



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0162

Introduced 1/19/2007, by Rep. Timothy L. Schmitz

SYNOPSIS AS INTRODUCED:

720 ILCS 5/2-13

from Ch. 38, par. 2-13

Amends the Criminal Code of 1961. Provides that officers, agents, or employees of the federal government commissioned by federal statute to make arrests for violations of federal criminal laws shall be considered "peace officers" under the Code when the commission of any offense (rather than a felony) under Illinois law is directly observed by the person.

LRB095 04246 RLC 24287 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Code of 1961 is amended by changing
5 Section 2-13 as follows:

6 (720 ILCS 5/2-13) (from Ch. 38, par. 2-13)

7 Sec. 2-13. "Peace officer". "Peace officer" means (i) any
8 person who by virtue of his office or public employment is
9 vested by law with a duty to maintain public order or to make
10 arrests for offenses, whether that duty extends to all offenses
11 or is limited to specific offenses, or (ii) any person who, by
12 statute, is granted and authorized to exercise powers similar
13 to those conferred upon any peace officer employed by a law
14 enforcement agency of this State.

15 For purposes of Sections concerning unlawful use of
16 weapons, for the purposes of assisting an Illinois peace
17 officer in an arrest, or when the commission of any offense ~~a~~
18 ~~felony~~ under Illinois law is directly observed by the person,
19 and statutes involving the false personation of a peace
20 officer, false personation of a peace officer while carrying a
21 deadly weapon, and aggravated false personation of a peace
22 officer, then officers, agents, or employees of the federal
23 government commissioned by federal statute to make arrests for

1 violations of federal criminal laws shall be considered "peace
2 officers" under this Code, including, but not limited to all
3 criminal investigators of:

4 (1) The United States Department of Justice, The
5 Federal Bureau of Investigation, The Drug Enforcement
6 Agency and The Department of Immigration and
7 Naturalization;

8 (2) The United States Department of the Treasury, The
9 Secret Service, The Bureau of Alcohol, Tobacco and Firearms
10 and The Customs Service;

11 (3) The United States Internal Revenue Service;

12 (4) The United States General Services Administration;

13 (5) The United States Postal Service; and

14 (6) all United States Marshals or Deputy United States
15 Marshals whose duties involve the enforcement of federal
16 criminal laws.

17 (Source: P.A. 94-730, eff. 4-17-06; 94-846, eff. 1-1-07;
18 revised 8-3-06.)