



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB2696

by Rep. David A. Welter

#### SYNOPSIS AS INTRODUCED:

20 ILCS 805/805-536 new  
20 ILCS 2610/37 new  
50 ILCS 705/7 from Ch. 85, par. 507  
50 ILCS 705/10.23 new  
55 ILCS 5/3-6040  
65 ILCS 5/11-1-13  
410 ILCS 4/30

Amends the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois, State Police Act, Counties Code, and Illinois Municipal Code. Provides that State and local law enforcement vehicles and facilities shall be equipped with an operational and accessible automated external defibrillator. Requires training for users of automated external defibrillators. Provides that users are exempt from liability for acts or omissions involving automated external defibrillators, except for willful or wanton misconduct. Amends the Illinois Police Training Act. Provides that the Illinois Law Enforcement Training Standards Board shall conduct or approve an in-service training program to train police officers as automated external defibrillator users. Amends the Automated External Defibrillator Act. Adds vehicles (rather than only premises) to the limitation of liability for automated external defibrillators. Effective immediately.

LRB101 10427 AWJ 55533 b

FISCAL NOTE ACT  
MAY APPLY

HOME RULE NOTE  
ACT MAY APPLY

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 Department of Natural Resources  
5 (Conservation) Law of the Civil Administrative Code of Illinois  
6 is amended by adding Section 805-536 as follows:

7 (20 ILCS 805/805-536 new)

8 Sec. 805-536. Automated external defibrillators; training.

9 The Department shall, in accordance with the requirements of  
10 the Automated External Defibrillator Act, ensure that:

11 (1) every patrol vehicle of the Department is equipped  
12 with an operational and accessible automated external  
13 defibrillator that meets the requirements of the Automated  
14 External Defibrillator Act;

15 (2) all sworn conservation police officers are trained  
16 to administer an automated external defibrillator in  
17 accordance with the Automated External Defibrillator Act;

18 (3) each of the Department's facilities is equipped  
19 with an operational and accessible automated external  
20 defibrillator that meets the requirements of the Automated  
21 External Defibrillator Act; and

22 (4) an adequate number of personnel are trained to  
23 administer the automated external defibrillator located at

1 the Department's facilities.

2 An automated external defibrillator user is not liable for  
3 civil damages as provided in Section 30 of the Automated  
4 External Defibrillator Act.

5 Section 10. The State Police Act is amended by adding  
6 Section 37 as follows:

7 (20 ILCS 2610/37 new)

8 Sec. 37. Automated external defibrillator; training.

9 (a) As used in this Section, "State police officers"  
10 includes full-time or part-time State troopers, police  
11 officers, investigators, or any other employee of the  
12 Department exercising the powers of a peace officer.

13 (b) The Department shall, in accordance with the  
14 requirements of the Automated External Defibrillator Act,  
15 ensure that:

16 (1) every patrol vehicle of the Department is equipped  
17 with an operational and accessible automated external  
18 defibrillator that meets the requirements of the Automated  
19 External Defibrillator Act;

20 (2) all state police officers are trained to administer  
21 an automated external defibrillator in accordance with the  
22 Automated External Defibrillator Act;

23 (3) each of the Department's facilities is equipped  
24 with an operational and accessible automated external

1 defibrillator that meets the requirements of the Automated  
2 External Defibrillator Act; and

3 (4) an adequate number of personnel are trained to  
4 administer the automated external defibrillator located at  
5 the Department's facilities.

6 (c) The Department shall adopt rules for the training of  
7 all State police officers as automated external defibrillator  
8 users, in accordance with the Automated External Defibrillator  
9 Act.

10 (d) An automated external defibrillator user is not liable  
11 for civil damages as provided in Section 30 of the Automated  
12 External Defibrillator Act.

13 Section 15. The Illinois Police Training Act is amended by  
14 changing Section 7 and by adding Section 10.23 as follows:

15 (50 ILCS 705/7) (from Ch. 85, par. 507)

16 Sec. 7. Rules and standards for schools. The Board shall  
17 adopt rules and minimum standards for such schools which shall  
18 include, but not be limited to, the following:

19 a. The curriculum for probationary police officers  
20 which shall be offered by all certified schools shall  
21 include, but not be limited to, courses of procedural  
22 justice, arrest and use and control tactics, search and  
23 seizure, including temporary questioning, civil rights,  
24 human rights, human relations, cultural competency,

1 including implicit bias and racial and ethnic sensitivity,  
2 criminal law, law of criminal procedure, constitutional  
3 and proper use of law enforcement authority, vehicle and  
4 traffic law including uniform and non-discriminatory  
5 enforcement of the Illinois Vehicle Code, traffic control  
6 and accident investigation, techniques of obtaining  
7 physical evidence, court testimonies, statements, reports,  
8 firearms training, training in the use of electronic  
9 control devices, including the psychological and  
10 physiological effects of the use of those devices on  
11 humans, first-aid (including cardiopulmonary  
12 resuscitation), training in the administration of opioid  
13 antagonists as defined in paragraph (1) of subsection (e)  
14 of Section 5-23 of the Substance Use Disorder Act, training  
15 probationary police officers as automated external  
16 defibrillator users in accordance with the Automated  
17 External Defibrillator Act, handling of juvenile  
18 offenders, recognition of mental conditions and crises,  
19 including, but not limited to, the disease of addiction,  
20 which require immediate assistance and response and  
21 methods to safeguard and provide assistance to a person in  
22 need of mental treatment, recognition of abuse, neglect,  
23 financial exploitation, and self-neglect of adults with  
24 disabilities and older adults, as defined in Section 2 of  
25 the Adult Protective Services Act, crimes against the  
26 elderly, law of evidence, the hazards of high-speed police

1 vehicle chases with an emphasis on alternatives to the  
2 high-speed chase, and physical training. The curriculum  
3 shall include specific training in techniques for  
4 immediate response to and investigation of cases of  
5 domestic violence and of sexual assault of adults and  
6 children, including cultural perceptions and common myths  
7 of sexual assault and sexual abuse as well as interview  
8 techniques that are age sensitive and are trauma informed,  
9 victim centered, and victim sensitive. The curriculum  
10 shall include training in techniques designed to promote  
11 effective communication at the initial contact with crime  
12 victims and ways to comprehensively explain to victims and  
13 witnesses their rights under the Rights of Crime Victims  
14 and Witnesses Act and the Crime Victims Compensation Act.  
15 The curriculum shall also include training in effective  
16 recognition of and responses to stress, trauma, and  
17 post-traumatic stress experienced by police officers. The  
18 curriculum shall also include a block of instruction aimed  
19 at identifying and interacting with persons with autism and  
20 other developmental or physical disabilities, reducing  
21 barriers to reporting crimes against persons with autism,  
22 and addressing the unique challenges presented by cases  
23 involving victims or witnesses with autism and other  
24 developmental disabilities. The curriculum for permanent  
25 police officers shall include, but not be limited to: (1)  
26 refresher and in-service training in any of the courses

1 listed above in this subparagraph, (2) advanced courses in  
2 any of the subjects listed above in this subparagraph, (3)  
3 training for supervisory personnel, and (4) specialized  
4 training in subjects and fields to be selected by the  
5 board. The training in the use of electronic control  
6 devices shall be conducted for probationary police  
7 officers, including University police officers.

8 b. Minimum courses of study, attendance requirements  
9 and equipment requirements.

10 c. Minimum requirements for instructors.

11 d. Minimum basic training requirements, which a  
12 probationary police officer must satisfactorily complete  
13 before being eligible for permanent employment as a local  
14 law enforcement officer for a participating local  
15 governmental agency. Those requirements shall include  
16 training in first aid (including cardiopulmonary  
17 resuscitation).

18 e. Minimum basic training requirements, which a  
19 probationary county corrections officer must  
20 satisfactorily complete before being eligible for  
21 permanent employment as a county corrections officer for a  
22 participating local governmental agency.

23 f. Minimum basic training requirements which a  
24 probationary court security officer must satisfactorily  
25 complete before being eligible for permanent employment as  
26 a court security officer for a participating local

1 governmental agency. The Board shall establish those  
2 training requirements which it considers appropriate for  
3 court security officers and shall certify schools to  
4 conduct that training.

5 A person hired to serve as a court security officer  
6 must obtain from the Board a certificate (i) attesting to  
7 his or her successful completion of the training course;  
8 (ii) attesting to his or her satisfactory completion of a  
9 training program of similar content and number of hours  
10 that has been found acceptable by the Board under the  
11 provisions of this Act; or (iii) attesting to the Board's  
12 determination that the training course is unnecessary  
13 because of the person's extensive prior law enforcement  
14 experience.

15 Individuals who currently serve as court security  
16 officers shall be deemed qualified to continue to serve in  
17 that capacity so long as they are certified as provided by  
18 this Act within 24 months of June 1, 1997 (the effective  
19 date of Public Act 89-685). Failure to be so certified,  
20 absent a waiver from the Board, shall cause the officer to  
21 forfeit his or her position.

22 All individuals hired as court security officers on or  
23 after June 1, 1997 (the effective date of Public Act  
24 89-685) shall be certified within 12 months of the date of  
25 their hire, unless a waiver has been obtained by the Board,  
26 or they shall forfeit their positions.



1           The Sheriff's Merit Commission, if one exists, or the  
2           Sheriff's Office if there is no Sheriff's Merit Commission,  
3           shall maintain a list of all individuals who have filed  
4           applications to become court security officers and who meet  
5           the eligibility requirements established under this Act.  
6           Either the Sheriff's Merit Commission, or the Sheriff's  
7           Office if no Sheriff's Merit Commission exists, shall  
8           establish a schedule of reasonable intervals for  
9           verification of the applicants' qualifications under this  
10          Act and as established by the Board.

11          g. Minimum in-service training requirements, which a  
12          police officer must satisfactorily complete every 3 years.  
13          Those requirements shall include constitutional and proper  
14          use of law enforcement authority, procedural justice,  
15          civil rights, human rights, mental health awareness and  
16          response, and cultural competency.

17          h. Minimum in-service training requirements, which a  
18          police officer must satisfactorily complete at least  
19          annually. Those requirements shall include law updates and  
20          use of force training which shall include scenario based  
21          training, or similar training approved by the Board.

22          (Source: P.A. 99-352, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642,  
23          eff. 7-28-16; 99-801, eff. 1-1-17; 100-121, eff. 1-1-18;  
24          100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff.  
25          8-14-18; 100-910, eff. 1-1-19; revised 9-28-19.)

1 (50 ILCS 705/10.23 new)

2 Sec. 10.23. Automated external defibrillators; training.

3 (a) As used in this Section, "police officers" includes  
4 full-time or part-time probationary police officers, permanent  
5 or part-time police officers, law enforcement officers,  
6 recruits, permanent or probationary county corrections  
7 officers, permanent or probationary county security officers,  
8 and court security officers. The term does not include  
9 auxiliary police officers, as that term is defined in Section  
10 3.1-30-20 of the Illinois Municipal Code.

11 (b) The Board shall conduct or approve an in-service  
12 training program to train police officers as automated external  
13 defibrillator users in accordance with the Automated External  
14 Defibrillator Act.

15 Section 20. The Counties Code is amended by changing  
16 Section 3-6040 as follows:

17 (55 ILCS 5/3-6040)

18 Sec. 3-6040. Automated external defibrillators; training.  
19 The sheriff of each county shall, in accordance with the  
20 requirements of the Automated External Defibrillator Act,  
21 ensure that:

22 (1) his or her office is equipped with an operational  
23 and accessible automated external defibrillator that meets  
24 the requirements of the Automated External Defibrillator

1 Act; ~~and~~

2 (2) an adequate number of personnel in his or her  
3 office is trained to administer the automated external  
4 defibrillator in accordance with the Automated External  
5 Defibrillator Act;

6 (3) every patrol vehicle is equipped with an  
7 operational and accessible automated external  
8 defibrillator that meets the requirements of the Automated  
9 External Defibrillator Act; and

10 (4) all sworn deputies of the office are trained to  
11 administer an automated external defibrillator in  
12 accordance with the Automated External Defibrillator Act.

13 An automated external defibrillator user is not liable for  
14 civil damages as provided in Section 30 of the Automated  
15 External Defibrillator Act.

16 (Source: P.A. 99-246, eff. 1-1-16.)

17 Section 25. The Illinois Municipal Code is amended by  
18 changing Section 11-1-13 as follows:

19 (65 ILCS 5/11-1-13)

20 Sec. 11-1-13. Automated external defibrillators; training.  
21 The corporate authorities of each municipality shall, in  
22 accordance with the requirements of the Automated External  
23 Defibrillator Act, ensure that:

24 (1) each police department facility ~~that employs 100 or~~

1 ~~more police officers~~ is equipped with an operational and  
2 accessible automated external defibrillator; and

3 (2) an adequate number of personnel in each police  
4 department is trained to administer the automated external  
5 defibrillators located at the department's facilities;  
6 ~~defibrillator.~~

7 (3) Every patrol vehicle of the police department is  
8 equipped with an operational and accessible automated  
9 external defibrillator that meets the requirements of the  
10 Automated External Defibrillator Act; and

11 (4) All sworn officers of the department are trained to  
12 administer an automated external defibrillator in  
13 accordance with the Automated External Defibrillator Act.

14 An automated external defibrillator user is not liable for  
15 civil damages as provided in Section 30 of the Automated  
16 External Defibrillator Act.

17 (Source: P.A. 99-246, eff. 1-1-16.)

18 Section 30. The Automated External Defibrillator Act is  
19 amended by changing Section 30 as follows:

20 (410 ILCS 4/30)

21 Sec. 30. Exemption from civil liability.

22 (a) A physician licensed in Illinois to practice medicine  
23 in all its branches who authorizes the purchase of an automated  
24 external defibrillator is not liable for civil damages as a

1 result of any act or omission arising out of authorizing the  
2 purchase of an automated external defibrillator, except for  
3 willful or wanton misconduct, if the requirements of this Act  
4 are met.

5 (b) An individual or entity providing training in the use  
6 of automated external defibrillators is not liable for civil  
7 damages as a result of any act or omission involving the use of  
8 an automated external defibrillator, except for willful or  
9 wanton misconduct, if the requirements of this Act are met.

10 (c) A person, unit of State or local government, sheriff's  
11 office, municipal police department, or school district  
12 owning, occupying, or managing the premises or vehicle where an  
13 automated external defibrillator is located is not liable for  
14 civil damages as a result of any act or omission involving the  
15 use of an automated external defibrillator, except for willful  
16 or wanton misconduct, if the requirements of this Act are met.

17 (d) An AED user is not liable for civil damages as a result  
18 of any act or omission involving the use of an automated  
19 external defibrillator in an emergency situation, except for  
20 willful or wanton misconduct, if the requirements of this Act  
21 are met.

22 (e) This Section does not apply to a public hospital.

23 (Source: P.A. 99-246, eff. 1-1-16.)

24 Section 99. Effective date. This Act takes effect upon  
25 becoming law.