

1 AN ACT concerning regulation.

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

4 Section 5. The Private Detective, Private Alarm, Private
5 Security, Fingerprint Vendor, and Locksmith Act of 2004 is
6 amended by changing Sections 5-10, 15-25, 20-20, 25-20, 35-40,
7 and 35-45 as follows:

8 (225 ILCS 447/5-10)

9 (Section scheduled to be repealed on January 1, 2024)

10 Sec. 5-10. Definitions. As used in this Act:

11 "Address of record" means the designated address recorded
12 by the Department in the applicant's application file or the
13 licensee's license file, as maintained by the Department's
14 licensure maintenance unit.

15 "Advertisement" means any public media, including printed
16 or electronic material, that is published or displayed in a
17 phone book, newspaper, magazine, pamphlet, newsletter,
18 website, or other similar type of publication or electronic
19 format that is intended to either attract business or merely
20 provide contact information to the public for an agency or
21 licensee. Advertisement shall not include a licensee's or an
22 agency's letterhead, business cards, or other stationery used
23 in routine business correspondence or customary name, address,

1 and number type listings in a telephone directory.

2 "Alarm system" means any system, including an electronic
3 access control system, a surveillance video system, a security
4 video system, a burglar alarm system, a fire alarm system, or
5 any other electronic system that activates an audible,
6 visible, remote, or recorded signal that is designed for the
7 protection or detection of intrusion, entry, theft, fire,
8 vandalism, escape, or trespass, or other electronic systems
9 designed for the protection of life by indicating the
10 existence of an emergency situation. "Alarm system" also
11 includes an emergency communication system and a mass
12 notification system.

13 "Applicant" means a person or business applying for
14 licensure, registration, or authorization under this Act. Any
15 applicant or person who holds himself or herself out as an
16 applicant is considered a licensee or registrant for the
17 purposes of enforcement, investigation, hearings, and the
18 Illinois Administrative Procedure Act.

19 "Armed employee" means a licensee or registered person who
20 is employed by an agency licensed or an armed proprietary
21 security force registered under this Act who carries a weapon
22 while engaged in the performance of official duties within the
23 course and scope of his or her employment during the hours and
24 times the employee is scheduled to work or is commuting
25 between his or her home or place of employment.

26 "Armed proprietary security force" means a security force

1 made up of one or more armed individuals employed by a
2 commercial or industrial operation or by a financial
3 institution as security officers for the protection of persons
4 or property.

5 "Board" means the Private Detective, Private Alarm,
6 Private Security, Fingerprint Vendor, and Locksmith Board.

7 "Branch office" means a business location removed from the
8 place of business for which an agency license has been issued,
9 including, but not limited to, locations where active employee
10 records that are required to be maintained under this Act are
11 kept, where prospective new employees are processed, or where
12 members of the public are invited in to transact business. A
13 branch office does not include an office or other facility
14 located on the property of an existing client that is utilized
15 solely for the benefit of that client and is not owned or
16 leased by the agency.

17 "Canine handler" means a person who uses or handles a
18 trained dog to protect persons or property or to conduct
19 investigations.

20 "Canine handler authorization card" means a card issued by
21 the Department that authorizes the holder to use or handle a
22 trained dog to protect persons or property or to conduct
23 investigations during the performance of his or her duties as
24 specified in this Act.

25 "Canine trainer" means a person who acts as a dog trainer
26 for the purpose of training dogs to protect persons or

1 property or to conduct investigations.

2 "Canine trainer authorization card" means a card issued by
3 the Department that authorizes the holder to train a dog to
4 protect persons or property or to conduct investigations
5 during the performance of his or her duties as specified in
6 this Act.

7 "Canine training facility" means a facility operated by a
8 licensed private detective agency or private security
9 contractor agency wherein dogs are trained for the purposes of
10 protecting persons or property or to conduct investigations.

11 "Corporation" means an artificial person or legal entity
12 created by or under the authority of the laws of a state,
13 including without limitation a corporation, limited liability
14 company, or any other legal entity.

15 "Department" means the Department of Financial and
16 Professional Regulation.

17 "Emergency communication system" means any system that
18 communicates information about emergencies, including but not
19 limited to fire, terrorist activities, shootings, other
20 dangerous situations, accidents, and natural disasters.

21 "Employee" means a person who works for a person or agency
22 that has the right to control the details of the work performed
23 and is not dependent upon whether or not federal or state
24 payroll taxes are withheld.

25 "Fingerprint vendor" means a person that offers,
26 advertises, or provides services to fingerprint individuals,

1 through electronic or other means, for the purpose of
2 providing fingerprint images and associated demographic data
3 to the Department of State Police for processing fingerprint
4 based criminal history record information inquiries.

5 "Fingerprint vendor agency" means a person, firm,
6 corporation, or other legal entity that engages in the
7 fingerprint vendor business and employs, in addition to the
8 fingerprint vendor licensee-in-charge, at least one other
9 person in conducting that business.

10 "Fingerprint vendor licensee-in-charge" means a person who
11 has been designated by a fingerprint vendor agency to be the
12 licensee-in-charge of an agency who is a full-time management
13 employee or owner who assumes sole responsibility for
14 maintaining all records required by this Act and who assumes
15 sole responsibility for assuring the licensed agency's
16 compliance with its responsibilities as stated in this Act.
17 The Department shall adopt rules mandating licensee-in-charge
18 participation in agency affairs.

19 "Fire alarm system" means any system that is activated by
20 an automatic or manual device in the detection of smoke, heat,
21 or fire that activates an audible, visible, or remote signal
22 requiring a response.

23 "Firearm control card" means a card issued by the
24 Department that authorizes the holder, who has complied with
25 the training and other requirements of this Act, to carry a
26 weapon during the performance of his or her duties as

1 specified in this Act.

2 "Firm" means an unincorporated business entity, including
3 but not limited to proprietorships and partnerships.

4 "Licensee" means a person or business licensed under this
5 Act. Anyone who holds himself or herself out as a licensee or
6 who is accused of unlicensed practice is considered a licensee
7 for purposes of enforcement, investigation, hearings, and the
8 Illinois Administrative Procedure Act.

9 "Locksmith" means a person who engages in a business or
10 holds himself out to the public as providing a service that
11 includes, but is not limited to, the servicing, installing,
12 originating first keys, re-coding, repairing, maintaining,
13 manipulating, or bypassing of a mechanical or electronic
14 locking device, access control or video surveillance system at
15 premises, vehicles, safes, vaults, safe deposit boxes, or
16 automatic teller machines.

17 "Locksmith agency" means a person, firm, corporation, or
18 other legal entity that engages in the locksmith business and
19 employs, in addition to the locksmith licensee-in-charge, at
20 least one other person in conducting such business.

21 "Locksmith licensee-in-charge" means a person who has been
22 designated by agency to be the licensee-in-charge of an
23 agency, who is a full-time management employee or owner who
24 assumes sole responsibility for maintaining all records
25 required by this Act, and who assumes sole responsibility for
26 assuring the licensed agency's compliance with its

1 responsibilities as stated in this Act. The Department shall
2 adopt rules mandating licensee-in-charge participation in
3 agency affairs.

4 "Mass notification system" means any system that is used
5 to provide information and instructions to people in a
6 building or other space using voice communications, including
7 visible signals, text, graphics, tactile, or other
8 communication methods.

9 "Peace officer" or "police officer" means a person who, by
10 virtue of office or public employment, is vested by law with a
11 duty to maintain public order or to make arrests for offenses,
12 whether that duty extends to all offenses or is limited to
13 specific offenses. Officers, agents, or employees of the
14 federal government commissioned by federal statute to make
15 arrests for violations of federal laws are considered peace
16 officers.

17 "Permanent employee registration card" means a card issued
18 by the Department to an individual who has applied to the
19 Department and meets the requirements for employment by a
20 licensed agency under this Act.

21 "Person" means a natural person.

22 "Private alarm contractor" means a person who engages in a
23 business that individually or through others undertakes,
24 offers to undertake, purports to have the capacity to
25 undertake, or submits a bid to sell, install, design, monitor,
26 maintain, test, inspect, alter, repair, replace, or service

1 alarm and other security-related systems or parts thereof,
2 including fire alarm systems, at protected premises or
3 premises to be protected or responds to alarm systems at a
4 protected premises on an emergency basis and not as a
5 full-time security officer. "Private alarm contractor" does
6 not include a person, firm, or corporation that manufactures
7 or sells alarm systems only from its place of business and does
8 not sell, install, monitor, maintain, alter, repair, replace,
9 service, or respond to alarm systems at protected premises or
10 premises to be protected.

11 "Private alarm contractor agency" means a person,
12 corporation, or other entity that engages in the private alarm
13 contracting business and employs, in addition to the private
14 alarm contractor-in-charge, at least one other person in
15 conducting such business.

16 "Private alarm contractor licensee-in-charge" means a
17 person who has been designated by an agency to be the
18 licensee-in-charge of an agency, who is a full-time management
19 employee or owner who assumes sole responsibility for
20 maintaining all records required by this Act, and who assumes
21 sole responsibility for assuring the licensed agency's
22 compliance with its responsibilities as stated in this Act.
23 The Department shall adopt rules mandating licensee-in-charge
24 participation in agency affairs.

25 "Private detective" means any person who by any means,
26 including, but not limited to, manual, canine odor detection,

1 or electronic methods, engages in the business of, accepts
2 employment to furnish, or agrees to make or makes
3 investigations for a fee or other consideration to obtain
4 information relating to:

5 (1) Crimes or wrongs done or threatened against the
6 United States, any state or territory of the United
7 States, or any local government of a state or territory.

8 (2) The identity, habits, conduct, business
9 occupation, honesty, integrity, credibility, knowledge,
10 trustworthiness, efficiency, loyalty, activity,
11 movements, whereabouts, affiliations, associations,
12 transactions, acts, reputation, or character of any
13 person, firm, or other entity by any means, manual or
14 electronic.

15 (3) The location, disposition, or recovery of lost or
16 stolen property.

17 (4) The cause, origin, or responsibility for fires,
18 accidents, or injuries to individuals or real or personal
19 property.

20 (5) The truth or falsity of any statement or
21 representation.

22 (6) Securing evidence to be used before any court,
23 board, or investigating body.

24 (7) The protection of individuals from bodily harm or
25 death (bodyguard functions).

26 (8) Service of process in criminal and civil

1 proceedings.

2 "Private detective agency" means a person, firm,
3 corporation, or other legal entity that engages in the private
4 detective business and employs, in addition to the
5 licensee-in-charge, one or more persons in conducting such
6 business.

7 "Private detective licensee-in-charge" means a person who
8 has been designated by an agency to be the licensee-in-charge
9 of an agency, who is a full-time management employee or owner
10 who assumes sole responsibility for maintaining all records
11 required by this Act, and who assumes sole responsibility for
12 assuring the licensed agency's compliance with its
13 responsibilities as stated in this Act. The Department shall
14 adopt rules mandating licensee-in-charge participation in
15 agency affairs.

16 "Private security contractor" means a person who engages
17 in the business of providing a private security officer,
18 watchman, patrol, guard dog, canine odor detection, or a
19 similar service by any other title or name on a contractual
20 basis for another person, firm, corporation, or other entity
21 for a fee or other consideration and performing one or more of
22 the following functions:

23 (1) The prevention or detection of intrusion, entry,
24 theft, vandalism, abuse, fire, or trespass on private or
25 governmental property.

26 (2) The prevention, observation, or detection of any

1 unauthorized activity on private or governmental property.

2 (3) The protection of persons authorized to be on the
3 premises of the person, firm, or other entity for which
4 the security contractor contractually provides security
5 services.

6 (4) The prevention of the misappropriation or
7 concealment of goods, money, bonds, stocks, notes,
8 documents, or papers.

9 (5) The control, regulation, or direction of the
10 movement of the public for the time specifically required
11 for the protection of property owned or controlled by the
12 client.

13 (6) The protection of individuals from bodily harm or
14 death (bodyguard functions).

15 "Private security contractor agency" means a person, firm,
16 corporation, or other legal entity that engages in the private
17 security contractor business and that employs, in addition to
18 the licensee-in-charge, one or more persons in conducting such
19 business.

20 "Private security contractor licensee-in-charge" means a
21 person who has been designated by an agency to be the
22 licensee-in-charge of an agency, who is a full-time management
23 employee or owner who assumes sole responsibility for
24 maintaining all records required by this Act, and who assumes
25 sole responsibility for assuring the licensed agency's
26 compliance with its responsibilities as stated in this Act.

1 The Department shall adopt rules mandating licensee-in-charge
2 participation in agency affairs.

3 "Public member" means a person who is not a licensee or
4 related to a licensee, or who is not an employer or employee of
5 a licensee. The term "related to" shall be determined by the
6 rules of the Department.

7 "Secretary" means the Secretary of the Department of
8 Financial and Professional Regulation.

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

10 (225 ILCS 447/15-25)

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

12 Sec. 15-25. Training; private detective and employees.

13 (a) Registered employees of a private detective agency
14 shall complete, within 30 days of their employment, a minimum
15 of 20 hours of basic training provided by a qualified
16 instructor. The substance of the training shall be related to
17 the work performed by the registered employee. The training
18 may be classroom-based or online Internet-based but shall not
19 be conducted as on-the-job training and shall include relevant
20 information as to the identification of terrorists, acts of
21 terrorism, and terrorist organizations, as defined by federal
22 and State statutes.

23 (a-5) In addition to the basic training required in
24 subsection (a), registered employees of a private detective
25 agency shall complete an additional minimum of 8 hours of

1 annual training for every calendar year, commencing with the
2 calendar year beginning after the employee's hire date.

3 (a-10) Annual training for registered employees shall be
4 based on subjects related to the work performed as determined
5 by the employer and may be conducted in a classroom or seminar
6 setting or via Internet-based online learning programs. Annual
7 training may not be conducted as on-the-job training.

8 (b) It is the responsibility of the employer to certify,
9 on a form provided by the Department, that the employee has
10 successfully completed the basic and annual training. The
11 original form or a copy shall be a permanent record of training
12 completed by the employee and shall be placed in the
13 employee's file with the employer for the period the employee
14 remains with the employer. ~~An agency may place a notarized~~
15 ~~copy of the Department form in lieu of the original into the~~
16 ~~permanent employee registration card file.~~ The original form
17 or a copy shall be given to the employee when his or her
18 employment is terminated. Failure to return the original form
19 or a copy to the employee is grounds for disciplinary action.
20 The employee shall not be required to repeat the required
21 training once the employee has been issued the form. An
22 employer may provide or require additional training.

23 (c) (Blank). ~~Any certification of completion of the~~
24 ~~20-hour basic training issued under the Private Detective,~~
25 ~~Private Alarm, Private Security, and Locksmith Act of 1993 or~~
26 ~~any prior Act shall be accepted as proof of training under this~~

1 ~~Act.~~

2 (d) All private detectives shall complete a minimum of 8
3 hours of annual training on a topic of their choosing,
4 provided that the subject matter is reasonably related to
5 their private detective practice. The annual training for
6 private detectives may be completed utilizing any combination
7 of hours obtained in a classroom or seminar setting or via
8 Internet-based online learning programs. The Department shall
9 adopt rules to administer this subsection.

10 (e) The annual training requirements for private
11 detectives shall not apply until the calendar year following
12 the issuance of the private detective license.

13 (f) It shall be the responsibility of the private
14 detective to keep and maintain a personal log of all training
15 hours earned along with sufficient documentation for the
16 Department to verify the annual training completed for at
17 least 5 years. The personal training log and documentation
18 shall be provided to the Department in the same manner as other
19 documentation and records required under this Act.

20 (g) If the private detective owns or is employed by a
21 private detective agency, the private detective agency shall
22 maintain a record of the annual training. The private
23 detective agency must make the record of annual training
24 available to the Department upon request.

25 (h) Recognizing the diverse professional practices of
26 private detectives licensed under this Act, it is the intent

1 of the training requirements in this Section to allow for a
2 broad interpretation of the coursework, seminar subjects, or
3 class topics to be considered reasonably related to the
4 practice of any profession licensed under this Act.

5 (i) Notwithstanding any other professional license a
6 private detective holds under this Act, no more than 8 hours of
7 annual training shall be required for any one year.

8 (Source: P.A. 95-613, eff. 9-11-07.)

9 (225 ILCS 447/20-20)

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

11 Sec. 20-20. Training; private alarm contractor and
12 employees.

13 (a) Registered employees of the private alarm contractor
14 agency who carry a firearm and respond to alarm systems shall
15 complete, within 30 days of their employment, a minimum of 20
16 hours of classroom training provided by a qualified instructor
17 and shall include all of the following subjects:

18 (1) The law regarding arrest and search and seizure as
19 it applies to the private alarm industry.

20 (2) Civil and criminal liability for acts related to
21 the private alarm industry.

22 (3) The use of force, including but not limited to the
23 use of nonlethal force (i.e., disabling spray, baton,
24 stungun, or similar weapon).

25 (4) Arrest and control techniques.

1 (5) The offenses under the Criminal Code of 2012 that
2 are directly related to the protection of persons and
3 property.

4 (6) The law on private alarm forces and on reporting
5 to law enforcement agencies.

6 (7) Fire prevention, fire equipment, and fire safety.

7 (8) Civil rights and public relations.

8 (9) The identification of terrorists, acts of
9 terrorism, and terrorist organizations, as defined by
10 federal and State statutes.

11 Pursuant to directives set forth by the U.S. Department of
12 Homeland Security and the provisions set forth by the National
13 Fire Protection Association in the National Fire Alarm Code
14 and the Life Safety Code, training may include the
15 installation, repair, and maintenance of emergency
16 communication systems and mass notification systems.

17 (b) All other employees of a private alarm contractor
18 agency shall complete a minimum of 20 hours of basic training
19 provided by a qualified instructor within 30 days of their
20 employment. The training may be provided in a classroom or
21 seminar setting or via Internet-based online learning
22 programs. The substance of the training shall be related to
23 the work performed by the registered employee.

24 (c) It is the responsibility of the employer to certify,
25 on forms provided by the Department, that the employee has
26 successfully completed the training. The original form or a

1 copy shall be a permanent record of training completed by the
2 employee and shall be placed in the employee's file with the
3 employer for the term the employee is retained by the
4 employer. A private alarm contractor agency may place a
5 ~~notarized~~ copy of the Department form in lieu of the original
6 into the permanent employee registration card file. The
7 original form or a copy shall be returned to the employee when
8 his or her employment is terminated. Failure to return the
9 original form or a copy to the employee is grounds for
10 discipline. The employee shall not be required to complete the
11 training required under this Act once the employee has been
12 issued a form.

13 (d) Nothing in this Act prevents any employer from
14 providing or requiring additional training beyond the required
15 20 hours that the employer feels is necessary and appropriate
16 for competent job performance.

17 (e) Any certification of completion of the 20-hour basic
18 training issued under the Private Detective, Private Alarm,
19 Private Security, and Locksmith Act of 1993 or any prior Act
20 shall be accepted as proof of training under this Act.

21 (Source: P.A. 96-847, eff. 6-1-10; 97-1150, eff. 1-25-13.)

22 (225 ILCS 447/25-20)

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

24 Sec. 25-20. Training; private security contractor and
25 employees.

1 (a) Registered employees of the private security
2 contractor agency who provide traditional guarding or other
3 private security related functions or who respond to alarm
4 systems shall complete, within 30 days of their employment, a
5 minimum of 20 hours of ~~classroom~~ basic training, which may be
6 provided in a classroom or seminar setting or via
7 Internet-based online learning programs, and shall be provided
8 by a qualified instructor, which shall include the following
9 subjects:

10 (1) The law regarding arrest and search and seizure as
11 it applies to private security.

12 (2) Civil and criminal liability for acts related to
13 private security.

14 (3) The use of force, including but not limited to the
15 use of nonlethal force (i.e., disabling spray, baton,
16 stungun, taser, or similar weapon).

17 (4) Verbal communication skills ~~Arrest and control~~
18 ~~techniques.~~

19 (5) The offenses under the Criminal Code of 2012 that
20 are directly related to the protection of persons and
21 property.

22 (6) Private security officers and the criminal justice
23 system ~~The law on private security forces and on reporting~~
24 ~~to law enforcement agencies.~~

25 (7) Fire prevention, fire equipment, and fire safety.

26 (8) Report ~~The procedures for report writing and~~ and

1 observation techniques.

2 (9) Customer service, civil ~~Civil~~ rights, and public
3 relations.

4 (10) The identification of terrorists, acts of
5 terrorism, and terrorist organizations, as defined by
6 federal and State statutes.

7 (b) All other employees of a private security contractor
8 agency shall complete a minimum of 20 hours of basic training
9 provided by the qualified instructor within 30 days of their
10 employment. The training may be provided in a classroom or
11 seminar setting or via Internet-based online learning
12 programs. The substance of the training shall be related to
13 the work performed by the registered employee.

14 (c) Registered employees of the private security
15 contractor agency who provide guarding or other private
16 security related functions, in addition to the basic ~~classroom~~
17 training required under subsection (a), within 6 months of
18 their employment, shall complete an additional 8 hours of
19 training on subjects to be determined by the employer, which
20 training may be site-specific and may be conducted on the job.
21 The training may be provided in a classroom or seminar setting
22 or via Internet-based online learning programs.

23 (d) In addition to the basic training provided for in
24 subsections (a) and (c), registered employees of the private
25 security contractor agency who provide guarding or other
26 private security related functions shall complete an

1 additional 8 hours of refresher training on subjects to be
2 determined by the employer each calendar year commencing with
3 the calendar year following the employee's first employment
4 anniversary date, which refresher training may be
5 site-specific and may be conducted on the job.

6 (e) It is the responsibility of the employer to certify,
7 on a form provided by the Department, that the employee has
8 successfully completed the basic and refresher training. The
9 original form or a copy shall be a permanent record of training
10 completed by the employee and shall be placed in the
11 employee's file with the employer for the period the employee
12 remains with the employer. ~~An agency may place a notarized~~
13 ~~copy of the Department form in lieu of the original into the~~
14 ~~permanent employee registration card file.~~ The original form
15 or a copy shall be given to the employee when his or her
16 employment is terminated. Failure to return the original form
17 or a copy to the employee is grounds for disciplinary action.
18 The employee shall not be required to repeat the required
19 training once the employee has been issued the form. An
20 employer may provide or require additional training.

21 (f) (Blank). ~~Any certification of completion of the~~
22 ~~20-hour basic training issued under the Private Detective,~~
23 ~~Private Alarm, Private Security and Locksmith Act of 1993 or~~
24 ~~any prior Act shall be accepted as proof of training under this~~
25 ~~Act.~~

26 (g) All private security contractors shall complete a

1 minimum of 4 hours of annual training on a topic of their
2 choosing, provided that the subject matter of the training is
3 reasonably related to their private security contractor
4 practice. The training may be provided in a classroom setting
5 or seminar setting or via Internet-based online learning
6 programs. The Department shall adopt rules to administer this
7 subsection.

8 (h) It shall be the responsibility of the private security
9 contractor to keep and maintain a personal log of all training
10 hours earned along with sufficient documentation necessary for
11 the Department to verify the annual training completed for at
12 least 5 years. The personal training log and documentation
13 shall be provided to the Department in the same manner as other
14 documentation and records required under this Act.

15 (i) If the private security contractor owns or is employed
16 by a private security contractor agency, the private security
17 contractor agency shall maintain a record of the annual
18 training. The private security contractor agency must make the
19 record of annual training available to the Department upon
20 request.

21 (j) Recognizing the diverse professional practices of
22 private security contractors licensed under this Act, it is
23 the intent of the training requirements in this Section to
24 allow for a broad interpretation of the coursework, seminar
25 subjects, or class topics to be considered reasonably related
26 to the practice of any profession licensed under this Act.

1 (k) Notwithstanding any other professional license a
2 private security contractor holds under this Act, no more than
3 4 hours of annual training shall be required for any one year.

4 (l) The annual training requirements for private security
5 contractors shall not apply until the calendar year following
6 the issuance of the private security contractor license.

7 (Source: P.A. 97-1150, eff. 1-25-13; 98-253, eff. 8-9-13;
8 98-756, eff. 7-16-14.)

9 (225 ILCS 447/35-40)

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

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

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

20 (1) 48 40 hours of training as follows:

21 (A) 20 hours consisting of training ~~which shall be~~
22 as described in Sections 15-20, 20-20, or 25-20, as
23 applicable; ~~and 20 hours of which shall include all~~
24 ~~of the following:~~

25 (B) 8 hours consisting of practice firing on a

1 range with live ammunition, including, but not limited
2 to, firing a minimum of 50 rounds of live ammunition
3 (factory loaded service ammunition or factory reloaded
4 ammunition) and attaining a minimum score of 70%
5 accuracy with each type of weapon the person is
6 authorized by the Department to carry and for which
7 the person has been trained; and

8 (C) 20 hours consisting of instruction in: ~~(A)~~
9 ~~Instruction in~~

10 (i) the dangers of and misuse of firearms,
11 their storage, safety rules, and care and cleaning
12 of firearms;

13 (ii) defensive tactics for in-holster weapon
14 retention;

15 (iii). ~~(B) Practice firing on a range with~~
16 ~~live ammunition. (C) Instruction in the legal use~~
17 of firearms;

18 (iv). ~~(D) A presentation of the ethical and~~
19 moral considerations necessary for any person who
20 possesses a firearm;

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

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

25 (2) An examination shall be given at the completion of
26 the course. The examination shall consist of a firearms

1 qualification course and a written examination. Successful
2 completion shall be determined by the Department.

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

12 (c) In addition to the training provided for in subsection
13 (a), a licensee or employee in possession of a valid firearm
14 control card shall complete an additional 8 hours of refresher
15 training each calendar year commencing with the calendar year
16 following one year after the date of the issuance of the
17 firearm control card. The 8 hours of training shall consist of
18 practice firing on a range with live ammunition, including,
19 but not limited to, firing a minimum of 50 rounds of live
20 ammunition (factory loaded service ammunition or factory
21 reloaded ammunition) and attaining a minimum score of 70%
22 accuracy with each type of weapon the person is authorized by
23 the Department to carry and for which the person has been
24 trained.

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

1 (225 ILCS 447/35-45)

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

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

4 (a) All financial institutions or commercial or industrial
5 operations that employ one or more armed employees ~~and all~~
6 ~~commercial or industrial operations that employ 5 or more~~
7 ~~persons as armed employees~~ shall register their security
8 forces with the Department on forms provided by the
9 Department. Registration subjects the security force to all of
10 the requirements of Section 35-40. For the purposes of this
11 Section, "financial institution" includes a bank, savings and
12 loan association, credit union, currency exchange, or company
13 providing armored car services.

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

19 (b) All armed employees of the registered proprietary
20 security force must complete a 20-hour basic training course
21 and all the 20-hour firearm training requirements of Section
22 35-40.

23 (c) Every proprietary security force is required to apply
24 to the Department, on forms supplied by the Department, for a
25 firearm control card for each armed employee. Each armed
26 employee shall have his or her fingerprints submitted to the

1 Department of State Police in an electronic format that
2 complies with the form and manner for requesting and
3 furnishing criminal history record information as prescribed
4 by the Department of State Police. These fingerprints shall be
5 checked against the Department of State Police and Federal
6 Bureau of Investigation criminal history record databases. The
7 Department of State Police shall charge the armed employee a
8 fee for conducting the criminal history records check, which
9 shall be deposited in the State Police Services Fund and shall
10 not exceed the actual cost of the records check. The
11 Department of State Police shall furnish, pursuant to positive
12 identification, records of Illinois convictions to the
13 Department. The Department may require armed employees to pay
14 a separate fingerprinting fee, either to the Department or
15 directly to the vendor. The Department, in its discretion, may
16 allow an armed employee who does not have reasonable access to
17 a designated vendor to provide his or her fingerprints in an
18 alternative manner. The Department, in its discretion, may
19 also use other procedures in performing or obtaining criminal
20 background checks of armed employees. Instead of submitting
21 his or her fingerprints, an individual may submit proof that
22 is satisfactory to the Department that an equivalent security
23 clearance has been conducted. Also, an individual who has
24 retired as a peace officer within 12 months before application
25 may submit verification, on forms provided by the Department
26 and signed by his or her employer, of his or her previous

1 full-time employment as a peace officer.

2 (d) The Department may provide rules for the
3 administration of this Section.

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

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

7 (720 ILCS 5/24-2)

8 Sec. 24-2. Exemptions.

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

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

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

20 (3) Members of the Armed Services or Reserve Forces of
21 the United States or the Illinois National Guard or the
22 Reserve Officers Training Corps, while in the performance
23 of their official duty.

24 (4) Special agents employed by a railroad or a public

1 utility to perform police functions, and guards of armored
2 car companies, while actually engaged in the performance
3 of the duties of their employment or commuting between
4 their homes and places of employment; and watchmen while
5 actually engaged in the performance of the duties of their
6 employment.

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

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

11 (6) Any person regularly employed in a commercial or
12 industrial operation as a security guard for the
13 protection of persons employed and private property
14 related to such commercial or industrial operation, while
15 actually engaged in the performance of his or her duty or
16 traveling between sites or properties belonging to the
17 employer, and who, as a security guard, is a member of a
18 security force registered with the Department of Financial
19 and Professional Regulation; provided that such security
20 guard has successfully completed a course of study,
21 approved by and supervised by the Department of Financial
22 and Professional Regulation, consisting of not less than
23 48 ~~40~~ hours of training that includes the theory of law
24 enforcement, liability for acts, and the handling of
25 weapons. A person shall be considered eligible for this
26 exemption if he or she has completed the required 20 hours

1 of training for a security officer and 28 ~~20~~ hours of
2 required firearm training, and has been issued a firearm
3 control card by the Department of Financial and
4 Professional Regulation. Conditions for the renewal of
5 firearm control cards issued under the provisions of this
6 Section shall be the same as for those cards issued under
7 the provisions of the Private Detective, Private Alarm,
8 Private Security, Fingerprint Vendor, and Locksmith Act of
9 2004. The firearm control card shall be carried by the
10 security guard at all times when he or she is in possession
11 of a concealable weapon permitted by his or her firearm
12 control card.

13 (7) Agents and investigators of the Illinois
14 Legislative Investigating Commission authorized by the
15 Commission to carry the weapons specified in subsections
16 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
17 any investigation for the Commission.

18 (8) Persons employed by a financial institution as a
19 security guard for the protection of other employees and
20 property related to such financial institution, while
21 actually engaged in the performance of their duties,
22 commuting between their homes and places of employment, or
23 traveling between sites or properties owned or operated by
24 such financial institution, and who, as a security guard,
25 is a member of a security force registered with the
26 Department; provided that any person so employed has

1 successfully completed a course of study, approved by and
2 supervised by the Department of Financial and Professional
3 Regulation, consisting of not less than 48 ~~40~~ hours of
4 training which includes theory of law enforcement,
5 liability for acts, and the handling of weapons. A person
6 shall be considered to be eligible for this exemption if
7 he or she has completed the required 20 hours of training
8 for a security officer and 28 ~~20~~ hours of required firearm
9 training, and has been issued a firearm control card by
10 the Department of Financial and Professional Regulation.
11 Conditions for renewal of firearm control cards issued
12 under the provisions of this Section shall be the same as
13 for those issued under the provisions of the Private
14 Detective, Private Alarm, Private Security, Fingerprint
15 Vendor, and Locksmith Act of 2004. The firearm control
16 card shall be carried by the security guard at all times
17 when he or she is in possession of a concealable weapon
18 permitted by his or her firearm control card. For purposes
19 of this subsection, "financial institution" means a bank,
20 savings and loan association, credit union or company
21 providing armored car services.

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

25 (10) Persons who have been classified as peace
26 officers pursuant to the Peace Officer Fire Investigation

1 Act.

2 (11) Investigators of the Office of the State's
3 Attorneys Appellate Prosecutor authorized by the board of
4 governors of the Office of the State's Attorneys Appellate
5 Prosecutor to carry weapons pursuant to Section 7.06 of
6 the State's Attorneys Appellate Prosecutor's Act.

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

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

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

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

1 (14) Manufacture, transportation, or sale of weapons
2 to persons authorized under subdivisions (1) through
3 (13.5) of this subsection to possess those weapons.

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

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

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

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

20 (2) Duly authorized military or civil organizations
21 while parading, with the special permission of the
22 Governor.

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

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

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

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

7 (1) Peace officers while in performance of their
8 official duties.

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

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

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

20 (5) Persons licensed under federal law to manufacture
21 any weapon from which 8 or more shots or bullets can be
22 discharged by a single function of the firing device, or
23 ammunition for such weapons, and actually engaged in the
24 business of manufacturing such weapons or ammunition, but
25 only with respect to activities which are within the
26 lawful scope of such business, such as the manufacture,

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

8 During transportation, such weapons shall be broken
9 down in a non-functioning state or not immediately
10 accessible.

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

23 The exemption granted under this subdivision (c)(6)
24 shall also apply to any authorized agent of any such
25 contractor or subcontractor who is operating within the
26 scope of his employment, where such activities involving

1 such weapon, weapons or ammunition are necessary and
2 incident to fulfilling the terms of such contract.

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

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

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

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

26 (g) Subsections 24-1(a)(11) and 24-3.1(a)(6) do not apply

1 to:

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

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

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

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

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

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

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

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

23 (g-10) (Blank). ~~Subsections 24-1(a)(4), 24-1(a)(8), and~~
24 ~~24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an~~
25 ~~athlete's possession, transport on official Olympic and~~
26 ~~Paralympic transit systems established for athletes, or use of~~

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

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

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

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