



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2191

Introduced 10/20/2015, by Sen. William R. Haine

SYNOPSIS AS INTRODUCED:

New Act
30 ILCS 105/5.875 new

Creates the 24-7 Sobriety Pilot Program Act. Creates within the Office of the Secretary of State the 24-7 Sobriety Pilot Program. Provides that the purpose of the Program is to reduce the number of second or subsequent violations of driving under the influence under the Illinois Vehicle Code, or other provisions of the Code involving alcohol or controlled substances and the operation of a motor vehicle. Provides that the Program shall provide alternatives to incarceration, including, but not limited to, sobriety testing twice per day, 7 days per week, or continuous monitoring. Provides that the Program shall begin on January 1, 2017, and end on December 31, 2018. Creates the 24-7 Sobriety Pilot Program Fund as a special fund in the State treasury. Provides that the Act is repealed on July 1, 2019. Amends the State Finance Act to make conforming changes. Effective immediately.

LRB099 14853 RLC 39028 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 1. Short title. This Act may be cited as the 24-7
5 Sobriety Pilot Program Act.

6 Section 5. Purpose; requirements. There is created within
7 the Office of the Secretary of State the 24-7 Sobriety Pilot
8 Program. The purpose of the Program is to reduce the number of
9 second or subsequent violations of Section 11-501 of the
10 Illinois Vehicle Code, or other provisions of the Code
11 involving alcohol or controlled substances and the operation of
12 a motor vehicle. The provisions of this Act shall be liberally
13 construed in order to carry out this purpose. The Program shall
14 provide alternatives to incarceration, including, but not
15 limited to, sobriety testing twice per day, 7 days per week, or
16 continuous monitoring for offenders charged with, or convicted
17 of, second or subsequent violations of Section 11-501 of the
18 Illinois Vehicle Code, or other provisions of the Code
19 involving alcohol or controlled substances and the operation of
20 a motor vehicle. The Program may include requirements specific
21 to participation in the Program by first-time offenders.

22 Section 10. Scope. The Program shall be conducted in 2

1 judicial circuits as determined by the Secretary of State.

2 Section 15. Duration. The Program shall begin on January 1,
3 2017, and end on December 31, 2018.

4 Section 20. Collaboration; meetings. The Secretary of
5 State must coordinate with State, county, and local law
6 enforcement agencies for the purpose of determining
7 appropriate implementation procedures for the Program. The
8 Secretary of State must also collaborate with law enforcement,
9 State's Attorneys, the judiciary, the Department of
10 Corrections, and the Department of Transportation, to develop
11 guidelines, policies, and procedures for the administration of
12 the Program and to test offenders to enforce compliance with
13 the sobriety program, including urine testing and electronic
14 monitoring, and to establish user fees. The Secretary of State
15 must hold at least 2 public hearings to receive input from law
16 enforcement agencies, State's Attorneys, the judiciary,
17 advocacy groups, and other interested parties. The 2 public
18 hearings must be held prior to May 1, 2016. Nothing in this
19 Section prohibits the Secretary of State from meeting with law
20 enforcement agencies, State's Attorneys, advocacy groups, or
21 other interested parties in non-public meetings.

22 Section 25. Reports. On or before May 31, 2016, the
23 Secretary of State shall report to the General Assembly and the

1 Governor the following: information and suggestions gathered
2 from public and private meetings with law enforcement agencies
3 and other parties; proposed Program expectations, guidelines,
4 and rules; and any anticipated issues or problems likely to
5 impact the success of the Program. On or before March 1, 2018,
6 the Secretary of State shall report to the General Assembly and
7 the Governor, regarding the progress of the Program, including
8 the recommendation of the Secretary of State on whether the
9 Program should be continued after December 31, 2018.

10 Section 30. Fund. The 24-7 Sobriety Pilot Program Fund is
11 hereby created as a special fund in the State treasury. Moneys
12 received for the purposes of this Act including, without
13 limitation, moneys received from fee receipts, gifts, grants,
14 and awards from any public or private entity must be deposited
15 into the Fund. Any interest earned on moneys in the Fund must
16 be deposited into the Fund. From appropriations to the
17 Secretary of State from the Fund, the Secretary of State must
18 use the funds for expenses necessary for the administration and
19 operation of the Program, including training, equipment, and
20 supplies.

21 Section 35. Rules. The Secretary of State shall adopt rules
22 necessary to implement the provisions of this Act.

23 Section 40. Repeal. This Act is repealed on July 1, 2019.

1 Section 105. The State Finance Act is amended by adding
2 Section 5.875 as follows:

3 (30 ILCS 105/5.875 new)

4 Sec. 5.875. The 24-7 Sobriety Pilot Program Fund. This
5 Section is repealed on July 1, 2019.

6 Section 999. Effective date. This Act takes effect upon
7 becoming law.