



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004
HB4029

Introduced 1/14/2004, by Angelo Saviano

SYNOPSIS AS INTRODUCED:

225 ILCS 447/20-10
225 ILCS 447/35-35

Amends the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004. Deletes language allowing persons to receive a license as a private alarm contractor without meeting all of the regular requirements for licensure under specified circumstances. Provides that, when a licensed agency acquires a new account that requires security guards working in an armed capacity with the appropriate firearm authorization card and permanent employee registration card, the acquiring agency may employ the guards of the displaced agency in an armed capacity for a specified period pending receipt of the firearm authorization card on behalf of the acquiring agency as the employing agency if specified conditions are met. Effective immediately.

LRB093 15242 AMC 40840 b

1 AN ACT concerning professional 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, and Locksmith Act of 2004 is amended by changing
6 Sections 20-10 and 35-35 as follows:

7 (225 ILCS 447/20-10)

8 (Section scheduled to be repealed on January 1, 2014)

9 Sec. 20-10. Qualifications for licensure as a private alarm
10 contractor.

11 (a) A person is qualified for licensure as a private alarm
12 contractor if he or she meets all of the following
13 requirements:

14 (1) Is at least 21 years of age.

15 (2) Has not been convicted of any felony in any
16 jurisdiction or at least 10 years have elapsed since the
17 time of full discharge from a sentence imposed for a felony
18 conviction.

19 (3) Is of good moral character. Good moral character is
20 a continuing requirement of licensure. Conviction of
21 crimes other than felonies may be used in determining moral
22 character, but shall not constitute an absolute bar to
23 licensure.

24 (4) Has not been declared by any court of competent
25 jurisdiction to be incompetent by reason of mental or
26 physical defect or disease, unless a court has subsequently
27 declared him or her to be competent.

28 (5) Is not suffering from dependence on alcohol or from
29 narcotic addiction or dependence.

30 (6) Has a minimum of 3 years experience of the 5 years
31 immediately preceding application working as a full-time
32 manager for a licensed private alarm contractor agency or

1 for an entity that designs, sells, installs, services, or
2 monitors alarm systems that, in the judgment of the Board,
3 satisfies the standards of alarm industry competence. An
4 applicant who has received a 4-year degree or higher in
5 electrical engineering or a related field from a program
6 approved by the Board shall be given credit for 2 years of
7 the required experience. An applicant who has successfully
8 completed a national certification program approved by the
9 Board shall be given credit for one year of the required
10 experience.

11 (7) Has not been dishonorably discharged from the armed
12 forces of the United States.

13 (8) Has passed an examination authorized by the
14 Department.

15 (9) Submits his or her fingerprints, proof of having
16 general liability insurance required under subsection (c),
17 and the required license fee.

18 (10) Has not violated Section 10-5 of this Act.

19 (b) (Blank). ~~A person is qualified to receive a license as~~
20 ~~a private alarm contractor without meeting the requirement of~~
21 ~~item (8) of subsection (a) if he or she:~~

22 ~~(1) applies for a license between September 2, 2003 and~~
23 ~~September 5, 2003 in writing on forms supplied by the~~
24 ~~Department;~~

25 ~~(2) provides proof of ownership of a licensed alarm~~
26 ~~contractor agency; and~~

27 ~~(3) provides proof of at least 7 years of experience in~~
28 ~~the installation, design, sales, repair, maintenance,~~
29 ~~alteration, or service of alarm systems or any other low~~
30 ~~voltage electronic systems.~~

31 (c) It is the responsibility of the applicant to obtain
32 general liability insurance in an amount and coverage
33 appropriate for the applicant's circumstances as determined by
34 rule. The applicant shall provide evidence of insurance to the
35 Department before being issued a license. Failure to maintain
36 general liability insurance and to provide the Department with

1 written proof of the insurance shall result in cancellation of
2 the license.

3 (Source: P.A. 93-438, eff. 8-5-03.)

4 (225 ILCS 447/35-35)

5 (Section scheduled to be repealed on January 1, 2014)

6 Sec. 35-35. Requirement of a firearm authorization card.

7 (a) No person shall perform duties that include the use,
8 carrying, or possession of a firearm in the performance of
9 those duties without complying with the provisions of this
10 Section and having been issued a valid firearm authorization
11 card by the Department.

12 (b) No employer shall employ any person to perform the
13 duties for which employee registration is required and allow
14 that person to carry a firearm unless that person has complied
15 with all the firearm training requirements of this Section and
16 has been issued a firearm authorization card. This Act permits
17 only the following to carry firearms while actually engaged in
18 the performance of their duties or while commuting directly to
19 or from their places of employment: persons licensed as private
20 detectives and their registered employees; persons licensed as
21 private security contractors and their registered employees;
22 persons licensed as private alarm contractors and their
23 registered employees; and employees of a registered armed
24 proprietary security force.

25 (c) Possession of a valid firearm authorization card allows
26 an employee to carry a firearm not otherwise prohibited by law
27 while the employee is engaged in the performance of his or her
28 duties or while the employee is commuting directly to or from
29 the employee's place or places of employment, provided that
30 this is accomplished within one hour from departure from home
31 or place of employment.

32 (d) The Department shall issue a firearm authorization card
33 to a person who has passed an approved firearm training course,
34 who is currently employed by an agency licensed by this Act and
35 has met all the requirements of this Act, and who possesses a

1 valid firearm owner identification card. Application for the
2 firearm authorization card shall be made by the employer to the
3 Department on forms provided by the Department. The Department
4 shall forward the card to the employer who shall be responsible
5 for its issuance to the employee. The firearm authorization
6 card shall be issued by the Department and shall identify the
7 person holding it and the name of the course where the employee
8 received firearm instruction and shall specify the type of
9 weapon or weapons the person is authorized by the Department to
10 carry and for which the person has been trained.

11 (e) Expiration and requirements for renewal of firearm
12 authorization cards shall be determined by rule.

13 (f) The Department may, in addition to any other
14 disciplinary action permitted by this Act, refuse to issue,
15 suspend, or revoke a firearm authorization card if the
16 applicant or holder has been convicted of any felony or crime
17 involving the illegal use, carrying, or possession of a deadly
18 weapon or for a violation of this Act or rules promulgated
19 under this Act. The Department shall refuse to issue or shall
20 revoke a firearm authorization card if the applicant or holder
21 fails to possess a valid firearm owners identification card.
22 The Director shall summarily suspend a firearm authorization
23 card if the Director finds that its continued use would
24 constitute an imminent danger to the public. A hearing shall be
25 held before the Board within 30 days if the Director summarily
26 suspends a firearm authorization card.

27 (g) Notwithstanding any other provision of this Act to the
28 contrary, all requirements relating to firearms authorization
29 cards do not apply to a peace officer.

30 (h) Notwithstanding any other provision of law, when a
31 licensed agency acquires a new account that requires security
32 guards working in an armed capacity with the appropriate
33 firearm authorization card and permanent employee registration
34 card, the acquiring agency may employ the guards of the
35 displaced agency in an armed capacity for a period not to
36 exceed 60 consecutive days pending receipt of the firearm

1 authorization card on behalf of the acquiring agency as the
2 employing agency if all of the following conditions are met:

3 (1) The acquiring agency has promptly notified the
4 Department of the name, address, permanent employee
5 registration card number, firearm authorization card,
6 firearm owners identification card, and the start date of
7 employment of each guard assigned to the account.

8 (2) The acquiring agency may not assign the acquired
9 guard to armed work other than the acquired account.

10 (3) The acquiring agency has a copy of the original
11 firearm authorization card, on which the acquiring agency
12 has noted the guard's start date, placed in the guard's
13 personnel file.

14 (4) The guard has a copy of the original firearm
15 authorization card in his or her possession at all times.
16 The copy must contain the acquiring agency's name, address,
17 and license number and the signature of the
18 licensee-in-charge.

19 (5) A list of all guards employed in this capacity must
20 be provided to the Department each month.

21 The Department may refuse to authorize any guard to carry a
22 firearm under this Section and must promptly so notify the
23 acquiring agency in the event of such refusal.

24 (Source: P.A. 93-438, eff. 8-5-03.)

25 Section 99. Effective date. This Act takes effect upon
26 becoming law.