

# SB2048



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

SB2048

Introduced 2/10/2017, by Sen. Chuck Weaver

#### SYNOPSIS AS INTRODUCED:

225 ILCS 447/35-35

Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Provides that the Department of Financial and Professional Regulation shall issue a firearm control card to an elected or appointed State's Attorney or the State's Attorney's designated assistant who has passed an approved firearm training course, has met all the requirements of the Act, and possesses a valid firearm owner identification card. Provides that the circuit or associate judge of each county may be issued a firearm control card by the Department of Financial and Professional Regulation if appropriate training and requirements are met in the Act.

LRB100 09808 SMS 19978 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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, Fingerprint Vendor, and Locksmith Act of 2004 is  
6 amended by changing Section 35-35 as follows:

7 (225 ILCS 447/35-35)

8 (Section scheduled to be repealed on January 1, 2024)

9 Sec. 35-35. Requirement of a firearm control card.

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

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

1 persons licensed as private security contractors and their  
2 registered employees; persons licensed as private alarm  
3 contractors and their registered employees; and employees of a  
4 registered armed proprietary security force.

5 (c) Possession of a valid firearm control card allows a  
6 licensee or employee to carry a firearm not otherwise  
7 prohibited by law while the licensee or employee is engaged in  
8 the performance of his or her duties or while the licensee or  
9 employee is commuting directly to or from the licensee's or  
10 employee's place or places of employment.

11 (d) The Department shall issue a firearm control card to a  
12 person who has passed an approved firearm training course, who  
13 is currently licensed or employed by an agency licensed by this  
14 Act and has met all the requirements of this Act, and who  
15 possesses a valid firearm owner identification card.  
16 Application for the firearm control card shall be made by the  
17 employer to the Department on forms provided by the Department.  
18 The Department shall forward the card to the employer who shall  
19 be responsible for its issuance to the licensee or employee.  
20 The firearm control card shall be issued by the Department and  
21 shall identify the person holding it and the name of the course  
22 where the licensee or employee received firearm instruction and  
23 shall specify the type of weapon or weapons the person is  
24 authorized by the Department to carry and for which the person  
25 has been trained.

26 (d-5) The Department shall issue a firearm control card to

1 a person who has passed an approved firearm training course, is  
2 an elected or appointed State's Attorney or the State's  
3 Attorney's designated assistant, has met all the requirements  
4 of this Act, and possesses a valid firearm owner identification  
5 card. Application for the firearm control card shall be made by  
6 the State's Attorney to the Department on forms provided by the  
7 Department. The Department shall forward the card to the  
8 State's Attorney, who shall be responsible for its issuance to  
9 the licensee. The firearm control card shall be issued by the  
10 Department and shall identify the person holding it and the  
11 name of the course where the licensee received firearm  
12 instruction and shall specify the type of weapon or weapons the  
13 person is authorized by the Department to carry and for which  
14 the person has been trained.

15 (d-10) The Department shall issue a firearm control card to  
16 a person who has passed an approved firearm training course, is  
17 a circuit or associate judge, has met all the requirements of  
18 this Act, and possesses a valid firearm owner identification  
19 card. Application for the firearm control card shall be made by  
20 the circuit or associate judge to the Department on forms  
21 provided by the Department. The firearm control card shall be  
22 issued by the Department and shall identify the person holding  
23 it and the name of the course where the licensee received  
24 firearm instruction and shall specify the type of weapon or  
25 weapons the person is authorized by the Department to carry and  
26 for which the person has been trained.

1           (e) Expiration and requirements for renewal of firearm  
2 control cards shall be determined by rule.

3           (f) The Department may, in addition to any other  
4 disciplinary action permitted by this Act, refuse to issue,  
5 suspend, or revoke a firearm control card if the applicant or  
6 holder has been convicted of any felony or crime involving the  
7 illegal use, carrying, or possession of a deadly weapon or for  
8 a violation of this Act or rules promulgated under this Act.  
9 The Department shall refuse to issue or shall revoke a firearm  
10 control card if the applicant or holder fails to possess a  
11 valid firearm owners identification card without hearing. The  
12 Secretary shall summarily suspend a firearm control card if the  
13 Secretary finds that its continued use would constitute an  
14 imminent danger to the public. A hearing shall be held before  
15 the Board within 30 days if the Secretary summarily suspends a  
16 firearm control card.

17           (g) Notwithstanding any other provision of this Act to the  
18 contrary, all requirements relating to firearms control cards  
19 do not apply to a peace officer.

20           (h) The Department may issue a temporary firearm control  
21 card pending issuance of a new firearm control card upon an  
22 agency's acquiring of an established armed account. An agency  
23 that has acquired armed employees as a result of acquiring an  
24 established armed account may, on forms supplied by the  
25 Department, request the issuance of a temporary firearm control  
26 card for each acquired employee who held a valid firearm

1 control card under his or her employment with the newly  
2 acquired established armed account immediately preceding the  
3 acquiring of the account and who continues to meet all of the  
4 qualifications for issuance of a firearm control card set forth  
5 in this Act and any rules adopted under this Act. The  
6 Department shall, by rule, set the fee for issuance of a  
7 temporary firearm control card.

8 (i) The Department shall not issue a firearm control card  
9 to a licensed fingerprint vendor or a licensed locksmith or  
10 employees of a licensed fingerprint vendor agency or a licensed  
11 locksmith agency.

12 (Source: P.A. 98-253, eff. 8-9-13.)