



Rep. Jay Hoffman

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10400HB2586ham001

LRB104 11397 RTM 24361 a

1 AMENDMENT TO HOUSE BILL 2586

2 AMENDMENT NO. _____. Amend House Bill 2586 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Employee Indemnification Act is
5 amended by changing Section 1 as follows:

6 (5 ILCS 350/1) (from Ch. 127, par. 1301)

7 Sec. 1. Definitions. For the purpose of this Act:

8 (a) The term "State" means the State of Illinois, the
9 General Assembly, the court, or any State office, department,
10 division, bureau, board, commission, or committee, the
11 governing boards of the public institutions of higher
12 education created by the State, the Illinois National Guard,
13 the Illinois State Guard, the Comprehensive Health Insurance
14 Board, any poison control center designated under the Poison
15 Control System Act that receives State funding, or any other
16 agency or instrumentality of the State. It does not mean any

1 local public entity as that term is defined in Section 1-206 of
2 the Local Governmental and Governmental Employees Tort
3 Immunity Act or a pension fund.

4 (b) The term "employee" means: any present or former
5 elected or appointed officer, trustee or employee of the
6 State, or of a pension fund; any present or former
7 commissioner or employee of the Executive Ethics Commission or
8 of the Legislative Ethics Commission; any present or former
9 Executive, Legislative, or Auditor General's Inspector
10 General; any present or former employee of an Office of an
11 Executive, Legislative, or Auditor General's Inspector
12 General; any present or former member of the Illinois National
13 Guard while on active duty; any present or former member of the
14 Illinois State Guard while on State active duty; individuals
15 or organizations who contract with the Department of
16 Corrections, the Department of Juvenile Justice, the
17 Comprehensive Health Insurance Board, or the Department of
18 Veterans' Affairs to provide services; individuals or
19 organizations who contract with the Department of Human
20 Services (as successor to the Department of Mental Health and
21 Developmental Disabilities) to provide services including but
22 not limited to treatment and other services for sexually
23 violent persons; individuals or organizations who contract
24 with the Department of Military Affairs for youth programs;
25 individuals or organizations who contract to perform carnival
26 and amusement ride safety inspections for the Department of

1 Labor; individuals who contract with the Office of the State's
2 Attorneys Appellate Prosecutor to provide legal services, but
3 only when performing duties within the scope of the Office's
4 prosecutorial activities; individual representatives of or
5 designated organizations authorized to represent the Office of
6 State Long-Term Ombudsman for the Department on Aging;
7 individual representatives of or organizations designated by
8 the Department on Aging in the performance of their duties as
9 adult protective services agencies or regional administrative
10 agencies under the Adult Protective Services Act; individuals
11 or organizations appointed as members of a review team or the
12 Advisory Council under the Adult Protective Services Act;
13 individuals or organizations who perform volunteer services
14 for the State where such volunteer relationship is reduced to
15 writing; individuals who serve on any public entity (whether
16 created by law or administrative action) described in
17 paragraph (a) of this Section; individuals or not for profit
18 organizations who, either as volunteers, where such volunteer
19 relationship is reduced to writing, or pursuant to contract,
20 furnish professional advice or consultation to any agency or
21 instrumentality of the State; individuals who serve as foster
22 parents for the Department of Children and Family Services
23 when caring for youth in care as defined in Section 4d of the
24 Children and Family Services Act; individuals who serve as
25 members of an independent team of experts under the
26 Developmental Disability and Mental Health Safety Act (also

1 known as Brian's Law); and individuals who serve as
2 arbitrators pursuant to Part 10A of Article II of the Code of
3 Civil Procedure and the rules of the Supreme Court
4 implementing Part 10A, each as now or hereafter amended; the
5 members of the Certification Review Panel under the Illinois
6 Police Training Act; the term "employee" does not mean an
7 independent contractor except as provided in this Section. The
8 term includes any Metropolitan Enforcement Group created under
9 the Intergovernmental Drug Laws Enforcement Act or any law
10 enforcement organization established under the
11 Intergovernmental Cooperation Act and any ~~an~~ individual
12 appointed as an inspector by the Director of the Illinois
13 State Police when performing duties within the scope of the
14 activities of a Metropolitan Enforcement Group or a law
15 enforcement organization established under the
16 Intergovernmental Cooperation Act. An individual who renders
17 professional advice and consultation to the State through an
18 organization which qualifies as an "employee" under the Act is
19 also an employee. The term includes the estate or personal
20 representative of an employee.

21 (c) The term "pension fund" means a retirement system or
22 pension fund created under the Illinois Pension Code.

23 (Source: P.A. 101-81, eff. 7-12-19; 101-652, eff. 1-1-22;
24 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

25 Section 10. The Illinois State Police Law of the Civil

1 Administrative Code of Illinois is amended by changing
2 Sections 2605-5, 2605-30, 2605-35, and 2605-45 as follows:

3 (20 ILCS 2605/2605-5)

4 Sec. 2605-5. Definitions. In this Law:

5 "CJIS Systems Agency" means the agency responsible for
6 establishing and administering an information technology
7 security program throughout the agency's user community,
8 including the local levels.

9 "Criminal Justice Information System" or "CJIS" means any
10 system, including the equipment, facilities, procedures, and
11 agreements, accepted and adopted by the criminal justice
12 community for the collection, processing, preservation, and
13 dissemination of criminal justice information, including, but
14 not limited to, biometric data, identity history data,
15 biographic data, property data, case or incident history,
16 arrest records, warrants, incarceration and correctional data,
17 firearms background checks, and sex offender registry.

18 "Director" means the Director of the Illinois State
19 Police.

20 "Missing endangered senior" means an individual 65 years
21 of age or older or a person with Alzheimer's disease or related
22 dementias who is reported missing to a law enforcement agency
23 and is, or is believed to be:

24 (1) a temporary or permanent resident of Illinois;

25 (2) at a location that cannot be determined by an

1 individual familiar with the missing individual; and

2 (3) incapable of returning to the individual's
3 residence without assistance.

4 (Source: P.A. 102-538, eff. 8-20-21.)

5 (20 ILCS 2605/2605-30) (was 20 ILCS 2605/55a-2)

6 Sec. 2605-30. Division of Patrol (formerly State
7 Troopers). The Division of Patrol shall exercise the following
8 functions and those in Section 2605-35:

9 (1) Cooperate with federal and State authorities
10 requesting utilization of the Illinois State Police's
11 radio network system under the Illinois Aeronautics Act.

12 (2) Exercise the rights, powers, and duties of the
13 Illinois State Police under the Illinois State Police Act.

14 (2.5) Provide uniformed patrol of Illinois highways
15 and proactively enforce criminal and traffic laws.

16 (3) (Blank).

17 (4) Exercise the rights, powers, and duties of the
18 Illinois State Police vested by law in the Illinois State
19 Police by the Illinois Vehicle Code.

20 (5) Exercise other duties that have been or may be
21 vested by law in the Illinois State Police.

22 (6) Exercise other duties that may be assigned by the
23 Director in order to fulfill the responsibilities and to
24 achieve the purposes of the Illinois State Police.

25 (7) Provide comprehensive law enforcement services to

1 the public and to county, municipal, and federal law
2 enforcement agencies, at their request.

3 (8) Patrol Illinois highways with the intent to
4 interdict crime and ensure traffic safety while assisting
5 citizens during times of need.

6 (9) Serve as the lead State agency for administering
7 the commercial vehicle safety plan of the federal Motor
8 Carrier Safety Administration, and the only agency to
9 enforce the provisions of Chapter 18b of the Illinois
10 Vehicle Code.

11 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24.)

12 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

13 Sec. 2605-35. Division of Criminal Investigation.

14 (a) The Division of Criminal Investigation shall exercise
15 the following functions and those in Section 2605-30:

16 (1) Exercise the rights, powers, and duties vested by
17 law in the Illinois State Police by the Illinois Horse
18 Racing Act of 1975, including those set forth in Section
19 2605-215.

20 (2) Investigate the origins, activities, personnel,
21 and incidents of crime and enforce the criminal laws of
22 this State related thereto.

23 (3) Enforce all laws regulating the production, sale,
24 prescribing, manufacturing, administering, transporting,
25 having in possession, dispensing, delivering,

1 distributing, or use of controlled substances and
2 cannabis.

3 (4) Cooperate with the police of cities, villages, and
4 incorporated towns and with the police officers of any
5 county in enforcing the laws of the State and in making
6 arrests and recovering property.

7 (5) Apprehend and deliver up any person charged in
8 this State or any other state with treason or a felony or
9 other crime who has fled from justice and is found in this
10 State.

11 (6) Investigate recipients and providers under the
12 Illinois Public Aid Code and any personnel involved in the
13 administration of the Code who are suspected of any
14 violation of the Code pertaining to fraud in the
15 administration, receipt, or provision of assistance and
16 pertaining to any violation of criminal law; and exercise
17 the functions required under Section 2605-220 in the
18 conduct of those investigations.

19 (7) Conduct other investigations as provided by law,
20 including, but not limited to, investigations of human
21 trafficking, illegal drug trafficking, illegal firearms
22 trafficking, and cyber crimes that can be investigated and
23 prosecuted in Illinois.

24 (8) Investigate public corruption.

25 (9) Exercise other duties that may be assigned by the
26 Director in order to fulfill the responsibilities and

1 achieve the purposes of the Illinois State Police, which
2 may include the coordination of gang, terrorist, and
3 organized crime prevention, control activities, and
4 assisting local law enforcement in their crime control
5 activities.

6 (10) Conduct investigations (and cooperate with
7 federal law enforcement agencies in the investigation) of
8 any property-related crimes, such as money laundering,
9 involving individuals or entities listed on the sanctions
10 list maintained by the U.S. Department of Treasury's
11 Office of Foreign Asset Control.

12 (11) Oversee Illinois State Police special weapons and
13 tactics (SWAT) teams, including law enforcement response
14 to weapons of mass destruction.

15 (12) Oversee Illinois State Police air operations.

16 (13) Investigate criminal domestic terrorism
17 incidents, and otherwise deter all criminal threats to
18 Illinois.

19 (14) Conduct investigations into Internet crimes
20 against children and provide support to applicable
21 statewide task forces.

22 (a-5) The Division of Criminal Investigation shall gather
23 information, intelligence, and evidence to facilitate the
24 identification, apprehension, and prosecution of persons
25 responsible for committing crime; to provide specialized
26 intelligence and analysis, investigative, tactical, and

1 technological services in support of law enforcement
2 operations throughout the State of Illinois; and to oversee
3 and operate the statewide criminal intelligence fusion center.

4 (b) (Blank).

5 (b-5) The Division of Criminal Investigation shall
6 cooperate and liaise with all federal law enforcement and
7 other partners on criminal investigations, intelligence,
8 information sharing, and national security planning and
9 response.

10 (c) The Division of Criminal Investigation shall provide
11 statewide coordination and strategy pertaining to
12 firearm-related intelligence, firearms trafficking
13 interdiction, and investigations reaching across all divisions
14 of the Illinois State Police, including providing crime gun
15 intelligence support for suspects and firearms involved in
16 firearms trafficking or the commission of a crime involving
17 firearms that is investigated by the Illinois State Police and
18 other federal, State, and local law enforcement agencies, with
19 the objective of reducing and preventing illegal possession
20 and use of firearms, firearms trafficking, firearm-related
21 homicides, and other firearm-related violent crimes in
22 Illinois.

23 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;
24 102-1108, eff. 12-21-22; 102-1116, eff. 1-10-23; 103-34, eff.
25 1-1-24; 103-609, eff. 7-1-24.)

1 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

2 Sec. 2605-45. Division of Justice Services.

3 (a) The Division of Justice Services shall provide
4 administrative and technical services and support to the
5 Illinois State Police, criminal justice agencies, and the
6 public and shall exercise the following functions:

7 (1) Operate and maintain the Law Enforcement Agencies
8 Data System (LEADS), a statewide, computerized
9 telecommunications system designed to provide services,
10 information, and capabilities to the law enforcement and
11 criminal justice community in the State of Illinois. The
12 Director is responsible for establishing policy,
13 procedures, and regulations consistent with State and
14 federal rules, policies, and law by which LEADS operates.
15 The Director shall designate a statewide LEADS
16 Administrator for management of the system. The Director
17 may appoint a LEADS Advisory Policy Board to reflect the
18 needs and desires of the law enforcement and criminal
19 justice community and to make recommendations concerning
20 policies and procedures.

21 (2) Pursue research and the publication of studies
22 pertaining to local law enforcement activities.

23 (3) Serve as the State's point of contact for the
24 Federal Bureau of Investigation's Uniform Crime Reporting
25 Program and National Incident-Based Reporting System.

26 (4) Operate an electronic data processing and computer

1 center for the storage and retrieval of data pertaining to
2 criminal activity.

3 (5) Exercise the rights, powers, and duties vested in
4 the Illinois State Police by the Cannabis Regulation and
5 Tax Act and the Compassionate Use of Medical Cannabis
6 Program Act.

7 (6) (Blank).

8 (6.5) Exercise the rights, powers, and duties vested
9 in the Illinois State Police by the Firearm Owners
10 Identification Card Act, the Firearm Concealed Carry Act,
11 the Firearm Transfer Inquiry Program, the prohibited
12 persons portal under Section 2605-304, and the Firearm
13 Dealer License Certification Act.

14 (7) Exercise other duties that may be assigned by the
15 Director to fulfill the responsibilities and achieve the
16 purposes of the Illinois State Police.

17 (8) Exercise the rights, powers, and duties vested by
18 law in the Illinois State Police by the Criminal
19 Identification Act and the Illinois Uniform Conviction
20 Information Act.

21 (9) Exercise the powers and perform the duties that
22 have been vested in the Illinois State Police by the
23 Murderer and Violent Offender Against Youth Registration
24 Act, the Sex Offender Registration Act, and the Sex
25 Offender Community Notification Law and adopt reasonable
26 rules necessitated thereby.

1 (10) Serve as the State central repository for
2 criminal history record information.

3 (11) Share all necessary information with the
4 Concealed Carry Licensing Review Board and the Firearms
5 Owner's Identification Card Review Board necessary for the
6 execution of their duties.

7 (12) Serve as the CJIS Systems Agency for Illinois.

8 (b) Notwithstanding any law to the contrary, the CJIS
9 Security Policy of the Federal Bureau of Investigation governs
10 criminal justice information systems and requires all of those
11 systems to be subject to a management control agreement
12 controlled by the criminal justice agency that owns the
13 criminal justice information system and to be subject to
14 oversight by the CJIS Systems Agency. The CJIS Systems Agency
15 shall establish principles and standards to provide
16 consistency in the operation and use of criminal justice
17 system information technology throughout the State. The CJIS
18 Systems Agency may impose more stringent or additional
19 protection measures than those measurers outlined in the CJIS
20 Security Policy of the Federal Bureau of Investigation if the
21 protection measures are documented and maintained. State
22 agencies and units of local government shall work with the
23 CJIS Systems Agency to follow all principles and standards,
24 including those imposed under this Section. Consistent with
25 the CJIS Security Policy of the Federal Bureau of
26 Investigation, no State agency, unit of local government, or

1 employee of a State agency or unit of local government shall
2 usurp, replace, or diminish the role and responsibility of the
3 CJIS Information Security Officer or the CJIS Systems Officer
4 appointed by the head of the CJIS Systems Agency.

5 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24.)

6 Section 99. Effective date. This Section and Section 15
7 take effect October 1, 2025."