

West's Smith-Hurd Illinois Compiled Statutes Annotated

Chapter 225. Professions, Occupations, and Business Operations

Service and Sales

Act 447. Private Detective, Private Alarm, Private Security, Fingerprint Vendor, and Locksmith Act of 2004 (Refs & Annos)

Article 10. General Licensing Provisions

225 ILCS 447/10-5

447/10-5. Requirement of license

Effective: September 11, 2007

[Currentness](#)

§ 10-5. Requirement of license.

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

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

(c) No agency shall operate a branch office without first applying for and receiving a branch office license for each location.

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

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

Credits

P.A. 93-438, Art. 10, § 10-5, eff. Aug. 5, 2003. Amended by P.A. 95-613, § 25, eff. Sept. 11, 2007.

225 I.L.C.S. 447/10-5, IL ST CH 225 § 447/10-5
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Article 10. General Licensing Provisions

225 ILCS 447/10-10

447/10-10. General exemptions

Effective: September 11, 2007

[Currentness](#)

§ 10-10. General exemptions. This Act does not apply to any of the following:

- (1) A person, firm, or corporation engaging in fire protection engineering, including the design, testing, and inspection of fire protection systems.
- (2) The practice of professional engineering as defined in the Professional Engineering Practice Act of 1989.
- (3) The practice of structural engineering as defined in the Structural Engineering Practice Act of 1989.
- (4) The practice of architecture as defined in the Illinois Architecture Practice Act of 1989.
- (5) The activities of persons or firms licensed under the Illinois Public Accounting Act if performed in the course of their professional practice.
- (6) An attorney licensed to practice in Illinois while engaging in the practice of law.
- (7) A person engaged exclusively and employed by a person, firm, association, or corporation in the business of transporting persons or property in interstate commerce and making an investigation related to the business of that employer.
- (8) A person who provides canine odor detection services to a unit of federal, State, or local government on an emergency call-out or volunteer and not-for-hire basis.

Credits

P.A. 93-438, Art. 10, § 10-10, eff. Aug. 5, 2003. Amended by P.A. 95-613, § 25, eff. Sept. 11, 2007.

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225 ILCS 447/10-20

447/10-20. Application for license; forms

Effective: January 1, 2012

[Currentness](#)

§ 10-20. Application for license; forms.

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

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

(c) Every application for an original license shall include the applicant's Social Security number, which shall be retained in the agency's records pertaining to the license. As soon as practical, the Department shall assign a customer's identification number to each applicant for a license.

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

Credits

[P.A. 93-438, Art. 10, § 10-20, eff. Aug. 5, 2003](#). Amended by [P.A. 97-400, § 170, eff. Jan. 1, 2012](#).

225 I.L.C.S. 447/10-20, IL ST CH 225 § 447/10-20

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225 ILCS 447/10-25

447/10-25. Issuance of license; renewal; fees

Effective: August 9, 2013

[Currentness](#)

§ 10-25. Issuance of license; renewal; fees.

(a) The Department shall, upon the applicant's satisfactory completion of the requirements set forth in this Act and upon receipt of the fee, issue the license indicating the name and business location of the licensee and the date of expiration.

(b) An applicant may, upon satisfactory completion of the requirements set forth in this Act and upon receipt of fees related to the application and testing for licensure, elect to defer the issuance of the applicant's initial license for a period not longer than 3 years. An applicant who fails to request issuance of his or her initial license or agency license and to remit the fees required for that license within 3 years shall be required to resubmit an application together with all required fees.

(c) The expiration date, renewal period, and conditions for renewal and restoration of each license, permanent employee registration card, canine handler authorization card, canine trainer authorization card, and firearm control card shall be set by rule. The holder may renew the license, permanent employee registration card, canine handler authorization card, canine trainer authorization card, or firearm control card during the 30 days preceding its expiration by paying the required fee and by meeting conditions that the Department may specify. Any license holder who notifies the Department on forms prescribed by the Department may place his or her license on inactive status for a period of not longer than 3 years and shall, subject to the rules of the Department, be excused from payment of renewal fees until the license holder notifies the Department, in writing, of an intention to resume active status. Practice while on inactive status constitutes unlicensed practice. A non-renewed license that has lapsed for less than 3 years may be restored upon payment of the restoration fee and all lapsed renewal fees. A license that has lapsed for more than 3 years may be restored by paying the required restoration fee and all lapsed renewal fees and by providing evidence of competence to resume practice satisfactory to the Department and the Board, which may include passing a written examination. All restoration fees and lapsed renewal fees shall be waived for an applicant whose license lapsed while on active duty in the armed forces of the United States if application for restoration is made within 12 months after discharge from the service.

Any person seeking renewal or restoration under this subsection (c) shall be subject to the continuing education requirements established pursuant to Section 10-27 of this Act.

(d) Any permanent employee registration card expired for less than one year may be restored upon payment of lapsed renewal fees. Any permanent employee registration card expired for one year or more may be restored by making application to the Department and filing proof acceptable to the Department of the licensee's fitness to have the permanent employee registration card restored, including verification of fingerprint processing through the Department of State Police and Federal Bureau of Investigation and paying the restoration fee.

Credits

P.A. 93-438, Art. 10, § 10-25, eff. Aug. 5, 2003. Amended by P.A. 95-613, § 25, eff. Sept. 11, 2007; P.A. 98-253, § 10, eff. Aug. 9, 2013.

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225 ILCS 447/10-27

447/10-27. Continuing education

Effective: September 11, 2007

[Currentness](#)

§ 10-27. Continuing education. The Department may adopt rules of continuing education for persons licensed under this Act. The Department shall consider the recommendations of the Board in establishing guidelines for the continuing education requirements.

Credits

[P.A. 93-438](#), Art. 10, § 10-27, added by [P.A. 95-613](#), § 25, eff. Sept. 11, 2007.

225 I.L.C.S. 447/10-27, IL ST CH 225 § 447/10-27

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225 ILCS 447/10-30

447/10-30. Unlawful acts

Effective: August 9, 2013

[Currentness](#)

§ 10-30. Unlawful acts. It is unlawful for a licensee or an employee of a licensed agency:

(1) Upon termination of employment by the agency, to fail to return upon demand or within 72 hours of termination of employment any firearm issued by the employer together with the employee's firearm control card.

(2) (Blank).

(3) To falsify the employee's statement required by this Act.

(4) To have a badge, shoulder patch, or any other identification that contains the words "law enforcement". In addition, no license holder or employee of a licensed agency shall in any manner imply that the person is an employee or agent of a governmental agency or display a badge or identification card, emblem, or uniform citing the words "police", "sheriff", "highway patrol trooper", or "law enforcement".

A person who violates any provision of this Section shall be guilty of a Class A misdemeanor; a person who commits a second or subsequent violation of these provisions is guilty of a Class 4 felony.

Credits

P.A. 93-438, Art. 10, § 10-30, eff. Aug. 5, 2003. Amended by P.A. 95-613, § 25, eff. Sept. 11, 2007; P.A. 98-253, § 10, eff. Aug. 9, 2013.

225 I.L.C.S. 447/10-30, IL ST CH 225 § 447/10-30

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225 ILCS 447/10-35

447/10-35. Examination of applicants; forfeiture of fee

Effective: August 5, 2003

[Currentness](#)

§ 10-35. Examination of applicants; forfeiture of fee.

(a) Applicants for licensure shall be examined as provided by this Section if they are qualified to be examined under this Act. All applicants taking the examination shall be evaluated using the same standards as others who are examined for the respective license.

(b) Examinations for licensure shall be held at such time and place as the Department may determine, but shall be held at least twice a year.

(c) Examinations shall test the amount of knowledge and skill needed to perform the duties set forth in this Act and be in the interest of the protection of the public. The Department may contract with a testing service for the preparation and conduct of the examination.

(d) If an applicant neglects, fails, or refuses to take an examination within one year after filing an application, the fee shall be forfeited. However, an applicant may, after the one-year period, make a new application for examination, accompanied by the required fee. If an applicant fails to pass the examination within 3 years after filing an application, the application shall be denied. An applicant may make a new application after the 3-year period.

Credits

[P.A. 93-438, Art. 10, § 10-35, eff. Aug. 5, 2003.](#)

225 I.L.C.S. 447/10-35, IL ST CH 225 § 447/10-35

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225 ILCS 447/10-37

447/10-37. Address of record

Effective: August 20, 2010

[Currentness](#)

§ 10-37. Address of record. It is the duty of the applicant or licensee to inform the Department of any change of address within 14 days after such change either through the Department's website or by contacting the Department's licensure maintenance unit.

Credits

[P.A. 93-438](#), Art. 10, § 10-37, added by [P.A. 96-1445](#), § 5, eff. Aug. 20, 2010.

225 I.L.C.S. 447/10-37, IL ST CH 225 § 447/10-37

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225 ILCS 447/10-40

447/10-40. § 10-40. Repealed by P.A. 98-253, § 15, eff. Aug. 9, 2013

Effective: August 9, 2013

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225 I.L.C.S. 447/10-40, IL ST CH 225 § 447/10-40
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225 ILCS 447/10-45

447/10-45. Emergency care without a fee

Effective: August 5, 2003

[Currentness](#)

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

Credits

[P.A. 93-438, Art. 10, § 10-45, eff. Aug. 5, 2003.](#)

225 I.L.C.S. 447/10-45, IL ST CH 225 § 447/10-45

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