

agency. No temporary permit shall

be issued for the loss of the licensee in charge because of disciplinary action by the Department.

(g) Private security contractor agency. Upon receipt of the required fee and proof that the applicant has a full-time Illinois licensed private security contractor in charge, which is continuing requirement for agency certification, the Department shall issue, without examination, a certificate as a private security contractor agency to any of the following:

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

(2) A firm or association that submits an application in writing that all of the members are licensed private security contractors under this Act.

(3) A duly incorporated or registered corporation allowed to do business in Illinois that is authorized by its articles of incorporation to engage in the business of conducting a private security contractor agency, provided at least one officer or executive employee is licensed as a private security contractor under this Act and all unlicensed officers and directors of the corporation are determined by the Department to be persons of good moral character.

No private security contractor may be the private security contractor in charge for

more than one agency except for

an individual who, on the effective date of this Act, is currently and actively a licensee for more than one agency.

Upon written request by a representative of the agency within 10 days after the loss of a licensee in charge of an agency because of the death of that individual or because of the unanticipated termination of the employment of that individual, the Department shall issue a temporary permit allowing the continuing operation of a previously licensed agency. No temporary permit shall be valid for more than 90 days. An extension of an additional 90 days may be granted upon written request by the representative of the agency. No more than 2 extensions may be granted to any agency. No temporary permit shall be issued for the loss of the licensee in charge because of disciplinary action by the Department.

(h) Licensed locksmith agency. Upon receipt of the required fee and proof that the applicant is an Illinois licensed locksmith who shall assume full responsibility for the operation of the agency and the directed actions of the agency's employees, which is a continuing requirement for agency licensure, the Department shall issue, without examination, a certificate as a Locksmith Agency to any of the following:

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

(2) A firm or association that submits an application in writing and certifies that all of the members of the firm or

association are licensed locksmiths under this Act.

(3) A duly incorporated or registered corporation or limited liability company allowed to do business in Illinois that is authorized by its articles of incorporation or organization to engage in the business of conducting a locksmith agency, provided that at least one officer or executive employee of a corporation or one member of a limited liability company

is licensed as a locksmith under this Act, and provided that person agrees in writing on a form acceptable to the

Department to assume full responsibility for the operation of the agency and the directed actions of the agency's

employees, and further provided that all unlicensed officers and directors of the corporation or members of the limited liability company are determined by the Department to be persons of good moral character.

An individual licensed locksmith operating under a business name other than the licensed locksmith's own name shall not be required to obtain a locksmith agency license if that licensed locksmith does not employ any persons to engage in the practice of locksmithing.

An applicant for licensure as a locksmith agency shall submit to the Department proof of insurance sufficient for the agency's business circumstances. The Department shall promulgate rules specifying minimum insurance requirements.

This insurance requirement is a continuing requirement for licensure.

No licensed locksmith may be the licensed locksmith responsible for the operation of

more than one agency except for

any individual who submits proof to the Department that, on the effective date of this amendatory Act of 1995, he or she is actively responsible for the operations of more than one agency. A licensed private alarm contractor who is responsible for the operation of a licensed private alarm contractor agency and who is a licensed locksmith may also be the licensed locksmith responsible for the operation of a locksmith agency.

Upon written request by a representative of an agency within 10 days after the loss of a responsible licensed locksmith of an agency, because of the death of that individual or because of the unanticipated termination of the employment

of that individual, the Department shall issue a temporary permit allowing the continuing operation of a previously

licensed locksmith agency. No temporary permit shall be valid for more than 90 days. An extension for an additional

90 days may be granted by the Department for good cause shown and upon written request by a representative of the

agency. No more than 2 extensions may be granted to any agency. No temporary permit shall be issued to any agency due to the loss of the responsible locksmith because of disciplinary action by the Department.

(i) Any licensed agency that operates a branch office as defined in this Act shall apply for a branch office license.

Amended by P.A. 89-85, Section 5, effective January 1, 1996; P.A. 89-366, Section 197, effective January 1, 1996;

P.A. 89-626, Article 2, Section 2-56, effective August 9, 1996; P.A. 90-0436, effective January 1, 1998.

(446/77. Necessity for licensure of locksmith agencies - Grandfather provision) Section 77. Necessity for licensure of locksmith agencies' grandfather provision. (a) On or after January 1, 1997, no person shall practice as a locksmith and no business entity shall operate as a locksmith agency without first applying for and obtaining a license for that purpose from the Department. (b) Applications must be accompanied by the required fee. (c) In lieu of the examination given to other applicants for licensure, the Director may issue a license to an individual who presents proof to the Director that he or she was actively engaged as a locksmith or as a supervisor, manager, or administrator of a locksmith business for 3 years out of the 5 years immediately preceding January 1, 1996 and meets all other requirements of this Act. (d) The application for a license without examination shall be made to the Director within 2 years after the effective date of this amendatory Act of 1995. Added by P.A. 89-366, Section 197, effective January 1, 1996. (446/80. Employee requirements) Section 80. Employee requirements. All employees of a licensed agency, other than those exempted, shall apply for a Permanent Employee Registration Card. The holder of an agency certificate issued under this Act, known in this Act as "employer", may employ in the conduct of his or	
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her business employees under the following provisions: (a) No person shall be issued a permanent employee registration card who: (1) Is under 18 years of age. (2) Is under 21 years of age if the services will include being armed. (3) Has been determined by the Department to be unfit by reason of conviction of an offense in this or another state other than a minor traffic offense. The Department shall promulgate rules for procedures by which those circumstances shall be determined and that afford the applicant due process of law. (4) Has had a license or permanent employee registration card refused, denied, suspended, or revoked under this Act. (5) Has been declared incompetent by any court of competent jurisdiction by reason of mental disease or defect and has not been restored. (6) Has been dishonorably discharged from the armed services of the United States. (b) No person may be employed by a private detective agency, private security contractor agency, or private alarm contractor agency, or locksmith agency under this Section until he or she has executed and furnished to the employer, on forms furnished by the Department, a verified statement to be known as	
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"Employee's Statement" setting forth:

- (1) The person's full name, age, and residence address.
- (2) The business or occupation engaged in for the 5 years immediately before the date of the execution of the statement, the place where the business or occupation was engaged in, and the names of employers, if any.
- (3) That the person has not had a license or employee registration refused, revoked, or suspended under this Act.
- (4) Any conviction of a felony or misdemeanor.
- (5) Any declaration of incompetency by a court of competent jurisdiction that has not been restored.
- (6) Any dishonorable discharge from the armed services of the United States.
- (7) Any other information as may be required by any rule of the Department to show the good character, competency, and integrity of the person executing the statement.
- (c) Each applicant for a permanent employee registration card shall submit to the Department with the applicable fees, on fingerprint cards furnished by the Department, 2 complete sets of fingerprints that are verified to be those of the applicant. If an applicant's fingerprint cards are returned to the Department as unclassifiable by the screening agency, the applicant has 90 days after notification is sent by the Department to submit

additional fingerprint cards taken by a different technician to replace the unclassifiable fingerprint cards.

The Department shall notify the submitting licensed agency within 10 days of the applicant's fingerprint cards are returned to the Department as unclassifiable. However, instead of submitting fingerprint cards, an individual may submit proof that is satisfactory to the Department that an equivalent security clearance has been conducted. Also,

a full-time peace officer or an individual who has retired as a peace officer within 12 months of application may submit verification, on forms provided by the Department and signed by one's employer, of his or her full-time employment

as a peace officer. "Peace officer" means any person who by virtue of his or her office or public employment is vested by law with a duty to maintain public order or to make arrests for offenses, whether that duty extends to all offenses

or is limited to specific offenses; officers, agents, or employees of the federal government commissioned by federal

statute to make arrests for violations of federal criminal laws are considered peace officers.

(d) Upon receipt of the verified fingerprint cards, the Department shall cause the fingerprints to be compared with fingerprints of criminals now or hereafter filed with the Illinois Department of State Police. The Department may also cause the fingerprints to be checked against the fingerprints of criminals now or hereafter filed in the records of other

official fingerprint files within or without this State. The Department shall issue a permanent employee registration

card, in a form the Department prescribes, to all qualified applicants. The Department shall notify the submitting licensed agency within 10 days upon the issuance of or intent to deny the permanent employee registration card. The holder of a permanent employee registration card shall carry the card at all times while actually engaged in the performance of the duties of his or her employment. Expiration and requirements for renewal of permanent employee registration cards shall be established by rule of the Department. Possession of a permanent employee registration card does not in any way imply that the holder of the card is employed by an agency unless the permanent employee registration card is accompanied by the employee identification card required by subsection (g) of this Section.

(e) Within 5 days of the receipt of the application materials, the Department shall institute an investigation for a criminal record by checking the applicant's name with immediately available criminal history information systems.

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

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

(2) The employee's statement specified in subsection (b) of this Section.

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

(4) In the case of former employees, the employee identification card of that person issued under subsection (g) of this Section.

(5) Each employee record shall duly note if the employee is employed in an armed capacity. Armed employee files shall contain a copy of an active Firearm Owners Identification Card and a copy of an active Firearm Authorization Card.

(6) Each employer shall maintain a record for each armed employee of each instance in which the employee's weapon was discharged during the course of his or her professional duties or activities. The record shall be maintained on forms provided by the Department, a copy of which must be filed with the Department within 15 days of an instance. The record shall include the date and time of the occurrence, the circumstances involved in the occurrence, and any other information as the Department may require. Failure to provide this information to the Department or failure to maintain the a record as a part of each armed employee's permanent file is grounds for disciplinary action. The Department, upon receipt of a report, shall have the authority to make any investigation it considers appropriate into any occurrence in which an employee's weapon was discharged and to take disciplinary action as may be appropriate.