



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

SB1717

Introduced 2/9/2023, by Sen. Suzy Glowiak Hilton

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Regulatory Sunset Act. Repeals the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 on January 1, 2029 (rather than January 1, 2024). Amends the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004. Provides that all applicants and licensees shall provide a valid address and email address to the Department of Financial and Professional Regulation, which serves as the address of record and email address of record, respectively, at the time of application for licensure or renewal of a license. Removes provisions providing that: any person who has providing canine odor detection services, or canine trainer services, for hire prior to January 1, 2005 is exempt from specified requirements and may be granted a private detective license if he or she meets other specified requirements; exhibits shall be certified without cost; and the Department shall maintain a roster. Provides that the original training certification form or a copy (rather than just the original form) shall be given to the employee when the employee's employment is terminated. Makes changes in provisions concerning: applications for licenses; forms; hearings and rehearings; subpoenas; the Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Board; rules; and the Illinois Administrative Procedure Act. Makes corresponding and other changes. Provisions amending the Regulatory Sunset Act are effective immediately.

LRB103 28372 AMQ 54752 b

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 Regulatory Sunset Act is amended by  
5 changing Sections 4.34 and 4.39 as follows:

6 (5 ILCS 80/4.34)

7 Sec. 4.34. Acts and Section repealed on January 1, 2024.

8 The following Acts and Section of an Act are repealed on  
9 January 1, 2024:

10 The Crematory Regulation Act.

11 The Electrologist Licensing Act.

12 The Illinois Certified Shorthand Reporters Act of  
13 1984.

14 The Illinois Occupational Therapy Practice Act.

15 The Illinois Public Accounting Act.

16 ~~The Private Detective, Private Alarm, Private~~  
17 ~~Security, Fingerprint Vendor, and Locksmith Act of 2004.~~

18 The Registered Surgical Assistant and Registered  
19 Surgical Technologist Title Protection Act.

20 Section 2.5 of the Illinois Plumbing License Law.

21 The Veterinary Medicine and Surgery Practice Act of  
22 2004.

23 (Source: P.A. 102-291, eff. 8-6-21.)

1 (5 ILCS 80/4.39)

2 Sec. 4.39. Acts repealed on January 1, 2029 and December  
3 31, 2029.

4 (a) The following Act is repealed on January 1, 2029:

5 The Environmental Health Practitioner Licensing Act.

6 The Private Detective, Private Alarm, Private  
7 Security, Fingerprint Vendor, and Locksmith Act of 2004.

8 (b) The following Act is repealed on December 31, 2029:

9 The Structural Pest Control Act.

10 (Source: P.A. 100-716, eff. 8-3-18; 100-796, eff. 8-10-18;  
11 101-81, eff. 7-12-19.)

12 Section 10. The Private Detective, Private Alarm, Private  
13 Security, Fingerprint Vendor, and Locksmith Act of 2004 is  
14 amended by changing Sections 5-10, 10-5, 10-20, 10-37, 10-45,  
15 15-5, 15-10, 15-15, 15-25, 20-10, 20-15, 20-20, 25-5, 25-10,  
16 25-15, 25-20, 25-30, 30-5, 30-10, 30-15, 30-20, 30-30, 31-5,  
17 31-10, 31-15, 31-20, 35-5, 35-10, 35-15, 35-25, 35-30, 35-35,  
18 35-43, 35-45, 40-5, 40-10, 40-20, 40-25, 40-30, 45-10, 45-15,  
19 45-40, 45-55, 50-5, 50-10, 50-15, 50-20, and 50-45 as follows:

20 (225 ILCS 447/5-10)

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

22 Sec. 5-10. Definitions. As used in this Act:

23 "Address of record" means the designated address recorded

1 by the Department in the applicant's application file or the  
2 licensee's license file, as maintained by the Department's  
3 licensure maintenance unit.

4 "Advertisement" means any public media, including printed  
5 or electronic material, that is published or displayed in a  
6 phone book, newspaper, magazine, pamphlet, newsletter,  
7 website, or other similar type of publication or electronic  
8 format that is intended to either attract business or merely  
9 provide contact information to the public for an agency or  
10 licensee. Advertisement shall not include a licensee's or an  
11 agency's letterhead, business cards, or other stationery used  
12 in routine business correspondence or customary name, address,  
13 and number type listings in a telephone directory.

14 "Alarm system" means any system, including an electronic  
15 access control system, a surveillance video system, a security  
16 video system, a burglar alarm system, a fire alarm system, or  
17 any other electronic system that activates an audible,  
18 visible, remote, or recorded signal that is designed for the  
19 protection or detection of intrusion, entry, theft, fire,  
20 vandalism, escape, or trespass, or other electronic systems  
21 designed for the protection of life by indicating the  
22 existence of an emergency situation. "Alarm system" also  
23 includes an emergency communication system and a mass  
24 notification system.

25 "Applicant" means a person or business applying for  
26 licensure, registration, or authorization under this Act. Any

1 applicant or person who holds oneself ~~himself or herself~~ out  
2 as an applicant is considered a licensee or registrant for the  
3 purposes of enforcement, investigation, hearings, and the  
4 Illinois Administrative Procedure Act.

5 "Armed employee" means a licensee or registered person who  
6 is employed by an agency licensed or an armed proprietary  
7 security force registered under this Act who carries a weapon  
8 while engaged in the performance of official duties within the  
9 course and scope of the employee's ~~his or her~~ employment  
10 during the hours and times the employee is scheduled to work or  
11 is commuting between the employee's ~~his or her~~ home or place of  
12 employment.

13 "Armed proprietary security force" means a security force  
14 made up of one or more armed individuals employed by a  
15 commercial or industrial operation or by a financial  
16 institution as security officers for the protection of persons  
17 or property.

18 "Board" means the Private Detective, Private Alarm,  
19 Private Security, Fingerprint Vendor, and Locksmith Board.

20 "Branch office" means a business location removed from the  
21 place of business for which an agency license has been issued,  
22 including, but not limited to, locations where active employee  
23 records that are required to be maintained under this Act are  
24 kept, where prospective new employees are processed, or where  
25 members of the public are invited in to transact business. A  
26 branch office does not include an office or other facility

1 located on the property of an existing client that is utilized  
2 solely for the benefit of that client and is not owned or  
3 leased by the agency.

4 "Canine handler" means a person who uses or handles a  
5 trained dog to protect persons or property or to conduct  
6 investigations.

7 "Canine handler authorization card" means a card issued by  
8 the Department that authorizes the holder to use or handle a  
9 trained dog to protect persons or property or to conduct  
10 investigations during the performance of the holder's ~~his or~~  
11 ~~her~~ duties as specified in this Act.

12 "Canine trainer" means a person who acts as a dog trainer  
13 for the purpose of training dogs to protect persons or  
14 property or to conduct investigations.

15 "Canine trainer authorization card" means a card issued by  
16 the Department that authorizes the holder to train a dog to  
17 protect persons or property or to conduct investigations  
18 during the performance of the holder's ~~his or her~~ duties as  
19 specified in this Act.

20 "Canine training facility" means a facility operated by a  
21 licensed private detective agency or private security  
22 contractor agency wherein dogs are trained for the purposes of  
23 protecting persons or property or to conduct investigations.

24 "Corporation" means an artificial person or legal entity  
25 created by or under the authority of the laws of a state,  
26 including without limitation a corporation, limited liability

1 company, or any other legal entity.

2 "Department" means the Department of Financial and  
3 Professional Regulation.

4 "Email address of record" means the designated email  
5 address recorded by the Department in the applicant's  
6 application file or the licensee's license file, as maintained  
7 by the Department's licensure maintenance unit.

8 "Emergency communication system" means any system that  
9 communicates information about emergencies, including but not  
10 limited to fire, terrorist activities, shootings, other  
11 dangerous situations, accidents, and natural disasters.

12 "Employee" means a person who works for a person or agency  
13 that has the right to control the details of the work performed  
14 and is not dependent upon whether or not federal or state  
15 payroll taxes are withheld.

16 "Fingerprint vendor" means a person that offers,  
17 advertises, or provides services to fingerprint individuals,  
18 through electronic or other means, for the purpose of  
19 providing fingerprint images and associated demographic data  
20 to the Illinois State Police for processing fingerprint based  
21 criminal history record information inquiries.

22 "Fingerprint vendor agency" means a person, firm,  
23 corporation, or other legal entity that engages in the  
24 fingerprint vendor business and employs, in addition to the  
25 fingerprint vendor licensee-in-charge, at least one other  
26 person in conducting that business.

1 "Fingerprint vendor licensee-in-charge" means a person who  
2 has been designated by a fingerprint vendor agency to be the  
3 licensee-in-charge of an agency who is a full-time management  
4 employee or owner who assumes sole responsibility for  
5 maintaining all records required by this Act and who assumes  
6 sole responsibility for assuring the licensed agency's  
7 compliance with its responsibilities as stated in this Act.  
8 The Department shall adopt rules mandating licensee-in-charge  
9 participation in agency affairs.

10 "Fire alarm system" means any system that is activated by  
11 an automatic or manual device in the detection of smoke, heat,  
12 or fire that activates an audible, visible, or remote signal  
13 requiring a response.

14 "Firearm control card" means a card issued by the  
15 Department that authorizes the holder, who has complied with  
16 the training and other requirements of this Act, to carry a  
17 weapon during the performance of the holder's ~~his or her~~  
18 duties as specified in this Act.

19 "Firm" means an unincorporated business entity, including  
20 but not limited to proprietorships and partnerships.

21 "Licensee" means a person or business licensed under this  
22 Act. Anyone who holds oneself ~~himself or herself~~ out as a  
23 licensee or who is accused of unlicensed practice is  
24 considered a licensee for purposes of enforcement,  
25 investigation, hearings, and the Illinois Administrative  
26 Procedure Act.



1 "Locksmith" means a person who engages in a business or  
2 holds oneself ~~himself~~ out to the public as providing a service  
3 that includes, but is not limited to, the servicing,  
4 installing, originating first keys, re-coding, repairing,  
5 maintaining, manipulating, or bypassing of a mechanical or  
6 electronic locking device, access control or video  
7 surveillance system at premises, vehicles, safes, vaults, safe  
8 deposit boxes, or automatic teller machines.

9 "Locksmith agency" means a person, firm, corporation, or  
10 other legal entity that engages in the locksmith business and  
11 employs, in addition to the locksmith licensee-in-charge, at  
12 least one other person in conducting such business.

13 "Locksmith licensee-in-charge" means a person who has been  
14 designated by agency to be the licensee-in-charge of an  
15 agency, who is a full-time management employee or owner who  
16 assumes sole responsibility for maintaining all records  
17 required by this Act, and who assumes sole responsibility for  
18 assuring the licensed agency's compliance with its  
19 responsibilities as stated in this Act. The Department shall  
20 adopt rules mandating licensee-in-charge participation in  
21 agency affairs.

22 "Mass notification system" means any system that is used  
23 to provide information and instructions to people in a  
24 building or other space using voice communications, including  
25 visible signals, text, graphics, tactile, or other  
26 communication methods.

1 "Peace officer" or "police officer" means a person who, by  
2 virtue of office or public employment, is vested by law with a  
3 duty to maintain public order or to make arrests for offenses,  
4 whether that duty extends to all offenses or is limited to  
5 specific offenses. Officers, agents, or employees of the  
6 federal government commissioned by federal statute to make  
7 arrests for violations of federal laws are considered peace  
8 officers.

9 "Permanent employee registration card" means a card issued  
10 by the Department to an individual who has applied to the  
11 Department and meets the requirements for employment by a  
12 licensed agency under this Act.

13 "Person" means a natural person.

14 "Private alarm contractor" means a person who engages in a  
15 business that individually or through others undertakes,  
16 offers to undertake, purports to have the capacity to  
17 undertake, or submits a bid to sell, install, design, monitor,  
18 maintain, test, inspect, alter, repair, replace, or service  
19 alarm and other security-related systems or parts thereof,  
20 including fire alarm systems, at protected premises or  
21 premises to be protected or responds to alarm systems at a  
22 protected premises on an emergency basis and not as a  
23 full-time security officer. "Private alarm contractor" does  
24 not include a person, firm, or corporation that manufactures  
25 or sells alarm systems only from its place of business and does  
26 not sell, install, monitor, maintain, alter, repair, replace,

1 service, or respond to alarm systems at protected premises or  
2 premises to be protected.

3 "Private alarm contractor agency" means a person,  
4 corporation, or other entity that engages in the private alarm  
5 contracting business and employs, in addition to the private  
6 alarm contractor-in-charge, at least one other person in  
7 conducting such business.

8 "Private alarm contractor licensee-in-charge" means a  
9 person who has been designated by an agency to be the  
10 licensee-in-charge of an agency, who is a full-time management  
11 employee or owner who assumes sole responsibility for  
12 maintaining all records required by this Act, and who assumes  
13 sole responsibility for assuring the licensed agency's  
14 compliance with its responsibilities as stated in this Act.  
15 The Department shall adopt rules mandating licensee-in-charge  
16 participation in agency affairs.

17 "Private detective" means any person who by any means,  
18 including, but not limited to, manual, canine odor detection,  
19 or electronic methods, engages in the business of, accepts  
20 employment to furnish, or agrees to make or makes  
21 investigations for a fee or other consideration to obtain  
22 information relating to:

23 (1) Crimes or wrongs done or threatened against the  
24 United States, any state or territory of the United  
25 States, or any local government of a state or territory.

26 (2) The identity, habits, conduct, business

1 occupation, honesty, integrity, credibility, knowledge,  
2 trustworthiness, efficiency, loyalty, activity,  
3 movements, whereabouts, affiliations, associations,  
4 transactions, acts, reputation, or character of any  
5 person, firm, or other entity by any means, manual or  
6 electronic.

7 (3) The location, disposition, or recovery of lost or  
8 stolen property.

9 (4) The cause, origin, or responsibility for fires,  
10 accidents, or injuries to individuals or real or personal  
11 property.

12 (5) The truth or falsity of any statement or  
13 representation.

14 (6) Securing evidence to be used before any court,  
15 board, or investigating body.

16 (7) The protection of individuals from bodily harm or  
17 death (bodyguard functions).

18 (8) Service of process in criminal and civil  
19 proceedings.

20 "Private detective agency" means a person, firm,  
21 corporation, or other legal entity that engages in the private  
22 detective business and employs, in addition to the  
23 licensee-in-charge, one or more persons in conducting such  
24 business.

25 "Private detective licensee-in-charge" means a person who  
26 has been designated by an agency to be the licensee-in-charge

1 of an agency, who is a full-time management employee or owner  
2 who assumes sole responsibility for maintaining all records  
3 required by this Act, and who assumes sole responsibility for  
4 assuring the licensed agency's compliance with its  
5 responsibilities as stated in this Act. The Department shall  
6 adopt rules mandating licensee-in-charge participation in  
7 agency affairs.

8 "Private security contractor" means a person who engages  
9 in the business of providing a private security officer,  
10 watchman, patrol, guard dog, canine odor detection, or a  
11 similar service by any other title or name on a contractual  
12 basis for another person, firm, corporation, or other entity  
13 for a fee or other consideration and performing one or more of  
14 the following functions:

15 (1) The prevention or detection of intrusion, entry,  
16 theft, vandalism, abuse, fire, or trespass on private or  
17 governmental property.

18 (2) The prevention, observation, or detection of any  
19 unauthorized activity on private or governmental property.

20 (3) The protection of persons authorized to be on the  
21 premises of the person, firm, or other entity for which  
22 the security contractor contractually provides security  
23 services.

24 (4) The prevention of the misappropriation or  
25 concealment of goods, money, bonds, stocks, notes,  
26 documents, or papers.

1           (5) The control, regulation, or direction of the  
2 movement of the public for the time specifically required  
3 for the protection of property owned or controlled by the  
4 client.

5           (6) The protection of individuals from bodily harm or  
6 death (bodyguard functions).

7           "Private security contractor agency" means a person, firm,  
8 corporation, or other legal entity that engages in the private  
9 security contractor business and that employs, in addition to  
10 the licensee-in-charge, one or more persons in conducting such  
11 business.

12           "Private security contractor licensee-in-charge" means a  
13 person who has been designated by an agency to be the  
14 licensee-in-charge of an agency, who is a full-time management  
15 employee or owner who assumes sole responsibility for  
16 maintaining all records required by this Act, and who assumes  
17 sole responsibility for assuring the licensed agency's  
18 compliance with its responsibilities as stated in this Act.  
19 The Department shall adopt rules mandating licensee-in-charge  
20 participation in agency affairs.

21           "Public member" means a person who is not a licensee or  
22 related to a licensee, or who is not an employer or employee of  
23 a licensee. The term "related to" shall be determined by the  
24 rules of the Department.

25           "Secretary" means the Secretary of the Department of  
26 Financial and Professional Regulation.

1 (Source: P.A. 102-152, eff. 1-1-22; 102-538, eff. 8-20-21;  
2 102-813, eff. 5-13-22.)

3 (225 ILCS 447/10-5)

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

5 Sec. 10-5. Requirement of license.

6 (a) It is unlawful for a person to act as or provide the  
7 functions of a private detective, private security contractor,  
8 private alarm contractor, fingerprint vendor, or locksmith or  
9 to advertise or to assume to act as any one of these, or to use  
10 these or any other title implying that the person is engaged in  
11 any of these activities unless licensed as such by the  
12 Department. An individual or sole proprietor who does not  
13 employ any employees other than himself or herself may operate  
14 under a "doing business as" or assumed name certification  
15 without having to obtain an agency license, so long as the  
16 assumed name is first registered with the Department.

17 (b) It is unlawful for a person, firm, corporation, or  
18 other legal entity to act as an agency licensed under this Act,  
19 to advertise, or to assume to act as a licensed agency or to  
20 use a title implying that the person, firm, or other entity is  
21 engaged in the practice as a private detective agency, private  
22 security contractor agency, private alarm contractor agency,  
23 fingerprint vendor agency, or locksmith agency unless licensed  
24 by the Department.

25 (c) No agency shall operate a branch office without first

1 applying for and receiving a branch office license for each  
2 location.

3 (d) ~~It Beginning 12 months after the adoption of rules~~  
4 ~~providing for the licensure of fingerprint vendors under this~~  
5 ~~Act, it~~ is unlawful for a person to operate live scan  
6 fingerprint equipment or other equipment designed to obtain  
7 fingerprint images for the purpose of providing fingerprint  
8 images and associated demographic data to the Illinois State  
9 Police, unless the person ~~he or she~~ has successfully completed  
10 a fingerprint training course conducted or authorized by the  
11 Illinois State Police and is licensed as a fingerprint vendor.

12 (e) ~~No Beginning 12 months after the adoption of rules~~  
13 ~~providing for the licensure of canine handlers and canine~~  
14 ~~trainers under this Act, no~~ person shall operate a canine  
15 training facility unless licensed as a private detective  
16 agency or private security contractor agency under this Act,  
17 and no person shall act as a canine trainer unless the person  
18 ~~he or she~~ is licensed as a private detective or private  
19 security contractor or is a registered employee of a private  
20 detective agency or private security contractor agency  
21 approved by the Department.

22 (Source: P.A. 102-538, eff. 8-20-21.)

23 (225 ILCS 447/10-20)

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

25 Sec. 10-20. Application for license; forms.



1 (a) Each license application shall be on forms provided by  
2 the Department.

3 (b) Application for a license by endorsement shall be made  
4 in accordance with the provisions of Section 10-40.

5 (c) Every application for an original license shall  
6 include the applicant's Social Security number or federal  
7 individual taxpayer identification number, which shall be  
8 retained in the agency's records pertaining to the license. As  
9 soon as practical, the Department shall assign a customer's  
10 identification number to each applicant for a license.

11 Every application for a renewal or restored license shall  
12 require the applicant's customer identification number.

13 (Source: P.A. 97-400, eff. 1-1-12.)

14 (225 ILCS 447/10-37)

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

16 Sec. 10-37. Address of record; email address of record.

17 All applicants and licensees shall:

18 (1) provide a valid address and email address to the  
19 Department, which serves as the address of record and  
20 email address of record, respectively, at the time of  
21 application for licensure or renewal of a license; and

22 ~~(2) It is the duty of the applicant or licensee to~~  
23 inform the Department of any change of address within 14  
24 days after such change either through the Department's  
25 website or by contacting the Department's licensure

1 maintenance unit.

2 (Source: P.A. 96-1445, eff. 8-20-10.)

3 (225 ILCS 447/10-45)

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

5 Sec. 10-45. Emergency care without a fee. A license  
6 holder, agency, or registered employee of a private security  
7 contractor, as defined in Section 5-10 of this Act, who in good  
8 faith provides emergency care without fee to any person or  
9 takes actions in good faith that directly relate to the  
10 employee's job responsibilities to protect people and  
11 property, as defined by the areas in which registered security  
12 officers receive training under Sections 20-20 and 25-20 shall  
13 not, as a result of those ~~his or her~~ acts or omissions, except  
14 willful and wanton misconduct, in providing the care, be  
15 liable to a person to whom such care is provided for civil  
16 damages.

17 (Source: P.A. 93-438, eff. 8-5-03.)

18 (225 ILCS 447/15-5)

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

20 Sec. 15-5. Exemptions; private detective. The provisions  
21 of this Act relating to the licensure of private detectives do  
22 not apply to any of the following:

23 (1) An employee of the United States, Illinois, or a  
24 political subdivision of either while the employee is

1 engaged in the performance of the employee's ~~his or her~~  
2 official duties within the scope of the employee's ~~his or~~  
3 ~~her~~ employment. However, any such person who offers ~~his or~~  
4 ~~her~~ services as a private detective or uses a similar  
5 title when these services are performed for compensation  
6 or other consideration, whether received directly or  
7 indirectly, is subject to this Act.

8 (2) A person, firm, or other entity engaged  
9 exclusively in tracing and compiling lineage or ancestry  
10 who does not hold oneself ~~himself or herself~~ out to be a  
11 private detective.

12 (3) A person engaged exclusively in obtaining and  
13 furnishing information, including providing reports, as to  
14 the financial rating or creditworthiness of persons in  
15 connection with (i) consumer credit transactions, (ii)  
16 information for employment purposes, or (iii) information  
17 for the underwriting of consumer insurance.

18 (4) Insurance adjusters employed or under contract as  
19 adjusters who engage in no other investigative activities  
20 other than those directly connected with adjustment of  
21 claims against an insurance company or a self-insured  
22 entity by which they are employed or with which they have a  
23 contract. No insurance adjuster or company may use the  
24 term "investigation" or any derivative thereof, in its  
25 name or in its advertising.

26 (5) A person, firm, or other entity engaged in

1 providing computer forensics services so long as the  
2 person, firm, or other entity does not hold oneself  
3 ~~himself or herself~~ out to be a private detective. For the  
4 purposes of this item (5), "computer forensics services"  
5 means a branch of forensic science pertaining to the  
6 recovery and analysis of electronically stored  
7 information.

8 (6) A person employed as an investigator exclusively  
9 by only one employer in connection with the exclusive  
10 activities of that employer and who does not hold oneself  
11 ~~himself or herself~~ out to be a private detective.

12 (7) A person appointed by the circuit court pursuant  
13 to the Code of Civil Procedure to make service of process  
14 in a specific case, provided that such person is not  
15 otherwise engaged in the business of serving process.

16 (8) A person appointed by the circuit court pursuant  
17 to the Code of Civil Procedure who is an honorably  
18 discharged veteran of the armed forces of the United  
19 States and is self-employed as a process server.

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

21 (225 ILCS 447/15-10)

22 (Section scheduled to be repealed January 1, 2024)

23 Sec. 15-10. Qualifications for licensure as a private  
24 detective.

25 (a) A person is qualified for licensure as a private

1 detective if the person ~~he or she~~ meets all of the following  
2 requirements:

3 (1) Is at least 21 years of age.

4 (2) Has not been convicted of any felony in any  
5 jurisdiction or at least 10 years have elapsed since the  
6 time of full discharge from a sentence imposed for a  
7 felony conviction.

8 (3) Is of good moral character. Good character is a  
9 continuing requirement of licensure. Conviction of crimes  
10 other than felonies may be used in determining moral  
11 character, but shall not constitute an absolute bar to  
12 licensure, except where the applicant is a registered sex  
13 offender.

14 (4) Has not been declared by any court of competent  
15 jurisdiction to be incompetent by reason of mental or  
16 physical defect or disease, unless a court has  
17 subsequently declared him or her to be competent.

18 (5) Is not suffering from dependence on alcohol or  
19 from narcotic addiction or dependence.

20 (6) Has a minimum of 3 years experience of the 5 years  
21 immediately preceding application working full-time for a  
22 licensed private detective agency as a registered private  
23 detective agency employee or with 3 years experience of  
24 the 5 years immediately preceding ~~his or her~~ application  
25 employed as a full-time investigator for a licensed  
26 attorney, for an in-house investigative unit for a

1 corporation having 100 or more employees, for any of the  
2 armed forces of the United States, or in a law enforcement  
3 agency of the federal government, a state, or a state  
4 political subdivision, which shall include a state's  
5 attorney's office or a public defender's office. The Board  
6 and the Department shall approve such full-time  
7 investigator experience and may accept, in lieu of the  
8 experience requirement in this item (6), alternative  
9 experience working full-time for a private detective  
10 agency licensed in another state or for a private  
11 detective agency in a state that does not license such  
12 agencies if the experience is substantially equivalent to  
13 that gained working for an Illinois licensed private  
14 detective agency. An applicant who has a baccalaureate  
15 degree, or higher, in law enforcement or a related field  
16 or a business degree from an accredited college or  
17 university shall be given credit for 2 of the 3 years of  
18 the required experience. An applicant who has an associate  
19 degree in law enforcement or in a related field or in  
20 business from an accredited college or university shall be  
21 given credit for one of the 3 years of the required  
22 experience. An applicant who has completed a non-degree  
23 military training program in law enforcement or a related  
24 field shall be given credit for one of the 3 years of the  
25 required experience if the Board and the Department  
26 determine that such training is substantially equivalent

1 to that received in an associate degree program.

2 (7) Has not been dishonorably discharged from the  
3 armed forces of the United States or has not been  
4 discharged from a law enforcement agency of the United  
5 States or of any state or of any political subdivision  
6 thereof, which shall include a state's attorney's office,  
7 for reasons relating to ~~his or her~~ conduct as an employee  
8 of that law enforcement agency.

9 (8) Has passed an examination authorized by the  
10 Department.

11 (9) Submits the applicant's ~~his or her~~ fingerprints,  
12 proof of having general liability insurance required under  
13 subsection (b), and the required license fee.

14 (10) Has not violated Section 10-5 of this Act.

15 (b) It is the responsibility of the applicant to obtain  
16 general liability insurance in an amount and coverage  
17 appropriate for the applicant's circumstances as determined by  
18 rule. The applicant shall provide evidence of insurance to the  
19 Department before being issued a license. Failure to maintain  
20 general liability insurance and to provide the Department with  
21 written proof of the insurance shall result in cancellation of  
22 the license without hearing.

23 (c) (Blank). ~~Any person who has been providing canine odor~~  
24 ~~detection services for hire prior to January 1, 2005 is exempt~~  
25 ~~from the requirements of item (6) of subsection (a) of this~~  
26 ~~Section and may be granted a private detective license if (i)~~

1 ~~he or she meets the requirements of items (1) through (5) and~~  
2 ~~items (7) through (10) of subsection (a) of this Section, (ii)~~  
3 ~~pays all applicable fees, and (iii) presents satisfactory~~  
4 ~~evidence to the Department of the provision of canine odor~~  
5 ~~detection services for hire since January 1, 2005.~~

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

7 (225 ILCS 447/15-15)

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

9 Sec. 15-15. Qualifications for licensure as a private  
10 detective agency.

11 (a) Upon receipt of the required fee and proof that the  
12 applicant has a full-time Illinois licensed private detective  
13 licensee-in-charge, which is a continuing requirement for  
14 agency licensure, the Department shall issue a license as a  
15 private detective agency to any of the following:

16 (1) An individual who submits an application and is a  
17 licensed private detective under this Act.

18 (2) A firm that submits an application and all of the  
19 members of the firm are licensed private detectives under  
20 this Act.

21 (3) A corporation or limited liability company doing  
22 business in Illinois that is authorized to engage in the  
23 business of conducting a private detective agency,  
24 provided at least one full-time executive employee is  
25 licensed as a private detective under this Act and all



1           unlicensed officers and directors of the corporation or  
2           limited liability company are determined by the Department  
3           to be persons of good moral character.

4           (b) No private detective may be the licensee-in-charge for  
5           more than one private detective agency. Upon written request  
6           by a representative of an agency, within 10 days after the loss  
7           of a licensee-in-charge of an agency because of the death of  
8           that individual or because of the termination of the  
9           employment of that individual, the Department shall issue a  
10          temporary certificate of authority allowing the continuing  
11          operation of the licensed agency. No temporary certificate of  
12          authority shall be valid for more than 90 days. An extension of  
13          an additional 90 days may be granted upon written request by  
14          the representative of the agency. Not more than 2 extensions  
15          may be granted to any agency. No temporary permit shall be  
16          issued for a loss of the licensee-in-charge because of  
17          disciplinary action by the Department related to the  
18          licensee-in-charge's ~~his or her~~ conduct on behalf of the  
19          agency.

20          (c) Upon issuance of the temporary certificate of  
21          authority as provided for in subsection (b) of this Section,  
22          and at any time thereafter while the temporary certificate of  
23          authority is in effect, the Department may request in writing  
24          additional information from the agency regarding the loss of  
25          its licensee-in-charge, the selection of a new  
26          licensee-in-charge, and the management of the agency. Failure

1 of the agency to respond or respond to the satisfaction of the  
2 Department shall cause the Department to deny any extension of  
3 the temporary certificate of authority. While the temporary  
4 certificate of authority is in effect, the Department may  
5 disapprove the selection of a new licensee-in-charge by the  
6 agency if the person's license is not operative or the  
7 Department has good cause to believe that the person selected  
8 will not fully exercise the responsibilities of a  
9 licensee-in-charge. If the Department has disapproved the  
10 selection of a new licensee-in-charge and the temporary  
11 certificate of authority expires or is about to expire without  
12 the agency selecting another new licensee-in-charge, the  
13 Department shall grant an extension of the temporary  
14 certificate of authority for an additional 90 days, except as  
15 otherwise prohibited in subsection (b) or this subsection (c).

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

17 (225 ILCS 447/15-25)

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

19 Sec. 15-25. Training; private detective and employees.

20 (a) Registered employees of a private detective agency  
21 shall complete, within 30 days of their employment, a minimum  
22 of 20 hours of basic training provided by a qualified  
23 instructor. The substance of the training shall be related to  
24 the work performed by the registered employee. The training  
25 may be classroom-based or online Internet-based but shall not

1 be conducted as on-the-job training.

2 (a-5) In addition to the basic training required in  
3 subsection (a), registered employees of a private detective  
4 agency shall complete an additional minimum of 8 hours of  
5 annual training for every calendar year, commencing with the  
6 calendar year beginning after the employee's hire date.

7 (a-10) Annual training for registered employees shall be  
8 based on subjects related to the work performed as determined  
9 by the employer and may be conducted in a classroom or seminar  
10 setting or via Internet-based online learning programs. Annual  
11 training may not be conducted as on-the-job training.

12 (b) It is the responsibility of the employer to certify,  
13 on a form provided by the Department, that the employee has  
14 successfully completed the basic and annual training. The  
15 original form or a copy shall be a permanent record of training  
16 completed by the employee and shall be placed in the  
17 employee's file with the employer for the period the employee  
18 remains with the employer. The original form or a copy shall be  
19 given to the employee when the employee's ~~his or her~~  
20 employment is terminated. Failure to return the original form  
21 or a copy to the employee is grounds for disciplinary action.  
22 The employee shall not be required to repeat the required  
23 training once the employee has been issued the form. An  
24 employer may provide or require additional training.

25 (c) (Blank).

26 (d) All private detectives shall complete a minimum of 8

1 hours of annual training on a topic of their choosing,  
2 provided that the subject matter is reasonably related to  
3 their private detective practice. The annual training for  
4 private detectives may be completed utilizing any combination  
5 of hours obtained in a classroom or seminar setting or via  
6 Internet-based online learning programs. The Department shall  
7 adopt rules to administer this subsection.

8 (e) The annual training requirements for private  
9 detectives shall not apply until the calendar year following  
10 the issuance of the private detective license.

11 (f) It shall be the responsibility of the private  
12 detective to keep and maintain a personal log of all training  
13 hours earned along with sufficient documentation for the  
14 Department to verify the annual training completed for at  
15 least 5 years. The personal training log and documentation  
16 shall be provided to the Department in the same manner as other  
17 documentation and records required under this Act.

18 (g) If the private detective owns or is employed by a  
19 private detective agency, the private detective agency shall  
20 maintain a record of the annual training. The private  
21 detective agency must make the record of annual training  
22 available to the Department upon request.

23 (h) Recognizing the diverse professional practices of  
24 private detectives licensed under this Act, it is the intent  
25 of the training requirements in this Section to allow for a  
26 broad interpretation of the coursework, seminar subjects, or

1 class topics to be considered reasonably related to the  
2 practice of any profession licensed under this Act.

3 (i) Notwithstanding any other professional license a  
4 private detective holds under this Act, no more than 8 hours of  
5 annual training shall be required for any one year.

6 (Source: P.A. 102-152, eff. 1-1-22.)

7 (225 ILCS 447/20-10)

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

9 Sec. 20-10. Qualifications for licensure as a private  
10 alarm contractor.

11 (a) A person is qualified for licensure as a private alarm  
12 contractor if the person ~~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  
18 felony conviction.

19 (3) Is of good moral character. Good moral character  
20 is a continuing requirement of licensure. Conviction of  
21 crimes other than felonies may be used in determining  
22 moral character, but shall not constitute an absolute bar  
23 to licensure, except where the applicant is a registered  
24 sex offender.

25 (4) Has not been declared by any court of competent

1 jurisdiction to be incompetent by reason of mental or  
2 physical defect or disease, unless a court has  
3 subsequently declared him or her to be competent.

4 (5) Is not suffering from dependence on alcohol or  
5 from narcotic addiction or dependence.

6 (6) Has a minimum of 3 years experience during the 5  
7 years immediately preceding the application (i) working as  
8 a full-time manager for a licensed private alarm  
9 contractor agency or (ii) working for a government, one of  
10 the armed forces of the United States, or private entity  
11 that inspects, reviews, designs, sells, installs,  
12 operates, services, or monitors alarm systems that, in the  
13 judgment of the Board, satisfies the standards of alarm  
14 industry competence. The Board and the Department may  
15 accept, in lieu of the experience requirement in this item  
16 (6), alternative experience working as a full-time manager  
17 for a private alarm contractor agency licensed in another  
18 state or for a private alarm contractor agency in a state  
19 that does not license such agencies, if the experience is  
20 substantially equivalent to that gained working for an  
21 Illinois licensed private alarm contractor agency. An  
22 applicant who has received a 4-year degree or higher in  
23 electrical engineering or a related field from a program  
24 approved by the Board or a business degree from an  
25 accredited college or university shall be given credit for  
26 2 years of the required experience. An applicant who has

1           successfully completed a national certification program  
2           approved by the Board shall be given credit for one year of  
3           the required experience.

4           (7) Has not been dishonorably discharged from the  
5           armed forces of the United States.

6           (8) Has passed an examination authorized by the  
7           Department.

8           (9) Submits the applicant's ~~his or her~~ fingerprints,  
9           proof of having general liability insurance required under  
10          subsection (c), and the required license fee.

11          (10) Has not violated Section 10-5 of this Act.

12          (b) (Blank).

13          (c) It is the responsibility of the applicant to obtain  
14          general liability insurance in an amount and coverage  
15          appropriate for the applicant's circumstances as determined by  
16          rule. The applicant shall provide evidence of insurance to the  
17          Department before being issued a license. Failure to maintain  
18          general liability insurance and to provide the Department with  
19          written proof of the insurance shall result in cancellation of  
20          the license without hearing.

21          (Source: P.A. 98-253, eff. 8-9-13; 99-174, eff. 7-29-15.)

22          (225 ILCS 447/20-15)

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

24          Sec. 20-15. Qualifications for licensure as a private  
25          alarm contractor agency.

1           (a) Upon receipt of the required fee and proof that the  
2 applicant has a full-time Illinois licensed private alarm  
3 contractor licensee-in-charge, which is a continuing  
4 requirement for agency licensure, the Department shall issue a  
5 license as a private alarm contractor agency to any of the  
6 following:

7           (1) An individual who submits an application and is a  
8 licensed private alarm contractor under this Act.

9           (2) A firm that submits an application and all of the  
10 members of the firm are licensed private alarm contractors  
11 under this Act.

12           (3) A corporation or limited liability company doing  
13 business in Illinois that is authorized by its articles of  
14 incorporation or organization to engage in the business of  
15 conducting a private alarm contractor agency if at least  
16 one executive employee is licensed as a private alarm  
17 contractor under this Act and all unlicensed officers and  
18 directors of the corporation or limited liability company  
19 are determined by the Department to be persons of good  
20 moral character.

21           (b) No private alarm contractor may be the  
22 licensee-in-charge for more than one private alarm contractor  
23 agency. Upon written request by a representative of an agency,  
24 within 10 days after the loss of a licensee-in-charge of an  
25 agency because of the death of that individual or because of  
26 the termination of the employment of that individual, the



1 Department shall issue a temporary certificate of authority  
2 allowing the continuing operation of the licensed agency. No  
3 temporary certificate of authority shall be valid for more  
4 than 90 days. An extension of an additional 90 days may be  
5 granted upon written request by the representative of the  
6 agency. Not more than 2 extensions may be granted to any  
7 agency. No temporary permit shall be issued for loss of the  
8 licensee-in-charge because of disciplinary action by the  
9 Department related to the licensee-in-charge's ~~his or her~~  
10 conduct on behalf of the agency.

11 (c) No private alarm contractor, private alarm contractor  
12 agency, or person may install or connect an alarm system or  
13 fire alarm system that connects automatically and directly to  
14 a governmentally operated police or fire dispatch system in a  
15 manner that violates subsection (a) of Section 15.2 of the  
16 Emergency Telephone System Act. In addition to the penalties  
17 provided by the Emergency Telephone System Act, a private  
18 alarm contractor agency that violates this Section shall pay  
19 the Department an additional penalty of \$250 per occurrence.

20 (d) Upon issuance of the temporary certificate of  
21 authority as provided for in subsection (b) of this Section  
22 and at any time thereafter while the temporary certificate of  
23 authority is in effect, the Department may request in writing  
24 additional information from the agency regarding the loss of  
25 its licensee-in-charge, the selection of a new  
26 licensee-in-charge, and the management of the agency. Failure

1 of the agency to respond or respond to the satisfaction of the  
2 Department shall cause the Department to deny any extension of  
3 the temporary certificate of authority. While the temporary  
4 certificate of authority is in effect, the Department may  
5 disapprove the selection of a new licensee-in-charge by the  
6 agency if the person's license is not operative or the  
7 Department has good cause to believe that the person selected  
8 will not fully exercise the responsibilities of a  
9 licensee-in-charge. If the Department has disapproved the  
10 selection of another new licensee-in-charge and the temporary  
11 certificate of authority expires or is about to expire without  
12 the agency selecting a new licensee-in-charge, the Department  
13 shall grant an extension of the temporary certificate of  
14 authority for an additional 90 days, except as otherwise  
15 prohibited in subsection (b) or this subsection (d).

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

17 (225 ILCS 447/20-20)

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

19 Sec. 20-20. Training; private alarm contractor and  
20 employees.

21 (a) Registered employees of the private alarm contractor  
22 agency who carry a firearm and respond to alarm systems shall  
23 complete, within 30 days of their employment, a minimum of 20  
24 hours of classroom training provided by a qualified instructor  
25 and shall include all of the following subjects:

1           (1) The law regarding arrest and search and seizure as  
2 it applies to the private alarm industry.

3           (2) Civil and criminal liability for acts related to  
4 the private alarm industry.

5           (3) The use of force, including but not limited to the  
6 use of nonlethal force (i.e., disabling spray, baton,  
7 stungun, or similar weapon).

8           (4) Arrest and control techniques.

9           (5) The offenses under the Criminal Code of 2012 that  
10 are directly related to the protection of persons and  
11 property.

12           (6) The law on private alarm forces and on reporting  
13 to law enforcement agencies.

14           (7) Fire prevention, fire equipment, and fire safety.

15           (8) Civil rights and public relations.

16           (9) The identification of terrorists, acts of  
17 terrorism, and terrorist organizations, as defined by  
18 federal and State statutes.

19           Pursuant to directives set forth by the U.S. Department of  
20 Homeland Security and the provisions set forth by the National  
21 Fire Protection Association in the National Fire Alarm Code  
22 and the Life Safety Code, training may include the  
23 installation, repair, and maintenance of emergency  
24 communication systems and mass notification systems.

25           (b) All other employees of a private alarm contractor  
26 agency shall complete a minimum of 20 hours of basic training

1 provided by a qualified instructor within 30 days of their  
2 employment. The training may be provided in a classroom or  
3 seminar setting or via Internet-based online learning  
4 programs. The substance of the training shall be related to  
5 the work performed by the registered employee.

6 (c) It is the responsibility of the employer to certify,  
7 on forms provided by the Department, that the employee has  
8 successfully completed the training. The original form or a  
9 copy shall be a permanent record of training completed by the  
10 employee and shall be placed in the employee's file with the  
11 employer for the term the employee is retained by the  
12 employer. A private alarm contractor agency may place a copy  
13 of the Department form in lieu of the original into the  
14 permanent employee registration card file. The original form  
15 or a copy shall be returned to the employee when the employee's  
16 ~~his or her~~ employment is terminated. Failure to return the  
17 original form or a copy to the employee is grounds for  
18 discipline. The employee shall not be required to complete the  
19 training required under this Act once the employee has been  
20 issued a form.

21 (d) Nothing in this Act prevents any employer from  
22 providing or requiring additional training beyond the required  
23 20 hours that the employer feels is necessary and appropriate  
24 for competent job performance.

25 (e) Any certification of completion of the 20-hour basic  
26 training issued under the Private Detective, Private Alarm,

1 Private Security, and Locksmith Act of 1993 or any prior Act  
2 shall be accepted as proof of training under this Act.

3 (Source: P.A. 102-152, eff. 1-1-22.)

4 (225 ILCS 447/25-5)

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

6 Sec. 25-5. Exemptions; private security contractor. The  
7 provisions of this Act related to licensure of a private  
8 security contractor do not apply to any of the following:

9 (1) An employee of the United States, Illinois, or a  
10 political subdivision of either while the employee is  
11 engaged in the performance of the employee's ~~his or her~~  
12 official duties within the scope of the employee's ~~his or~~  
13 ~~her~~ employment. However, any such person who offers the  
14 person's ~~his or her~~ services as a private security  
15 contractor or uses a similar title when these services are  
16 performed for compensation or other consideration, whether  
17 received directly or indirectly, is subject to this Act.

18 (2) A person employed as either an armed or unarmed  
19 security officer at a nuclear energy, storage, weapons, or  
20 development site or facility regulated by the United  
21 States Nuclear Regulatory Commission who has completed the  
22 background screening and training mandated by the  
23 regulations of the United States Nuclear Regulatory  
24 Commission.

25 (3) A person, watchman, or proprietary security

1 officer employed exclusively by only one employer in  
2 connection with the exclusive activities of that employer.

3 (Source: P.A. 93-438, eff. 8-5-03.)

4 (225 ILCS 447/25-10)

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

6 Sec. 25-10. Qualifications for licensure as a private  
7 security contractor.

8 (a) A person is qualified for licensure as a private  
9 security contractor if the person ~~he or she~~ meets all of the  
10 following requirements:

11 (1) Is at least 21 years of age.

12 (2) Has not been convicted of any felony in any  
13 jurisdiction or at least 10 years have elapsed since the  
14 time of full discharge from a sentence imposed for a  
15 felony conviction.

16 (3) Is of good moral character. Good character is a  
17 continuing requirement of licensure. Conviction of crimes  
18 other than felonies may be used in determining moral  
19 character, but shall not constitute an absolute bar to  
20 licensure, except where the applicant is a registered sex  
21 offender.

22 (4) Has not been declared by any court of competent  
23 jurisdiction to be incompetent by reason of mental or  
24 physical defect or disease, unless a court has  
25 subsequently declared him or her to be competent.

1           (5) Is not suffering from dependence on alcohol or  
2 from narcotic addiction or dependence.

3           (6) Has a minimum of 3 years experience of the 5 years  
4 immediately preceding application working as a full-time  
5 manager for a licensed private security contractor agency  
6 or a manager of a proprietary security force of 30 or more  
7 persons registered with the Department or with 3 years  
8 experience of the 5 years immediately preceding ~~his or her~~  
9 application employed as a full-time supervisor for an  
10 in-house security unit for a corporation having 100 or  
11 more employees, for a military police or related security  
12 unit in any of the armed forces of the United States, or in  
13 a law enforcement agency of the federal government, a  
14 state, or a state political subdivision, which shall  
15 include a state's attorney's office, a public defender's  
16 office, or the Department of Corrections. The Board and  
17 the Department shall approve such full-time supervisory  
18 experience and may accept, in lieu of the experience  
19 requirement in this subsection, alternative experience  
20 working as a full-time manager for a private security  
21 contractor agency licensed in another state or for a  
22 private security contractor agency in a state that does  
23 not license such agencies if the experience is  
24 substantially equivalent to that gained working for an  
25 Illinois licensed private security contractor agency. An  
26 applicant who has a baccalaureate degree or higher in

1 police science or a related field or a business degree  
2 from an accredited college or university shall be given  
3 credit for 2 of the 3 years of the required experience. An  
4 applicant who has completed a non-degree military training  
5 program in police science or a related field shall be  
6 given credit for one of the 3 years of the required  
7 experience if the Board and the Department determine that  
8 such training is substantially equivalent to that received  
9 in an associate degree program. An applicant who has an  
10 associate degree in police science or in a related field  
11 or in business from an accredited college or university  
12 shall be given credit for one of the 3 years of the  
13 required experience.

14 (7) Has not been dishonorably discharged from the  
15 armed forces of the United States.

16 (8) Has passed an examination authorized by the  
17 Department.

18 (9) Submits the applicant's ~~his or her~~ fingerprints,  
19 proof of having general liability insurance required under  
20 subsection (b), and the required license fee.

21 (10) Has not violated Section 10-5 of this Act.

22 (b) It is the responsibility of the applicant to obtain  
23 general liability insurance in an amount and coverage  
24 appropriate for the applicant's circumstances as determined by  
25 rule. The applicant shall provide evidence of insurance to the  
26 Department before being issued a license. Failure to maintain



1 general liability insurance and to provide the Department with  
2 written proof of the insurance shall result in cancellation of  
3 the license without hearing.

4 (c) (Blank). ~~Any person who has been providing canine odor~~  
5 ~~detection services for hire prior to January 1, 2005 is exempt~~  
6 ~~from the requirements of item (6) of subsection (a) of this~~  
7 ~~Section and may be granted a private security contractor~~  
8 ~~license if (i) he or she meets the requirements of items (1)~~  
9 ~~through (5) and items (7) through (10) of subsections (a) of~~  
10 ~~this Section, (ii) pays all applicable fees, and (iii)~~  
11 ~~presents satisfactory evidence to the Department of the~~  
12 ~~provision of canine odor detection services for hire since~~  
13 ~~January 1, 2005.~~

14 (Source: P.A. 100-181, eff. 8-18-17.)

15 (225 ILCS 447/25-15)

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

17 Sec. 25-15. Qualifications for licensure as a private  
18 security contractor agency.

19 (a) Upon receipt of the required fee and proof that the  
20 applicant has a full-time Illinois licensed private security  
21 licensee-in-charge, which is a continuing requirement for  
22 agency licensure, the Department shall issue a license as a  
23 private security contractor agency to any of the following:

24 (1) An individual who submits an application and is a  
25 licensed private security contractor under this Act.

1           (2) A firm that submits an application and all of the  
2 members of the firm are licensed private security  
3 contractors under this Act.

4           (3) A corporation or limited liability company doing  
5 business in Illinois that is authorized to engage in the  
6 business of conducting a private security contractor  
7 agency if at least one officer or executive employee is  
8 licensed as a private security contractor under this Act  
9 and all unlicensed officers and directors of the  
10 corporation or limited liability company are determined by  
11 the Department to be persons of good moral character.

12           (b) No private security contractor may be the  
13 licensee-in-charge for more than one private security  
14 contractor agency. Upon written request by a representative of  
15 the agency, within 10 days after the loss of a  
16 licensee-in-charge of an agency because of the death of that  
17 individual or because of the termination of the employment of  
18 that individual, the Department shall issue a temporary  
19 certificate of authority allowing the continuing operation of  
20 the licensed agency. No temporary certificate of authority  
21 shall be valid for more than 90 days. An extension of an  
22 additional 90 days may be granted upon written request by the  
23 representative of the agency. Not more than 2 extensions may  
24 be granted to any agency. No temporary permit shall be issued  
25 for loss of the licensee-in-charge because of disciplinary  
26 action by the Department related to the licensee-in-charge's

1 ~~his or her~~ conduct on behalf of the agency.

2 (c) Upon issuance of the temporary certificate of  
3 authority as provided for in subsection (b) of this Section  
4 and at any time thereafter while the temporary certificate of  
5 authority is in effect, the Department may request in writing  
6 additional information from the agency regarding the loss of  
7 its licensee-in-charge, the selection of a new  
8 licensee-in-charge, and the management of the agency. Failure  
9 of the agency to respond or respond to the satisfaction of the  
10 Department shall cause the Department to deny any extension of  
11 the temporary certificate of authority. While the temporary  
12 certificate of authority is in effect, the Department may  
13 disapprove the selection of a new licensee-in-charge by the  
14 agency if the person's license is not operative or the  
15 Department has good cause to believe that the person selected  
16 will not fully exercise the responsibilities of a  
17 licensee-in-charge. If the Department has disapproved the  
18 selection of a new licensee-in-charge and the temporary  
19 certificate of authority expires or is about to expire without  
20 the agency selecting another new licensee-in-charge, the  
21 Department shall grant an extension of the temporary  
22 certificate of authority for an additional 90 days, except as  
23 otherwise prohibited in subsection (b) or this subsection (c).  
24 (Source: P.A. 98-253, eff. 8-9-13.)

25 (225 ILCS 447/25-20)

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

2 Sec. 25-20. Training; private security contractor and  
3 employees.

4 (a) Registered employees of the private security  
5 contractor agency who provide traditional guarding or other  
6 private security related functions or who respond to alarm  
7 systems shall complete, within 30 days of their employment, a  
8 minimum of 20 hours of basic training, which may be provided in  
9 a classroom or seminar setting or via Internet-based online  
10 learning programs, and shall be provided by a qualified  
11 instructor, which shall include the following subjects:

12 (1) The law regarding arrest and search and seizure as  
13 it applies to private security.

14 (2) Civil and criminal liability for acts related to  
15 private security.

16 (3) The use of force, including but not limited to the  
17 use of nonlethal force (i.e., disabling spray, baton,  
18 stungun, taser, or similar weapon).

19 (4) Verbal communication skills.

20 (5) The offenses under the Criminal Code of 2012 that  
21 are directly related to the protection of persons and  
22 property.

23 (6) Private security officers and the criminal justice  
24 system.

25 (7) Fire prevention, fire equipment, and fire safety.

26 (8) Report writing and observation techniques.

1           (9) Customer service, civil rights, and public  
2 relations.

3           (10) The identification of terrorists, acts of  
4 terrorism, and terrorist organizations, as defined by  
5 federal and State statutes.

6           (b) All other employees of a private security contractor  
7 agency shall complete a minimum of 20 hours of basic training  
8 provided by the qualified instructor within 30 days of their  
9 employment. The training may be provided in a classroom or  
10 seminar setting or via Internet-based online learning  
11 programs. The substance of the training shall be related to  
12 the work performed by the registered employee.

13           (c) Registered employees of the private security  
14 contractor agency who provide guarding or other private  
15 security related functions, in addition to the basic training  
16 required under subsection (a), within 6 months of their  
17 employment, shall complete an additional 8 hours of training  
18 on subjects to be determined by the employer, which training  
19 may be site-specific and may be conducted on the job. The  
20 training may be provided in a classroom or seminar setting or  
21 via Internet-based online learning programs.

22           (d) In addition to the basic training provided for in  
23 subsections (a) and (c), registered employees of the private  
24 security contractor agency who provide guarding or other  
25 private security related functions shall complete an  
26 additional 8 hours of refresher training on subjects to be

1 determined by the employer each calendar year commencing with  
2 the calendar year following the employee's first employment  
3 anniversary date, which refresher training may be  
4 site-specific and may be conducted on the job.

5 (e) It is the responsibility of the employer to certify,  
6 on a form provided by the Department, that the employee has  
7 successfully completed the basic and refresher training. The  
8 original form or a copy shall be a permanent record of training  
9 completed by the employee and shall be placed in the  
10 employee's file with the employer for the period the employee  
11 remains with the employer. The original form or a copy shall be  
12 given to the employee when the employee's ~~his or her~~  
13 employment is terminated. Failure to return the original form  
14 or a copy to the employee is grounds for disciplinary action.  
15 The employee shall not be required to repeat the required  
16 training once the employee has been issued the form. An  
17 employer may provide or require additional training.

18 (f) (Blank).

19 (g) All private security contractors shall complete a  
20 minimum of 4 hours of annual training on a topic of their  
21 choosing, provided that the subject matter of the training is  
22 reasonably related to their private security contractor  
23 practice. The training may be provided in a classroom setting  
24 or seminar setting or via Internet-based online learning  
25 programs. The Department shall adopt rules to administer this  
26 subsection.

1 (h) It shall be the responsibility of the private security  
2 contractor to keep and maintain a personal log of all training  
3 hours earned along with sufficient documentation necessary for  
4 the Department to verify the annual training completed for at  
5 least 5 years. The personal training log and documentation  
6 shall be provided to the Department in the same manner as other  
7 documentation and records required under this Act.

8 (i) If the private security contractor owns or is employed  
9 by a private security contractor agency, the private security  
10 contractor agency shall maintain a record of the annual  
11 training. The private security contractor agency must make the  
12 record of annual training available to the Department upon  
13 request.

14 (j) Recognizing the diverse professional practices of  
15 private security contractors licensed under this Act, it is  
16 the intent of the training requirements in this Section to  
17 allow for a broad interpretation of the coursework, seminar  
18 subjects, or class topics to be considered reasonably related  
19 to the practice of any profession licensed under this Act.

20 (k) Notwithstanding any other professional license a  
21 private security contractor holds under this Act, no more than  
22 4 hours of annual training shall be required for any one year.

23 (l) The annual training requirements for private security  
24 contractors shall not apply until the calendar year following  
25 the issuance of the private security contractor license.

26 (Source: P.A. 102-152, eff. 1-1-22.)

1 (225 ILCS 447/25-30)

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

3 Sec. 25-30. Uniforms.

4 (a) No licensee under this Act or any employee of a  
5 licensed agency shall wear or display a badge, shoulder patch  
6 or other identification that contains the words "law" or  
7 "enforcement". No license holder or employee of a licensed  
8 agency shall imply in any manner that the person is an employee  
9 or agent of a governmental entity, display a badge or  
10 identification card, emblem, or uniform using the words  
11 "police", "sheriff", "highway patrol", "trooper", "law  
12 enforcement" or any similar term.

13 (b) All military-style uniforms, if worn by employees of a  
14 licensed private security contractor agency, must bear the  
15 name of the private security contractor agency, which shall be  
16 plainly visible on a patch, badge, or other insignia.

17 (c) All uniforms, if worn by employees of a licensed  
18 private security contractor agency, may only be worn in the  
19 performance of their duties or while commuting directly to or  
20 from the employee's place or places of employment.

21 (d) Employees shall return any uniform, ~~badge,~~  
22 ~~identification card,~~ or equipment issued, but not sold, to the  
23 employee by the agency and any badge or identification card  
24 issued to the employee by the agency within 72 hours of  
25 termination of employment.



1 (e) Licensees under this Act of any employee of a licensed  
2 agency are prohibited from using the Illinois State Seal on  
3 badges, company logos, identification cards, patches, or other  
4 insignia.

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

6 (225 ILCS 447/30-5)

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

8 Sec. 30-5. Exemptions; locksmith. The provisions of this  
9 Act do not apply to any of the following if the person  
10 performing the service does not hold himself or herself out as  
11 a locksmith:

12 (1) Automobile service dealers who service, install,  
13 repair, or rebuild automobile locks.

14 (2) Police officers, firefighters, or municipal  
15 employees who open a lock in an emergency situation.

16 (3) A retail merchant selling locks or similar  
17 security accessories, duplicating keys, or installing,  
18 programming, repairing, maintaining, reprogramming,  
19 rebuilding, or servicing electronic garage door devices.

20 (4) A member of the building trades who installs or  
21 removes complete locks or locking devices in the course of  
22 residential or commercial new construction or remodeling.

23 (5) An employee of a towing service, reposessor,  
24 roadside assistance service, or automobile club opening  
25 automotive locks in the normal course of the employee's

1       ~~his or her~~ duties. Additionally, this Act shall not  
2 prohibit an employee of a towing service or roadside  
3 assistance service from opening motor vehicles to enable a  
4 vehicle to be moved without towing, provided the towing  
5 service or roadside assistance service does not hold  
6 itself out to the public, by directory advertisement,  
7 through a sign at the facilities of the towing service or  
8 roadside assistance service, or by any other form of  
9 advertisement, as a locksmith.

10       (6) A student in the course of study in locksmith  
11 programs approved by the Department.

12       (7) Warranty service by a lock manufacturer or its  
13 employees on the manufacturer's own products.

14       (8) A maintenance employee of a property management  
15 company at a multi-family residential building who  
16 services, installs, repairs, or opens locks for tenants.

17       (9) A person employed exclusively by only one employer  
18 in connection with the exclusive activities of that  
19 employer, providing that person does not hold oneself  
20 ~~himself or herself~~ out to the public as a locksmith.

21       (10) Persons who have no access to confidential or  
22 security information and who otherwise do not provide  
23 traditional locksmith services, as defined in this Act,  
24 are exempt from employee registration. Examples of exempt  
25 employees include, but are not limited to, employees  
26 working in the capacity of key cutters, cashiers, drivers,

1 and reception personnel. Confidential or security  
2 information is that which pertains to employee files,  
3 scheduling, client contracts, master key charts, access  
4 codes, or technical security and alarm data.

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

6 (225 ILCS 447/30-10)

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

8 Sec. 30-10. Qualifications for licensure as a locksmith.

9 (a) A person is qualified for licensure as a locksmith if  
10 the person ~~he or she~~ meets all of the following requirements:

11 (1) Is at least 18 years of age.

12 (2) Has not been convicted of any felony in any  
13 jurisdiction or at least 10 years have elapsed since the  
14 time of full discharge from a sentence imposed for a  
15 felony conviction.

16 (3) Is of good moral character. Good moral character  
17 is a continuing requirement of licensure. Conviction of  
18 crimes other than felonies may be used in determining  
19 moral character, but shall not constitute an absolute bar  
20 to licensure, except where the applicant is a registered  
21 sex offender.

22 (4) Has not been declared by any court of competent  
23 jurisdiction to be incompetent by reason of mental or  
24 physical defect or disease, unless a court has  
25 subsequently declared him or her to be competent.

1 (5) Is not suffering from dependence on alcohol or  
2 from narcotic addiction or dependence.

3 (6) Has not been dishonorably discharged from the  
4 armed forces of the United States.

5 (7) Has passed an examination authorized by the  
6 Department.

7 (8) Submits the applicant's ~~his or her~~ fingerprints,  
8 proof of having general liability insurance required under  
9 subsection (b), and the required license fee.

10 (9) Has not violated Section 10-5 of this Act.

11 (b) It is the responsibility of the applicant to obtain  
12 general liability insurance in an amount and coverage  
13 appropriate for the applicant's circumstances as determined by  
14 rule. The applicant shall provide evidence of insurance to the  
15 Department before being issued a license. Failure to maintain  
16 general liability insurance and to provide the Department with  
17 written proof of the insurance shall result in cancellation of  
18 the license without hearing. A locksmith employed by a  
19 licensed locksmith agency or employed by a private concern may  
20 provide proof that the locksmith's ~~his or her~~ actions as a  
21 locksmith are covered by the liability insurance of the  
22 locksmith's ~~his or her~~ employer.

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

24 (225 ILCS 447/30-15)

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

1           Sec. 30-15. Qualifications for licensure as a locksmith  
2 agency.

3           (a) Upon receipt of the required fee and proof that the  
4 applicant has a full-time Illinois licensed locksmith  
5 licensee-in-charge, which is a continuing requirement for  
6 agency licensure, the Department shall issue a license as a  
7 locksmith agency to any of the following:

8                 (1) An individual who submits an application and is a  
9 licensed locksmith under this Act.

10                (2) A firm that submits an application and all of the  
11 members of the firm are licensed locksmiths under this  
12 Act.

13                (3) A corporation or limited liability company doing  
14 business in Illinois that is authorized to engage in the  
15 business of conducting a locksmith agency if at least one  
16 officer or executive employee is a licensed locksmith  
17 under this Act and all unlicensed officers and directors  
18 of the corporation or limited liability company are  
19 determined by the Department to be persons of good moral  
20 character.

21           (b) An individual licensed as a locksmith operating under  
22 a business name other than the licensed locksmith's own name  
23 shall not be required to obtain a locksmith agency license if  
24 that licensed locksmith does not employ any persons to engage  
25 in the practice of locksmithing and registers under the  
26 Assumed Business Name Act.

1 (c) No locksmith may be the licensee in-charge for more  
2 than one locksmith agency. Upon written request by a  
3 representative of the agency, within 10 days after the loss of  
4 a licensee-in-charge of an agency because of the death of that  
5 individual or because of the termination of the employment of  
6 that individual, the Department shall issue a temporary  
7 certificate of authority allowing the continuing operation of  
8 the licensed agency. No temporary certificate of authority  
9 shall be valid for more than 90 days. An extension of an  
10 additional 90 days may be granted upon written request by the  
11 representative of the agency. Not more than 2 extensions may  
12 be granted to any agency. No temporary permit shall be issued  
13 for loss of the licensee-in-charge because of disciplinary  
14 action by the Department related to the licensee-in-charge's  
15 ~~his or her~~ conduct on behalf of the agency.

16 (c-1) Upon issuance of the temporary certificate of  
17 authority as provided for in subsection (c) of this Section  
18 and at any time thereafter while the temporary certificate of  
19 authority is in effect, the Department may request in writing  
20 additional information from the agency regarding the loss of  
21 its licensee-in-charge, the selection of a new  
22 licensee-in-charge, and the management of the agency. Failure  
23 of the agency to respond to the satisfaction of the Department  
24 shall cause the Department to deny any extension of the  
25 temporary certificate of authority. While the temporary  
26 certificate of authority is in effect, the Department may

1 disapprove the selection of a new licensee-in-charge by the  
2 agency if the person's license is not operative or the  
3 Department has good cause to believe that the person selected  
4 will not fully exercise the responsibilities of a  
5 licensee-in-charge. If the Department has disapproved the  
6 selection of a new licensee-in-charge and the temporary  
7 certificate of authority expires or is about to expire without  
8 the agency selecting another new licensee-in-charge, the  
9 Department shall grant an extension of the temporary  
10 certificate of authority for an additional 90 days, except as  
11 otherwise prohibited in subsection (c) or this subsection  
12 (c-1).

13 (d) The Department shall require without limitation all of  
14 the following information from each applicant for licensure as  
15 a locksmith agency under this Act:

16 (1) The name, full business address, and telephone  
17 number of the locksmith agency. The business address for  
18 the locksmith agency shall be a complete street address  
19 from which business is actually conducted, shall be  
20 located within the State, and may not be a P.O. Box. The  
21 applicant shall submit proof that the business location is  
22 or will be used to conduct the locksmith agency's  
23 business. The Department may approve of an out-of-state  
24 business location if it is not over 50 miles in distance  
25 from the borders of this State.

26 (2) All trade or business names used by the licensee.

1           (3) The type of ownership or operation, such as a  
2 partnership, corporation, or sole proprietorship.

3           (4) The name of the owner or operator of the locksmith  
4 agency, including:

5                 (A) if a person, then the name and address of  
6 record of the person;

7                 (B) if a partnership, then the name and address of  
8 record of each partner and the name of the  
9 partnership;

10                (C) if a corporation, then the name, address of  
11 record, and title of each corporate officer and  
12 director, the corporate names, and the name of the  
13 state of incorporation; and

14                (D) if a sole proprietorship, then the full name  
15 and address of record of the sole proprietor and the  
16 name of the business entity.

17           (5) The name and license number of the  
18 licensee-in-charge for the locksmith agency.

19           (6) Any additional information required by the  
20 Department by rule.

21           (e) A licensed locksmith agency may operate under a "doing  
22 business as" or assumed name certification without having to  
23 obtain a separate locksmith agency license if the "doing  
24 business as" or assumed name is first registered with the  
25 Department. A licensed locksmith agency may register no more  
26 than one assumed name.



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

2 (225 ILCS 447/30-20)

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

4 Sec. 30-20. Training; locksmith and employees.

5 (a) Registered employees of a licensed locksmith agency  
6 shall complete a minimum of 20 hours of training provided by a  
7 qualified instructor within 30 days of their employment. The  
8 substance of the training shall be prescribed by rule.

9 (b) It is the responsibility of the employer to certify,  
10 on a form provided by the Department, that the employee has  
11 successfully completed the training. The form shall be a  
12 permanent record of training completed by the employee and  
13 shall be placed in the employee's file with the employer for  
14 the period the employee remains with the employer. An agency  
15 may place a ~~notarized~~ copy of the Department form in lieu of  
16 the original into the permanent employee registration card  
17 file. The original form or a copy shall be given to the  
18 employee when the employee's ~~his or her~~ employment is  
19 terminated. Failure to return the original form or a copy to  
20 the employee is grounds for disciplinary action. The employee  
21 shall not be required to repeat the required training once the  
22 employee has been issued the form. An employer may provide or  
23 require additional training.

24 (c) Any certification of completion of the 20-hour basic  
25 training issued under the Private Detective, Private Alarm,

1 Private Security and Locksmith Act of 1993 or any prior Act  
2 shall be accepted as proof of training under this Act.

3 (Source: P.A. 93-438, eff. 8-5-03.)

4 (225 ILCS 447/30-30)

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

6 Sec. 30-30. Consumer protection; required information for  
7 consumers.

8 (a) A licensee providing any locksmith services shall  
9 document on a work order, invoice, or receipt the name,  
10 address, and telephone number of the person requesting the  
11 work to be done.

12 (b) The locksmith who performs the services shall include  
13 on the work order, invoice, or receipt the locksmith's ~~his or~~  
14 ~~her~~ name and license number.

15 (c) If the locksmith who performs the services is employed  
16 by a locksmith agency, then the name, address, and license  
17 number of the locksmith agency and the name and license or  
18 registration number of the locksmith who performed the  
19 services shall be included on the work order, invoice, or  
20 receipt.

21 (d) A copy of the work order, invoice, or receipt shall be  
22 provided to the customer at the time of service and the  
23 original copy of the work order, invoice, or receipt shall be  
24 kept by the licensed locksmith or locksmith agency for a  
25 period of 2 years.

1 (e) The name, address, and license number of the locksmith  
2 or locksmith agency, if applicable, shall be pre-printed on  
3 the work order, invoice, or receipt required under this  
4 Section.

5 (f) A locksmith may be disciplined by the Department  
6 pursuant to this Act for gross or willful overcharging for  
7 professional locksmith services, including filing false  
8 statements for the collection of fees for services not  
9 rendered.

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

11 (225 ILCS 447/31-5)

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

13 Sec. 31-5. Exemptions.

14 (a) The provisions of this Act regarding fingerprint  
15 vendors do not apply to any of the following, if the person  
16 performing the service does not hold oneself ~~himself or~~  
17 ~~herself~~ out as a fingerprint vendor or fingerprint vendor  
18 agency:

19 (1) An employee of the United States, Illinois, or a  
20 political subdivision, including public school districts,  
21 ~~of either~~ while the employee is engaged in the performance  
22 of the employee's ~~his or her~~ official duties within the  
23 scope of the employee's ~~his or her~~ employment. However,  
24 any such person who offers the person's ~~his or her~~  
25 services as a fingerprint vendor or uses a similar title

1 when these services are performed for compensation or  
2 other consideration, whether received directly or  
3 indirectly, is subject to this Act.

4 (2) A person employed exclusively by only one employer  
5 in connection with the exclusive activities of that  
6 employer, provided that person does not hold oneself  
7 ~~himself or herself~~ out to the public as a fingerprint  
8 vendor.

9 (3) Any member of local law enforcement in the  
10 performance of ~~his or her~~ duties for criminal justice  
11 purposes, notwithstanding whether the local law  
12 enforcement agency charges a reasonable fee related to the  
13 cost of offering fingerprinting services.

14 (b) The provisions of this Act regarding fingerprint  
15 vendors do not apply to any member of a local law enforcement  
16 agency, acting on behalf of the local law enforcement agency  
17 that is registered with the Illinois State Police to provide  
18 fingerprinting services for non-criminal justice purposes,  
19 notwithstanding whether the local law enforcement agency  
20 charges a reasonable fee related to the cost of offering  
21 fingerprinting services.

22 (Source: P.A. 102-538, eff. 8-20-21.)

23 (225 ILCS 447/31-10)

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

25 Sec. 31-10. Qualifications for licensure as a fingerprint

1 vendor.

2 (a) A person is qualified for licensure as a fingerprint  
3 vendor if the person ~~he or she~~ meets all of the following  
4 requirements:

5 (1) Is at least 18 years of age.

6 (2) Has not been convicted of any felony in any  
7 jurisdiction or at least 10 years have elapsed since the  
8 time of full discharge from a sentence imposed for a  
9 felony conviction.

10 (3) Is of good moral character. Good moral character  
11 is a continuing requirement of licensure. Conviction of  
12 crimes other than felonies may be used in determining  
13 moral character, but shall not constitute an absolute bar  
14 to licensure, except where the applicant is a registered  
15 sex offender.

16 (4) Has not been declared by any court of competent  
17 jurisdiction to be incompetent by reason of mental or  
18 physical defect or disease, unless a court has  
19 subsequently declared him or her to be competent.

20 (5) Is not suffering from dependence on alcohol or  
21 from narcotic addiction or dependence.

22 (6) Has not been dishonorably discharged from the  
23 armed forces of the United States.

24 (7) Submits certification issued by the Illinois State  
25 Police that the applicant has successfully completed a  
26 fingerprint vendor training course conducted or authorized

1 by the Illinois State Police.

2 (8) Submits the applicant's ~~his or her~~ fingerprints,  
3 in accordance with subsection (b) of this Section.

4 (9) Has not violated any provision of this Act or any  
5 rule adopted under this Act.

6 (10) Provides evidence satisfactory to the Department  
7 that the applicant has obtained general liability  
8 insurance in an amount and with coverage as determined by  
9 rule. Failure to maintain general liability insurance and  
10 failure to provide the Department with written proof of  
11 the insurance, upon request, shall result in cancellation  
12 of the license without hearing. A fingerprint vendor  
13 employed by a licensed fingerprint vendor agency may  
14 provide proof that the employee's ~~his or her~~ actions as a  
15 fingerprint vendor are covered by the liability insurance  
16 of the employee's ~~his or her~~ employer.

17 (11) Pays the required licensure fee.

18 (12) (Blank).

19 (13) Submits proof that the applicant maintains a  
20 business office located in the State of Illinois.

21 (14) Provides proof of compliance with subsection (e)  
22 of Section 31-15 of this Act if the applicant is not  
23 required to obtain a fingerprint vendor agency license  
24 pursuant to subsection (b) of Section 31-15 of this Act.

25 (b) Each applicant for a fingerprint vendor license shall  
26 have the applicant's ~~his or her~~ fingerprints submitted to the

1 Illinois State Police in an electronic format that complies  
2 with the form and manner for requesting and furnishing  
3 criminal history record information as prescribed by the  
4 Illinois State Police. These fingerprints shall be checked  
5 against the Illinois State Police and Federal Bureau of  
6 Investigation criminal history record databases now and  
7 hereafter filed. The Illinois State Police shall charge  
8 applicants a fee for conducting the criminal history records  
9 check, which shall be deposited in the State Police Services  
10 Fund and shall not exceed the actual cost of the records check.  
11 The Illinois State Police shall furnish, pursuant to positive  
12 identification, records of Illinois convictions to the  
13 Department. The Department may require applicants to pay a  
14 separate fingerprinting fee, either to the Department or  
15 directly to the vendor. The Department, in its discretion, may  
16 allow an applicant who does not have reasonable access to a  
17 designated vendor to provide the applicant's ~~his or her~~  
18 fingerprints in an alternative manner. The Department, in its  
19 discretion, may also use other procedures in performing or  
20 obtaining criminal background checks of applicants. Instead of  
21 submitting the applicant's ~~his or her~~ fingerprints, an  
22 individual may submit proof that is satisfactory to the  
23 Department that an equivalent security clearance has been  
24 conducted. Also, an individual who has retired as a peace  
25 officer within 12 months of application may submit  
26 verification, on forms provided by the Department and signed

1 by the applicant's ~~his or her~~ employer, of the applicant's ~~his~~  
2 ~~or her~~ previous full-time employment as a peace officer.

3 (Source: P.A. 102-538, eff. 8-20-21.)

4 (225 ILCS 447/31-15)

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

6 Sec. 31-15. Qualifications for licensure as a fingerprint  
7 vendor agency.

8 (a) Upon receipt of the required fee, compliance with  
9 subsection (e) of this Section, and proof that the applicant  
10 has a full-time Illinois licensed fingerprint vendor  
11 licensee-in-charge, which is a continuing requirement for  
12 agency licensure, the Department may issue a license as a  
13 fingerprint vendor agency to any of the following:

14 (1) An individual who submits an application and is a  
15 licensed fingerprint vendor under this Act.

16 (2) A firm that submits an application and all of the  
17 members of the firm are licensed fingerprint vendors under  
18 this Act.

19 (3) A corporation or limited liability company doing  
20 business in Illinois that is authorized to engage in the  
21 business of conducting a fingerprint vendor agency if at  
22 least one officer or executive employee is a licensed  
23 fingerprint vendor under this Act and all unlicensed  
24 officers and directors of the corporation or limited  
25 liability company are determined by the Department to be



1 persons of good moral character.

2 (b) An individual licensed as a fingerprint vendor  
3 operating under a business name other than the licensed  
4 fingerprint vendor's own name shall not be required to obtain  
5 a fingerprint vendor agency license if that licensed  
6 fingerprint vendor does not employ any persons to provide  
7 fingerprinting services. However, in either circumstance, the  
8 individual shall comply with the requirements of subsection  
9 (e) of this Section as a requirement for licensure.

10 (c) No fingerprint vendor may be the licensee-in-charge  
11 for more than one fingerprint vendor agency. Upon written  
12 request by a representative of the agency, within 10 days  
13 after the loss of a licensee-in-charge of an agency because of  
14 the death of that individual or because of the termination of  
15 the employment of that individual, the Department shall issue  
16 a temporary certificate of authority allowing the continuing  
17 operation of the licensed agency. No temporary certificate of  
18 authority shall be valid for more than 90 days. An extension of  
19 an additional 90 days may be granted upon written request by  
20 the representative of the agency. Not more than 2 extensions  
21 may be granted to any agency. No temporary permit shall be  
22 issued for loss of the licensee-in-charge because of  
23 disciplinary action by the Department related to the  
24 licensee-in-charge's ~~his or her~~ conduct on behalf of the  
25 agency.

26 (d) Upon issuance of the temporary certificate of

1 authority as provided for in subsection (c) of this Section  
2 and at any time thereafter while the temporary certificate of  
3 authority is in effect, the Department may request in writing  
4 additional information from the agency regarding the loss of  
5 its licensee-in-charge, the selection of a new  
6 licensee-in-charge, and the management of the agency. Failure  
7 of the agency to respond or respond to the satisfaction of the  
8 Department shall cause the Department to deny any extension of  
9 the temporary certificate of authority. While the temporary  
10 certificate of authority is in effect, the Department may  
11 disapprove the selection of a new licensee-in-charge by the  
12 agency if the person's license is not operative or the  
13 Department has good cause to believe that the person selected  
14 will not fully exercise the responsibilities of a  
15 licensee-in-charge. If the Department has disapproved the  
16 selection of a new licensee-in-charge and the temporary  
17 certificate of authority expires or is about to expire without  
18 the agency selecting another new licensee-in-charge, the  
19 Department shall grant an extension of the temporary  
20 certificate of authority for an additional 90 days, except as  
21 otherwise prohibited in subsection (c) or this subsection (d).

22 (e) An applicant shall submit certification issued by the  
23 Illinois State Police that the applicant's fingerprinting  
24 equipment and software meets all specifications required by  
25 the Illinois State Police. Compliance with Illinois State  
26 Police fingerprinting equipment and software specifications is

1 a continuing requirement for licensure.

2 (Source: P.A. 102-538, eff. 8-20-21.)

3 (225 ILCS 447/31-20)

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

5 Sec. 31-20. Training; fingerprint vendor and employees.

6 (a) Registered employees of a licensed fingerprint vendor  
7 agency shall complete a minimum of 20 hours of training  
8 provided by a qualified instructor within 30 days of their  
9 employment. The substance of the training shall be prescribed  
10 by rule.

11 (b) It is the responsibility of the employer to certify,  
12 on a form provided by the Department, that the employee has  
13 successfully completed the training. The form shall be a  
14 permanent record of training completed by the employee and  
15 shall be placed in the employee's file with the employer for  
16 the period the employee remains with the employer. An agency  
17 may place a ~~notarized~~ copy of the Department form, in lieu of  
18 the original, into the permanent employee registration card  
19 file. The original form or a copy shall be given to the  
20 employee when the employee's ~~his or her~~ employment is  
21 terminated. Failure to return the original form or a copy to  
22 the employee is grounds for disciplinary action. The employee  
23 shall not be required to repeat the required training once the  
24 employee has been issued the form. An employer may provide or  
25 require additional training.

1 (c) Any certification of completion of the 20-hour basic  
2 training issued under this Act ~~the Private Detective, Private~~  
3 ~~Alarm, Private Security, and Locksmith Act of 2004 or any~~  
4 ~~prior Act~~ shall be accepted as proof of training ~~under this~~  
5 ~~Act~~.

6 (d) No registered employee of a licensed fingerprint  
7 vendor agency may operate live scan fingerprint equipment or  
8 other equipment designed to obtain fingerprint images for the  
9 purpose of providing fingerprint images and associated  
10 demographic data to the Illinois State Police.

11 (Source: P.A. 102-538, eff. 8-20-21.)

12 (225 ILCS 447/35-5)

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

14 Sec. 35-5. Display of license. Each licensee shall  
15 prominently display the licensee's ~~his or her~~ individual,  
16 agency, or branch office license at each place where business  
17 is being conducted, as required under this Act. A  
18 licensee-in-charge is required to post the licensee's ~~his or~~  
19 ~~her~~ license only at the agency office.

20 (Source: P.A. 93-438, eff. 8-5-03.)

21 (225 ILCS 447/35-10)

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

23 Sec. 35-10. Inspection of facilities. Each licensee or  
24 registrant shall permit the licensee's or registrant's ~~his or~~

1 ~~her~~ office facilities, business premises, canine training  
2 facilities, firearm training facilities, and registered  
3 employee files to be audited or inspected at reasonable times  
4 and in a reasonable manner by the Department.

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

6 (225 ILCS 447/35-15)

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

8 Sec. 35-15. Advertisements; penalties.

9 (a) No licensee providing services regulated by this Act  
10 may knowingly advertise those services without including the  
11 licensee's ~~his or her~~ license number in the advertisement. The  
12 publisher of the advertising, however, is not required to  
13 verify the accuracy of the advertisement or the license  
14 number.

15 (b) A licensee who advertises services regulated by this  
16 Act who knowingly (i) fails to display the licensee's ~~his or~~  
17 ~~her~~ license at the licensee's ~~his or her~~ place of business,  
18 (ii) fails to provide the publisher with the current license  
19 number, or (iii) provides the publisher with a false license  
20 number or a license number other than that of the person or  
21 agency doing the advertising or a licensee who knowingly  
22 allows the licensee's ~~his or her~~ license number to be  
23 displayed or used by another person or agency to circumvent  
24 any provision of this subsection, is guilty of a Class A  
25 misdemeanor. Each day an advertisement is published or a

1 licensee allows the licensee's ~~his or her~~ license to be used in  
2 violation of this Section constitutes a separate offense. In  
3 addition to the penalties and remedies provided in this  
4 Section, a licensee who violates any provision of this Section  
5 shall be subject to the disciplinary action, fines, and civil  
6 penalty provisions of this Act.

7 (Source: P.A. 93-438, eff. 8-5-03.)

8 (225 ILCS 447/35-25)

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

10 Sec. 35-25. Duplicate licenses. If a license, permanent  
11 employee registration card, or firearm control card is lost, a  
12 duplicate shall be issued upon proof of such loss together  
13 with the payment of the required fee. If a licensee decides to  
14 change the licensee's ~~his or her~~ name, the Department shall  
15 issue a license in the new name upon proof that the change was  
16 done pursuant to law and payment of the required fee.  
17 Notification of a name change shall be made to the Department  
18 within 30 days after the change.

19 (Source: P.A. 95-613, eff. 9-11-07.)

20 (225 ILCS 447/35-30)

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

22 Sec. 35-30. Employee requirements. All employees of a  
23 licensed agency, other than those exempted, shall apply for a  
24 permanent employee registration card. The holder of an agency

1 license issued under this Act, known in this Section as  
2 "employer", may employ in the conduct of the employer's ~~his or~~  
3 ~~her~~ business employees under the following provisions:

4 (a) No person shall be issued a permanent employee  
5 registration card who:

6 (1) Is younger than 18 years of age.

7 (2) Is younger than 21 years of age if the services  
8 will include being armed.

9 (3) Has been determined by the Department to be unfit  
10 by reason of conviction of an offense in this or another  
11 state, including registration as a sex offender, but not  
12 including a traffic offense. Persons convicted of felonies  
13 involving bodily harm, weapons, violence, or theft within  
14 the previous 10 years shall be presumed to be unfit for  
15 registration. The Department shall adopt rules for making  
16 those determinations that shall afford the applicant due  
17 process of law.

18 (4) Has had a license or permanent employee  
19 registration card denied, suspended, or revoked under this  
20 Act (i) within one year before the date the person's  
21 application for permanent employee registration card is  
22 received by the Department; and (ii) that refusal, denial,  
23 suspension, or revocation was based on any provision of  
24 this Act other than Section 40-50, item (6) or (8) of  
25 subsection (a) of Section 15-10, subsection (b) of Section  
26 15-10, item (6) or (8) of subsection (a) of Section 20-10,

1 subsection (b) of Section 20-10, item (6) or (8) of  
2 subsection (a) of Section 25-10, subsection (b) of Section  
3 25-10, item (7) of subsection (a) of Section 30-10,  
4 subsection (b) of Section 30-10, or Section 10-40.

5 (5) Has been declared incompetent by any court of  
6 competent jurisdiction by reason of mental disease or  
7 defect and has not been restored.

8 (6) Has been dishonorably discharged from the armed  
9 services of the United States.

10 (b) No person may be employed by a private detective  
11 agency, private security contractor agency, private alarm  
12 contractor agency, fingerprint vendor agency, or locksmith  
13 agency under this Section until the person ~~he or she~~ has  
14 executed and furnished to the employer, on forms furnished by  
15 the Department, a verified statement to be known as  
16 "Employee's Statement" setting forth:

17 (1) The person's full name, age, and residence  
18 address.

19 (2) The business or occupation engaged in for the 5  
20 years immediately before the date of the execution of the  
21 statement, the place where the business or occupation was  
22 engaged in, and the names of employers, if any.

23 (3) That the person has not had a license or employee  
24 registration denied, revoked, or suspended under this Act  
25 (i) within one year before the date the person's  
26 application for permanent employee registration card is



1 received by the Department; and (ii) that refusal, denial,  
2 suspension, or revocation was based on any provision of  
3 this Act other than Section 40-50, item (6) or (8) of  
4 subsection (a) of Section 15-10, subsection (b) of Section  
5 15-10, item (6) or (8) of subsection (a) of Section 20-10,  
6 subsection (b) of Section 20-10, item (6) or (8) of  
7 subsection (a) of Section 25-10, subsection (b) of Section  
8 25-10, item (7) of subsection (a) of Section 30-10,  
9 subsection (b) of Section 30-10, or Section 10-40.

10 (4) Any conviction of a felony or misdemeanor.

11 (5) Any declaration of incompetence by a court of  
12 competent jurisdiction that has not been restored.

13 (6) Any dishonorable discharge from the armed services  
14 of the United States.

15 (7) Any other information as may be required by any  
16 rule of the Department to show the good character,  
17 competency, and integrity of the person executing the  
18 statement.

19 (c) Each applicant for a permanent employee registration  
20 card shall have the applicant's ~~his or her~~ fingerprints  
21 submitted to the Illinois State Police in an electronic format  
22 that complies with the form and manner for requesting and  
23 furnishing criminal history record information as prescribed  
24 by the Illinois State Police. These fingerprints shall be  
25 checked against the Illinois State Police and Federal Bureau  
26 of Investigation criminal history record databases now and

1 hereafter filed. The Illinois State Police shall charge  
2 applicants a fee for conducting the criminal history records  
3 check, which shall be deposited in the State Police Services  
4 Fund and shall not exceed the actual cost of the records check.  
5 The Illinois State Police shall furnish, pursuant to positive  
6 identification, records of Illinois convictions to the  
7 Department. The Department may require applicants to pay a  
8 separate fingerprinting fee, either to the Department or  
9 directly to the vendor. The Department, in its discretion, may  
10 allow an applicant who does not have reasonable access to a  
11 designated vendor to provide the applicant's ~~his or her~~  
12 fingerprints in an alternative manner. The Department, in its  
13 discretion, may also use other procedures in performing or  
14 obtaining criminal background checks of applicants. Instead of  
15 submitting the applicant's ~~his or her~~ fingerprints, an  
16 individual may submit proof that is satisfactory to the  
17 Department that an equivalent security clearance has been  
18 conducted. Also, an individual who has retired as a peace  
19 officer within 12 months of application may submit  
20 verification, on forms provided by the Department and signed  
21 by the applicant's ~~his or her~~ employer, of the applicant's ~~his~~  
22 ~~or her~~ previous full-time employment as a peace officer.

23 (d) The Department shall issue a permanent employee  
24 registration card, in a form the Department prescribes, to all  
25 qualified applicants. The holder of a permanent employee  
26 registration card shall carry the card at all times while

1 actually engaged in the performance of the duties of the  
2 employee's ~~his or her~~ employment. Expiration and requirements  
3 for renewal of permanent employee registration cards shall be  
4 established by rule of the Department. Possession of a  
5 permanent employee registration card does not in any way imply  
6 that the holder of the card is employed by an agency unless the  
7 permanent employee registration card is accompanied by the  
8 employee identification card required by subsection (f) of  
9 this Section.

10 (e) Each employer shall maintain a record of each employee  
11 that is accessible to the duly authorized representatives of  
12 the Department. The record shall contain the following  
13 information:

14 (1) A photograph taken within 10 days of the date that  
15 the employee begins employment with the employer. The  
16 photograph shall be replaced with a current photograph  
17 every 3 calendar years.

18 (2) The Employee's Statement specified in subsection  
19 (b) of this Section.

20 (3) All correspondence or documents relating to the  
21 character and integrity of the employee received by the  
22 employer from any official source or law enforcement  
23 agency.

24 (4) In the case of former employees, the employee  
25 identification card of that person issued under subsection  
26 (f) of this Section. Each employee record shall duly note

1 if the employee is employed in an armed capacity. Armed  
2 employee files shall contain a copy of an active firearm  
3 owner's identification card and a copy of an active  
4 firearm control card. Each employer shall maintain a  
5 record for each armed employee of each instance in which  
6 the employee's weapon was discharged during the course of  
7 the employee's ~~his or her~~ professional duties or  
8 activities. The record shall be maintained on forms  
9 provided by the Department, a copy of which must be filed  
10 with the Department within 15 days of an instance. The  
11 record shall include the date and time of the occurrence,  
12 the circumstances involved in the occurrence, and any  
13 other information as the Department may require. Failure  
14 to provide this information to the Department or failure  
15 to maintain the record as a part of each armed employee's  
16 permanent file is grounds for disciplinary action. The  
17 Department, upon receipt of a report, shall have the  
18 authority to make any investigation it considers  
19 appropriate into any occurrence in which an employee's  
20 weapon was discharged and to take disciplinary action as  
21 may be appropriate.

22 (5) A copy of the employee's permanent employee  
23 registration card or a copy of the Department's "License  
24 Lookup" Webpage showing that the employee has been issued  
25 a valid permanent employee registration card by the  
26 Department.

1           The Department may, by rule, prescribe further record  
2 requirements.

3           (f) Every employer shall furnish an employee  
4 identification card to each of the employer's ~~his or her~~  
5 employees. This employee identification card shall contain a  
6 recent photograph of the employee, the employee's name, the  
7 name and agency license number of the employer, the employee's  
8 personal description, the signature of the employer, the  
9 signature of that employee, the date of issuance, and an  
10 employee identification card number.

11           (g) No employer may issue an employee identification card  
12 to any person who is not employed by the employer in accordance  
13 with this Section or falsely state or represent that a person  
14 is or has been in the employer's ~~his or her~~ employ. It is  
15 unlawful for an applicant for registered employment to file  
16 with the Department the fingerprints of a person other than  
17 himself or herself.

18           (h) Every employer shall obtain the identification card of  
19 every employee who terminates employment with the employer ~~him~~  
20 ~~or her~~.

21           (i) Every employer shall maintain a separate roster of the  
22 names of all employees currently working in an armed capacity  
23 and submit the roster to the Department on request.

24           (j) No agency may employ any person to perform a licensed  
25 activity under this Act unless the person possesses a valid  
26 permanent employee registration card or a valid license under

1 this Act, or is exempt pursuant to subsection (n).

2 (k) Notwithstanding the provisions of subsection (j), an  
3 agency may employ a person in a temporary capacity if all of  
4 the following conditions are met:

5 (1) The agency completes in its entirety and submits  
6 to the Department an application for a permanent employee  
7 registration card, including the required fingerprint  
8 receipt and fees.

9 (2) The agency has verification from the Department  
10 that the applicant has no record of any criminal  
11 conviction pursuant to the criminal history check  
12 conducted by the Illinois State Police. The agency shall  
13 maintain the verification of the results of the Illinois  
14 State Police criminal history check as part of the  
15 employee record as required under subsection (e) of this  
16 Section.

17 (3) The agency exercises due diligence to ensure that  
18 the person is qualified under the requirements of the Act  
19 to be issued a permanent employee registration card.

20 (4) The agency maintains a separate roster of the  
21 names of all employees whose applications are currently  
22 pending with the Department and submits the roster to the  
23 Department on a monthly basis. Rosters are to be  
24 maintained by the agency for a period of at least 24  
25 months.

26 An agency may employ only a permanent employee applicant

1 for which it either submitted a permanent employee application  
2 and all required forms and fees or it confirms with the  
3 Department that a permanent employee application and all  
4 required forms and fees have been submitted by another agency,  
5 licensee or the permanent employee and all other requirements  
6 of this Section are met.

7 The Department shall have the authority to revoke, without  
8 a hearing, the temporary authority of an individual to work  
9 upon receipt of Federal Bureau of Investigation fingerprint  
10 data or a report of another official authority indicating a  
11 criminal conviction. If the Department has not received a  
12 temporary employee's Federal Bureau of Investigation  
13 fingerprint data within 120 days of the date the Department  
14 received the Illinois State Police fingerprint data, the  
15 Department may, at its discretion, revoke the employee's  
16 temporary authority to work with 15 days written notice to the  
17 individual and the employing agency.

18 An agency may not employ a person in a temporary capacity  
19 if it knows or reasonably should have known that the person has  
20 been convicted of a crime under the laws of this State, has  
21 been convicted in another state of any crime that is a crime  
22 under the laws of this State, has been convicted of any crime  
23 in a federal court, or has been posted as an unapproved  
24 applicant by the Department. Notice by the Department to the  
25 agency, via certified mail, personal delivery, electronic  
26 mail, or posting on the Department's Internet site accessible

1 to the agency that the person has been convicted of a crime  
2 shall be deemed constructive knowledge of the conviction on  
3 the part of the agency. The Department may adopt rules to  
4 implement this subsection (k).

5 (l) No person may be employed under this Section in any  
6 capacity if:

7 (1) the person, while so employed, is being paid by  
8 the United States or any political subdivision for the  
9 time so employed in addition to any payments the person ~~he~~  
10 ~~or she~~ may receive from the employer; or

11 (2) the person wears any portion of the person's ~~his~~  
12 ~~or her~~ official uniform, emblem of authority, or equipment  
13 while so employed.

14 (m) If information is discovered affecting the  
15 registration of a person whose fingerprints were submitted  
16 under this Section, the Department shall so notify the agency  
17 that submitted the fingerprints on behalf of that person.

18 (n) Peace officers shall be exempt from the requirements  
19 of this Section relating to permanent employee registration  
20 cards. The agency shall remain responsible for any peace  
21 officer employed under this exemption, regardless of whether  
22 the peace officer is compensated as an employee or as an  
23 independent contractor and as further defined by rule.

24 (o) Persons who have no access to confidential or security  
25 information, who do not go to a client's or prospective  
26 client's residence or place of business, and who otherwise do



1 not provide traditional security services are exempt from  
2 employee registration. Examples of exempt employees include,  
3 but are not limited to, employees working in the capacity of  
4 ushers, directors, ticket takers, cashiers, drivers, and  
5 reception personnel. Confidential or security information is  
6 that which pertains to employee files, scheduling, client  
7 contracts, or technical security and alarm data.

8 (p) An applicant who is 21 years of age or older seeking a  
9 religious exemption to the photograph requirement of this  
10 Section shall furnish with the application an approved copy of  
11 United States Department of the Treasury Internal Revenue  
12 Service Form 4029. Regardless of age, an applicant seeking a  
13 religious exemption to this photograph requirement shall  
14 submit fingerprints in a form and manner prescribed by the  
15 Department with the applicant's ~~his or her~~ application in lieu  
16 of a photograph.

17 (Source: P.A. 102-538, eff. 8-20-21.)

18 (225 ILCS 447/35-35)

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

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

21 (a) No person shall perform duties that include the use,  
22 carrying, or possession of a firearm in the performance of  
23 those duties without complying with the provisions of this  
24 Section and having been issued a valid firearm control card by  
25 the Department.

1 (b) No employer shall employ any person to perform the  
2 duties for which licensure or employee registration is  
3 required and allow that person to carry a firearm unless that  
4 person has complied with all the firearm training requirements  
5 of this Section and has been issued a firearm control card.  
6 This Act permits only the following to carry firearms while  
7 actually engaged in the performance of their duties or while  
8 commuting directly to or from their places of employment:  
9 persons licensed as private detectives and their registered  
10 employees; persons licensed as private security contractors  
11 and their registered employees; persons licensed as private  
12 alarm contractors and their registered employees; and  
13 employees of a registered armed proprietary security force.

14 (c) Possession of a valid firearm control card allows a  
15 licensee or employee to carry a firearm not otherwise  
16 prohibited by law while the licensee or employee is engaged in  
17 the performance of the licensee's or employee's ~~his or her~~  
18 duties or while the licensee or employee is commuting directly  
19 to or from the licensee's or employee's place or places of  
20 employment.

21 (d) The Department shall issue a firearm control card to a  
22 person who has passed an approved firearm training course, who  
23 is currently licensed or employed by an agency licensed by  
24 this Act and has met all the requirements of this Act, and who  
25 possesses a valid firearm owner identification card.  
26 Application for the firearm control card shall be made by the

1 employer to the Department on forms provided by the  
2 Department. The Department shall forward the card to the  
3 employer who shall be responsible for its issuance to the  
4 licensee or employee. The firearm control card shall be issued  
5 by the Department and shall identify the person holding it and  
6 the name of the course where the licensee or employee received  
7 firearm instruction and shall specify the type of weapon or  
8 weapons the person is authorized by the Department to carry  
9 and for which the person has been trained.

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

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

26 (g) Notwithstanding any other provision of this Act to the

1 contrary, all requirements relating to firearms control cards  
2 do not apply to a peace officer. If an individual ceases to be  
3 employed as a peace officer and continues to perform services  
4 in an armed capacity under this Act that are licensed  
5 activities, then the individual is required to obtain a  
6 permanent employee registration card pursuant to Section 35-30  
7 of this Act and must possess a valid Firearm Owner's  
8 Identification Card, but is not required to obtain a firearm  
9 control card if the individual is otherwise in continuing  
10 compliance with the federal Law Enforcement Officers Safety  
11 Act of 2004. If an individual elects to carry a firearm  
12 pursuant to the federal Law Enforcement Officers Safety Act of  
13 2004, then the agency employing the officer shall ~~is required~~  
14 ~~to~~ submit an application ~~a notice of that election~~ to the  
15 Department for issuance of a waiver card along with a fee  
16 specified by rule.

17 (h) The Department may issue a temporary firearm control  
18 card pending issuance of a new firearm control card upon an  
19 agency's acquiring of an established armed account. An agency  
20 that has acquired armed employees as a result of acquiring an  
21 established armed account may, on forms supplied by the  
22 Department, request the issuance of a temporary firearm  
23 control card for each acquired employee who held a valid  
24 firearm control card under the employer's ~~his or her~~  
25 employment with the newly acquired established armed account  
26 immediately preceding the acquiring of the account and who

1 continues to meet all of the qualifications for issuance of a  
2 firearm control card set forth in this Act and any rules  
3 adopted under this Act. The Department shall, by rule, set the  
4 fee for issuance of a temporary firearm control card.

5 (i) The Department shall not issue a firearm control card  
6 to a licensed fingerprint vendor or a licensed locksmith or  
7 employees of a licensed fingerprint vendor agency or a  
8 licensed locksmith agency.

9 (Source: P.A. 100-712, eff. 8-3-18.)

10 (225 ILCS 447/35-43)

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

12 Sec. 35-43. Requirement of a canine trainer authorization  
13 card; qualifications.

14 (a) No person may perform duties that include the training  
15 of canine handlers and canines to protect persons or property  
16 or to conduct investigations without having been issued a  
17 valid canine trainer authorization card by the Department.

18 (b) No employer shall employ any person to perform the  
19 duties for which employee registration is required under this  
20 Act and allow that person to train canine handlers and canines  
21 unless that person has been issued a canine trainer  
22 authorization card.

23 (c) The Department shall issue a canine trainer  
24 authorization card to a person who (i) has passed an approved  
25 canine trainer training course, (ii) is currently employed by

1 an agency licensed under this Act, and (iii) has met all of the  
2 applicable requirements of this Act. Application for the  
3 canine trainer authorization card shall be made by the  
4 employer to the Department on forms provided by the  
5 Department. The Department shall forward the card to the  
6 employer who shall be responsible for its issuance to the  
7 employee.

8 (d) The Department may, in addition to any other  
9 disciplinary action permitted by this Act, refuse to issue,  
10 suspend, or revoke a canine trainer authorization card if the  
11 applicant or holder has been convicted of any felony or  
12 misdemeanor involving cruelty to animals or for a violation of  
13 this Act or rules promulgated under this Act.

14 (e) Qualifications for canine trainers shall be set by the  
15 Department by rule. ~~Any person who has been engaged in the~~  
16 ~~provision of canine trainer services prior to January 1, 2005,~~  
17 ~~shall be granted a canine trainer authorization card upon the~~  
18 ~~submission of a completed application, the payment of~~  
19 ~~applicable fees, and the demonstration satisfactory to the~~  
20 ~~Department of the provision of such services.~~

21 (Source: P.A. 95-613, eff. 9-11-07.)

22 (225 ILCS 447/35-45)

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

24 Sec. 35-45. Armed proprietary security force.

25 (a) All financial institutions or commercial or industrial

1 operations that employ one or more armed employees shall  
2 register their security forces with the Department on forms  
3 provided by the Department. Registration subjects the security  
4 force to all of the requirements of Section 35-40. For the  
5 purposes of this Section, "financial institution" includes a  
6 bank, savings and loan association, credit union, currency  
7 exchange, or company providing armored car services.

8 (b) All armed employees of the registered proprietary  
9 security force must complete a 20-hour basic training course  
10 and all the firearm training requirements of Section 35-40.

11 (c) Every proprietary security force is required to apply  
12 to the Department, on forms supplied by the Department, for a  
13 firearm control card for each armed employee. Each armed  
14 employee shall have the employee's ~~his or her~~ fingerprints  
15 submitted to the Department of State Police in an electronic  
16 format that complies with the form and manner for requesting  
17 and furnishing criminal history record information as  
18 prescribed by the Department of State Police. These  
19 fingerprints shall be checked against the Department of State  
20 Police and Federal Bureau of Investigation criminal history  
21 record databases. The Department of State Police shall charge  
22 the armed employee a fee for conducting the criminal history  
23 records check, which shall be deposited in the State Police  
24 Services Fund and shall not exceed the actual cost of the  
25 records check. The Department of State Police shall furnish,  
26 pursuant to positive identification, records of Illinois

1 convictions to the Department. The Department may require  
2 armed employees to pay a separate fingerprinting fee, either  
3 to the Department or directly to the vendor. The Department,  
4 in its discretion, may allow an armed employee who does not  
5 have reasonable access to a designated vendor to provide the  
6 employee's ~~his or her~~ fingerprints in an alternative manner.  
7 The Department, in its discretion, may also use other  
8 procedures in performing or obtaining criminal background  
9 checks of armed employees. Instead of submitting the  
10 employee's ~~his or her~~ fingerprints, an individual may submit  
11 proof that is satisfactory to the Department that an  
12 equivalent security clearance has been conducted. Also, an  
13 individual who has retired as a peace officer within 12 months  
14 before application may submit verification, on forms provided  
15 by the Department and signed by the employee's ~~his or her~~  
16 employer, of the employee's ~~his or her~~ previous full-time  
17 employment as a peace officer.

18 (d) The Department may provide rules for the  
19 administration of this Section.

20 (Source: P.A. 102-152, eff. 1-1-22.)

21 (225 ILCS 447/40-5)

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

23 Sec. 40-5. Injunctive relief.

24 (a) The practice of a private detective, private security  
25 contractor, private alarm contractor, fingerprint vendor,



1 locksmith, private detective agency, private security  
2 contractor agency, private alarm contractor agency,  
3 fingerprint vendor agency, or locksmith agency by any person,  
4 firm, corporation, or other legal entity that has not been  
5 issued a license by the Department or whose license has been  
6 suspended, revoked, or not renewed is hereby declared to be  
7 inimical to the public safety and welfare and to constitute a  
8 public nuisance. The Secretary may, in the name of the People  
9 of the State of Illinois through the Attorney General of the  
10 State of Illinois or the State's Attorney of any county in  
11 which the violation is alleged to have occurred in the State of  
12 Illinois, petition for an order enjoining the violation or for  
13 an order enforcing compliance with this Act. Upon the filing  
14 of a verified petition in court, if satisfied by affidavit or  
15 otherwise that the person, firm, corporation, or other legal  
16 entity is or has been conducting activities in violation of  
17 this Act, the court may enter a temporary restraining order or  
18 preliminary injunction, without bond, enjoining the defendant  
19 from further activity. A copy of the verified complaint shall  
20 be served upon the defendant and the proceedings shall be  
21 conducted as in civil cases. If it is established the  
22 defendant has been or is conducting activities in violation of  
23 this Act, the court may enter a judgment enjoining the  
24 defendant from that activity. In case of violation of any  
25 injunctive order or judgment entered under this Section, the  
26 court may punish the offender for contempt of court.

1 Injunctive proceedings shall be in addition to all other  
2 penalties under this Act.

3 (b) If any person practices as a private detective,  
4 private security contractor, private alarm contractor,  
5 fingerprint vendor, locksmith, private detective agency,  
6 private security contractor agency, private alarm contractor  
7 agency, fingerprint vendor agency, or locksmith agency or  
8 holds himself or herself out as such without having a valid  
9 license under this Act, then any licensee, any interested  
10 party, or any person injured thereby may, in addition to the  
11 Secretary, petition for relief as provided in subsection (a)  
12 of this Section. Reasonable attorney's fees and costs may be  
13 awarded to the licensee, interested party, or person injured  
14 if the licensee, interested party, or person injured ~~he or she~~  
15 successfully obtains injunctive relief, whether by consent or  
16 otherwise.

17 (Source: P.A. 102-418, eff. 8-20-21.)

18 (225 ILCS 447/40-10)

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

20 Sec. 40-10. Disciplinary sanctions.

21 (a) The Department may deny issuance, refuse to renew, or  
22 restore or may reprimand, place on probation, suspend, revoke,  
23 or take other disciplinary or non-disciplinary action against  
24 any license, registration, permanent employee registration  
25 card, canine handler authorization card, canine trainer

1 authorization card, or firearm control card, may impose a fine  
2 not to exceed \$10,000 for each violation, and may assess costs  
3 as provided for under Section 45-60, for any of the following:

4 (1) Fraud, deception, or misrepresentation in  
5 obtaining or renewing of a license or registration.

6 (2) Professional incompetence as manifested by poor  
7 standards of service.

8 (3) Engaging in dishonorable, unethical, or  
9 unprofessional conduct of a character likely to deceive,  
10 defraud, or harm the public.

11 (4) Conviction of or plea of guilty or plea of nolo  
12 contendere to a felony or misdemeanor in this State or any  
13 other jurisdiction or the entry of an administrative  
14 sanction by a government agency in this State or any other  
15 jurisdiction; action taken under this paragraph (4) for a  
16 misdemeanor or an administrative sanction is limited to a  
17 misdemeanor or administrative sanction that has as an  
18 essential element of dishonesty or fraud or involves  
19 larceny, embezzlement, or obtaining money, property, or  
20 credit by false pretenses or by means of a confidence  
21 game.

22 (5) Performing any services in a grossly negligent  
23 manner or permitting any of a licensee's employees to  
24 perform services in a grossly negligent manner, regardless  
25 of whether actual damage to the public is established.

26 (6) Continued practice, although the person has become

1           unfit to practice due to any of the following:

2                   (A) Physical illness, mental illness, or other  
3                   impairment, including, but not limited to,  
4                   deterioration through the aging process or loss of  
5                   motor skills that results in the inability to serve  
6                   the public with reasonable judgment, skill, or safety.

7                   (B) (Blank).

8                   (C) Habitual or excessive use or abuse of drugs  
9                   defined in law as controlled substances, alcohol, or  
10                  any other substance that results in the inability to  
11                  practice with reasonable judgment, skill, or safety.

12                  (7) Receiving, directly or indirectly, compensation  
13                  for any services not rendered.

14                  (8) Willfully deceiving or defrauding the public on a  
15                  material matter.

16                  (9) Failing to account for or remit any moneys or  
17                  documents coming into the licensee's possession that  
18                  belong to another person or entity.

19                  (10) Discipline by another United States jurisdiction,  
20                  foreign nation, or governmental agency, if at least one of  
21                  the grounds for the discipline is the same or  
22                  substantially equivalent to those set forth in this Act.

23                  (11) Giving differential treatment to a person that is  
24                  to that person's detriment because of race, color, creed,  
25                  sex, religion, or national origin.

26                  (12) Engaging in false or misleading advertising.

1           (13) Aiding, assisting, or willingly permitting  
2 another person to violate this Act or rules promulgated  
3 under it.

4           (14) Performing and charging for services without  
5 authorization to do so from the person or entity serviced.

6           (15) Directly or indirectly offering or accepting any  
7 benefit to or from any employee, agent, or fiduciary  
8 without the consent of the latter's employer or principal  
9 with intent to or the understanding that this action will  
10 influence the person's ~~his or her~~ conduct in relation to  
11 the person's ~~his or her~~ employer's or principal's affairs.

12           (16) Violation of any disciplinary order imposed on a  
13 licensee by the Department.

14           (17) Performing any act or practice that is a  
15 violation of this Act or the rules for the administration  
16 of this Act, or having a conviction or administrative  
17 finding of guilty as a result of violating any federal or  
18 State laws, rules, or regulations that apply exclusively  
19 to the practices of private detectives, private alarm  
20 contractors, private security contractors, fingerprint  
21 vendors, or locksmiths.

22           (18) Owning, operating, or managing ~~Conducting~~ an  
23 agency without a valid license.

24           (19) Revealing confidential information, except as  
25 required by law, including but not limited to information  
26 available under Section 2-123 of the Illinois Vehicle

1 Code.

2 (20) Failing to make available to the Department, upon  
3 request, any books, records, or forms required by this  
4 Act.

5 (21) Failing, within 30 days, to respond to a written  
6 request for information from the Department.

7 (22) Failing to provide employment information or  
8 experience information required by the Department  
9 regarding an applicant for licensure.

10 (23) Failing to make available to the Department at  
11 the time of the request any indicia of licensure or  
12 registration issued under this Act.

13 (24) Purporting to be a licensee-in-charge of an  
14 agency without active participation in the agency.

15 (25) A finding by the Department that the licensee,  
16 after having the licensee's ~~his or her~~ license placed on  
17 probationary status, has violated the terms of probation.

18 (26) Violating subsection (f) of Section 30-30.

19 (27) A firearm control card holder having more  
20 firearms in the holder's ~~his or her~~ immediate possession  
21 than the holder ~~he or she~~ can reasonably exercise control  
22 over.

23 (28) Failure to report in writing to the Department,  
24 within 60 days of an entry of a settlement or a verdict in  
25 excess of \$10,000, any legal action in which the quality  
26 of the licensee's or registrant's professional services

1 was the subject of the legal action.

2 (b) All fines imposed under this Section shall be paid  
3 within 60 days after the effective date of the order imposing  
4 the fine.

5 (c) The Department shall adopt rules that set forth  
6 standards of service for the following: (i) acceptable error  
7 rate in the transmission of fingerprint images and other data  
8 to the Illinois State Police; (ii) acceptable error rate in  
9 the collection and documentation of information used to  
10 generate fingerprint work orders; and (iii) any other standard  
11 of service that affects fingerprinting services as determined  
12 by the Department.

13 The determination by a circuit court that a licensee is  
14 subject to involuntary admission or judicial admission, as  
15 provided in the Mental Health and Developmental Disabilities  
16 Code, operates as an automatic suspension. The suspension will  
17 end only upon a finding by a court that the patient is no  
18 longer subject to involuntary admission or judicial admission  
19 and the issuance of an order so finding and discharging the  
20 patient.

21 (Source: P.A. 102-538, eff. 8-20-21.)

22 (225 ILCS 447/40-20)

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

24 Sec. 40-20. Confidential information; violation. Any  
25 person who is or has been an employee of a licensee shall not

1 divulge to anyone, other than to the person's ~~his or her~~  
2 employer, except as required by law or at the ~~his~~ employer's  
3 direction, any confidential or proprietary information  
4 acquired during the person's ~~his or her~~ employment. Any  
5 individual who violates this Section or who files false papers  
6 or reports to the person's ~~his or her~~ employer may be  
7 disciplined under Section 40-10 of this Act.

8 (Source: P.A. 93-438, eff. 8-5-03.)

9 (225 ILCS 447/40-25)

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

11 Sec. 40-25. Submission to physical or mental examination.

12 (a) The Department or Board upon a showing of a possible  
13 violation may compel an individual licensed to practice under  
14 this Act, or who has applied for licensure under this Act, to  
15 submit to a mental or physical examination, or both, which may  
16 include a substance abuse or sexual offender evaluation, as  
17 required by and at the expense of the Department. The  
18 Department or Board shall specifically designate the examining  
19 physician licensed to practice medicine in all of its branches  
20 or, if applicable, the multidisciplinary team involved in  
21 providing the mental or physical examination, evaluation, or  
22 both. The multidisciplinary team shall be led by a physician  
23 licensed to practice medicine in all of its branches and may  
24 consist of one or more or a combination of physicians licensed  
25 to practice medicine in all of its branches, licensed



1 chiropractic physicians, licensed clinical psychologists,  
2 licensed clinical social workers, licensed clinical  
3 professional counselors, and other professional and  
4 administrative staff. Any examining physician or member of the  
5 multidisciplinary team may require any person ordered to  
6 submit to an examination and evaluation pursuant to this  
7 Section to submit to any additional supplemental testing  
8 deemed necessary to complete any examination or evaluation  
9 process, including, but not limited to, blood testing,  
10 urinalysis, psychological testing, or neuropsychological  
11 testing. The Department or the Board may order the examining  
12 physician or any member of the multidisciplinary team to  
13 provide to the Department any and all records, including  
14 business records, that relate to the examination and  
15 evaluation, including any supplemental testing performed. The  
16 Department or the Board may order the examining physician or  
17 any member of the multidisciplinary team to present testimony  
18 concerning this examination and evaluation of the licensee or  
19 applicant, including testimony concerning any supplemental  
20 testing or documents relating to the examination and  
21 evaluation. No information, report, record, or other documents  
22 in any way related to the examination and evaluation shall be  
23 excluded by reason of any common law or statutory privilege  
24 relating to communication between the licensee or applicant  
25 and the examining physician or any member of the  
26 multidisciplinary team. No authorization is necessary from the

1 licensee or applicant ordered to undergo an evaluation and  
2 examination for the examining physician or any member of the  
3 multidisciplinary team to provide information, reports,  
4 records, or other documents or to provide any testimony  
5 regarding the examination and evaluation. The individual to be  
6 examined may have, at the individual's ~~his or her~~ own expense,  
7 another physician of the individual's ~~his or her~~ choice  
8 present during all aspects of this examination. Failure of an  
9 individual to submit to a mental or physical examination, or  
10 both, when directed, shall result in automatic suspension  
11 without hearing, until such time as the individual submits to  
12 the examination.

13 (b) In instances in which the Secretary immediately  
14 suspends a person's license for the person's ~~his or her~~  
15 failure to submit to a mental or physical examination when  
16 directed, a hearing on that person's license must be convened  
17 by the Department within 15 days after the suspension and  
18 completed without appreciable delay.

19 (c) In instances in which the Secretary otherwise suspends  
20 a person's license pursuant to the results of a compelled  
21 mental or physical examination, a hearing on that person's  
22 license must be convened by the Department within 15 days  
23 after the suspension and completed without appreciable delay.  
24 The Department and Board shall have the authority to review  
25 the subject individual's record of treatment and counseling  
26 regarding the impairment to the extent permitted by applicable

1 federal statutes and regulations safeguarding the  
2 confidentiality of medical records.

3 (d) An individual licensed under this Act and affected  
4 under this Section shall be afforded an opportunity to  
5 demonstrate to the Department or Board that the individual ~~he~~  
6 ~~or she~~ can resume practice in compliance with acceptable and  
7 prevailing standards under the provisions of the individual's  
8 ~~his or her~~ license.

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

10 (225 ILCS 447/40-30)

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

12 Sec. 40-30. Insufficient funds; checks. A person who  
13 delivers a check or other payment to the Department that is  
14 returned to the Department unpaid by the financial institution  
15 upon which it was drawn shall pay to the Department, in  
16 addition to the amount already owed, a penalty of \$50. The  
17 Department shall notify the person by first class mail that  
18 the person's ~~his or her~~ check or payment was returned and that  
19 the person shall pay to the Department by certified check or  
20 money order the amount of the returned check plus a \$50 penalty  
21 within 30 calendar days after the date of the notification.  
22 If, after the expiration of 30 calendar days of the  
23 notification, the person has failed to remit the necessary  
24 funds and penalty, the Department shall automatically  
25 terminate the license or deny the application without a

1 hearing. If the returned check or other payment was for  
2 issuance of a license under this Act and that person practices  
3 as a licensee, that person may be subject to discipline for  
4 unlicensed practice as provided in this Act. If, after  
5 termination or denial, the person seeks a license, the person  
6 ~~he or she~~ shall petition the Department for restoration and  
7 the person ~~he or she~~ may be subject to additional discipline or  
8 fines. The Secretary may waive the penalties or fines due  
9 under this Section in individual cases where the Secretary  
10 finds that the penalties or fines would be unreasonable or  
11 unnecessarily burdensome.

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

13 (225 ILCS 447/45-10)

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

15 Sec. 45-10. Complaints; investigations; hearings.

16 (a) The Department may investigate the actions of any  
17 applicant or of any person or persons holding or claiming to  
18 hold a license or registration under this Act.

19 (b) The Department shall, before disciplining a licensee  
20 under Section 40-10 or refusing to issue or license, at least  
21 30 days before the date set for the hearing, (i) notify the  
22 accused in writing of the charges made and the time and place  
23 for the hearing on the charges, (ii) direct the accused ~~him or~~  
24 ~~her~~ to file a written answer to the charges under oath within  
25 20 days after service, and (iii) inform the applicant or

1 licensee that failure to answer will result in a default being  
2 entered against the applicant or licensee.

3 (c) At the time and place fixed in the notice, the Board or  
4 the hearing officer appointed by the Secretary shall proceed  
5 to hear the charges, and the parties or their counsel shall be  
6 accorded ample opportunity to present any pertinent  
7 statements, testimony, evidence, and arguments. The Board or  
8 hearing officer may continue the hearing from time to time. In  
9 case the person, after receiving the notice, fails to file an  
10 answer, the person's ~~his or her~~ license may, in the discretion  
11 of the Secretary, having first received the recommendation of  
12 the Board, be suspended, revoked, or placed on probationary  
13 status, or be subject to whatever disciplinary action the  
14 Secretary considers proper, including limiting the scope,  
15 nature, or extent of the person's practice or the imposition  
16 of a fine, without hearing, if the act or acts charged  
17 constitute sufficient grounds for that action under this Act.

18 (d) The written notice and any notice in the subsequent  
19 proceeding may be served by regular ~~or certified~~ mail to the  
20 licensee's address of record or electronically to the  
21 licensee's email address of record.

22 (e) The Secretary has the authority to appoint any  
23 attorney licensed to practice law in the State of Illinois to  
24 serve as the hearing officer in any action for refusal to  
25 issue, restore, or renew a license or to discipline a  
26 licensee. The hearing officer has full authority to conduct

1 the hearing.

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

3 (225 ILCS 447/45-15)

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

5 Sec. 45-15. Hearing; rehearing.

6 (a) The Board or the hearing officer authorized by the  
7 Department shall hear evidence in support of the formal  
8 charges and evidence produced by the licensee. At the  
9 conclusion of the hearing, the Board shall present to the  
10 Secretary a written report of its findings of fact,  
11 conclusions of law, and recommendations. The report shall  
12 contain a finding of whether the accused person violated this  
13 Act or failed to comply with the conditions required in this  
14 Act. The Board shall specify the nature of the violation or  
15 failure to comply and shall make its recommendation to the  
16 Secretary.

17 (b) At the conclusion of the hearing, a copy of the Board  
18 or hearing officer's report shall be served upon the applicant  
19 or licensee by the Department, either personally or as  
20 provided in this Act for the service of a notice of hearing.  
21 Within 20 calendar days after service, the applicant or  
22 licensee may present to the Secretary ~~Department~~ a motion in  
23 writing for a rehearing, which shall specify the particular  
24 grounds for rehearing. The Department may respond to the  
25 motion for rehearing within 20 calendar days after its service

1 on the Department. If no motion for rehearing is filed, then  
2 upon the expiration of the time specified for filing such a  
3 motion, or upon denial of a motion for rehearing, the  
4 Secretary may enter an order in accordance with the  
5 recommendations of the Board or hearing officer. If the  
6 applicant or licensee orders from the reporting service and  
7 pays for a transcript of the record within the time for filing  
8 a motion for rehearing, the 20-day period within which a  
9 motion may be filed shall commence upon the delivery of the  
10 transcript to the applicant or licensee.

11 (c) If the Secretary disagrees in any regard with the  
12 report of the Board or the hearing officer, the Secretary may  
13 issue an order contrary to the report. The finding is not  
14 admissible in evidence against the person in a criminal  
15 prosecution brought for the violation of this Act, but the  
16 hearing and findings are not a bar to a criminal prosecution  
17 for the violation of this Act.

18 (d) Whenever the Secretary is not satisfied that  
19 substantial justice has been done, the Secretary may order a  
20 rehearing by the same or another hearing officer.

21 (e) All proceedings under this Section are matters of  
22 public record and shall be preserved.

23 (f) Upon the suspension or revocation of a license, the  
24 licensee shall surrender the license to the Department and,  
25 upon failure to do so, the Department shall seize the same.

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

1 (225 ILCS 447/45-40)

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

3 Sec. 45-40. Administrative review. All final  
4 administrative decisions of the Department are subject to  
5 judicial review under Article III of the Code of Civil  
6 Procedure. The term "administrative decision" is defined as in  
7 Section 3-101 of the Code of Civil Procedure. The proceedings  
8 for judicial review shall be commenced in the circuit court of  
9 the county in which the party applying for review resides; but  
10 if the party is not a resident of Illinois, the venue shall be  
11 in Sangamon County. The Department shall not be required to  
12 certify any record to the court or file any answer in court or  
13 otherwise appear in any court in a judicial review proceeding,  
14 unless and until the Department has received from the  
15 plaintiff payment of the costs of furnishing and certifying  
16 the record, which costs shall be determined by the Department.  
17 ~~Exhibits shall be certified without cost.~~ Failure on the part  
18 of the applicant or licensee to file a receipt in court is  
19 grounds for dismissal of the action. During all judicial  
20 proceedings incident to a disciplinary action, the sanctions  
21 imposed upon a licensee by the Department shall remain in  
22 effect, unless the court determines justice requires a stay of  
23 the order.

24 (Source: P.A. 96-1445, eff. 8-20-10.)



1 (225 ILCS 447/45-55)

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

3 Sec. 45-55. Subpoenas.

4 (a) The Department may subpoena and bring before it any  
5 person to take the oral or written testimony or compel the  
6 production of any books, papers, records, or any other  
7 documents that the Secretary or the Secretary's ~~his or her~~  
8 designee deems relevant or material to any such investigation  
9 or hearing conducted by the Department with the same fees and  
10 in the same manner as prescribed in civil cases in the courts  
11 of this State.

12 (b) Any circuit court, upon the application of the  
13 applicant, licensee, or Department, may order the attendance  
14 and testimony of witnesses and the production of relevant  
15 documents, files, records, books and papers in connection with  
16 any hearing or investigation. The circuit court may compel  
17 obedience to its order by proceedings for contempt.

18 (c) The Secretary, the hearing officer, any member of the  
19 Board, or a certified shorthand court reporter may administer  
20 oaths at any hearing the Department conducts. Notwithstanding  
21 any other statute or Department rule to the contrary, all  
22 requests for testimony, production of documents or records  
23 shall be in accordance with this Act.

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

25 (225 ILCS 447/50-5)

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

2 Sec. 50-5. Personnel; investigators. The Secretary shall  
3 employ, pursuant to the Personnel Code, personnel, on a  
4 full-time or part-time basis, for the enforcement of this Act.  
5 Each investigator shall have a minimum of 2 years  
6 investigative experience out of the immediately preceding 5  
7 years. No investigator may hold an active license issued  
8 pursuant to this Act, nor may an investigator have a financial  
9 interest in a business licensed under this Act. This  
10 prohibition, however, does not apply to an investigator  
11 holding stock in a business licensed under this Act, provided  
12 the investigator does not hold more than 5% of the stock in the  
13 business. Any person licensed under this Act who is employed  
14 by the Department shall surrender the person's ~~his or her~~  
15 license to the Department for the duration of that employment.  
16 The licensee shall be exempt from all renewal fees while  
17 employed. While employed by the Department, the licensee is  
18 not required to maintain the general liability insurance  
19 coverage required by this Act.

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

21 (225 ILCS 447/50-10)

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

23 Sec. 50-10. The Private Detective, Private Alarm, Private  
24 Security, Fingerprint Vendor, and Locksmith Board.

25 (a) The Private Detective, Private Alarm, Private

1 Security, Fingerprint Vendor, and Locksmith Board shall  
2 consist of 13 members appointed by the Secretary and comprised  
3 of 2 licensed private detectives, 3 licensed private security  
4 contractors, one licensed private detective or licensed  
5 private security contractor who provides canine odor detection  
6 services, 2 licensed private alarm contractors, one licensed  
7 fingerprint vendor ~~except for the initial appointment who~~  
8 ~~shall be required to have experience in the fingerprint vendor~~  
9 ~~industry that is acceptable to the Department,~~ 2 licensed  
10 locksmiths, one public member who is not licensed or  
11 registered under this Act and who has no connection with a  
12 business licensed under this Act, and one member representing  
13 the employees registered under this Act. Each member shall be  
14 a resident of Illinois. Each ~~Except for the initial~~  
15 ~~appointment of a licensed fingerprint vendor after the~~  
16 ~~effective date of this amendatory Act of the 95th General~~  
17 ~~Assembly, each~~ licensed member shall have at least 5 years  
18 experience as a licensee in the professional area in which the  
19 person is licensed and be in good standing and actively  
20 engaged in that profession. In making appointments, the  
21 Secretary shall consider the recommendations of the  
22 professionals and the professional organizations representing  
23 the licensees. The membership shall reasonably reflect the  
24 different geographic areas in Illinois.

25 (b) Members shall serve 4 year terms and may serve until  
26 their successors are appointed. No member shall serve for more

1 than 2 successive terms. Appointments to fill vacancies shall  
2 be made in the same manner as the original appointments for the  
3 unexpired portion of the vacated term.

4 (c) A member of the Board may be removed for cause. A  
5 member subject to formal disciplinary proceedings shall  
6 disqualify oneself ~~himself or herself~~ from all Board business  
7 until the charge is resolved. A member also shall disqualify  
8 oneself ~~himself or herself~~ from any matter on which the member  
9 cannot act objectively.

10 (d) Members shall receive compensation as set by law. Each  
11 member shall receive reimbursement as set by the Governor's  
12 Travel Control Board for expenses incurred in carrying out the  
13 duties as a Board member.

14 (e) A majority of Board members constitutes a quorum. A  
15 majority vote of the quorum is required for a decision.

16 (f) The Board shall elect a chairperson and vice  
17 chairperson annually.

18 (g) Board members are not liable for their acts,  
19 omissions, decisions, or other conduct in connection with  
20 their duties on the Board, except those determined to be  
21 willful, wanton, or intentional misconduct.

22 (h) The Board may recommend policies, procedures, and  
23 rules relevant to the administration and enforcement of this  
24 Act.

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

1 (225 ILCS 447/50-15)

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

3 Sec. 50-15. Powers and duties of the Department. Subject  
4 to the provisions of this Act, the Department may exercise the  
5 following powers and duties:

6 (1) Prescribe forms to be issued for the  
7 administration and enforcement of this Act.

8 (2) Authorize examinations to ascertain the  
9 qualifications and fitness of applicants for licensing as  
10 a locksmith, private alarm contractor, private detective,  
11 or private security contractor and pass upon the  
12 qualifications of applicants for licensure.

13 (3) Examine the records of licensees or investigate  
14 any other aspect of fingerprint vending, locksmithing,  
15 private alarm contracting, private security contracting,  
16 or practicing as a private detective that is relevant to  
17 the Department's investigation or hearing.

18 (4) Conduct hearings on proceedings to refuse to issue  
19 or renew licenses or to revoke, suspend, place on  
20 probation, reprimand, or otherwise discipline a license  
21 under this Act or take other non-disciplinary action.

22 (5) Adopt rules required for the administration of  
23 this Act.

24 (6) (Blank). ~~Maintain rosters of the names and~~  
25 ~~addresses of all licensees and all persons whose licenses~~  
26 ~~have been suspended, revoked, denied renewal, or otherwise~~

1 ~~disciplined within the previous calendar year. These~~  
2 ~~rosters shall be available upon written request and~~  
3 ~~payment of the required fee as established by rule.~~

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

5 (225 ILCS 447/50-20)

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

7 Sec. 50-20. Rules. The Department may promulgate rules for  
8 the administration and enforcement of this Act. The rules  
9 shall include standards for registration, licensure,  
10 professional conduct, and discipline. The Department shall  
11 consult with the Board prior to promulgating any rule.  
12 Proposed rules shall be transmitted, prior to publication in  
13 the Illinois Register, to the Board and the Department shall  
14 review the Board's recommendations ~~and shall notify the Board~~  
15 ~~with an explanation of any deviations from the Board's~~  
16 ~~recommendations.~~

17 (Source: P.A. 93-438, eff. 8-5-03.)

18 (225 ILCS 447/50-45)

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

20 Sec. 50-45. Illinois Administrative Procedure Act;  
21 application. The Illinois Administrative Procedure Act is  
22 expressly adopted and incorporated in this Act as if all of the  
23 provisions of that Act were included in this Act, except that  
24 the provision of paragraph (d) of Section 10-65 of the

1 Illinois Administrative Procedure Act, which provides that at  
2 hearings the registrant or licensee has the right to show  
3 compliance with all lawful requirements for retention or  
4 continuation or renewal of the license, is specifically  
5 excluded. For the purpose of this Act, the notice required  
6 under Section 10-25 of the Illinois Administrative Procedure  
7 Act is considered sufficient when mailed to the address of  
8 record or sent electronically to the email address of record  
9 ~~last known address of a party.~~

10 (Source: P.A. 96-1445, eff. 8-20-10.)

11 (225 ILCS 447/50-35 rep.)

12 Section 15. The Private Detective, Private Alarm, Private  
13 Security, Fingerprint Vendor, and Locksmith Act of 2004 is  
14 amended by repealing Section 50-35.

15 Section 99. Effective date. This Section and Section 5  
16 take effect upon becoming law.

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