



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB5005

Introduced 2/10/2026, by Rep. Patrick Sheehan

#### SYNOPSIS AS INTRODUCED:

65 ILCS 5/10-1-7

from Ch. 24, par. 10-1-7

65 ILCS 5/10-2.1-6

from Ch. 24, par. 10-2.1-6

Amends the Illinois Municipal Code. Provides that applicants who are 21 years of age or older may not be required to obtain any collegiate-level education or a collegiate level degree as a prerequisite to take an examination for a position as a policeman or for appointment to active duty with the police department. Makes conforming changes.

LRB104 16417 RTM 29807 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by  
5 changing Sections 10-1-7 and 10-2.1-6 as follows:

6 (65 ILCS 5/10-1-7) (from Ch. 24, par. 10-1-7)

7 Sec. 10-1-7. Examination of applicants; disqualifications.

8 (a) All applicants for offices or places in the classified  
9 service, except those mentioned in Section 10-1-17, are  
10 subject to examination. The examination shall be public,  
11 competitive, and open to all citizens of the United States,  
12 with specified limitations as to residence, age, health,  
13 habits, and moral character. An individual who is not a  
14 citizen but is legally authorized to work in the United States  
15 under federal law or is an individual against whom immigration  
16 action has been deferred by the U.S. Citizenship and  
17 Immigration Services under the federal Deferred Action for  
18 Childhood Arrivals (DACA) process is authorized to apply for  
19 the position of police officer, subject to (i) all  
20 requirements and limitations, other than citizenship, to which  
21 other applicants are subject and (ii) the individual being  
22 authorized under federal law to obtain, carry, or purchase or  
23 otherwise possess a firearm.

1 (b) Residency requirements in effect at the time an  
2 individual enters the fire or police service of a municipality  
3 (other than a municipality that has more than 1,000,000  
4 inhabitants) cannot be made more restrictive for that  
5 individual during his or her period of service for that  
6 municipality, or be made a condition of promotion, except for  
7 the rank or position of Fire or Police Chief.

8 (c) No person with a record of misdemeanor convictions  
9 except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14,  
10 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15,  
11 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4,  
12 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8, subdivisions  
13 (a) (1) and (a) (2) (C) of Section 11-14.3, and paragraphs (1),  
14 (6), and (8) of subsection (a) of Section 24-1 of the Criminal  
15 Code of 1961 or the Criminal Code of 2012 or arrested for any  
16 cause but not convicted on that cause shall be disqualified  
17 from taking the examination on grounds of habits or moral  
18 character, unless the person is attempting to qualify for a  
19 position on the police department, in which case the  
20 conviction or arrest may be considered as a factor in  
21 determining the person's habits or moral character.

22 (d) Persons entitled to military preference under Section  
23 10-1-16 shall not be subject to limitations specifying age  
24 unless they are applicants for a position as a fireman or a  
25 policeman having no previous employment status as a fireman or  
26 policeman in the regularly constituted fire or police

1 department of the municipality, in which case they must not  
2 have attained their 35th birthday, except any person who has  
3 served as an auxiliary police officer under Section 3.1-30-20  
4 for at least 5 years and is under 40 years of age.

5 (e) All employees of a municipality of less than 500,000  
6 population (except those who would be excluded from the  
7 classified service as provided in this Division 1) who are  
8 holding that employment as of the date a municipality adopts  
9 this Division 1, or as of July 17, 1959, whichever date is the  
10 later, and who have held that employment for at least 2 years  
11 immediately before that later date, and all firemen and  
12 policemen regardless of length of service who were either  
13 appointed to their respective positions by the board of fire  
14 and police commissioners under the provisions of Division 2 of  
15 this Article or who are serving in a position (except as a  
16 temporary employee) in the fire or police department in the  
17 municipality on the date a municipality adopts this Division  
18 1, or as of July 17, 1959, whichever date is the later, shall  
19 become members of the classified civil service of the  
20 municipality without examination.

21 (f) The examinations shall be practical in their  
22 character, and shall relate to those matters that will fairly  
23 test the relative capacity of the persons examined to  
24 discharge the duties of the positions to which they seek to be  
25 appointed. The examinations shall include tests of physical  
26 qualifications, health, and (when appropriate) manual skill.

1 If an applicant is unable to pass the physical examination  
2 solely as the result of an injury received by the applicant as  
3 the result of the performance of an act of duty while working  
4 as a temporary employee in the position for which he or she is  
5 being examined, however, the physical examination shall be  
6 waived and the applicant shall be considered to have passed  
7 the examination. No questions in any examination shall relate  
8 to political or religious opinions or affiliations. Results of  
9 examinations and the eligible registers prepared from the  
10 results shall be published by the commission within 60 days  
11 after any examinations are held.

12 (g) The commission shall control all examinations, and  
13 may, whenever an examination is to take place, designate a  
14 suitable number of persons, either in or not in the official  
15 service of the municipality, to be examiners. The examiners  
16 shall conduct the examinations as directed by the commission  
17 and shall make a return or report of the examinations to the  
18 commission. If the appointed examiners are in the official  
19 service of the municipality, the examiners shall not receive  
20 extra compensation for conducting the examinations unless the  
21 examiners are subject to a collective bargaining agreement  
22 with the municipality. The commission may at any time  
23 substitute any other person, whether or not in the service of  
24 the municipality, in the place of any one selected as an  
25 examiner. The commission members may themselves at any time  
26 act as examiners without appointing examiners. The examiners

1 at any examination shall not all be members of the same  
2 political party.

3 (h) In municipalities of 500,000 or more population, no  
4 person who has attained his or her 35th birthday shall be  
5 eligible to take an examination for a position as a fireman or  
6 a policeman unless the person has had previous employment  
7 status as a policeman or fireman in the regularly constituted  
8 police or fire department of the municipality, except as  
9 provided in this Section.

10 (i) In municipalities of more than 5,000 but not more than  
11 200,000 inhabitants, no person who has attained his or her  
12 35th birthday shall be eligible to take an examination for a  
13 position as a fireman or a policeman unless the person has had  
14 previous employment status as a policeman or fireman in the  
15 regularly constituted police or fire department of the  
16 municipality, except as provided in this Section.

17 (j) In all municipalities, applicants who are 20 years of  
18 age and who have successfully completed 2 years of law  
19 enforcement studies at an accredited college or university may  
20 be considered for appointment to active duty with the police  
21 department. An applicant described in this subsection (j) who  
22 is appointed to active duty shall not have power of arrest, nor  
23 shall the applicant be permitted to carry firearms, until he  
24 or she reaches 21 years of age.

25 (j-5) In all municipalities, applicants who are 21 years  
26 of age or older may not be required to obtain any

1 collegiate-level education or a collegiate level degree as a  
2 prerequisite to take an examination for a position as a  
3 policeman or for appointment to active duty with the police  
4 department.

5 (k) In municipalities of more than 500,000 population,  
6 applications for examination for and appointment to positions  
7 as firefighters or police shall be made available at various  
8 branches of the public library of the municipality.

9 (l) No municipality having a population less than  
10 1,000,000 shall require that any fireman appointed to the  
11 lowest rank serve a probationary employment period of longer  
12 than one year. The limitation on periods of probationary  
13 employment provided in Public Act 86-990 is an exclusive power  
14 and function of the State. Pursuant to subsection (h) of  
15 Section 6 of Article VII of the Illinois Constitution, a home  
16 rule municipality having a population less than 1,000,000 must  
17 comply with this limitation on periods of probationary  
18 employment, which is a denial and limitation of home rule  
19 powers. Notwithstanding anything to the contrary in this  
20 Section, the probationary employment period limitation may be  
21 extended for a firefighter who is required, as a condition of  
22 employment, to be a licensed paramedic, during which time the  
23 sole reason that a firefighter may be discharged without a  
24 hearing is for failing to meet the requirements for paramedic  
25 licensure.

26 (m) To the extent that this Section or any other Section in

1 this Division conflicts with Section 10-1-7.1 or 10-1-7.2,  
2 then Section 10-1-7.1 or 10-1-7.2 shall control.

3 (Source: P.A. 102-813, eff. 5-13-22; 103-357, eff. 1-1-24.)

4 (65 ILCS 5/10-2.1-6) (from Ch. 24, par. 10-2.1-6)

5 Sec. 10-2.1-6. Examination of applicants;  
6 disqualifications.

7 (a) All applicants for a position in either the fire or  
8 police department of the municipality shall be under 35 years  
9 of age, shall be subject to an examination that shall be  
10 public, competitive, and open to all applicants (unless the  
11 council or board of trustees by ordinance limits ~~limit~~  
12 applicants to electors of the municipality, county, state, or  
13 nation) and shall be subject to reasonable limitations as to  
14 residence, health, habits, and moral character. An individual  
15 who is not a citizen but is legally authorized to work in the  
16 United States under federal law or is an individual against  
17 whom immigration action has been deferred by the U.S.  
18 Citizenship and Immigration Services under the federal  
19 Deferred Action for Childhood Arrivals (DACA) process is  
20 authorized to apply for the position of police officer,  
21 subject to (i) all requirements and limitations, other than  
22 citizenship, to which other applicants are subject and (ii)  
23 the individual being authorized under federal law to obtain,  
24 carry, or purchase or otherwise possess a firearm. The  
25 municipality may not charge or collect any fee from an

1 applicant who has met all prequalification standards  
2 established by the municipality for any such position. With  
3 respect to a police department, a veteran shall be allowed to  
4 exceed the maximum age provision of this Section by the number  
5 of years served on active military duty, but by no more than 10  
6 years of active military duty.

7 (b) Residency requirements in effect at the time an  
8 individual enters the fire or police service of a municipality  
9 (other than a municipality that has more than 1,000,000  
10 inhabitants) cannot be made more restrictive for that  
11 individual during his period of service for that municipality,  
12 or be made a condition of promotion, except for the rank or  
13 position of Fire or Police Chief.

14 (c) No person with a record of misdemeanor convictions  
15 except those under Sections 11-1.50, 11-6, 11-7, 11-9, 11-14,  
16 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2, 12-6, 12-15,  
17 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4,  
18 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8, subdivisions  
19 (a)(1) and (a)(2)(C) of Section 11-14.3, and paragraphs (1),  
20 (6), and (8) of subsection (a) of Section 24-1 of the Criminal  
21 Code of 1961 or the Criminal Code of 2012, or arrested for any  
22 cause but not convicted on that cause shall be disqualified  
23 from taking the examination to qualify for a position in the  
24 fire department on grounds of habits or moral character.

25 (d) The age limitation in subsection (a) does not apply  
26 (i) to any person previously employed as a policeman or

1 fireman in a regularly constituted police or fire department  
2 of (I) any municipality, regardless of whether the  
3 municipality is located in Illinois or in another state, or  
4 (II) a fire protection district whose obligations were assumed  
5 by a municipality under Section 21 of the Fire Protection  
6 District Act, (ii) to any person who has served a municipality  
7 as a regularly enrolled volunteer fireman for 5 years  
8 immediately preceding the time that municipality begins to use  
9 full time firemen to provide all or part of its fire protection  
10 service, or (iii) to any person who has served as an auxiliary  
11 police officer under Section 3.1-30-20 for at least 5 years  
12 and is under 40 years of age, (iv) to any person who has served  
13 as a deputy under Section 3-6008 of the Counties Code and  
14 otherwise meets necessary training requirements, or (v) to any  
15 person who has served as a sworn officer as a member of the  
16 Illinois State Police.

17 (e) Applicants who are 20 years of age and who have  
18 successfully completed 2 years of law enforcement studies at  
19 an accredited college or university may be considered for  
20 appointment to active duty with the police department. An  
21 applicant described in this subsection (e) who is appointed to  
22 active duty shall not have power of arrest, nor shall the  
23 applicant be permitted to carry firearms, until he or she  
24 reaches 21 years of age.

25 (e-5) Applicants who are 21 years of age or older may not  
26 be required to obtain any collegiate-level education or a

1 collegiate level degree as a prerequisite to take an  
2 examination for a position as a policeman or for appointment  
3 to active duty with the police department.

4 (f) Applicants who are 18 years of age and who have  
5 successfully completed 2 years of study in fire techniques,  
6 amounting to a total of 4 high school credits, within the cadet  
7 program of a municipality may be considered for appointment to  
8 active duty with the fire department of any municipality.

9 (g) The council or board of trustees may by ordinance  
10 provide that persons residing outside the municipality are  
11 eligible to take the examination.

12 (h) The examinations shall be practical in character and  
13 relate to those matters that will fairly test the capacity of  
14 the persons examined to discharge the duties of the positions  
15 to which they seek appointment. No person shall be appointed  
16 to the police or fire department if he or she does not possess  
17 a high school diploma or an equivalent high school education.  
18 ~~A board of fire and police commissioners may, by its rules,~~  
19 ~~require police applicants to have obtained an associate's~~  
20 ~~degree or a bachelor's degree as a prerequisite for~~  
21 ~~employment.~~ The examinations shall include tests of physical  
22 qualifications and health. A board of fire and police  
23 commissioners may, by its rules, waive portions of the  
24 required examination for police applicants who have previously  
25 been full-time sworn officers of a regular police department  
26 in any municipal, county, university, or State law enforcement

1 agency, provided they are certified by the Illinois Law  
2 Enforcement Training Standards Board and have been with their  
3 respective law enforcement agency within the State for at  
4 least 2 years. No person shall be appointed to the police or  
5 fire department if he or she has suffered the amputation of any  
6 limb unless the applicant's duties will be only clerical or as  
7 a radio operator. No applicant shall be examined concerning  
8 his or her political or religious opinions or affiliations.  
9 The examinations shall be conducted by the board of fire and  
10 police commissioners of the municipality as provided in this  
11 Division 2.1.

12 ~~The requirement that a police applicant possess an~~  
13 ~~associate's degree under this subsection may be waived if one~~  
14 ~~or more of the following applies: (1) the applicant has served~~  
15 ~~for 24 months of honorable active duty in the United States~~  
16 ~~Armed Forces and has not been discharged dishonorably or under~~  
17 ~~circumstances other than honorable; (2) the applicant has~~  
18 ~~served for 180 days of active duty in the United States Armed~~  
19 ~~Forces in combat duty recognized by the Department of Defense~~  
20 ~~and has not been discharged dishonorably or under~~  
21 ~~circumstances other than honorable; or (3) the applicant has~~  
22 ~~successfully received credit for a minimum of 60 credit hours~~  
23 ~~toward a bachelor's degree from an accredited college or~~  
24 ~~university.~~

25 ~~The requirement that a police applicant possess a~~  
26 ~~bachelor's degree under this subsection may be waived if one~~

1 ~~er more of the following applies: (1) the applicant has served~~  
2 ~~for 36 months of honorable active duty in the United States~~  
3 ~~Armed Forces and has not been discharged dishonorably or under~~  
4 ~~circumstances other than honorable or (2) the applicant has~~  
5 ~~served for 180 days of active duty in the United States Armed~~  
6 ~~Forces in combat duty recognized by the Department of Defense~~  
7 ~~and has not been discharged dishonorably or under~~  
8 ~~circumstances other than honorable.~~

9 (i) No person who is classified by his local selective  
10 service draft board as a conscientious objector, or who has  
11 ever been so classified, may be appointed to the police  
12 department.

13 (j) No person shall be appointed to the police or fire  
14 department unless he or she is a person of good character and  
15 not an habitual drunkard, gambler, or a person who has been  
16 convicted of a felony or a crime involving moral turpitude. No  
17 person, however, shall be disqualified from appointment to the  
18 fire department because of his or her record of misdemeanor  
19 convictions except those under Sections 11-1.50, 11-6, 11-7,  
20 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 11-30, 11-35, 12-2,  
21 12-6, 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3,  
22 31-1, 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, and 32-8,  
23 subdivisions (a)(1) and (a)(2)(C) of Section 11-14.3, and  
24 paragraphs (1), (6), and (8) of subsection (a) of Section 24-1  
25 of the Criminal Code of 1961 or the Criminal Code of 2012, or  
26 arrest for any cause without conviction on that cause. Any

1 such person who is in the department may be removed on charges  
2 brought and after a trial as provided in this Division 2.1.

3 (Source: P.A. 102-538, eff. 8-20-21; 102-813, eff. 5-13-22;  
4 103-357, eff. 1-1-24; revised 7-7-25.)