



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB2635

Introduced 2/19/2021, by Rep. Steven Reick

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.

LRB102 10883 RLC 16213 b

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
19 which offers a course in police or county corrections training
20 and 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

1 school to be eligible for permanent full-time employment as a
2 local 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
19 policeman by a participating State-controlled university,
20 college, or public community college.

21 "Law enforcement officer" means (i) any police officer of
22 a 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
4 enrolled 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
13 the 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
22 is employed as a court security officer by a participating
23 local 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
23 of the duties of their employment or commuting between
24 their homes and places of employment; and watchmen while

1 actually 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
13 homes and places of employment. A person shall be
14 considered eligible for this exemption if he or she has
15 completed the required 20 hours of training for a private
16 security 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
25 Detective, Private Alarm, Private Security, Fingerprint
26 Vendor, and Locksmith Act of 2004. The firearm control

1 card shall be carried by the private security contractor,
2 private detective, or private alarm contractor, or
3 employee of the licensed private security contractor,
4 private detective, or private alarm contractor agency at
5 all times when he or she is in possession of a concealable
6 weapon permitted by 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
9 protection of persons employed and private property
10 related to such commercial or industrial operation, while
11 actually engaged in the performance of his or her duty or
12 traveling between sites or properties belonging to the
13 employer, and who, as a security guard, is a member of a
14 security force registered with the Department of Financial
15 and Professional Regulation; provided that such security
16 guard has successfully completed a course of study,
17 approved by and supervised by the Department of Financial
18 and Professional Regulation, consisting of not less than
19 40 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
24 required firearm training, and has been issued a firearm
25 control card by the Department of Financial and
26 Professional Regulation. Conditions for the renewal of

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

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

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

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

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

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

24 (11) Investigators of the Office of the State's
25 Attorneys Appellate Prosecutor authorized by the board of
26 governors of the Office of the State's Attorneys Appellate

1 Prosecutor to carry weapons pursuant to Section 7.06 of
2 the State's Attorneys Appellate Prosecutor's Act.

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

5 (12.5) Probation officers while in the performance of
6 their duties, or while commuting between their homes,
7 places of employment or specific locations that are part
8 of their assigned duties, with the consent of the chief
9 judge of the circuit for which they are employed, if they
10 have received weapons training according to requirements
11 of the Peace Officer and Probation Officer Firearm
12 Training Act.

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

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

23 (14) Manufacture, transportation, or sale of weapons
24 to persons authorized under subdivisions (1) through
25 (13.5) of this subsection to possess those weapons.

26 (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply

1 to or affect any person carrying a concealed pistol, revolver,
2 or handgun and the person has been issued a currently valid
3 license under the Firearm Concealed Carry Act at the time of
4 the commission of the offense.

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

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
22 a 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
26 person's 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
22 lawful 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
9 experimental activities necessary thereto, of rifles,
10 shotguns, and weapons made from rifles or shotguns, or
11 ammunition for such rifles, shotguns or weapons, where
12 engaged in by a person operating as a contractor or
13 subcontractor pursuant to a contract or subcontract for
14 the development and supply of such rifles, shotguns,
15 weapons or ammunition to the United States government or
16 any branch of the Armed Forces of the United States, when
17 such activities are necessary and incident to fulfilling
18 the terms of such contract.

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

25 (7) A person possessing a rifle with a barrel or
26 barrels less than 16 inches in length if: (A) the person

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

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

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

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

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

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

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

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

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

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

1 silencing the report of any firearm, but only such possession
2 and activities as are within the lawful scope of a licensed
3 manufacturing business described in this subsection (g-5).
4 During transportation, these devices shall be detached from
5 any weapon or not immediately accessible.

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

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

19 (g-8) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
20 24-1.6 do not apply to or affect any currently employed or
21 qualified retired State correctional officer who meets the
22 qualifications and conditions prescribed in Section 3-2-12 of
23 the Unified Code of Corrections.

24 (g-9) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
25 24-1.6 do not apply to or affect any currently employed or
26 qualified retired county correctional officer who meets the

1 qualifications and conditions prescribed in Section 26.1 of
2 the County Jail Act.

3 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
4 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
5 athlete's possession, transport on official Olympic and
6 Paralympic transit systems established for athletes, or use of
7 competition firearms sanctioned by the International Olympic
8 Committee, the International Paralympic Committee, the
9 International Shooting Sport Federation, or USA Shooting in
10 connection with such athlete's training for and participation
11 in shooting competitions at the 2016 Olympic and Paralympic
12 Games and sanctioned test events leading up to the 2016
13 Olympic and Paralympic Games.

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

18 (i) Nothing in this Article shall prohibit, apply to, or
19 affect the transportation, carrying, or possession, of any
20 pistol or revolver, stun gun, taser, or other firearm
21 consigned to a common carrier operating under license of the
22 State of Illinois or the federal government, where such
23 transportation, carrying, or possession is incident to the
24 lawful transportation in which such common carrier is engaged;
25 and nothing in this Article shall prohibit, apply to, or
26 affect the transportation, carrying, or possession of any

1 pistol, revolver, stun gun, taser, or other firearm, not the
2 subject of and regulated by subsection 24-1(a)(7) or
3 subsection 24-2(c) of this Article, which is unloaded and
4 enclosed in a case, firearm carrying box, shipping box, or
5 other container, by the possessor of a valid Firearm Owners
6 Identification Card.

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

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

10 (730 ILCS 5/3-2-13 new)

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

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

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

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

20 (2) before the separation, was authorized by law to
21 engage in or supervise the activities of prevention,
22 detection, investigation, prosecution, or incarceration of
23 any person for any violation of law;

24 (3) before the separation, served as a State

1 correctional officer for an aggregate of 10 years or more;

2 (4) has not either:

3 (A) been officially found, as the Department shall
4 by rule provide, by a qualified medical professional
5 employed by the Department of Corrections to be
6 unqualified for reasons relating to mental health and
7 as a result of this finding will not be issued the
8 photographic identification as described in paragraph
9 (5) of subsection (c); or

10 (B) entered into an agreement with the Department
11 of Corrections in which that individual acknowledges
12 he or she is not qualified under this Section for
13 reasons relating to mental health and for those
14 reasons will not receive or accept the photographic
15 identification as described in paragraph (5) of
16 subsection (c);

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

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

21 (c) Paragraphs (4) and (10) of subsection (a) of Section
22 24-1 and Section 24-1.6 of the Criminal Code of 2012 do not
23 apply to currently employed or qualified retired State
24 correctional officers who meet the following conditions:

25 (1) The currently employed or qualified retired State
26 correctional officer must receive training in the use of

1 firearms while off-duty conducted by the Illinois Law
2 Enforcement Training Standards Board and be certified as
3 having successfully completed the training by the Board.
4 The Board shall determine the amount of the training and
5 the course content for the training. The currently
6 employed or qualified retired State correctional officer
7 shall requalify for the firearms training annually at a
8 State range certified by the Illinois Law Enforcement
9 Training Standards Board. The expenses of the retraining
10 shall be paid by the currently employed or qualified
11 retired State correctional officer and moneys for the
12 costs of the requalification shall be expended at the
13 request of the Illinois Law Enforcement Training Standards
14 Board.

15 (2) The currently employed or qualified retired State
16 correctional officer shall purchase the firearm at his or
17 her own expense and shall register the firearm with the
18 Illinois State Police and with any local law enforcement
19 agencies that require the registration.

20 (3) The currently employed or qualified retired State
21 correctional officer may not carry any Department of
22 Corrections State-issued firearm while off-duty. A person
23 who violates this paragraph (3) is subject to disciplinary
24 action by the Department of Corrections.

25 (4) State correctional officers who are or were
26 discharged from employment by the Department of

1 Corrections are not law enforcement officials after the
2 date of discharge.

3 (5) The currently employed or qualified retired State
4 correctional officer shall carry photographic
5 identification issued by the Department of Corrections
6 identifying him or her as a currently employed or
7 qualified retired State correctional officer while
8 carrying a firearm off-duty, along with a valid annual
9 firearm certificate issued by the Illinois Law Enforcement
10 Training Standards Board stating that he or she is
11 qualified to carry a concealed weapon.

12 Section 20. The County Jail Act is amended by adding
13 Section 26.1 as follows:

14 (730 ILCS 125/26.1 new)

15 Sec. 26.1. County correctional officers; off-duty
16 firearms.

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

20 (b) In this Section, "qualified retired county
21 correctional officer" means a former county correctional
22 officer who:

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

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

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

7 (4) has not either:

8 (A) been officially found, as the county sheriff
9 shall by rule provide, by a qualified medical
10 professional employed by the county sheriff to be
11 unqualified for reasons relating to mental health and
12 as a result of this finding will not be issued the
13 photographic identification as described in paragraph

14 (5) of subsection (c); or

15 (B) entered into an agreement with the county
16 sheriff's office from which the individual is
17 separated form service in which that individual
18 acknowledges he or she is not qualified under this
19 Section for reasons relating to mental health and for
20 those reasons will not receive or accept the
21 photographic identification as described in paragraph

22 (5) of subsection (c);

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

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

1 (c) Paragraphs (4) and (10) of subsection (a) of Section
2 24-1 and Section 24-1.6 of the Criminal Code of 2012 do not
3 apply to currently employed or qualified retired county
4 correctional officers who meet the following conditions:

5 (1) The currently employed or qualified retired county
6 correctional officer must receive training in the use of
7 firearms while off-duty conducted by the Illinois Law
8 Enforcement Training Standards Board and be certified as
9 having successfully completed the training by the Board.
10 The Board shall determine the amount of the training and
11 the course content for the training. The currently
12 employed or qualified retired county correctional officer
13 shall requalify for the firearms training annually at a
14 State range certified by the Illinois Law Enforcement
15 Training Standards Board. The expenses of the retraining
16 shall be paid by the currently employed or qualified
17 retired county correctional officer and moneys for the
18 costs of the requalification shall be expended at the
19 request of the Illinois Law Enforcement Training Standards
20 Board.

21 (2) The currently employed or qualified retired county
22 correctional officer shall purchase the firearm at his or
23 her own expense and shall register the firearm with the
24 Illinois State Police and with any other local law
25 enforcement agencies that require the registration.

26 (3) The currently employed or qualified retired county

1 correctional officer may not carry any county
2 sheriff-issued firearm while off-duty. A person who
3 violates this paragraph (3) is subject to disciplinary
4 action by the county sheriff.

5 (4) County correctional officers who are or were
6 discharged from employment by the county sheriff shall no
7 longer be considered law enforcement officials and all
8 their rights as law enforcement officials shall be revoked
9 permanently.

10 (5) The currently employed or qualified retired county
11 correctional officer shall carry a photographic
12 identification issued by his or her agency identifying him
13 or her as a currently employed or qualified retired county
14 correctional officer while carrying a firearm off-duty,
15 along with a valid annual firearm certificate issued by
16 the Illinois Law Enforcement Training Standards Board
17 stating that he or she is qualified to carry a concealed
18 weapon.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.