

# SB3713



## 102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3713

Introduced 1/21/2022, by Sen. Chapin Rose

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/24-2  
730 ILCS 5/3-2-14 new  
730 ILCS 125/26.1 new

Amends the Criminal Code of 2012, the Unified Code of Corrections, and the County Jail Act. Permits currently employed and 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.

LRB102 22710 RLC 31856 b

A BILL FOR

1 AN ACT concerning correctional officers.

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

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

6 (720 ILCS 5/24-2)

7 (Text of Section before amendment by P.A. 102-152)

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.

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

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

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

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

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

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

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

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

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

26 (10) Persons who have been classified as peace

1 officers pursuant to the Peace Officer Fire Investigation  
2 Act.

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

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

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

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

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

1 Regulatory Commission.

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

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

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

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

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

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

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

26 (4) Transportation of weapons that are broken down in



1 a non-functioning state or are not immediately accessible.

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

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

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

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

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

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

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

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

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

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

24 The exemption granted under this subdivision (c)(6)  
25 shall also apply to any authorized agent of any such  
26 contractor or subcontractor who is operating within the

1 scope of his employment, where such activities involving  
2 such weapon, weapons or ammunition are necessary and  
3 incident to fulfilling the terms of such contract.

4 (7) A person possessing a rifle with a barrel or  
5 barrels less than 16 inches in length if: (A) the person  
6 has been issued a Curios and Relics license from the U.S.  
7 Bureau of Alcohol, Tobacco, Firearms and Explosives; or  
8 (B) the person is an active member of a bona fide,  
9 nationally recognized military re-enacting group and the  
10 modification is required and necessary to accurately  
11 portray the weapon for historical re-enactment purposes;  
12 the re-enactor is in possession of a valid and current  
13 re-enacting group membership credential; and the overall  
14 length of the weapon as modified is not less than 26  
15 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  
18 peace 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  
14 of 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  
22 or attachment of any kind designed, used, or intended for use  
23 in silencing the report of any firearm, firearms, or  
24 ammunition for those firearms equipped with those devices, and  
25 actually engaged in the business of manufacturing those  
26 devices, firearms, or ammunition, but only with respect to

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

9 (h) An information or indictment based upon a violation of  
10 any subsection of this Article need not negative any  
11 exemptions contained in this Article. The defendant shall have  
12 the burden 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  
16 consigned to a common carrier operating under license of the  
17 State of Illinois or the federal government, where such  
18 transportation, carrying, or possession is incident to the  
19 lawful transportation in which such common carrier is engaged;  
20 and nothing in this Article shall prohibit, apply to, or  
21 affect the transportation, carrying, or possession of any  
22 pistol, revolver, stun gun, taser, or other firearm, not the  
23 subject of and regulated by subsection 24-1(a)(7) or  
24 subsection 24-2(c) of this Article, which is unloaded and  
25 enclosed in a case, firearm carrying box, shipping box, or  
26 other container, by the possessor of a valid Firearm Owners

1 Identification Card.

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

3 (Text of Section after amendment by P.A. 102-152)

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  
25 actually engaged in the performance of the duties of their

1 employment.

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



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

6 (6) Any person regularly employed in a commercial or  
7 industrial operation as a security guard for the  
8 protection of persons employed and private property  
9 related to such commercial or industrial operation, while  
10 actually engaged in the performance of his or her duty or  
11 traveling between sites or properties belonging to the  
12 employer, and who, as a security guard, is a member of a  
13 security force registered with the Department of Financial  
14 and Professional Regulation; provided that such security  
15 guard has successfully completed a course of study,  
16 approved by and supervised by the Department of Financial  
17 and Professional Regulation, consisting of not less than  
18 48 hours of training that includes the theory of law  
19 enforcement, liability for acts, and the handling of  
20 weapons. A person shall be considered eligible for this  
21 exemption if he or she has completed the required 20 hours  
22 of training for a security officer and 28 hours of  
23 required firearm training, and has been issued a firearm  
24 control card by the Department of Financial and  
25 Professional Regulation. Conditions for the renewal of  
26 firearm control cards issued under the provisions of this

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

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

13 (8) Persons employed by a financial institution as a  
14 security guard for the protection of other employees and  
15 property related to such financial institution, while  
16 actually engaged in the performance of their duties,  
17 commuting between their homes and places of employment, or  
18 traveling between sites or properties owned or operated by  
19 such financial institution, and who, as a security guard,  
20 is a member of a security force registered with the  
21 Department; provided that any person so employed has  
22 successfully completed a course of study, approved by and  
23 supervised by the Department of Financial and Professional  
24 Regulation, consisting of not less than 48 hours of  
25 training which includes theory of law enforcement,  
26 liability for acts, and the handling of weapons. A person

1 shall be considered to be eligible for this exemption if  
2 he or she has completed the required 20 hours of training  
3 for a security officer and 28 hours of required firearm  
4 training, and has been issued a firearm control card by  
5 the Department of Financial and Professional Regulation.  
6 Conditions for renewal of firearm control cards issued  
7 under the provisions of this Section shall be the same as  
8 for those issued under the provisions of the Private  
9 Detective, Private Alarm, Private Security, Fingerprint  
10 Vendor, and Locksmith Act of 2004. The firearm control  
11 card shall be carried by the security guard at all times  
12 when he or she is in possession of a concealable weapon  
13 permitted by his or her firearm control card. For purposes  
14 of this subsection, "financial institution" means a bank,  
15 savings and loan association, credit union or company  
16 providing armored car services.

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

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

23 (11) Investigators of the Office of the State's  
24 Attorneys Appellate Prosecutor authorized by the board of  
25 governors of the Office of the State's Attorneys Appellate  
26 Prosecutor to carry weapons pursuant to Section 7.06 of

1 the State's Attorneys Appellate Prosecutor's Act.

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

4 (12.5) Probation officers while in the performance of  
5 their duties, or while commuting between their homes,  
6 places of employment or specific locations that are part  
7 of their assigned duties, with the consent of the chief  
8 judge of the circuit for which they are employed, if they  
9 have received weapons training according to requirements  
10 of the Peace Officer and Probation Officer Firearm  
11 Training Act.

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

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

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

25 (a-5) Subsections 24-1(a)(4) and 24-1(a)(10) do not apply  
26 to or affect any person carrying a concealed pistol, revolver,

1 or handgun and the person has been issued a currently valid  
2 license under the Firearm Concealed Carry Act at the time of  
3 the commission of the offense.

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

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

10 (1) Members of any club or organization organized for  
11 the purpose of practicing shooting at targets upon  
12 established target ranges, whether public or private, and  
13 patrons of such ranges, while such members or patrons are  
14 using their firearms on those target ranges.

15 (2) Duly authorized military or civil organizations  
16 while parading, with the special permission of the  
17 Governor.

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

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

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

26 (c) Subsection 24-1(a)(7) does not apply to or affect any

1 of the following:

2 (1) Peace officers while in performance of their  
3 official duties.

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

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

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

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

1 are within the lawful scope of a licensed manufacturing  
2 business described in this paragraph.

3 During transportation, such weapons shall be broken  
4 down in a non-functioning state or not immediately  
5 accessible.

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

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

24 (7) A person possessing a rifle with a barrel or  
25 barrels less than 16 inches in length if: (A) the person  
26 has been issued a Curios and Relics license from the U.S.

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

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

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

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

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

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

26 (2) Bonafide collectors of antique or surplus military



1           ordnance.

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

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

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

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

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

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

18 (g-8) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
19 24-1.6 do not apply to or affect any currently employed or  
20 retired:

21 (1) State correctional officer who meets the  
22 qualifications and conditions prescribed in Section 3-2-14  
23 of the Unified Code of Corrections; or

24 (2) county correctional officer who meets the  
25 qualifications and conditions prescribed in Section 26.1  
26 of the County Jail Act.

1 (g-10) (Blank).

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

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

21 (Source: P.A. 101-80, eff. 7-12-19; 102-152, eff. 1-1-22.)

22 Section 10. The Unified Code of Corrections is amended by  
23 adding Section 3-2-14 as follows:

24 (730 ILCS 5/3-2-14 new)

1       Sec. 3-2-14. State correctional officers; off-duty  
2 firearms.

3       (a) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
4 24-1.6 of the Criminal Code of 2012 do not apply to currently  
5 employed or retired State correctional officers who meet the  
6 following conditions:

7           (1) The currently employed or retired State  
8 correctional officer must be at least 21 years of age and  
9 possess a valid Firearm Owner's Identification Card as  
10 prescribed in the Firearm Owners Identification Card Act,  
11 receive training in the use of firearms while off duty  
12 conducted by the Illinois Law Enforcement Training  
13 Standards Board, and be certified as successfully  
14 completing the training by the Board. The Board shall  
15 determine the amount of the training and the course  
16 content for the training. The currently employed or  
17 retired State correctional officer shall requalify for the  
18 firearms training annually at a State range certified by  
19 the Illinois Law Enforcement Training Standards Board. The  
20 expenses of the retraining shall be paid by the currently  
21 employed or retired State correctional officer and moneys  
22 for the costs of the requalification shall be expended at  
23 the request of the Illinois Law Enforcement Training  
24 Standards Board.

25           (2) The currently employed or retired State  
26 correctional officer shall purchase the firearm at his or

1 her own expense and shall register the firearm with the  
2 Illinois State Police and with any other local law  
3 enforcement agencies that require the registration.

4 (3) The currently employed or retired State  
5 correctional officer may not carry any Illinois Department  
6 of Corrections or Department of Juvenile Justice  
7 State-issued firearm while off duty. A person who violates  
8 this paragraph (3) is subject to disciplinary action by  
9 the Illinois Department of Corrections or the Department  
10 of Juvenile Justice.

11 (4) State correctional officers who are or were  
12 discharged from employment by the Illinois Department of  
13 Corrections or the Department of Juvenile Justice for  
14 cause shall no longer be considered law enforcement  
15 officials and all their rights as law enforcement  
16 officials shall be revoked permanently, unless employed  
17 thereafter by the Department of Corrections or the  
18 Department of Juvenile Justice.

19 (b) As used in this Section, "State correctional officer"  
20 means an employee of the Department of Corrections or the  
21 Department of Juvenile Justice who has custody and control  
22 over inmates in an adult or juvenile correctional facility.

23 Section 15. The County Jail Act is amended by adding  
24 Section 26.1 as follows:

1 (730 ILCS 125/26.1 new)

2 Sec. 26.1. County correctional officers; off-duty  
3 firearms.

4 (a) Subsections 24-1(a)(4) and 24-1(a)(10) and Section  
5 24-1.6 of the Criminal Code of 2012 do not apply to currently  
6 employed or retired county correctional officers who meet the  
7 following conditions:

8 (1) The currently employed or retired county  
9 correctional officer must be at least 21 years of age and  
10 possess a valid Firearm Owner's Identification Card as  
11 prescribed in the Firearm Owners Identification Card Act,  
12 receive training in the use of firearms while off duty  
13 conducted by the Illinois Law Enforcement Training  
14 Standards Board, and be certified as successfully  
15 completing the training by the Board. The Board shall  
16 determine the amount of the training and the course  
17 content for the training. The currently employed or  
18 retired county correctional officer shall requalify for  
19 the firearms training annually at a State range certified  
20 by the Illinois Law Enforcement Training Standards Board.  
21 The expenses of the retraining shall be paid by the  
22 currently employed or retired county correctional officer  
23 and moneys for the costs of the requalification shall be  
24 expended at the request of the Illinois Law Enforcement  
25 Training Standards Board.

26 (2) The currently employed or retired county

1 correctional officer shall purchase the firearm at his or  
2 her own expense and shall register the firearm with the  
3 Illinois State Police and with any other local law  
4 enforcement agencies that require the registration.

5 (3) The currently employed or retired county  
6 correctional officer may not carry any county  
7 sheriff-issued firearm while off duty. A person who  
8 violates this paragraph (3) is subject to disciplinary  
9 action by the county sheriff.

10 (4) County correctional officers who are or were  
11 discharged from employment by a county sheriff for cause  
12 shall no longer be considered law enforcement officials  
13 and all their rights as law enforcement officials shall be  
14 revoked permanently, unless employed thereafter by a  
15 county sheriff.

16 (b) As used in this Section, "county correctional officer"  
17 means an employee of the county who has custody and control  
18 over inmates in a county jail or juvenile detention center.

19 Section 95. No acceleration or delay. Where this Act makes  
20 changes in a statute that is represented in this Act by text  
21 that is not yet or no longer in effect (for example, a Section  
22 represented by multiple versions), the use of that text does  
23 not accelerate or delay the taking effect of (i) the changes  
24 made by this Act or (ii) provisions derived from any other  
25 Public Act.