



Rep. Deborah L. Graham

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09400HB2240ham001

LRB094 03281 RLC 44378 a

1 AMENDMENT TO HOUSE BILL 2240

2 AMENDMENT NO. _____. Amend House Bill 2240 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Emergency Shelter Workers Criminal Background Check Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of State Police.

8 "Homeless person" means any person who has a nontraditional
9 residence, including but not limited to, a shelter, day
10 shelter, park bench, street corner, or space under a bridge.

11 "Overnight emergency shelter" means a facility that
12 provides emergency sleeping accommodations for 12 or fewer
13 hours, at least one meal, and supportive services to homeless
14 persons.

15 "Transitional shelter" means a facility that provides
16 shelter, food, and supportive services for up to 24 months to
17 homeless persons.

18 "Youth emergency shelter" has the meaning ascribed to it in
19 Section 2.21 of the Child Care Act of 1969.

20 Section 10. Emergency shelter worker criminal background
21 check. After the effective date of this Act, an overnight
22 emergency shelter or transitional shelter shall require an
23 employee, volunteer, prospective employee, or prospective

1 volunteer of the overnight emergency shelter or transitional
2 shelter and a youth emergency shelter shall require a volunteer
3 or prospective volunteer of the youth emergency shelter to
4 submit to a criminal background check conducted by the
5 Department of State Police and the Federal Bureau of
6 Investigation as part of the requirements for employment or
7 volunteer work at the shelter. If the employee, volunteer,
8 prospective employee, or prospective volunteer's criminal
9 background check indicates criminal conviction, the employee,
10 volunteer, prospective employee, or prospective volunteer must
11 further submit to a fingerprint-based criminal background
12 check. The employee's, volunteer's, prospective employee's, or
13 prospective volunteer's name, sex, race, date of birth, and
14 social security number shall be forwarded to the Department of
15 State Police to be searched against the Illinois criminal
16 history records database in the form and manner prescribed by
17 the Department of State Police. The Department of State Police
18 shall charge a fee for conducting the search, which shall be
19 deposited in the State Police Services Fund and shall not
20 exceed the cost of the inquiry. Each employee, volunteer,
21 prospective employee, or prospective volunteer requiring a
22 fingerprint based search shall submit his or her fingerprints
23 to the Department of State Police in the form and manner
24 prescribed by the Department. These fingerprints shall be
25 checked against the fingerprint records now and hereafter filed
26 with the Department of State Police and Federal Bureau of
27 Investigation criminal history records databases. The
28 Department of State Police shall charge a fee to the owner of
29 the shelter for conducting the criminal history records check,
30 which shall be deposited in the State Police Services Fund and
31 shall not exceed the actual cost of the records check. The
32 Department shall adopt rules to implement this Section.

33 Section 15. Penalty. A person, group of persons,

1 association, or corporation that violates this Act is guilty of
2 a Class A misdemeanor.".