



Sen. John J. Millner

**Filed: 3/29/2011**

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LRB097 10327 RLC 53183 a

1 AMENDMENT TO SENATE BILL 2275

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2275 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Police Training Act is amended by  
5 changing Sections 10, 10.2, and 10.4 as follows:

6 (50 ILCS 705/10) (from Ch. 85, par. 510)

7 Sec. 10. The Board may make, amend and rescind such rules  
8 and regulations as may be necessary to carry out the provisions  
9 of this Act, including those relating to the annual  
10 certification of retired law enforcement officers qualified  
11 under federal law or the annual certification of retired parole  
12 agents or parole supervisors qualified under Illinois law to  
13 carry a concealed weapon. A copy of all rules and regulations  
14 and amendments or rescissions thereof shall be filed with the  
15 Secretary of State within a reasonable time after their  
16 adoption. The schools certified by the Board and participating

1 in the training program may dismiss from the school any trainee  
2 prior to his completion of the course, if in the opinion of the  
3 person in charge of the training school, the trainee is unable  
4 or unwilling to satisfactorily complete the prescribed course  
5 of training.

6 (Source: P.A. 94-103, eff. 7-1-05.)

7 (50 ILCS 705/10.2)

8 Sec. 10.2. Criminal background investigations.

9 (a) On and after July 1, 2005 (the effective date of Public  
10 Act 94-103) ~~the effective date of this amendatory Act of the~~  
11 ~~92nd General Assembly,~~ an applicant for employment as a peace  
12 officer, or for annual certification as a retired law  
13 enforcement officer qualified under federal law or the annual  
14 certification of a retired parole agent or parole supervisor  
15 qualified under Illinois law to carry a concealed weapon, shall  
16 authorize an investigation to determine if the applicant has  
17 been convicted of any criminal offense that disqualifies the  
18 person as a peace officer.

19 (b) No law enforcement agency may knowingly employ a  
20 person, or certify a retired law enforcement officer qualified  
21 under federal law or a retired parole agent or parole  
22 supervisor qualified under Illinois law to carry a concealed  
23 weapon, unless (i) a criminal background investigation of that  
24 person has been completed and (ii) that investigation reveals  
25 no convictions of offenses specified in subsection (a) of

1 Section 6.1 of this Act.

2 (Source: P.A. 94-103, eff. 7-1-05.)

3 (50 ILCS 705/10.4)

4 Sec. 10.4. Weapon certification for retired law  
5 enforcement officers. The Board may initiate, administer, and  
6 conduct annual firearm certification courses consistent with  
7 the requirements enumerated in the Peace Officer Firearm  
8 Training Act for retired law enforcement officers qualified  
9 under federal law or of retired parole agents or parole  
10 supervisors qualified under Illinois law to carry a concealed  
11 weapon.

12 (Source: P.A. 94-103, eff. 7-1-05.)

13 Section 10. The Peace Officer Firearm Training Act is  
14 amended by changing Sections 1 and 3 as follows:

15 (50 ILCS 710/1) (from Ch. 85, par. 515)

16 Sec. 1. Definitions. As used in this Act:

17 (a) "Peace officer" means (i) any person who by virtue of  
18 his office or public employment is vested by law with a primary  
19 duty to maintain public order or to make arrests for offenses,  
20 whether that duty extends to all offenses or is limited to  
21 specific offenses, and who is employed in such capacity by any  
22 county or municipality or (ii) any retired law enforcement  
23 officers qualified under federal law or retired parole agents

1 or parole supervisors qualified under Illinois law to carry a  
2 concealed weapon.

3 (b) "Firearms" means any weapon or device defined as a  
4 firearm in Section 1.1 of "An Act relating to the acquisition,  
5 possession and transfer of firearms and firearm ammunition, to  
6 provide a penalty for the violation thereof and to make an  
7 appropriation in connection therewith", approved August 3,  
8 1967, as amended.

9 (Source: P.A. 94-103, eff. 7-1-05.)

10 (50 ILCS 710/3) (from Ch. 85, par. 517)

11 Sec. 3. The Board is charged with enforcing this Act and  
12 making inspections to insure compliance with its provisions,  
13 and is empowered to promulgate rules necessary for its  
14 administration and enforcement, including those relating to  
15 the annual certification of retired law enforcement officers  
16 qualified under federal law or the annual certification of  
17 retired parole agents or parole supervisors qualified under  
18 Illinois law to carry a concealed weapon. All units of  
19 government or other agencies which employ or utilize peace  
20 officers, or that certify retired law enforcement officers  
21 qualified under federal law or that certify retired parole  
22 agents or parole supervisors qualified under Illinois law to  
23 carry a concealed weapon, shall cooperate with the Board by  
24 furnishing relevant information which the Board may require.  
25 The Executive Director of the Board shall report annually, no

1 later than February 1, to the Board, with copies to the  
2 Governor and the General Assembly, the results of these  
3 inspections and provide other related information and  
4 recommendations as it deems proper.

5 (Source: P.A. 94-103, eff. 7-1-05.)

6 Section 15. The Intergovernmental Law Enforcement  
7 Officer's In-Service Training Act is amended by changing  
8 Sections 2, 3, and 4 as follows:

9 (50 ILCS 720/2) (from Ch. 85, par. 562)

10 Sec. 2. Definitions.

11 "Board" means the Illinois Law Enforcement Training  
12 Standards Board created by the Illinois Police Training Act.

13 "Director" means the Executive Director of the Board.

14 "Chairman" means the Chairman of the Board.

15 "Appointed Member" means a member of the Board appointed by  
16 the Governor pursuant to the Illinois Police Training Act and  
17 designated by the Director to serve on an Advisory Board.

18 "Mobile Team In-Service Training Unit" or "Mobile Team"  
19 means an organization formed by a combination of units of local  
20 government and the Board and established under this Act to  
21 deliver in-service training at scheduled times and selected  
22 sites within a geographic region to (i) local and State law  
23 enforcement officers (whether employed on a full-time or  
24 part-time basis) and (ii) retired law enforcement officers

1 qualified under federal law or retired parole agents or parole  
2 supervisors qualified under Illinois law to carry a concealed  
3 weapon.

4 "Advisory Board" means a Board composed of a representative  
5 number of county board members, mayors, chiefs of police, and  
6 sheriffs of participating units of local government, and the  
7 Director, Chairman or appointed member of the Illinois Law  
8 Enforcement Training Standards Board. The composition and  
9 number of each Advisory Board will be determined by the  
10 participants. Members of the Advisory Board shall serve without  
11 compensation but may be reimbursed for reasonable expenses  
12 incurred in carrying out their duties.

13 "Unit of local government" means a unit of local government  
14 as defined in Article VII, Section 1 of the Illinois  
15 Constitution of 1970 and includes both home rule units and  
16 units which are not home rule units.

17 (Source: P.A. 94-103, eff. 7-1-05.)

18 (50 ILCS 720/3) (from Ch. 85, par. 563)

19 Sec. 3. Powers and Duties.

20 (a) Powers and Duties of the Advisory Board.

21 (1) To incorporate as a general not-for-profit  
22 corporation or other appropriate structure under Illinois  
23 law.

24 (2) To adopt By-Laws and Operating Procedures.

25 (3) To designate a Financial Officer who is an elected

1 local government official.

2 (4) To employ a coordinator and to approve the  
3 employment of such other full or part-time staff as may be  
4 required.

5 (5) To develop and approve the total budget for the  
6 Mobile Team annually.

7 (6) To determine equitable formulae for providing the  
8 local share of cost of the Mobile Team, and to assure  
9 receipt of such funds from participating units of local  
10 government.

11 (7) To oversee the development of training programs,  
12 the delivery of training, and the proper expenditure of  
13 funds.

14 (8) To carry out such other actions or activities  
15 appropriate to the operation of the Mobile Team including  
16 but not limited to contracting for services and supplies,  
17 and purchase of furniture, fixtures, equipment and  
18 supplies.

19 (9) To exercise all other powers and duties as are  
20 reasonable to fulfill its functions in furtherance of the  
21 purposes of this Act.

22 (b) Powers and Duties of the Illinois Law Enforcement  
23 Training Standards Board.

24 (1) To act as the State agency participant on each  
25 Mobile Team Advisory Board.

26 (2) To act as the State agency to coordinate the

1 actions of Mobile Teams established in the State.

2 (3) To determine that the Mobile Team meets the  
3 criteria for the receipt of funds from the State in  
4 accordance with Section 4 of this Act.

5 (4) To budget for and authorize quarterly disbursement  
6 of State funds up to 50% of the total approved budget of  
7 the eligible Mobile Team.

8 (5) To establish such reasonable rules and regulations  
9 as the Director deems necessary to carry out the duties  
10 described in this Act, including those relating to the  
11 annual certification of retired law enforcement officers  
12 qualified under federal law or the annual certification of  
13 retired parole agents or parole supervisors qualified  
14 under Illinois law to carry a concealed weapon.

15 (c) Powers and Duties of the Coordinator of an Advisory  
16 Board.

17 (1) To manage and coordinate the ongoing operations of  
18 the Mobile Team.

19 (2) To employ and supervise additional authorized full  
20 or part-time staff.

21 (3) To arrange for qualified instructors from among the  
22 employees of State, local or federal Departments or  
23 agencies wherever practical and to obtain other  
24 instructional services as required.

25 (Source: P.A. 94-103, eff. 7-1-05.)



1 (50 ILCS 720/4) (from Ch. 85, par. 564)

2 Sec. 4. State Funding-Minimum Criteria. A Mobile Team  
3 In-Service Training Unit which meets the minimum criteria  
4 established in this Section is eligible to receive State funds  
5 to help defray the costs of operation. To be eligible a Mobile  
6 Team must:

7 (1) Be established and operating pursuant to the  
8 Intergovernmental Cooperation Section Article VII, Section 10,  
9 of the Illinois Constitution of 1970 and must involve two or  
10 more units of local government including at least one county  
11 and the Board.

12 (2) Establish an Advisory Board composed of elected local  
13 officials and chief law enforcement officers from  
14 participating units of local government and the Director,  
15 Chairman or appointed member of the Board to oversee the  
16 operations of the Mobile Team and make such reports to the  
17 Board as the Board may require.

18 (3) Designate an elected local official to act as the  
19 financial officer of the Mobile Team for all participating  
20 units of government, and to receive and expend funds for the  
21 operation of the Mobile Team.

22 (4) Limit its operations to in-service training of law  
23 enforcement personnel employed by the State, by units of local  
24 government or by the Federal government or their agencies and  
25 departments in the administration of justice or retired law  
26 enforcement officers qualified under federal law or retired

1 parole agents or parole supervisors qualified under Illinois  
2 law to carry a concealed weapon.

3 (5) Cooperate with the Board in order to assure compliance  
4 with this Act and to enable the Board to fulfill its duties  
5 under this Act, and to supply the Board with such information  
6 as the Board deems necessary therefor.

7 (6) Receive funding of up to 50% of the total approved  
8 budget of the Mobile Team from the participating units of local  
9 government.

10 (Source: P.A. 94-103, eff. 7-1-05.)

11 Section 20. The Unified Code of Corrections is amended by  
12 changing Section 3-14-1.5 as follows:

13 (730 ILCS 5/3-14-1.5)

14 Sec. 3-14-1.5. Parole agents and parole supervisors;  
15 off-duty firearms. Subsections 24-1(a)(4) and 24-1(a)(10) and  
16 Section 24-1.6 of the Criminal Code of 1961 do not apply to  
17 parole agents and parole supervisors who meet the following  
18 conditions:

19 (1) The parole agent or parole supervisor must receive  
20 training in the use of firearms while off-duty conducted by the  
21 Illinois Law Enforcement Training Standards Board and be  
22 certified as having successfully completing such training by  
23 the Board. The Board shall determine the amount of such  
24 training and the course content for such training. The parole

1 agent or parole supervisor shall requalify for the firearms  
2 training annually at a State range certified by the Illinois  
3 Law Enforcement Training Standards Board. The expenses of such  
4 retraining shall be paid by the parole agent or parole  
5 supervisor and moneys for such requalification shall be  
6 expended at the request of the Illinois Law Enforcement  
7 Training Standards Board.

8 (2) The parole agent or parole supervisor shall purchase  
9 such firearm at his or her own expense and shall register the  
10 firearm with the Illinois Department of State Police and with  
11 any other local law enforcement agencies that require such  
12 registration.

13 (3) The parole agent or parole supervisor may not carry any  
14 Illinois Department of Corrections State issued firearm while  
15 off-duty. A person who violates this paragraph (3) is subject  
16 to disciplinary action by the Illinois Department of  
17 Corrections.

18 (4) Parole agents and supervisors who are discharged from  
19 employment of the Illinois Department of Corrections shall no  
20 longer be considered law enforcement officials and all their  
21 rights as law enforcement officials shall be revoked  
22 permanently.

23 (5) Retired parole agents and supervisors who were not  
24 terminated from employment due to disciplinary action or mental  
25 instability and who were otherwise in good standing with the  
26 Department may continue to carry a concealed firearm in

1 Illinois subject to the following criteria and limitations:

2 (A) the retired parole agent or supervisor must not  
3 otherwise be prohibited by Illinois or federal law from  
4 receiving or carrying a firearm;

5 (B) the retired parole agent or supervisor must have  
6 been employed as a parole agent, parole supervisor, or law  
7 enforcement officer for an aggregate of 15 years or more;

8 (C) the retired parole agent or supervisor must have  
9 met the State's standards for training and qualification to  
10 carry firearms during the most recent 12 month period;

11 (D) the retired parole agent or supervisor must not be  
12 under the influence of alcohol or another intoxicating or  
13 hallucinatory drug or substance;

14 (E) the retired parole agent or supervisor may only  
15 possess the types and quantities of firearms that are  
16 authorized by federal law under the Law Enforcement  
17 Officers Safety Act of 2004.

18 Those individuals who qualify must apply to the Illinois  
19 Retired Officer Concealed Carry program which is supervised by  
20 the Illinois Law Enforcement Training Standards Board and shall  
21 be subject to the same certification and annual  
22 re-certification as retired law enforcement officers who are  
23 authorized by federal law to carry a firearm under the Law  
24 Enforcement Officers Safety Act of 2004.

25 (Source: P.A. 96-230, eff. 1-1-10; revised 9-16-10.)

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