



Rep. Michael J. Zalewski

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LRB098 10588 RLC 44316 a

1 AMENDMENT TO HOUSE BILL 2265

2 AMENDMENT NO. _____. Amend House Bill 2265, AS AMENDED,
3 with reference to page and line numbers of House Amendment No.
4 1, on page 1, line 5, by replacing "and 24-1.8" with "24-1.8,
5 and 24-2"; and

6 on page 19, by inserting immediately below line 20 the
7 following:

8 "(720 ILCS 5/24-2)

9 Sec. 24-2. Exemptions.

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

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

16 (2) Wardens, superintendents and keepers of prisons,

1 penitentiaries, jails and other institutions for the
2 detention of persons accused or convicted of an offense,
3 while in the performance of their official duty, or while
4 commuting between their homes and places of employment.

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

9 (4) Special agents employed by a railroad or a public
10 utility to perform police functions, and guards of armored
11 car companies, while actually engaged in the performance of
12 the duties of their employment or commuting between their
13 homes and places of employment; and watchmen while actually
14 engaged in the performance of the duties of their
15 employment.

16 (5) Persons licensed as private security contractors,
17 private detectives, or private alarm contractors, or
18 employed by an agency certified by the Department of
19 Financial and Professional Regulation, if their duties
20 include the carrying of a weapon under the provisions of
21 the Private Detective, Private Alarm, Private Security,
22 Fingerprint Vendor, and Locksmith Act of 2004, while
23 actually engaged in the performance of the duties of their
24 employment or commuting between their homes and places of
25 employment, provided that such commuting is accomplished
26 within one hour from departure from home or place of

1 employment, as the case may be. A person shall be
2 considered eligible for this exemption if he or she has
3 completed the required 20 hours of training for a private
4 security contractor, private detective, or private alarm
5 contractor, or employee of a licensed agency and 20 hours
6 of required firearm training, and has been issued a firearm
7 control card by the Department of Financial and
8 Professional Regulation. Conditions for the renewal of
9 firearm control cards issued under the provisions of this
10 Section shall be the same as for those cards issued under
11 the provisions of the Private Detective, Private Alarm,
12 Private Security, Fingerprint Vendor, and Locksmith Act of
13 2004. The firearm control card shall be carried by the
14 private security contractor, private detective, or private
15 alarm contractor, or employee of the licensed agency at all
16 times when he or she is in possession of a concealable
17 weapon.

18 (6) Any person regularly employed in a commercial or
19 industrial operation as a security guard for the protection
20 of persons employed and private property related to such
21 commercial or industrial operation, while actually engaged
22 in the performance of his or her duty or traveling between
23 sites or properties belonging to the employer, and who, as
24 a security guard, is a member of a security force of at
25 least 5 persons registered with the Department of Financial
26 and Professional Regulation; provided that such security

1 guard has successfully completed a course of study,
2 approved by and supervised by the Department of Financial
3 and Professional Regulation, consisting of not less than 40
4 hours of training that includes the theory of law
5 enforcement, liability for acts, and the handling of
6 weapons. A person shall be considered eligible for this
7 exemption if he or she has completed the required 20 hours
8 of training for a security officer and 20 hours of required
9 firearm training, and has been issued a firearm control
10 card by the Department of Financial and Professional
11 Regulation. Conditions for the renewal of firearm control
12 cards issued under the provisions of this Section shall be
13 the same as for those cards issued under the provisions of
14 the Private Detective, Private Alarm, Private Security,
15 Fingerprint Vendor, and Locksmith Act of 2004. The firearm
16 control card shall be carried by the security guard at all
17 times when he or she is in possession of a concealable
18 weapon.

19 (7) Agents and investigators of the Illinois
20 Legislative Investigating Commission authorized by the
21 Commission to carry the weapons specified in subsections
22 24-1(a)(3) and 24-1(a)(4), while on duty in the course of
23 any investigation for the Commission.

24 (8) Persons employed by a financial institution for the
25 protection of other employees and property related to such
26 financial institution, while actually engaged in the

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

25 (9) Any person employed by an armored car company to
26 drive an armored car, while actually engaged in the

1 performance of his duties.

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

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

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

11 (12.5) Probation officers while in the performance of
12 their duties, or while commuting between their homes,
13 places of employment or specific locations that are part of
14 their assigned duties, with the consent of the chief judge
15 of the circuit for which they are employed.

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

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

26 (14) Manufacture, transportation, or sale of weapons

1 to persons authorized under subdivisions (1) through
2 (13.5) of this subsection to possess those weapons.

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

5 (1) Members of any club or organization organized for
6 the purpose of practicing shooting at targets upon
7 established target ranges, whether public or private, and
8 patrons of such ranges, while such members or patrons are
9 using their firearms on those target ranges.

10 (2) Duly authorized military or civil organizations
11 while parading, with the special permission of the
12 Governor.

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

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

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

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

23 (1) Peace officers while in performance of their
24 official duties.

25 (2) Wardens, superintendents and keepers of prisons,
26 penitentiaries, jails and other institutions for the

1 detention of persons accused or convicted of an offense.

2 (3) 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 (4) Manufacture, transportation, or sale of machine
6 guns to persons authorized under subdivisions (1) through
7 (3) of this subsection to possess machine guns, if the
8 machine guns are broken down in a non-functioning state or
9 are not immediately accessible.

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

24 During transportation, such weapons shall be broken
25 down in a non-functioning state or not immediately
26 accessible.

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

12 The exemption granted under this subdivision (c)(6)
13 shall also apply to any authorized agent of any such
14 contractor or subcontractor who is operating within the
15 scope of his employment, where such activities involving
16 such weapon, weapons or ammunition are necessary and
17 incident to fulfilling the terms of such contract.

18 During transportation, any such weapon shall be broken
19 down in a non-functioning state, or not immediately
20 accessible.

21 (7) A person possessing a rifle with a barrel or
22 barrels less than 16 inches in length if: (A) the person
23 has been issued a Curios and Relics license from the U.S.
24 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)
25 the person is an active member of a bona fide, nationally
26 recognized military re-enacting group and the modification

1 is required and necessary to accurately portray the weapon
2 for historical re-enactment purposes; the re-enactor is in
3 possession of a valid and current re-enacting group
4 membership credential; and the overall length of the weapon
5 as modified is not less than 26 inches.

6 During transportation, any such weapon shall be broken
7 down in a non-functioning state, or not immediately
8 accessible.

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

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

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

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

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

25 (2) Bonafide collectors of antique or surplus military
26 ordinance.

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

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

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

1 business described in this subsection (g-5). During
2 transportation, these devices shall be detached from any weapon
3 or not immediately accessible.

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

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

17 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
18 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
19 athlete's possession, transport on official Olympic and
20 Paralympic transit systems established for athletes, or use of
21 competition firearms sanctioned by the International Olympic
22 Committee, the International Paralympic Committee, the
23 International Shooting Sport Federation, or USA Shooting in
24 connection with such athlete's training for and participation
25 in shooting competitions at the 2016 Olympic and Paralympic
26 Games and sanctioned test events leading up to the 2016 Olympic

1 and Paralympic Games.

2 (g-15) Subsection 24-1.6(a)(3)(C) does not apply if the
3 person is a non-resident and is currently licensed,
4 registered, or otherwise lawfully able to possess a firearm in
5 his or her resident state and under federal law, and would be
6 otherwise eligible to obtain a Firearm Owner's Identification
7 Card if he or she were a resident of Illinois.

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

26 (Source: P.A. 96-7, eff. 4-3-09; 96-230, eff. 1-1-10; 96-742,

1 eff. 8-25-09; 96-1000, eff. 7-2-10; 97-465, eff. 8-22-11;
2 97-676, eff. 6-1-12; 97-936, eff. 1-1-13; 97-1010, eff. 1-1-13;
3 revised 8-23-12.)".