



Sen. Jacqueline Y. Collins

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09900SB3005sam001

LRB099 18897 AWJ 47188 a

1 AMENDMENT TO SENATE BILL 3005

2 AMENDMENT NO. _____. Amend Senate Bill 3005 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Park District Code is amended by changing
5 Section 8-23 as follows:

6 (70 ILCS 1205/8-23)

7 Sec. 8-23. Criminal background investigations.

8 (a) An applicant for employment with a park district is
9 required as a condition of employment to authorize an
10 investigation to determine if the applicant has been convicted
11 of any of the enumerated criminal or drug offenses in
12 subsection (c) of this Section, or adjudicated a delinquent
13 minor for ~~7~~ any of the enumerated criminal ~~or drug~~ offenses in
14 subsection (c) of this Section, or has been convicted, within 2
15 ~~7~~ years of the application for employment with the park
16 district, of any other felony under the laws of this State or

1 of any offense committed or attempted in any other state or
2 against the laws of the United States that, if committed or
3 attempted in this State, would have been punishable as a felony
4 under the laws of this State. Authorization for the
5 investigation shall be furnished by the applicant to the park
6 district. Upon receipt of this authorization, the park district
7 shall submit the applicant's name, sex, race, date of birth,
8 and social security number to the Department of State Police on
9 forms prescribed by the Department of State Police. The
10 Department of State Police shall conduct a search of the
11 Illinois criminal history records database to ascertain if the
12 applicant being considered for employment has been convicted of
13 any of the enumerated criminal or drug offenses in subsection
14 (c) of this Section, or adjudicated a delinquent minor for
15 ~~committing or attempting to commit~~ any of the enumerated
16 criminal ~~or drug~~ offenses in subsection (c) of this Section, or
17 has been convicted of committing or attempting to commit,
18 within 2 ~~7~~ years of the application for employment with the
19 park district, any other felony under the laws of this State.
20 The Department of State Police shall charge the park district a
21 fee for conducting the investigation, which fee shall be
22 deposited in the State Police Services Fund and shall not
23 exceed the cost of the inquiry. The applicant shall not be
24 charged a fee by the park district for the investigation.

25 (b) If the search of the Illinois criminal history record
26 database indicates that the applicant has been convicted of any

1 of the enumerated criminal or drug offenses in subsection (c),
2 or adjudicated a delinquent minor for, ~~committing or attempting~~
3 ~~to commit~~ any of the enumerated criminal ~~or drug~~ offenses in
4 subsection (c), or has been convicted of committing or
5 attempting to commit, within 2 7 years of the application for
6 employment with the park district, any other felony under the
7 laws of this State, the Department of State Police and the
8 Federal Bureau of Investigation shall furnish, pursuant to a
9 fingerprint based background check, records of convictions of
10 any of the enumerated criminal or drug offenses in subsection
11 (c), or adjudications as a delinquent minor of any of the
12 enumerated criminal offenses in subsection (c), until expunged
13 or granted a certificate of good conduct under Section 5-5.5-25
14 of the Unified Code of Corrections, to the president of the
15 park district. Any information concerning the record of
16 convictions or adjudications as a delinquent minor obtained by
17 the president shall be confidential and may only be transmitted
18 to those persons who are necessary to the decision on whether
19 to hire the applicant for employment. A copy of the record of
20 convictions for any of the enumerated criminal or drug offenses
21 in subsection (c), or adjudications as a delinquent minor for
22 any of the enumerated criminal offenses in subsection (c),
23 obtained from the Department of State Police shall be provided
24 to the applicant for employment. Any person who releases any
25 confidential information concerning any criminal convictions
26 or adjudications as a delinquent minor of an applicant for

1 employment shall be guilty of a Class A misdemeanor, unless the
2 release of such information is authorized by this Section.

3 (c) No park district shall knowingly employ a person who
4 has been convicted, or adjudicated a delinquent minor, for
5 committing attempted first degree murder or for committing or
6 attempting to commit first degree murder, a Class X felony, or
7 any one or more of the following criminal offenses: (i) those
8 defined in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50,
9 11-1.60, 11-6, 11-9, ~~11-14~~, 11-14.3, 11-14.4, 11-15, 11-15.1,
10 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
11 11-20.1B, 11-20.3, 11-21, 11-30 (if convicted of a Class 4
12 felony), 12-7.3, 12-7.4, 12-7.5, 12-13, 12-14, 12-14.1, 12-15,
13 and 12-16 of the Criminal Code of 1961 or the Criminal Code of
14 2012; (ii) (blank); ~~those defined in the Cannabis Control Act,~~
15 ~~except those defined in Sections 4(a), 4(b), and 5(a) of that~~
16 ~~Act;~~ (iii) (blank); ~~those defined in the Illinois Controlled~~
17 ~~Substances Act;~~ (iv) (blank); ~~those defined in the~~
18 ~~Methamphetamine Control and Community Protection Act;~~ and (v)
19 any offense committed or attempted in any other state or
20 against the laws of the United States, which, if committed or
21 attempted in this State, would have been punishable as one or
22 more of the foregoing offenses. Further, no park district shall
23 knowingly employ a person who has been found to be the
24 perpetrator of sexual or physical abuse of any minor under 18
25 years of age pursuant to proceedings under Article II of the
26 Juvenile Court Act of 1987. No park district shall knowingly

1 employ a person for whom a criminal background investigation
2 has not been initiated.

3 No park district shall knowingly employ a person who has
4 been convicted of the following drug offenses until 7 years
5 following the end of the sentence imposed for any of the
6 following offenses: (i) those defined in the Cannabis Control
7 Act, except those defined in Sections 4(a), 4(b), 4(c), 5(a),
8 and 5(b) of that Act; (ii) those defined in the Illinois
9 Controlled Substances Act; (iii) those defined in the
10 Methamphetamine Control and Community Protection Act; and (iv)
11 any offense committed or attempted in any other state or
12 against the laws of the United States, which, if committed or
13 attempted in this State, would have been punishable as one or
14 more of the foregoing offenses. For purposes of this paragraph,
15 "sentence" includes any period of supervision or probation that
16 was imposed either alone or in combination with a period of
17 incarceration.

18 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;
19 97-1150, eff. 1-25-13.)

20 Section 10. The Chicago Park District Act is amended by
21 changing Section 16a-5 as follows:

22 (70 ILCS 1505/16a-5)

23 Sec. 16a-5. Criminal background investigations.

24 (a) An applicant for employment with the Chicago Park

1 District is required as a condition of employment to authorize
2 an investigation to determine if the applicant has been
3 convicted of any of the enumerated criminal or drug offenses in
4 subsection (c) of this Section, or adjudicated a delinquent
5 minor for~~7~~ any of the enumerated criminal ~~or drug~~ offenses in
6 subsection (c) of this Section, l or has been convicted, within 2
7 ~~7~~ years of the application for employment with the Chicago Park
8 District, of any other felony under the laws of this State or
9 of any offense committed or attempted in any other state or
10 against the laws of the United States that, if committed or
11 attempted in this State, would have been punishable as a felony
12 under the laws of this State. Authorization for the
13 investigation shall be furnished by the applicant to the
14 Chicago Park District. Upon receipt of this authorization, the
15 Chicago Park District shall submit the applicant's name, sex,
16 race, date of birth, and social security number to the
17 Department of State Police on forms prescribed by the
18 Department of State Police. The Department of State Police
19 shall conduct a search of the Illinois criminal history record
20 information database to ascertain if the applicant being
21 considered for employment has been convicted of any of the
22 enumerated criminal or drug offenses in subsection (c) of this
23 Section, or adjudicated a delinquent minor for~~7~~ ~~committing or~~
24 ~~attempting to commit~~ any of the enumerated criminal ~~or drug~~
25 offenses in subsection (c) of this Section, l or has been
26 convicted~~7~~ of committing or attempting to commit, l within 2 ~~7~~

1 years of the application for employment with the Chicago Park
2 District, any other felony under the laws of this State. The
3 Department of State Police shall charge the Chicago Park
4 District a fee for conducting the investigation, which fee
5 shall be deposited in the State Police Services Fund and shall
6 not exceed the cost of the inquiry. The applicant shall not be
7 charged a fee by the Chicago Park District for the
8 investigation.

9 (b) If the search of the Illinois criminal history record
10 database indicates that the applicant has been convicted of any
11 of the enumerated criminal or drug offenses in subsection (c),
12 or adjudicated a delinquent minor for, ~~committing or attempting~~
13 ~~to commit~~ any of the enumerated criminal ~~or drug~~ offenses in
14 subsection (c), or has been convicted of committing or
15 attempting to commit, within 2 7 years of the application for
16 employment with the Chicago Park District, any other felony
17 under the laws of this State, the Department of State Police
18 and the Federal Bureau of Investigation shall furnish, pursuant
19 to a fingerprint based background check, records of convictions
20 of any of the enumerated criminal or drug offenses in
21 subsection (c) or adjudications as a delinquent minor of any of
22 the enumerated criminal offenses in subsection (c), until
23 expunged or granted a certificate of good conduct under Section
24 5-5.5-25 of the Unified Code of Corrections, to the General
25 Superintendent and Chief Executive Officer of the Chicago Park
26 District. Any information concerning the record of convictions

1 or adjudications as a delinquent minor obtained by the General
2 Superintendent and Chief Executive Officer shall be
3 confidential and may only be transmitted to those persons who
4 are necessary to the decision on whether to hire the applicant
5 for employment. A copy of the record of convictions for any of
6 the enumerated criminal or drug offenses in subsection (c), or
7 adjudications as a delinquent minor for any of the enumerated
8 criminal offenses in subsection (c), obtained from the
9 Department of State Police shall be provided to the applicant
10 for employment. Any person who releases any confidential
11 information concerning any criminal convictions or
12 adjudications as a delinquent minor of an applicant for
13 employment shall be guilty of a Class A misdemeanor, unless the
14 release of such information is authorized by this Section.

15 (c) The Chicago Park District may not knowingly employ a
16 person who has been convicted, or adjudicated a delinquent
17 minor, for committing attempted first degree murder or for
18 committing or attempting to commit first degree murder, a Class
19 X felony, or any one or more of the following criminal
20 offenses: (i) those defined in Sections 11-1.20, 11-1.30,
21 11-1.40, 11-1.50, 11-1.60, 11-6, 11-9, ~~11-14,~~ 11-14.3,
22 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1,
23 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-30 (if
24 convicted of a Class 4 felony), 12-7.3, 12-7.4, 12-7.5, 12-13,
25 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961
26 or the Criminal Code of 2012; (ii) (blank); ~~those defined in~~

1 ~~the Cannabis Control Act, except those defined in Sections~~
2 ~~4(a), 4(b), and 5(a) of that Act; (iii) (blank); those defined~~
3 ~~in the Illinois Controlled Substances Act; (iv) (blank); those~~
4 ~~defined in the Methamphetamine Control and Community~~
5 ~~Protection Act; and (v) any offense committed or attempted in~~
6 any other state or against the laws of the United States,
7 which, if committed or attempted in this State, would have been
8 punishable as one or more of the foregoing offenses. Further,
9 the Chicago Park District may not knowingly employ a person who
10 has been found to be the perpetrator of sexual or physical
11 abuse of any minor under 18 years of age pursuant to
12 proceedings under Article II of the Juvenile Court Act of 1987.
13 The Chicago Park District may not knowingly employ a person for
14 whom a criminal background investigation has not been
15 initiated.

16 The Chicago Park District shall not knowingly employ a
17 person who has been convicted of the following drug offenses
18 until 7 years following the end of the sentence imposed for any
19 of the following offenses: (i) those defined in the Cannabis
20 Control Act, except those defined in Sections 4(a), 4(b), 4(c),
21 5(a), and 5(b) of that Act; (ii) those defined in the Illinois
22 Controlled Substances Act; (iii) those defined in the
23 Methamphetamine Control and Community Protection Act; and (iv)
24 any offense committed or attempted in any other state or
25 against the laws of the United States, which, if committed or
26 attempted in this State, would have been punishable as one or

1 more of the foregoing offenses. For purposes of this paragraph,
2 "sentence" includes any period of supervision or probation that
3 was imposed either alone or in combination with a period of
4 incarceration.

5 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;
6 97-1150, eff. 1-25-13.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.".