
20 identification issued by the Department of Corrections
21 identifying him or her as a currently employed or qualified
22 retired State correctional officer while carrying a
23 firearm off-duty, along with a valid annual firearm
24 certificate issued by the Illinois Law Enforcement
25 Training Standards Board stating that he or she is
26 qualified to carry a concealed weapon.

1 Section 20. The County Jail Act is amended by adding
2 Section 26.1 as follows:

3 (730 ILCS 125/26.1 new)

4 Sec. 26.1. County correctional officers; off-duty
5 firearms.

6 (a) In this Section, "county correctional officer" means an
7 employee of a county sheriff's office within this State who has
8 custody and control over adult inmates in a county jail.

9 (b) In this Section, "qualified retired county
10 correctional officer" means a former county correctional
11 officer who:

12 (1) was separated from service with the county
13 sheriff's office in good standing;

14 (2) before the separation, was authorized by law to
15 engage in or supervise the activities of prevention,
16 detection, investigation, prosecution, or incarceration of
17 any person for any violation of law;

18 (3) before the separation, served as a county
19 correctional officer for an aggregate of 10 years or more;

20 (4) has not either:

21 (A) been officially found, as the county sheriff
22 shall by rule provide, by a qualified medical
23 professional employed by the county sheriff to be
24 unqualified for reasons relating to mental health and

1 as a result of this finding will not be issued the
2 photographic identification as described in paragraph
3 (5) of subsection (c); or

4 (B) entered into an agreement with the county
5 sheriff's office from which the individual is
6 separated from service in which that individual
7 acknowledges he or she is not qualified under this
8 Section for reasons relating to mental health and for
9 those reasons will not receive or accept the
10 photographic identification as described in paragraph
11 (5) of subsection (c);

12 (5) is not under the influence of alcohol or any other
13 intoxicating or hallucinatory drug or substance; and

14 (6) is not prohibited by State or federal law from
15 receiving a firearm.

16 (c) Paragraphs (4) and (10) of subsection (a) of Section
17 24-1 and Section 24-1.6 of the Criminal Code of 2012 do not
18 apply to currently employed or qualified retired county
19 correctional officers who meet the following conditions:

20 (1) The currently employed or qualified retired county
21 correctional officer must receive training in the use of
22 firearms while off-duty conducted by the Illinois Law
23 Enforcement Training Standards Board and be certified as
24 having successfully completed the training by the Board.
25 The Board shall determine the amount of the training and
26 the course content for the training. The currently employed

1 or qualified retired county correctional officer shall
2 requalify for the firearms training annually at a State
3 range certified by the Illinois Law Enforcement Training
4 Standards Board. The expenses of the retraining shall be
5 paid by the currently employed or qualified retired county
6 correctional officer and moneys for the costs of the
7 requalification shall be expended at the request of the
8 Illinois Law Enforcement Training Standards Board.

9 (2) The currently employed or qualified retired county
10 correctional officer shall purchase the firearm at his or
11 her own expense and shall register the firearm with the
12 Department of State Police and with any other local law
13 enforcement agencies that require the registration.

14 (3) The currently employed or qualified retired county
15 correctional officer may not carry any county
16 sheriff-issued firearm while off-duty. A person who
17 violates this paragraph (3) is subject to disciplinary
18 action by the county sheriff.

19 (4) County correctional officers who are or were
20 discharged from employment by the county sheriff shall no
21 longer be considered law enforcement officials and all
22 their rights as law enforcement officials shall be revoked
23 permanently.

24 (5) The currently employed or qualified retired county
25 correctional officer shall carry a photographic
26 identification issued by his or her agency identifying him

1 or her as a currently employed or qualified retired county
2 correctional officer while carrying a firearm off-duty,
3 along with a valid annual firearm certificate issued by the
4 Illinois Law Enforcement Training Standards Board stating
5 that he or she is qualified to carry a concealed weapon.

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