



Sen. Rachelle Crowe

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1 AMENDMENT TO SENATE BILL 3236

2 AMENDMENT NO. _____. Amend Senate Bill 3236 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Private Detective, Private Alarm, Private
5 Security, Fingerprint Vendor, and Locksmith Act of 2004 is
6 amended by changing Sections 35-40 and 35-45 as follows:

7 (225 ILCS 447/35-40)

8 (Section scheduled to be repealed on January 1, 2024)

9 Sec. 35-40. Firearm control; training requirements.

10 (a) The Department shall, pursuant to rule, approve or
11 disapprove training programs for the firearm training course,
12 which shall be taught by a qualified instructor. Qualifications
13 for instructors shall be set by rule. The firearm training
14 course shall be conducted by entities, by a licensee, or by an
15 agency licensed by this Act, provided the course is approved by
16 the Department. The firearm course shall consist of the

1 following minimum requirements:

2 (1) ~~48~~ ~~40~~ hours of training as follows:

3 (A) 20 hours consisting of training ~~which shall be~~
4 as described in Sections 15-20, 20-20, or 25-20, as
5 applicable; ~~and 20 hours of which shall include all of~~
6 ~~the following:~~

7 (B) 8 hours consisting of practice firing on a
8 range with live ammunition, including, but not limited
9 to, firing a minimum of 50 rounds of live ammunition
10 (factory loaded service ammunition or factory reloaded
11 ammunition) and attaining a minimum score of 70%
12 accuracy with each type of weapon the person is
13 authorized by the Department to carry and for which the
14 person has been trained; and

15 (C) 20 hours consisting of instruction in: ~~(A)~~
16 ~~Instruction in~~

17 (i) the dangers of and misuse of firearms,
18 their storage, safety rules, and care and cleaning
19 of firearms;

20 (ii) defensive tactics for in-holster weapon
21 retention;

22 ~~(iii). (B) Practice firing on a range with live~~
23 ~~ammunition. (C) Instruction in~~ the legal use of
24 firearms;

25 ~~(iv). (D) A presentation of the ethical and~~
26 moral considerations necessary for any person who

1 possesses a firearm;

2 (v). ~~(E) A review of the laws regarding arrest,~~
3 search, and seizure; and

4 (vi) liability. ~~(F) Liability~~ for acts that
5 may be performed in the course of employment.

6 (2) An examination shall be given at the completion of
7 the course. The examination shall consist of a firearms
8 qualification course and a written examination. Successful
9 completion shall be determined by the Department.

10 (b) The firearm training requirement may be waived for a
11 licensee or employee who has completed training provided by the
12 Illinois Law Enforcement Training Standards Board or the
13 equivalent public body of another state or is a qualified
14 retired law enforcement officer as defined in the federal Law
15 Enforcement Officers Safety Act of 2004 and is in compliance
16 with all of the requirements of that Act, provided
17 documentation showing requalification with the weapon on the
18 firing range is submitted to the Department.

19 (c) In addition to the training provided for in subsection
20 (a), a licensee or employee in possession of a valid firearm
21 control card shall complete an additional 8 hours of refresher
22 training each calendar year commencing with the calendar year
23 following one year after the date of the issuance of the
24 firearm control card. The 8 hours of training shall consist of
25 practice firing on a range with live ammunition, including, but
26 not limited to, firing a minimum of 50 rounds of live

1 ammunition (factory loaded service ammunition or factory
2 reloaded ammunition) and attaining a minimum score of 70%
3 accuracy with each type of weapon the person is authorized by
4 the Department to carry and for which the person has been
5 trained.

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

7 (225 ILCS 447/35-45)

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

9 Sec. 35-45. Armed proprietary security force.

10 (a) All financial institutions that employ one or more
11 armed employees and all commercial or industrial operations
12 that employ 5 or more persons as armed employees shall register
13 their security forces with the Department on forms provided by
14 the Department. For the purposes of this Section, "financial
15 institution" includes a bank, savings and loan association,
16 credit union, currency exchange, or company providing armored
17 car services.

18 (a-1) Commercial or industrial operations that employ less
19 than 5 persons as armed employees may register their security
20 forces with the Department on forms provided by the Department.
21 Registration subjects the security force to all of the
22 requirements of this Section.

23 (b) All armed employees of the registered proprietary
24 security force must complete a 20-hour basic training course
25 and all the firearm training requirements of this Section

1 ~~20-hour firearm training.~~

2 (c) Every proprietary security force is required to apply
3 to the Department, on forms supplied by the Department, for a
4 firearm control card for each armed employee. Each armed
5 employee shall have his or her fingerprints submitted to the
6 Department of State Police in an electronic format that
7 complies with the form and manner for requesting and furnishing
8 criminal history record information as prescribed by the
9 Department of State Police. These fingerprints shall be checked
10 against the Department of State Police and Federal Bureau of
11 Investigation criminal history record databases. The
12 Department of State Police shall charge the armed employee a
13 fee for conducting the criminal history records check, which
14 shall be deposited in the State Police Services Fund and shall
15 not exceed the actual cost of the records check. The Department
16 of State Police shall furnish, pursuant to positive
17 identification, records of Illinois convictions to the
18 Department. The Department may require armed employees to pay a
19 separate fingerprinting fee, either to the Department or
20 directly to the vendor. The Department, in its discretion, may
21 allow an armed employee who does not have reasonable access to
22 a designated vendor to provide his or her fingerprints in an
23 alternative manner. The Department, in its discretion, may also
24 use other procedures in performing or obtaining criminal
25 background checks of armed employees. Instead of submitting his
26 or her fingerprints, an individual may submit proof that is

1 satisfactory to the Department that an equivalent security
2 clearance has been conducted. Also, an individual who has
3 retired as a peace officer within 12 months before application
4 may submit verification, on forms provided by the Department
5 and signed by his or her employer, of his or her previous
6 full-time employment as a peace officer.

7 (d) The Department may provide rules for the administration
8 of this Section.

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

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

12 (720 ILCS 5/24-2)

13 Sec. 24-2. Exemptions.

14 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
15 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
16 the following:

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

20 (2) Wardens, superintendents and keepers of prisons,
21 penitentiaries, jails and other institutions for the
22 detention of persons accused or convicted of an offense,
23 while in the performance of their official duty, or while
24 commuting between their homes and places of employment.

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

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

12 (5) Persons licensed as private security contractors,
13 private detectives, or private alarm contractors, or
14 employed by a private security contractor, private
15 detective, or private alarm contractor agency licensed by
16 the Department of Financial and Professional Regulation,
17 if their duties include the carrying of a weapon under the
18 provisions of the Private Detective, Private Alarm,
19 Private Security, Fingerprint Vendor, and Locksmith Act of
20 2004, while actually engaged in the performance of the
21 duties of their employment or commuting between their homes
22 and places of employment. A person shall be considered
23 eligible for this exemption if he or she has completed the
24 required 28 ~~20~~ hours of training for a private security
25 contractor, private detective, or private alarm
26 contractor, or employee of a licensed private security

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

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

1 Professional Regulation, consisting of not less than 40
2 hours of training that includes the theory of law
3 enforcement, liability for acts, and the handling of
4 weapons. A person shall be considered eligible for this
5 exemption if he or she has completed the required 20 hours
6 of training for a security officer and 28 ~~20~~ hours of
7 required firearm training, and has been issued a firearm
8 control card by the Department of Financial and
9 Professional Regulation. Conditions for the renewal of
10 firearm control cards issued under the provisions of this
11 Section shall be the same as for those cards issued under
12 the provisions of the Private Detective, Private Alarm,
13 Private Security, Fingerprint Vendor, and Locksmith Act of
14 2004. The firearm control card shall be carried by the
15 security guard at all times when he or she is in possession
16 of a concealable weapon permitted by his or her firearm
17 control card.

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 as a
24 security guard for the protection of other employees and
25 property related to such financial institution, while
26 actually engaged in the performance of their duties,

1 commuting between their homes and places of employment, or
2 traveling between sites or properties owned or operated by
3 such financial institution, and who, as a security guard,
4 is a member of a security force registered with the
5 Department; provided that any person so employed has
6 successfully completed a course of study, approved by and
7 supervised by the Department of Financial and Professional
8 Regulation, consisting of not less than 40 hours of
9 training which includes theory of law enforcement,
10 liability for acts, and the handling of weapons. A person
11 shall be considered to be eligible for this exemption if he
12 or she has completed the required 20 hours of training for
13 a security officer and 28 ~~20~~ hours of required firearm
14 training, and has been issued a firearm control card by the
15 Department of Financial and Professional Regulation.
16 Conditions for renewal of firearm control cards issued
17 under the provisions of this Section shall be the same as
18 for those issued under the provisions of the Private
19 Detective, Private Alarm, Private Security, Fingerprint
20 Vendor, and Locksmith Act of 2004. The firearm control card
21 shall be carried by the security guard at all times when he
22 or she is in possession of a concealable weapon permitted
23 by his or her firearm control card. For purposes of this
24 subsection, "financial institution" means a bank, savings
25 and loan association, credit union or company providing
26 armored car services.

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

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

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

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

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

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

24 (13.5) A person employed as an armed security guard at
25 a nuclear energy, storage, weapons or development site or
26 facility regulated by the Nuclear Regulatory Commission

1 who has completed the background screening and training
2 mandated by the rules and regulations of the Nuclear
3 Regulatory Commission.

4 (14) Manufacture, transportation, or sale of weapons
5 to persons authorized under subdivisions (1) through
6 (13.5) of this subsection to possess those weapons.

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

12 (a-6) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply
13 to or affect a qualified current or retired law enforcement
14 officer qualified under the laws of this State or under the
15 federal Law Enforcement Officers Safety Act.

16 (b) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
17 24-1.6 do not apply to or affect any of the following:

18 (1) Members of any club or organization organized for
19 the purpose of practicing shooting at targets upon
20 established target ranges, whether public or private, and
21 patrons of such ranges, while such members or patrons are
22 using their firearms on those target ranges.

23 (2) Duly authorized military or civil organizations
24 while parading, with the special permission of the
25 Governor.

26 (3) Hunters, trappers or fishermen with a license or

1 permit while engaged in hunting, trapping or fishing.

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

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

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

10 (1) Peace officers while in performance of their
11 official duties.

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

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

23 (5) Persons licensed under federal law to manufacture
24 any weapon from which 8 or more shots or bullets can be
25 discharged by a single function of the firing device, or
26 ammunition for such weapons, and actually engaged in the

1 business of manufacturing such weapons or ammunition, but
2 only with respect to activities which are within the lawful
3 scope of such business, such as the manufacture,
4 transportation, or testing of such weapons or ammunition.
5 This exemption does not authorize the general private
6 possession of any weapon from which 8 or more shots or
7 bullets can be discharged by a single function of the
8 firing device, but only such possession and activities as
9 are within the lawful scope of a licensed manufacturing
10 business described in this paragraph.

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

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

25 The exemption granted under this subdivision (c)(6)
26 shall also apply to any authorized agent of any such

1 contractor or subcontractor who is operating within the
2 scope of his employment, where such activities involving
3 such weapon, weapons or ammunition are necessary and
4 incident to fulfilling the terms of such contract.

5 (7) A person possessing a rifle with a barrel or
6 barrels less than 16 inches in length if: (A) the person
7 has been issued a Curios and Relics license from the U.S.
8 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)
9 the person is an active member of a bona fide, nationally
10 recognized military re-enacting group and the modification
11 is required and necessary to accurately portray the weapon
12 for historical re-enactment purposes; the re-enactor is in
13 possession of a valid and current re-enacting group
14 membership credential; and the overall length of the weapon
15 as modified is not less than 26 inches.

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

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

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

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

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

6 (2) Bonafide collectors of antique or surplus military
7 ordnance.

8 (3) Laboratories having a department of forensic
9 ballistics, or specializing in the development of
10 ammunition or explosive ordnance.

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

20 (g-5) Subsection 24-1(a)(6) does not apply to or affect
21 persons licensed under federal law to manufacture any device or
22 attachment of any kind designed, used, or intended for use in
23 silencing the report of any firearm, firearms, or ammunition
24 for those firearms equipped with those devices, and actually
25 engaged in the business of manufacturing those devices,
26 firearms, or ammunition, but only with respect to activities

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

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

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

24 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
25 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
26 athlete's possession, transport on official Olympic and

1 Paralympic transit systems established for athletes, or use of
2 competition firearms sanctioned by the International Olympic
3 Committee, the International Paralympic Committee, the
4 International Shooting Sport Federation, or USA Shooting in
5 connection with such athlete's training for and participation
6 in shooting competitions at the 2016 Olympic and Paralympic
7 Games and sanctioned test events leading up to the 2016 Olympic
8 and Paralympic Games.

9 (h) An information or indictment based upon a violation of
10 any subsection of this Article need not negate any exemptions
11 contained in this Article. The defendant shall have the burden
12 of proving such an exemption.

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

1 (Source: P.A. 100-201, eff. 8-18-17; 101-80, eff. 7-12-19.)".