



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3613

by Rep. Donald L. Moffitt

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Finance Authority Act. Provides that the Illinois Finance Authority and the Illinois Law Enforcement Training Standards Board shall jointly administer a law enforcement vehicle revolving loan program. Provides that the program shall, in instances in which sufficient loan funds exist to permit applications to be accepted, provide zero-interest and low-interest loans for the purchase of law enforcement vehicles by a local governmental agency. Provides that the Authority shall make loans based on need and geographic equity, as determined by the Illinois Law Enforcement Training Standards Board. Provides that the loan funds, subject to appropriation, shall be paid out of the Law Enforcement Vehicle Revolving Loan Fund, a special fund created in the State Treasury. Amends the State Finance Act. Creates the Law Enforcement Vehicle Revolving Loan Fund in the State treasury. Amends the Unified Code of Corrections. Provides that in addition to any other penalty imposed, a fine of \$50 shall be imposed upon a person convicted of certain offenses against a peace officer or related officers. Provides that the additional fine shall be assessed by the court imposing sentence and shall be collected by the Circuit Clerk in addition to the fine, if any, and costs in the case. Each additional fine shall be remitted by the Circuit Clerk within one month after receipt to the State Treasurer for deposit into the Law Enforcement Vehicle Revolving Loan Fund in the State treasury. The Circuit Clerk shall retain 10% of the fine to cover the costs incurred in administering and enforcing this Section. The additional fine may not be considered a part of the fine for purposes of any reduction in the fine for time served either before or after sentencing.

LRB099 09674 RLC 29883 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning law enforcement vehicles.

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

4 Section 5. The Illinois Finance Authority Act is amended by
5 adding Section 825-86 as follows:

6 (20 ILCS 3501/825-86 new)

7 Sec. 825-86. Law enforcement vehicle revolving loan
8 program.

9 (a) The Authority and the Illinois Law Enforcement Training
10 Standards Board shall jointly administer a law enforcement
11 vehicle revolving loan program. The program shall, in instances
12 in which sufficient loan funds exist to permit applications to
13 be accepted, provide zero-interest and low-interest loans for
14 the purchase of law enforcement vehicles by a local
15 governmental agency.

16 (b) For the purposes of this Section "local governmental
17 agency" means any local governmental unit or municipal
18 corporation in this State. It does not include the State of
19 Illinois or any office, officer, department, division, bureau,
20 board, commission, or agency of the State, except that it does
21 include a State-controlled university, college, or public
22 community college.

23 (c) The program shall provide loans at a 2% rate of simple

1 interest per year for a vehicle that is both built and sold
2 outside Illinois, a 1% rate of simple interest per year for a
3 vehicle that is either built or sold in Illinois, or a 0% rate
4 of interest for a vehicle if it is both built and sold in
5 Illinois. The Authority shall make loans based on need and
6 geographic equity, as determined by the Illinois Law
7 Enforcement Training Standards Board.

8 (d) The loan funds, subject to appropriation, shall be paid
9 out of the Law Enforcement Vehicle Revolving Loan Fund, a
10 special fund in the State treasury. The Fund shall consist of
11 any moneys transferred or appropriated into the Fund, as well
12 as all repayments of loans made under the program and any
13 balance existing in the Fund on the effective date of this
14 amendatory Act of the 99th General Assembly. The Fund shall be
15 used for loans to local governmental agencies and for no other
16 purpose. All interest earned on moneys in the Fund shall be
17 deposited into the Fund. All moneys deposited into the Law
18 Enforcement Vehicle Revolving Loan Fund under this Section
19 shall be paid by the Illinois Law Enforcement Training
20 Standards Board to the Authority under the continuing
21 appropriation provision of subsection (d-1) of this Section;
22 provided that the Authority and the Illinois Law Enforcement
23 Training Standards Board enter into an intergovernmental
24 agreement to use the moneys transferred to the Authority from
25 the Fund solely for the purposes for which the moneys would
26 otherwise be used under this Section and to set forth

1 procedures to otherwise administer the use of the moneys.

2 (d-1) There is appropriated, on a continuing annual basis
3 in each fiscal year, from the Law Enforcement Vehicle Revolving
4 Loan Fund, the amount, if any, of funds deposited into the Law
5 Enforcement Vehicle Revolving Loan Fund to the Law Enforcement
6 Training Standards Board for payment to the Authority for the
7 purposes for which the moneys would otherwise be used under
8 this Section.

9 (e) A loan for the purchase of a law enforcement vehicle
10 may not exceed \$100,000 to any local law enforcement agency.
11 The repayment period for the loan may not exceed 10 years. The
12 local governmental agency shall repay each year at least 5% of
13 the principal amount borrowed or the remaining balance of the
14 loan, whichever is less. All repayments of loans shall be
15 deposited into the Law Enforcement Vehicle Revolving Loan Fund.

16 (f) The Authority and the Law Enforcement Training
17 Standards Board may adopt rules in accordance with the Illinois
18 Administrative Procedure Act to administer the program.

19 Section 10. The State Finance Act is amended by adding
20 Section 5.866 as follows:

21 (30 ILCS 105/5.866 new)

22 Sec. 5.866. The Law Enforcement Vehicle Revolving Loan
23 Fund.

1 Section 15. The Unified Code of Corrections is amended by
2 adding Section 5-9-1.22 as follows:

3 (730 ILCS 5/5-9-1.22 new)

4 Sec. 5-9-1.22. Additional fines; offenses against peace
5 officers.

6 (a) In addition to any other penalty imposed, a fine of \$50
7 shall be imposed upon a person convicted of any of the
8 following offenses against a peace officer:

9 (1) under the Illinois Vehicle Code:

10 (A) Section 11-204 (fleeing or attempting to elude
11 a peace officer);

12 (B) Section 11-204.1 (aggravated fleeing or
13 attempting to elude a peace officer);

14 (C) Section 11-401 (leaving the scene of an
15 accident involving injuries or death);

16 (D) Section 11-402 (leaving the scene of an
17 accident, vehicle damage);

18 (E) Section 11-403 (duty to give information and
19 render aid);

20 (F) Section 11-404 (duty upon damaging unattended
21 vehicle or other property);

22 (G) Section 11-406 (duty to report accident); or

23 (H) Section 11-601(a) (driving too fast for
24 conditions).

25 (2) under the Criminal Code of 2012:

1 (A) Section 12-3.05 (a) (3) and (d) (4) (aggravated
2 battery of a peace officer and related offenses);

3 (B) Section 12-3.05 (e) (2) and (e) (6) (aggravated
4 battery, discharge of a firearm or machine gun at a
5 peace officer and related offenses);

6 (C) Section 12-6.2 (aggravated intimidation);

7 (D) Section 12-9 (threatening public officials;
8 human service provider);

9 (E) Section 17-2(b) (3) through (6) and (d) (false
10 impersonation of a peace officer and related
11 offenses);

12 (F) Section 31-1 (resisting or obstructing a peace
13 officer, firefighter, or correctional institution
14 employee);

15 (G) Section 31-1a (a) and (b) (disarming a peace
16 officer or correctional institution employee);

17 (H) Section 31-4.5 (obstructing identification);

18 or

19 (I) Section 31-8 (refusing to aid an officer).

20 (b) The additional fine shall be assessed by the court
21 imposing sentence and shall be collected by the Circuit Clerk
22 in addition to the fine, if any, and costs in the case. Each
23 additional fine shall be remitted by the Circuit Clerk within
24 one month after receipt to the State Treasurer for deposit into
25 the Law Enforcement Vehicle Revolving Loan Fund in the State
26 treasury. The Circuit Clerk shall retain 10% of the fine to

1 cover the costs incurred in administering and enforcing this
2 Section. The additional fine may not be considered a part of
3 the fine for purposes of any reduction in the fine for time
4 served either before or after sentencing.

1 INDEX

2 Statutes amended in order of appearance

3 20 ILCS 3501/825-86 new

4 30 ILCS 105/5.866 new

5 730 ILCS 5/5-9-1.22 new