



Rep. Robert W. Pritchard

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LRB099 19361 RLC 46856 a

1 AMENDMENT TO HOUSE BILL 4950

2 AMENDMENT NO. _____. Amend House Bill 4950 by replacing
3 everything after the enacting clause with the following:

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 Sec. 24-2. Exemptions.

8 (a) Subsections 24-1(a)(3), 24-1(a)(4), 24-1(a)(10), and
9 24-1(a)(13) and Section 24-1.6 do not apply to or affect any of
10 the following:

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

14 (2) Wardens, superintendents and keepers of prisons,
15 penitentiaries, jails and other institutions for the
16 detention of persons accused or convicted of an offense,

1 while in the performance of their official duty, or while
2 commuting between their homes and places of employment.

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

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

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

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

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
25 registered with the Department of Financial and
26 Professional Regulation; provided that such security guard

1 has successfully completed a course of study, approved by
2 and supervised by the Department of Financial and
3 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 permitted by his or her firearm control card.

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 as a
25 security guard for the protection of other employees and
26 property related to such financial institution, while

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

1 armored car services.

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

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

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

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

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

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

25 (13.5) A person employed as an armed security guard at
26 a nuclear energy, storage, weapons or development site or

1 facility regulated by the Nuclear Regulatory Commission
2 who has completed the background screening and training
3 mandated by the rules and regulations of the Nuclear
4 Regulatory Commission.

5 (14) Manufacture, transportation, or sale of weapons
6 to persons authorized under subdivisions (1) through
7 (13.5) of this subsection to possess those weapons.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

22 The exemption granted under this subdivision (c)(6)
23 shall also apply to any authorized agent of any such
24 contractor or subcontractor who is operating within the
25 scope of his employment, where such activities involving
26 such weapon, weapons or ammunition are necessary and

1 incident to fulfilling the terms of such contract.

2 (7) A person possessing a rifle with a barrel or
3 barrels less than 16 inches in length if: (A) the person
4 has been issued a Curios and Relics license from the U.S.
5 Bureau of Alcohol, Tobacco, Firearms and Explosives; or (B)
6 the person is an active member of a bona fide, nationally
7 recognized military re-enacting group and the modification
8 is required and necessary to accurately portray the weapon
9 for historical re-enactment purposes; the re-enactor is in
10 possession of a valid and current re-enacting group
11 membership credential; and the overall length of the weapon
12 as modified is not less than 26 inches.

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

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

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

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

26 (1) Members of the Armed Services or Reserve Forces of

1 the United States or the Illinois National Guard, while in
2 the performance of their official duty.

3 (2) Bonafide collectors of antique or surplus military
4 ordinance.

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

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

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

1 general private possession of any device or attachment of any
2 kind designed, used, or intended for use in silencing the
3 report of any firearm, but only such possession and activities
4 as are within the lawful scope of a licensed manufacturing
5 business described in this subsection (g-5). During
6 transportation, these devices shall be detached from any weapon
7 or not immediately accessible.

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

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

21 (g-8) Subsections 24-1(a)(4) and 24-1(a)(10) and Section
22 24-1.6 do not apply to or affect the carrying or possession of
23 a stun gun by a blind or severely visually impaired person. As
24 used in this subsection (g-8):

25 "Blind" means the person's central visual acuity does
26 not exceed 20/200 in the better eye with corrective lenses

1 or whose field of vision does not exceed 20 degrees.

2 "Severely visually impaired" means the person's vision
3 with best correction is 20/60 in the better eye, or with a
4 field restriction of 105 degrees if monocular vision or 140
5 degrees if binocular vision.

6 "Stun gun" means any device which is powered by
7 electrical charging units, such as batteries, and which,
8 upon contact with a human or clothing worn by a human, can
9 send out current capable of disrupting the person's nervous
10 system in such a manner as to render him or her incapable
11 of normal functioning.

12 (g-10) Subsections 24-1(a)(4), 24-1(a)(8), and
13 24-1(a)(10), and Sections 24-1.6 and 24-3.1 do not apply to an
14 athlete's possession, transport on official Olympic and
15 Paralympic transit systems established for athletes, or use of
16 competition firearms sanctioned by the International Olympic
17 Committee, the International Paralympic Committee, the
18 International Shooting Sport Federation, or USA Shooting in
19 connection with such athlete's training for and participation
20 in shooting competitions at the 2016 Olympic and Paralympic
21 Games and sanctioned test events leading up to the 2016 Olympic
22 and Paralympic Games.

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

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

15 (Source: P.A. 98-63, eff. 7-9-13; 98-463, eff. 8-16-13; 98-725,
16 eff. 1-1-15; 99-174, eff. 7-29-15.)".