



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB0902

Introduced 2/2/2005, by Rep. Angelo Saviano

#### SYNOPSIS AS INTRODUCED:

225 ILCS 447/20-10  
225 ILCS 447/35-35.1 new

Amends the Private Detective, Private Alarm, Private Security, and Locksmith Act of 2004. Removes a provision that allows a person to receive a license as a private alarm contractor without having passed an examination under certain circumstances. Adds a provision that allows a security agency to employ guards of a displaced security agency in an armed capacity pending receipt of a firearm authorization for the acquiring agency. Effective immediately.

LRB094 05875 RAS 35929 b

FISCAL NOTE ACT  
MAY APPLY

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, and Locksmith Act of 2004 is amended by changing  
6 Section 20-10 and by adding Section 35-35.1 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8 (Section scheduled to be repealed on January 1, 2014)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 447/35-35.1 new)

5 Sec. 35-35.1. Acquisition of new account.

6 (a) Notwithstanding any other provision of law, when a  
7 licensed security agency acquires a new account that requires  
8 security guards working in an armed capacity with the  
9 appropriate firearm authorization card and permanent employee  
10 registration card, the acquiring agency may employ the guards  
11 of the displaced agency in an armed capacity for a period not  
12 to exceed 90 calendar days pending receipt of the firearm  
13 authorization card on behalf of the acquiring agency as the  
14 employing agency if all of the following conditions are met:

15 (1) The acquiring agency has notified the Department  
16 within 5 days of receiving notification that it has been  
17 awarded a contract to provide armed security services.  
18 Notification shall include the name and address of the  
19 contracting customer, the address of all service sites, and  
20 the service inception date.

21 (2) On the date the acquiring agency employs the  
22 displaced armed guards, the acquiring agency must mail to  
23 the Department all of the following:

24 (A) an application for a firearm authorization  
25 card for each acquired employee who will work armed  
26 under this provision;

27 (B) a roster of acquired employees that includes  
28 each employee's name, address, permanent employee  
29 registration card number, and firearm authorization  
30 card number;

31 (C) a copy of each employee's firearm  
32 authorization card, signed by the licensee-in-charge  
33 of the acquiring agency and dated with the acquired  
34 employee's date of assignment; and

35 (D) a printout from the Department's website

1 verifying that the original firearm authorization card  
2 is in active status.

3 (3) The acquiring agency may not assign the acquired  
4 guard to armed work other than the acquired account.

5 (4) The acquiring agency has a copy of the original  
6 firearm authorization card, on which the acquiring agency  
7 has noted the guard's start date, placed in the guard's  
8 personnel file.

9 (5) The guard has a copy of the original firearm  
10 authorization card and documentation that contains the  
11 acquiring agency's name, address, and license number, date  
12 of assignment, and the signature of the licensee-in-charge  
13 in his or her possession at all times.

14 (6) A list of all guards employed in this capacity must  
15 be provided to the Department each month.

16 (7) The acquiring agency shall submit all copies of  
17 firearm authorization cards described in this Section to  
18 the Department within 10 days of issuance of a new firearm  
19 authorization card.

20 (8) The acquired employee may only be armed with the  
21 type of weapon approved on the face of the employee's  
22 firearm authorization card.

23 (9) Upon termination of the acquired employee from the  
24 displaced agency, the displaced agency shall return the  
25 original firearm authorization card to the Department. In  
26 the event an employee fails to return a firearm  
27 authorization card to the displaced agency, the displaced  
28 agency shall notify the Department in writing that the card  
29 was not returned and of the reason why the card was not  
30 returned.

31 (b) The Department may refuse to authorize any guard to  
32 carry a firearm under this Section and must so notify the  
33 acquiring agency in the event of a refusal.

34 (c) Employing an acquired employee in an armed capacity  
35 without notifying the Department as required in this Section as  
36 of the date of employment shall constitute an imminent danger

1 to the public.

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.