



Sen. Jacqueline Y. Collins

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09900SB3005sam002

LRB099 18897 MJP 47509 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 ~~any of the enumerated criminal or drug~~ offenses in
14 subsection (c) of this Section, or has been convicted, within 7
15 years of the application for employment with the park district,
16 of any other felony under the laws of this State or of any

1 offense committed or attempted in any other state or against
2 the laws of the United States that, if committed or attempted
3 in this State, would have been punishable as a felony under the
4 laws of this State. Authorization for the investigation shall
5 be furnished by the applicant to the park district. Upon
6 receipt of this authorization, the park district shall submit
7 the applicant's name, sex, race, date of birth, and social
8 security number to the Department of State Police on forms
9 prescribed by the Department of State Police. The Department of
10 State Police shall conduct a search of the Illinois criminal
11 history records database to ascertain if the applicant being
12 considered for employment has been convicted of any of the
13 enumerated criminal or drug offenses in subsection (c) of this
14 Section, or adjudicated a delinquent minor for, committing or
15 attempting to commit any of the enumerated criminal ~~or drug~~
16 offenses in subsection (c) of this Section, or has been
17 convicted of committing or attempting to commit, within 7 years
18 of the application for employment with the park district, any
19 other felony under the laws of this State. The Department of
20 State Police shall charge the park district a fee for
21 conducting the investigation, which fee shall be deposited in
22 the State Police Services Fund and shall not exceed the cost of
23 the inquiry. The applicant shall not be charged a fee by the
24 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~~r~~ committing or attempting
3 to commit any of the enumerated criminal ~~or drug~~ offenses in
4 subsection (c),l or has been convicted of committing or
5 attempting to commit, within 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 or
10 adjudications as a delinquent minor, until expunged, to the
11 president of the park district. Any information concerning the
12 record of convictions or adjudications as a delinquent minor
13 obtained by the president shall be confidential and may only be
14 transmitted to those persons who are necessary to the decision
15 on whether to hire the applicant for employment. A copy of the
16 record of convictions or adjudications as a delinquent minor
17 obtained from the Department of State Police shall be provided
18 to the applicant for employment. Any person who releases any
19 confidential information concerning any criminal convictions
20 or adjudications as a delinquent minor of an applicant for
21 employment shall be guilty of a Class A misdemeanor, unless the
22 release of such information is authorized by this Section.

23 (c) No park district shall knowingly employ a person who
24 has been convicted, or adjudicated a delinquent minor, for
25 committing attempted first degree murder or for committing or
26 attempting to commit first degree murder, a Class X felony, or

1 any one or more of the following criminal offenses: (i) those
2 defined in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50,
3 11-1.60, 11-6, 11-9, ~~11-14~~, 11-14.3, 11-14.4, 11-15, 11-15.1,
4 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
5 11-20.1B, 11-20.3, 11-21, 11-30 (if convicted of a Class 4
6 felony), 12-7.3, 12-7.4, 12-7.5, 12-13, 12-14, 12-14.1, 12-15,
7 and 12-16 of the Criminal Code of 1961 or the Criminal Code of
8 2012; (ii) (blank); ~~those defined in the Cannabis Control Act,~~
9 ~~except those defined in Sections 4(a), 4(b), and 5(a) of that~~
10 ~~Act;~~ (iii) (blank); ~~those defined in the Illinois Controlled~~
11 ~~Substances Act;~~ (iv) (blank); ~~those defined in the~~
12 ~~Methamphetamine Control and Community Protection Act;~~ and (v)
13 any offense committed or attempted in any other state or
14 against the laws of the United States, which, if committed or
15 attempted in this State, would have been punishable as one or
16 more of the foregoing offenses. Further, no park district shall
17 knowingly employ a person who has been found to be the
18 perpetrator of sexual or physical abuse of any minor under 18
19 years of age pursuant to proceedings under Article II of the
20 Juvenile Court Act of 1987. No park district shall knowingly
21 employ a person for whom a criminal background investigation
22 has not been initiated.

23 No park district shall knowingly employ a person who has
24 been convicted of the following drug offenses until 7 years
25 following the end of the sentence imposed for any of the
26 following offenses: (i) those defined in the Cannabis Control

1 Act, except those defined in Sections 4(a), 4(b), 4(c), 5(a),
2 and 5(b) of that Act; (ii) those defined in the Illinois
3 Controlled Substances Act; (iii) those defined in the
4 Methamphetamine Control and Community Protection Act; and (iv)
5 any offense committed or attempted in any other state or
6 against the laws of the United States, which, if committed or
7 attempted in this State, would have been punishable as one or
8 more of the foregoing offenses. For purposes of this paragraph,
9 "sentence" includes any period of supervision or probation that
10 was imposed either alone or in combination with a period of
11 incarceration.

12 Notwithstanding the provisions of this subsection, a park
13 district may, in its discretion, employ a person who has been
14 granted a certificate of good conduct under Section 5-5.5-25 of
15 the Unified Code of Corrections by the circuit court.

16 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;
17 97-1150, eff. 1-25-13.)

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

20 (70 ILCS 1505/16a-5)

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

22 (a) An applicant for employment with the Chicago Park
23 District is required as a condition of employment to authorize
24 an investigation to determine if the applicant has been

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

1 Department of State Police shall charge the Chicago Park
2 District a fee for conducting the investigation, which fee
3 shall be deposited in the State Police Services Fund and shall
4 not exceed the cost of the inquiry. The applicant shall not be
5 charged a fee by the Chicago Park District for the
6 investigation.

7 (b) If the search of the Illinois criminal history record
8 database indicates that the applicant has been convicted of any
9 of the enumerated criminal or drug offenses in subsection (c),
10 or adjudicated a delinquent minor for~~7~~ committing or attempting
11 to commit any of the enumerated criminal ~~or drug~~ offenses in
12 subsection (c),1 or has been convicted of committing or
13 attempting to commit, within 7 years of the application for
14 employment with the Chicago Park District, any other felony
15 under the laws of this State, the Department of State Police
16 and the Federal Bureau of Investigation shall furnish, pursuant
17 to a fingerprint based background check, records of convictions
18 or adjudications as a delinquent minor, until expunged, to the
19 General Superintendent and Chief Executive Officer of the
20 Chicago Park District. Any information concerning the record of
21 convictions or adjudications as a delinquent minor obtained by
22 the General Superintendent and Chief Executive Officer shall be
23 confidential and may only be transmitted to those persons who
24 are necessary to the decision on whether to hire the applicant
25 for employment. A copy of the record of convictions or
26 adjudications as a delinquent minor obtained from the

1 Department of State Police shall be provided to the applicant
2 for employment. Any person who releases any confidential
3 information concerning any criminal convictions or
4 adjudications as a delinquent minor of an applicant for
5 employment shall be guilty of a Class A misdemeanor, unless the
6 release of such information is authorized by this Section.

7 (c) The Chicago Park District may not knowingly employ a
8 person who has been convicted, or adjudicated a delinquent
9 minor, for committing attempted first degree murder or for
10 committing or attempting to commit first degree murder, a Class
11 X felony, or any one or more of the following criminal
12 offenses: (i) those defined in Sections 11-1.20, 11-1.30,
13 11-1.40, 11-1.50, 11-1.60, 11-6, 11-9, ~~11-14,~~ 11-14.3,
14 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1,
15 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-30 (if
16 convicted of a Class 4 felony), 12-7.3, 12-7.4, 12-7.5, 12-13,
17 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961
18 or the Criminal Code of 2012; (ii) (blank); ~~those defined in~~
19 ~~the Cannabis Control Act, except those defined in Sections~~
20 ~~4(a), 4(b), and 5(a) of that Act;~~ (iii) (blank); ~~those defined~~
21 ~~in the Illinois Controlled Substances Act;~~ (iv) (blank); ~~those~~
22 ~~defined in the Methamphetamine Control and Community~~
23 ~~Protection Act;~~ and (v) any offense committed or attempted in
24 any other state or against the laws of the United States,
25 which, if committed or attempted in this State, would have been
26 punishable as one or more of the foregoing offenses. Further,

1 the Chicago Park District may not knowingly employ a person who
2 has been found to be the perpetrator of sexual or physical
3 abuse of any minor under 18 years of age pursuant to
4 proceedings under Article II of the Juvenile Court Act of 1987.
5 The Chicago Park District may not knowingly employ a person for
6 whom a criminal background investigation has not been
7 initiated.

8 The Chicago Park District shall not knowingly employ a
9 person who has been convicted of the following drug offenses
10 until 7 years following the end of the sentence imposed for any
11 of the following offenses: (i) those defined in the Cannabis
12 Control Act, except those defined in Sections 4(a), 4(b), 4(c),
13 5(a), and 5(b) of that Act; (ii) those defined in the Illinois
14 Controlled Substances Act; (iii) those defined in the
15 Methamphetamine Control and Community Protection Act; and (iv)
16 any offense committed or attempted in any other state or
17 against the laws of the United States, which, if committed or
18 attempted in this State, would have been punishable as one or
19 more of the foregoing offenses. For purposes of this paragraph,
20 "sentence" includes any period of supervision or probation that
21 was imposed either alone or in combination with a period of
22 incarceration.

23 Notwithstanding the provisions of this subsection, the
24 Chicago Park District may, in its discretion, employ a person
25 who has been granted a certificate of good conduct under
26 Section 5-5.5-25 of the Unified Code of Corrections by the

1 Circuit Court.

2 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;
3 97-1150, eff. 1-25-13.)

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.".