

HB4230



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4230

by Rep. C.D. Davidsmeyer

SYNOPSIS AS INTRODUCED:

50 ILCS 205/3b

Amends the Local Records Act. Provides that various information after an individual's arrest must be made available to the news media for inspection and copying as soon as practicable after the individual's arraignment (rather than in no event shall the time period exceed 72 hours from the arrest).

LRB100 16481 SLF 31612 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Local Records Act is amended by changing
5 Section 3b as follows:

6 (50 ILCS 205/3b)

7 Sec. 3b. Arrest records and reports.

8 (a) When an individual is arrested, the following
9 information must be made available to the news media for
10 inspection and copying:

11 (1) Information that identifies the individual,
12 including the name, age, address, and photograph, when and
13 if available.

14 (2) Information detailing any charges relating to the
15 arrest.

16 (3) The time and location of the arrest.

17 (4) The name of the investigating or arresting law
18 enforcement agency.

19 (5) If the individual is incarcerated, the amount of
20 any bail or bond.

21 (6) If the individual is incarcerated, the time and
22 date that the individual was received, discharged, or
23 transferred from the arresting agency's custody.

1 (b) The information required by this Section must be made
2 available to the news media for inspection and copying as soon
3 as practicable after the individual's arraignment under
4 Article 113 of the Code of Criminal Procedure of 1963 ~~, but in~~
5 ~~no event shall the time period exceed 72 hours from the arrest.~~
6 The information described in paragraphs (3), (4), (5), and (6)
7 of subsection (a), however, may be withheld if it is determined
8 that disclosure would:

9 (1) interfere with pending or actually and reasonably
10 contemplated law enforcement proceedings conducted by any
11 law enforcement or correctional agency;

12 (2) endanger the life or physical safety of law
13 enforcement or correctional personnel or any other person;
14 or

15 (3) compromise the security of any correctional
16 facility.

17 (c) For the purposes of this Section the term "news media"
18 means personnel of a newspaper or other periodical issued at
19 regular intervals whether in print or electronic format, a news
20 service whether in print or electronic format, a radio station,
21 a television station, a television network, a community antenna
22 television service, or a person or corporation engaged in
23 making news reels or other motion picture news for public
24 showing.

25 (d) Each law enforcement or correctional agency may charge
26 fees for arrest records, but in no instance may the fee exceed

1 the actual cost of copying and reproduction. The fees may not
2 include the cost of the labor used to reproduce the arrest
3 record.

4 (e) The provisions of this Section do not supersede the
5 confidentiality provisions for arrest records of the Juvenile
6 Court Act of 1987.

7 (f) All information, including photographs, made available
8 under this Section is subject to the provisions of Section 2000
9 of the Consumer Fraud and Deceptive Business Practices Act.
10 (Source: P.A. 98-555, eff. 1-1-14; 99-363, eff. 1-1-16.)