



Sen. Elgie R. Sims, Jr.

Filed: 1/8/2021

10100HB0841sam002

LRB101 06027 RLC 74696 a

1 AMENDMENT TO HOUSE BILL 841

2 AMENDMENT NO. _____. Amend House Bill 841, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Open Meetings Act is amended by changing
6 Section 2 as follows:

7 (5 ILCS 120/2) (from Ch. 102, par. 42)

8 Sec. 2. Open meetings.

9 (a) Openness required. All meetings of public bodies shall
10 be open to the public unless excepted in subsection (c) and
11 closed in accordance with Section 2a.

12 (b) Construction of exceptions. The exceptions contained
13 in subsection (c) are in derogation of the requirement that
14 public bodies meet in the open, and therefore, the exceptions
15 are to be strictly construed, extending only to subjects
16 clearly within their scope. The exceptions authorize but do not

1 require the holding of a closed meeting to discuss a subject
2 included within an enumerated exception.

3 (c) Exceptions. A public body may hold closed meetings to
4 consider the following subjects:

5 (1) The appointment, employment, compensation,
6 discipline, performance, or dismissal of specific
7 employees, specific individuals who serve as independent
8 contractors in a park, recreational, or educational
9 setting, or specific volunteers of the public body or legal
10 counsel for the public body, including hearing testimony on
11 a complaint lodged against an employee, a specific
12 individual who serves as an independent contractor in a
13 park, recreational, or educational setting, or a volunteer
14 of the public body or against legal counsel for the public
15 body to determine its validity. However, a meeting to
16 consider an increase in compensation to a specific employee
17 of a public body that is subject to the Local Government
18 Wage Increase Transparency Act may not be closed and shall
19 be open to the public and posted and held in accordance
20 with this Act.

21 (2) Collective negotiating matters between the public
22 body and its employees or their representatives, or
23 deliberations concerning salary schedules for one or more
24 classes of employees.

25 (3) The selection of a person to fill a public office,
26 as defined in this Act, including a vacancy in a public

1 office, when the public body is given power to appoint
2 under law or ordinance, or the discipline, performance or
3 removal of the occupant of a public office, when the public
4 body is given power to remove the occupant under law or
5 ordinance.

6 (4) Evidence or testimony presented in open hearing, or
7 in closed hearing where specifically authorized by law, to
8 a quasi-adjudicative body, as defined in this Act, provided
9 that the body prepares and makes available for public
10 inspection a written decision setting forth its
11 determinative reasoning.

12 (5) The purchase or lease of real property for the use
13 of the public body, including meetings held for the purpose
14 of discussing whether a particular parcel should be
15 acquired.

16 (6) The setting of a price for sale or lease of
17 property owned by the public body.

18 (7) The sale or purchase of securities, investments, or
19 investment contracts. This exception shall not apply to the
20 investment of assets or income of funds deposited into the
21 Illinois Prepaid Tuition Trust Fund.

22 (8) Security procedures, school building safety and
23 security, and the use of personnel and equipment to respond
24 to an actual, a threatened, or a reasonably potential
25 danger to the safety of employees, students, staff, the
26 public, or public property.

1 (9) Student disciplinary cases.

2 (10) The placement of individual students in special
3 education programs and other matters relating to
4 individual students.

5 (11) Litigation, when an action against, affecting or
6 on behalf of the particular public body has been filed and
7 is pending before a court or administrative tribunal, or
8 when the public body finds that an action is probable or
9 imminent, in which case the basis for the finding shall be
10 recorded and entered into the minutes of the closed
11 meeting.

12 (12) The establishment of reserves or settlement of
13 claims as provided in the Local Governmental and
14 Governmental Employees Tort Immunity Act, if otherwise the
15 disposition of a claim or potential claim might be
16 prejudiced, or the review or discussion of claims, loss or
17 risk management information, records, data, advice or
18 communications from or with respect to any insurer of the
19 public body or any intergovernmental risk management
20 association or self insurance pool of which the public body
21 is a member.

22 (13) Conciliation of complaints of discrimination in
23 the sale or rental of housing, when closed meetings are
24 authorized by the law or ordinance prescribing fair housing
25 practices and creating a commission or administrative
26 agency for their enforcement.

1 (14) Informant sources, the hiring or assignment of
2 undercover personnel or equipment, or ongoing, prior or
3 future criminal investigations, when discussed by a public
4 body with criminal investigatory responsibilities.

5 (15) Professional ethics or performance when
6 considered by an advisory body appointed to advise a
7 licensing or regulatory agency on matters germane to the
8 advisory body's field of competence.

9 (16) Self evaluation, practices and procedures or
10 professional ethics, when meeting with a representative of
11 a statewide association of which the public body is a
12 member.

13 (17) The recruitment, credentialing, discipline or
14 formal peer review of physicians or other health care
15 professionals, or for the discussion of matters protected
16 under the federal Patient Safety and Quality Improvement
17 Act of 2005, and the regulations promulgated thereunder,
18 including 42 C.F.R. Part 3 (73 FR 70732), or the federal
19 Health Insurance Portability and Accountability Act of
20 1996, and the regulations promulgated thereunder,
21 including 45 C.F.R. Parts 160, 162, and 164, by a hospital,
22 or other institution providing medical care, that is
23 operated by the public body.

24 (18) Deliberations for decisions of the Prisoner
25 Review Board.

26 (19) Review or discussion of applications received

1 under the Experimental Organ Transplantation Procedures
2 Act.

3 (20) The classification and discussion of matters
4 classified as confidential or continued confidential by
5 the State Government Suggestion Award Board.

6 (21) Discussion of minutes of meetings lawfully closed
7 under this Act, whether for purposes of approval by the
8 body of the minutes or semi-annual review of the minutes as
9 mandated by Section 2.06.

10 (22) Deliberations for decisions of the State
11 Emergency Medical Services Disciplinary Review Board.

12 (23) The operation by a municipality of a municipal
13 utility or the operation of a municipal power agency or
14 municipal natural gas agency when the discussion involves
15 (i) contracts relating to the purchase, sale, or delivery
16 of electricity or natural gas or (ii) the results or
17 conclusions of load forecast studies.

18 (24) Meetings of a residential health care facility
19 resident sexual assault and death review team or the
20 Executive Council under the Abuse Prevention Review Team
21 Act.

22 (25) Meetings of an independent team of experts under
23 Brian's Law.

24 (26) Meetings of a mortality review team appointed
25 under the Department of Juvenile Justice Mortality Review
26 Team Act.

1 (27) (Blank).

2 (28) Correspondence and records (i) that may not be
3 disclosed under Section 11-9 of the Illinois Public Aid
4 Code or (ii) that pertain to appeals under Section 11-8 of
5 the Illinois Public Aid Code.

6 (29) Meetings between internal or external auditors
7 and governmental audit committees, finance committees, and
8 their equivalents, when the discussion involves internal
9 control weaknesses, identification of potential fraud risk
10 areas, known or suspected frauds, and fraud interviews
11 conducted in accordance with generally accepted auditing
12 standards of the United States of America.

13 (30) Those meetings or portions of meetings of a
14 fatality review team or the Illinois Fatality Review Team
15 Advisory Council during which a review of the death of an
16 eligible adult in which abuse or neglect is suspected,
17 alleged, or substantiated is conducted pursuant to Section
18 15 of the Adult Protective Services Act.

19 (31) Meetings and deliberations for decisions of the
20 Concealed Carry Licensing Review Board under the Firearm
21 Concealed Carry Act.

22 (32) Meetings between the Regional Transportation
23 Authority Board and its Service Boards when the discussion
24 involves review by the Regional Transportation Authority
25 Board of employment contracts under Section 28d of the
26 Metropolitan Transit Authority Act and Sections 3A.18 and

1 3B.26 of the Regional Transportation Authority Act.

2 (33) Those meetings or portions of meetings of the
3 advisory committee and peer review subcommittee created
4 under Section 320 of the Illinois Controlled Substances Act
5 during which specific controlled substance prescriber,
6 dispenser, or patient information is discussed.

7 (34) Meetings of the Tax Increment Financing Reform
8 Task Force under Section 2505-800 of the Department of
9 Revenue Law of the Civil Administrative Code of Illinois.

10 (35) Meetings of the group established to discuss
11 Medicaid capitation rates under Section 5-30.8 of the
12 Illinois Public Aid Code.

13 (36) Those deliberations or portions of deliberations
14 for decisions of the Illinois Gaming Board in which there
15 is discussed any of the following: (i) personal,
16 commercial, financial, or other information obtained from
17 any source that is privileged, proprietary, confidential,
18 or a trade secret; or (ii) information specifically
19 exempted from the disclosure by federal or State law.

20 (37) Deliberations for decisions of the Illinois Law
21 Enforcement Training Standards Board, the Certification
22 Review Panel, and the Illinois State Police Merit Board
23 regarding certification and decertification.

24 (d) Definitions. For purposes of this Section:

25 "Employee" means a person employed by a public body whose
26 relationship with the public body constitutes an

1 employer-employee relationship under the usual common law
2 rules, and who is not an independent contractor.

3 "Public office" means a position created by or under the
4 Constitution or laws of this State, the occupant of which is
5 charged with the exercise of some portion of the sovereign
6 power of this State. The term "public office" shall include
7 members of the public body, but it shall not include
8 organizational positions filled by members thereof, whether
9 established by law or by a public body itself, that exist to
10 assist the body in the conduct of its business.

11 "Quasi-adjudicative body" means an administrative body
12 charged by law or ordinance with the responsibility to conduct
13 hearings, receive evidence or testimony and make
14 determinations based thereon, but does not include local
15 electoral boards when such bodies are considering petition
16 challenges.

17 (e) Final action. No final action may be taken at a closed
18 meeting. Final action shall be preceded by a public recital of
19 the nature of the matter being considered and other information
20 that will inform the public of the business being conducted.

21 (Source: P.A. 100-201, eff. 8-18-17; 100-465, eff. 8-31-17;
22 100-646, eff. 7-27-18; 101-31, eff. 6-28-19; 101-459, eff.
23 8-23-19; revised 9-27-19.)

24 Section 10. The Freedom of Information Act is amended by
25 changing Sections 7 and 7.5 as follows:

1 (5 ILCS 140/7) (from Ch. 116, par. 207)

2 Sec. 7. Exemptions.

3 (1) When a request is made to inspect or copy a public
4 record that contains information that is exempt from disclosure
5 under this Section, but also contains information that is not
6 exempt from disclosure, the public body may elect to redact the
7 information that is exempt. The public body shall make the
8 remaining information available for inspection and copying.
9 Subject to this requirement, the following shall be exempt from
10 inspection and copying:

11 (a) Information specifically prohibited from
12 disclosure by federal or State law or rules and regulations
13 implementing federal or State law.

14 (b) Private information, unless disclosure is required
15 by another provision of this Act, a State or federal law or
16 a court order.

17 (b-5) Files, documents, and other data or databases
18 maintained by one or more law enforcement agencies and
19 specifically designed to provide information to one or more
20 law enforcement agencies regarding the physical or mental
21 status of one or more individual subjects.

22 (c) Personal information contained within public
23 records, the disclosure of which would constitute a clearly
24 unwarranted invasion of personal privacy, unless the
25 disclosure is consented to in writing by the individual

1 subjects of the information. "Unwarranted invasion of
2 personal privacy" means the disclosure of information that
3 is highly personal or objectionable to a reasonable person
4 and in which the subject's right to privacy outweighs any
5 legitimate public interest in obtaining the information.
6 The disclosure of information that bears on the public
7 duties of public employees and officials shall not be
8 considered an invasion of personal privacy.

9 (d) Records in the possession of any public body
10 created in the course of administrative enforcement
11 proceedings, and any law enforcement or correctional
12 agency for law enforcement purposes, but only to the extent
13 that disclosure would:

14 (i) interfere with pending or actually and
15 reasonably contemplated law enforcement proceedings
16 conducted by any law enforcement or correctional
17 agency that is the recipient of the request;

18 (ii) interfere with active administrative
19 enforcement proceedings conducted by the public body
20 that is the recipient of the request;

21 (iii) create a substantial likelihood that a
22 person will be deprived of a fair trial or an impartial
23 hearing;

24 (iv) unavoidably disclose the identity of a
25 confidential source, confidential information
26 furnished only by the confidential source, or persons

1 who file complaints with or provide information to
2 administrative, investigative, law enforcement, or
3 penal agencies; except that the identities of
4 witnesses to traffic accidents, traffic accident
5 reports, and rescue reports shall be provided by
6 agencies of local government, except when disclosure
7 would interfere with an active criminal investigation
8 conducted by the agency that is the recipient of the
9 request;

10 (v) disclose unique or specialized investigative
11 techniques other than those generally used and known or
12 disclose internal documents of correctional agencies
13 related to detection, observation or investigation of
14 incidents of crime or misconduct, and disclosure would
15 result in demonstrable harm to the agency or public
16 body that is the recipient of the request;

17 (vi) endanger the life or physical safety of law
18 enforcement personnel or any other person; or

19 (vii) obstruct an ongoing criminal investigation
20 by the agency that is the recipient of the request.

21 (d-5) A law enforcement record created for law
22 enforcement purposes and contained in a shared electronic
23 record management system if the law enforcement agency that
24 is the recipient of the request did not create the record,
25 did not participate in or have a role in any of the events
26 which are the subject of the record, and only has access to

1 the record through the shared electronic record management
2 system.

3 (d-6) Records contained in the Officer Professional
4 Conduct Database under Section 9.3 of the Illinois Police
5 Training Act, except to the extent authorized under that
6 Section. This includes the documents supplied to Illinois
7 Law Enforcement Training Standards Board from the Illinois
8 State Police and Illinois State Police Merit Board.

9 (e) Records that relate to or affect the security of
10 correctional institutions and detention facilities.

11 (e-5) Records requested by persons committed to the
12 Department of Corrections, Department of Human Services
13 Division of Mental Health, or a county jail if those
14 materials are available in the library of the correctional
15 institution or facility or jail where the inmate is
16 confined.

17 (e-6) Records requested by persons committed to the
18 Department of Corrections, Department of Human Services
19 Division of Mental Health, or a county jail if those
20 materials include records from staff members' personnel
21 files, staff rosters, or other staffing assignment
22 information.

23 (e-7) Records requested by persons committed to the
24 Department of Corrections or Department of Human Services
25 Division of Mental Health if those materials are available
26 through an administrative request to the Department of

1 Corrections or Department of Human Services Division of
2 Mental Health.

3 (e-8) Records requested by a person committed to the
4 Department of Corrections, Department of Human Services
5 Division of Mental Health, or a county jail, the disclosure
6 of which would result in the risk of harm to any person or
7 the risk of an escape from a jail or correctional
8 institution or facility.

9 (e-9) Records requested by a person in a county jail or
10 committed to the Department of Corrections or Department of
11 Human Services Division of Mental Health, containing
12 personal information pertaining to the person's victim or
13 the victim's family, including, but not limited to, a
14 victim's home address, home telephone number, work or
15 school address, work telephone number, social security
16 number, or any other identifying information, except as may
17 be relevant to a requester's current or potential case or
18 claim.

19 (e-10) Law enforcement records of other persons
20 requested by a person committed to the Department of
21 Corrections, Department of Human Services Division of
22 Mental Health, or a county jail, including, but not limited
23 to, arrest and booking records, mug shots, and crime scene
24 photographs, except as these records may be relevant to the
25 requester's current or potential case or claim.

26 (f) Preliminary drafts, notes, recommendations,

1 memoranda and other records in which opinions are
2 expressed, or policies or actions are formulated, except
3 that a specific record or relevant portion of a record
4 shall not be exempt when the record is publicly cited and
5 identified by the head of the public body. The exemption
6 provided in this paragraph (f) extends to all those records
7 of officers and agencies of the General Assembly that
8 pertain to the preparation of legislative documents.

9 (g) Trade secrets and commercial or financial
10 information obtained from a person or business where the
11 trade secrets or commercial or financial information are
12 furnished under a claim that they are proprietary,
13 privileged, or confidential, and that disclosure of the
14 trade secrets or commercial or financial information would
15 cause competitive harm to the person or business, and only
16 insofar as the claim directly applies to the records
17 requested.

18 The information included under this exemption includes
19 all trade secrets and commercial or financial information
20 obtained by a public body, including a public pension fund,
21 from a private equity fund or a privately held company
22 within the investment portfolio of a private equity fund as
23 a result of either investing or evaluating a potential
24 investment of public funds in a private equity fund. The
25 exemption contained in this item does not apply to the
26 aggregate financial performance information of a private

1 equity fund, nor to the identity of the fund's managers or
2 general partners. The exemption contained in this item does
3 not apply to the identity of a privately held company
4 within the investment portfolio of a private equity fund,
5 unless the disclosure of the identity of a privately held
6 company may cause competitive harm.

7 Nothing contained in this paragraph (g) shall be
8 construed to prevent a person or business from consenting
9 to disclosure.

10 (h) Proposals and bids for any contract, grant, or
11 agreement, including information which if it were
12 disclosed would frustrate procurement or give an advantage
13 to any person proposing to enter into a contractor
14 agreement with the body, until an award or final selection
15 is made. Information prepared by or for the body in
16 preparation of a bid solicitation shall be exempt until an
17 award or final selection is made.

18 (i) Valuable formulae, computer geographic systems,
19 designs, drawings and research data obtained or produced by
20 any public body when disclosure could reasonably be
21 expected to produce private gain or public loss. The
22 exemption for "computer geographic systems" provided in
23 this paragraph (i) does not extend to requests made by news
24 media as defined in Section 2 of this Act when the
25 requested information is not otherwise exempt and the only
26 purpose of the request is to access and disseminate

1 information regarding the health, safety, welfare, or
2 legal rights of the general public.

3 (j) The following information pertaining to
4 educational matters:

5 (i) test questions, scoring keys and other
6 examination data used to administer an academic
7 examination;

8 (ii) information received by a primary or
9 secondary school, college, or university under its
10 procedures for the evaluation of faculty members by
11 their academic peers;

12 (iii) information concerning a school or
13 university's adjudication of student disciplinary
14 cases, but only to the extent that disclosure would
15 unavoidably reveal the identity of the student; and

16 (iv) course materials or research materials used
17 by faculty members.

18 (k) Architects' plans, engineers' technical
19 submissions, and other construction related technical
20 documents for projects not constructed or developed in
21 whole or in part with public funds and the same for
22 projects constructed or developed with public funds,
23 including, but not limited to, power generating and
24 distribution stations and other transmission and
25 distribution facilities, water treatment facilities,
26 airport facilities, sport stadiums, convention centers,

1 and all government owned, operated, or occupied buildings,
2 but only to the extent that disclosure would compromise
3 security.

4 (l) Minutes of meetings of public bodies closed to the
5 public as provided in the Open Meetings Act until the
6 public body makes the minutes available to the public under
7 Section 2.06 of the Open Meetings Act.

8 (m) Communications between a public body and an
9 attorney or auditor representing the public body that would
10 not be subject to discovery in litigation, and materials
11 prepared or compiled by or for a public body in
12 anticipation of a criminal, civil, or administrative
13 proceeding upon the request of an attorney advising the
14 public body, and materials prepared or compiled with
15 respect to internal audits of public bodies.

16 (n) Records relating to a public body's adjudication of
17 employee grievances or disciplinary cases; however, this
18 exemption shall not extend to the final outcome of cases in
19 which discipline is imposed.

20 (o) Administrative or technical information associated
21 with automated data processing operations, including, but
22 not limited to, software, operating protocols, computer
23 program abstracts, file layouts, source listings, object
24 modules, load modules, user guides, documentation
25 pertaining to all logical and physical design of
26 computerized systems, employee manuals, and any other

1 information that, if disclosed, would jeopardize the
2 security of the system or its data or the security of
3 materials exempt under this Section.

4 (p) Records relating to collective negotiating matters
5 between public bodies and their employees or
6 representatives, except that any final contract or
7 agreement shall be subject to inspection and copying.

8 (q) Test questions, scoring keys, and other
9 examination data used to determine the qualifications of an
10 applicant for a license or employment.

11 (r) The records, documents, and information relating
12 to real estate purchase negotiations until those
13 negotiations have been completed or otherwise terminated.
14 With regard to a parcel involved in a pending or actually
15 and reasonably contemplated eminent domain proceeding
16 under the Eminent Domain Act, records, documents, and
17 information relating to that parcel shall be exempt except
18 as may be allowed under discovery rules adopted by the
19 Illinois Supreme Court. The records, documents, and
20 information relating to a real estate sale shall be exempt
21 until a sale is consummated.

22 (s) Any and all proprietary information and records
23 related to the operation of an intergovernmental risk
24 management association or self-insurance pool or jointly
25 self-administered health and accident cooperative or pool.
26 Insurance or self insurance (including any

1 intergovernmental risk management association or self
2 insurance pool) claims, loss or risk management
3 information, records, data, advice or communications.

4 (t) Information contained in or related to
5 examination, operating, or condition reports prepared by,
6 on behalf of, or for the use of a public body responsible
7 for the regulation or supervision of financial
8 institutions, insurance companies, or pharmacy benefit
9 managers, unless disclosure is otherwise required by State
10 law.

11 (u) Information that would disclose or might lead to
12 the disclosure of secret or confidential information,
13 codes, algorithms, programs, or private keys intended to be
14 used to create electronic or digital signatures under the
15 Electronic Commerce Security Act.

16 (v) Vulnerability assessments, security measures, and
17 response policies or plans that are designed to identify,
18 prevent, or respond to potential attacks upon a community's
19 population or systems, facilities, or installations, the
20 destruction or contamination of which would constitute a
21 clear and present danger to the health or safety of the
22 community, but only to the extent that disclosure could
23 reasonably be expected to jeopardize the effectiveness of
24 the measures or the safety of the personnel who implement
25 them or the public. Information exempt under this item may
26 include such things as details pertaining to the

1 mobilization or deployment of personnel or equipment, to
2 the operation of communication systems or protocols, or to
3 tactical operations.

4 (w) (Blank).

5 (x) Maps and other records regarding the location or
6 security of generation, transmission, distribution,
7 storage, gathering, treatment, or switching facilities
8 owned by a utility, by a power generator, or by the
9 Illinois Power Agency.

10 (y) Information contained in or related to proposals,
11 bids, or negotiations related to electric power
12 procurement under Section 1-75 of the Illinois Power Agency
13 Act and Section 16-111.5 of the Public Utilities Act that
14 is determined to be confidential and proprietary by the
15 Illinois Power Agency or by the Illinois Commerce
16 Commission.

17 (z) Information about students exempted from
18 disclosure under Sections 10-20.38 or 34-18.29 of the
19 School Code, and information about undergraduate students
20 enrolled at an institution of higher education exempted
21 from disclosure under Section 25 of the Illinois Credit
22 Card Marketing Act of 2009.

23 (aa) Information the disclosure of which is exempted
24 under the Viatical Settlements Act of 2009.

25 (bb) Records and information provided to a mortality
26 review team and records maintained by a mortality review

1 team appointed under the Department of Juvenile Justice
2 Mortality Review Team Act.

3 (cc) Information regarding interments, entombments, or
4 inurnments of human remains that are submitted to the
5 Cemetery Oversight Database under the Cemetery Care Act or
6 the Cemetery Oversight Act, whichever is applicable.

7 (dd) Correspondence and records (i) that may not be
8 disclosed under Section 11-9 of the Illinois Public Aid
9 Code or (ii) that pertain to appeals under Section 11-8 of
10 the Illinois Public Aid Code.

11 (ee) The names, addresses, or other personal
12 information of persons who are minors and are also
13 participants and registrants in programs of park
14 districts, forest preserve districts, conservation
15 districts, recreation agencies, and special recreation
16 associations.

17 (ff) The names, addresses, or other personal
18 information of participants and registrants in programs of
19 park districts, forest preserve districts, conservation
20 districts, recreation agencies, and special recreation
21 associations where such programs are targeted primarily to
22 minors.

23 (gg) Confidential information described in Section
24 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

25 (hh) The report submitted to the State Board of
26 Education by the School Security and Standards Task Force

1 under item (8) of subsection (d) of Section 2-3.160 of the
2 School Code and any information contained in that report.

3 (ii) Records requested by persons committed to or
4 detained by the Department of Human Services under the
5 Sexually Violent Persons Commitment Act or committed to the
6 Department of Corrections under the Sexually Dangerous
7 Persons Act if those materials: (i) are available in the
8 library of the facility where the individual is confined;
9 (ii) include records from staff members' personnel files,
10 staff rosters, or other staffing assignment information;
11 or (iii) are available through an administrative request to
12 the Department of Human Services or the Department of
13 Corrections.

14 (jj) Confidential information described in Section
15 5-535 of the Civil Administrative Code of Illinois.

16 (kk) The public body's credit card numbers, debit card
17 numbers, bank account numbers, Federal Employer
18 Identification Number, security code numbers, passwords,
19 and similar account information, the disclosure of which
20 could result in identity theft or impression or defrauding
21 of a governmental entity or a person.

22 (ll) ~~(kk)~~ Records concerning the work of the threat
23 assessment team of a school district.

24 (1.5) Any information exempt from disclosure under the
25 Judicial Privacy Act shall be redacted from public records
26 prior to disclosure under this Act.

1 (2) A public record that is not in the possession of a
2 public body but is in the possession of a party with whom the
3 agency has contracted to perform a governmental function on
4 behalf of the public body, and that directly relates to the
5 governmental function and is not otherwise exempt under this
6 Act, shall be considered a public record of the public body,
7 for purposes of this Act.

8 (3) This Section does not authorize withholding of
9 information or limit the availability of records to the public,
10 except as stated in this Section or otherwise provided in this
11 Act.

12 (Source: P.A. 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;
13 100-732, eff. 8-3-18; 101-434, eff. 1-1-20; 101-452, eff.
14 1-1-20; 101-455, eff. 8-23-19; revised 9-27-19.)

15 (5 ILCS 140/7.5)

16 Sec. 7.5. Statutory exemptions. To the extent provided for
17 by the statutes referenced below, the following shall be exempt
18 from inspection and copying:

19 (a) All information determined to be confidential
20 under Section 4002 of the Technology Advancement and
21 Development Act.

22 (b) Library circulation and order records identifying
23 library users with specific materials under the Library
24 Records Confidentiality Act.

25 (c) Applications, related documents, and medical

1 records received by the Experimental Organ Transplantation
2 Procedures Board and any and all documents or other records
3 prepared by the Experimental Organ Transplantation
4 Procedures Board or its staff relating to applications it
5 has received.

6 (d) Information and records held by the Department of
7 Public Health and its authorized representatives relating
8 to known or suspected cases of sexually transmissible
9 disease or any information the disclosure of which is
10 restricted under the Illinois Sexually Transmissible
11 Disease Control Act.

12 (e) Information the disclosure of which is exempted
13 under Section 30 of the Radon Industry Licensing Act.

14 (f) Firm performance evaluations under Section 55 of
15 the Architectural, Engineering, and Land Surveying
16 Qualifications Based Selection Act.

17 (g) Information the disclosure of which is restricted
18 and exempted under Section 50 of the Illinois Prepaid
19 Tuition Act.

20 (h) Information the disclosure of which is exempted
21 under the State Officials and Employees Ethics Act, and
22 records of any lawfully created State or local inspector
23 general's office that would be exempt if created or
24 obtained by an Executive Inspector General's office under
25 that Act.

26 (i) Information contained in a local emergency energy

1 plan submitted to a municipality in accordance with a local
2 emergency energy plan ordinance that is adopted under
3 Section 11-21.5-5 of the Illinois Municipal Code.

4 (j) Information and data concerning the distribution
5 of surcharge moneys collected and remitted by carriers
6 under the Emergency Telephone System Act.

7 (k) Law enforcement officer identification information
8 or driver identification information compiled by a law
9 enforcement agency or the Department of Transportation
10 under Section 11-212 of the Illinois Vehicle Code.

11 (l) Records and information provided to a residential
12 health care facility resident sexual assault and death
13 review team or the Executive Council under the Abuse
14 Prevention Review Team Act.

15 (m) Information provided to the predatory lending
16 database created pursuant to Article 3 of the Residential
17 Real Property Disclosure Act, except to the extent
18 authorized under that Article.

19 (n) Defense budgets and petitions for certification of
20 compensation and expenses for court appointed trial
21 counsel as provided under Sections 10 and 15 of the Capital
22 Crimes Litigation Act. This subsection (n) shall apply
23 until the conclusion of the trial of the case, even if the
24 prosecution chooses not to pursue the death penalty prior
25 to trial or sentencing.

26 (o) Information that is prohibited from being

1 disclosed under Section 4 of the Illinois Health and
2 Hazardous Substances Registry Act.

3 (p) Security portions of system safety program plans,
4 investigation reports, surveys, schedules, lists, data, or
5 information compiled, collected, or prepared by or for the
6 Regional Transportation Authority under Section 2.11 of
7 the Regional Transportation Authority Act or the St. Clair
8 County Transit District under the Bi-State Transit Safety
9 Act.

10 (q) Information prohibited from being disclosed by the
11 Personnel Record Review Act.

12 (r) Information prohibited from being disclosed by the
13 Illinois School Student Records Act.

14 (s) Information the disclosure of which is restricted
15 under Section 5-108 of the Public Utilities Act.

16 (t) All identified or deidentified health information
17 in the form of health data or medical records contained in,
18 stored in, submitted to, transferred by, or released from
19 the Illinois Health Information Exchange, and identified
20 or deidentified health information in the form of health
21 data and medical records of the Illinois Health Information
22 Exchange in the possession of the Illinois Health
23 Information Exchange Office due to its administration of
24 the Illinois Health Information Exchange. The terms
25 "identified" and "deidentified" shall be given the same
26 meaning as in the Health Insurance Portability and

1 Accountability Act of 1996, Public Law 104-191, or any
2 subsequent amendments thereto, and any regulations
3 promulgated thereunder.

4 (u) Records and information provided to an independent
5 team of experts under the Developmental Disability and
6 Mental Health Safety Act (also known as Brian's Law).

7 (v) Names and information of people who have applied
8 for or received Firearm Owner's Identification Cards under
9 the Firearm Owners Identification Card Act or applied for
10 or received a concealed carry license under the Firearm
11 Concealed Carry Act, unless otherwise authorized by the
12 Firearm Concealed Carry Act; and databases under the
13 Firearm Concealed Carry Act, records of the Concealed Carry
14 Licensing Review Board under the Firearm Concealed Carry
15 Act, and law enforcement agency objections under the
16 Firearm Concealed Carry Act.

17 (w) Personally identifiable information which is
18 exempted from disclosure under subsection (g) of Section
19 19.1 of the Toll Highway Act.

20 (x) Information which is exempted from disclosure
21 under Section 5-1014.3 of the Counties Code or Section
22 8-11-21 of the Illinois Municipal Code.

23 (y) Confidential information under the Adult
24 Protective Services Act and its predecessor enabling
25 statute, the Elder Abuse and Neglect Act, including
26 information about the identity and administrative finding

1 against any caregiver of a verified and substantiated
2 decision of abuse, neglect, or financial exploitation of an
3 eligible adult maintained in the Registry established
4 under Section 7.5 of the Adult Protective Services Act.

5 (z) Records and information provided to a fatality
6 review team or the Illinois Fatality Review Team Advisory
7 Council under Section 15 of the Adult Protective Services
8 Act.

9 (aa) Information which is exempted from disclosure
10 under Section 2.37 of the Wildlife Code.

11 (bb) Information which is or was prohibited from
12 disclosure by the Juvenile Court Act of 1987.

13 (cc) Recordings made under the Law Enforcement
14 Officer-Worn Body Camera Act, except to the extent
15 authorized under that Act.

16 (dd) Information that is prohibited from being
17 disclosed under Section 45 of the Condominium and Common
18 Interest Community Ombudsperson Act.

19 (ee) Information that is exempted from disclosure
20 under Section 30.1 of the Pharmacy Practice Act.

21 (ff) Information that is exempted from disclosure
22 under the Revised Uniform Unclaimed Property Act.

23 (gg) Information that is prohibited from being
24 disclosed under Section 7-603.5 of the Illinois Vehicle
25 Code.

26 (hh) Records that are exempt from disclosure under

1 Section 1A-16.7 of the Election Code.

2 (ii) Information which is exempted from disclosure
3 under Section 2505-800 of the Department of Revenue Law of
4 the Civil Administrative Code of Illinois.

5 (jj) Information and reports that are required to be
6 submitted to the Department of Labor by registering day and
7 temporary labor service agencies but are exempt from
8 disclosure under subsection (a-1) of Section 45 of the Day
9 and Temporary Labor Services Act.

10 (kk) Information prohibited from disclosure under the
11 Seizure and Forfeiture Reporting Act.

12 (ll) Information the disclosure of which is restricted
13 and exempted under Section 5-30.8 of the Illinois Public
14 Aid Code.

15 (mm) Records that are exempt from disclosure under
16 Section 4.2 of the Crime Victims Compensation Act.

17 (nn) Information that is exempt from disclosure under
18 Section 70 of the Higher Education Student Assistance Act.

19 (oo) Communications, notes, records, and reports
20 arising out of a peer support counseling session prohibited
21 from disclosure under the First Responders Suicide
22 Prevention Act.

23 (pp) Names and all identifying information relating to
24 an employee of an emergency services provider or law
25 enforcement agency under the First Responders Suicide
26 Prevention Act.

1 (qq) Information and records held by the Department of
2 Public Health and its authorized representatives collected
3 under the Reproductive Health Act.

4 (rr) Information that is exempt from disclosure under
5 the Cannabis Regulation and Tax Act.

6 (ss) Data reported by an employer to the Department of
7 Human Rights pursuant to Section 2-108 of the Illinois
8 Human Rights Act.

9 (tt) Recordings made under the Children's Advocacy
10 Center Act, except to the extent authorized under that Act.

11 (uu) Information that is exempt from disclosure under
12 Section 50 of the Sexual Assault Evidence Submission Act.

13 (vv) Information that is exempt from disclosure under
14 subsections (f) and (j) of Section 5-36 of the Illinois
15 Public Aid Code.

16 (wv) Information that is exempt from disclosure under
17 Section 16.8 of the State Treasurer Act.

18 (xx) Information that is exempt from disclosure or
19 information that shall not be made public under the
20 Illinois Insurance Code.

21 (yy) Information prohibited from being disclosed under
22 the Illinois Educational Labor Relations Act.

23 (zz) Information prohibited from being disclosed under
24 the Illinois Public Labor Relations Act.

25 (aaa) Information prohibited from being disclosed
26 under Section 1-167 of the Illinois Pension Code.

1 (bbb) Information which is prohibited from disclosure
2 by the Illinois Police Training Act and the State Police
3 Act.

4 (Source: P.A. 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
5 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.
6 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,
7 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;
8 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; 101-13, eff.
9 6-12-19; 101-27, eff. 6-25-19; 101-81, eff. 7-12-19; 101-221,
10 eff. 1-1-20; 101-236, eff. 1-1-20; 101-375, eff. 8-16-19;
11 101-377, eff. 8-16-19; 101-452, eff. 1-1-20; 101-466, eff.
12 1-1-20; 101-600, eff. 12-6-19; 101-620, eff. 12-20-19; 101-649,
13 eff. 7-7-20.)

14 (5 ILCS 140/7.1 rep.)

15 Section 15. The Freedom of Information Act is amended by
16 repealing Section 7.1.

17 Section 20. The State Employee Indemnification Act is
18 amended by changing Section 1 as follows:

19 (5 ILCS 350/1) (from Ch. 127, par. 1301)

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

21 (a) The term "State" means the State of Illinois, the
22 General Assembly, the court, or any State office, department,
23 division, bureau, board, commission, or committee, the

1 governing boards of the public institutions of higher education
2 created by the State, the Illinois National Guard, the Illinois
3 State Guard, the Comprehensive Health Insurance Board, any
4 poison control center designated under the Poison Control
5 System Act that receives State funding, or any other agency or
6 instrumentality of the State. It does not mean any local public
7 entity as that term is defined in Section 1-206 of the Local
8 Governmental and Governmental Employees Tort Immunity Act or a
9 pension fund.

10 (b) The term "employee" means: any present or former
11 elected or appointed officer, trustee or employee of the State,
12 or of a pension fund; any present or former commissioner or
13 employee of the Executive Ethics Commission or of the
14 Legislative Ethics Commission; any present or former
15 Executive, Legislative, or Auditor General's Inspector
16 General; any present or former employee of an Office of an
17 Executive, Legislative, or Auditor General's Inspector
18 General; any present or former member of the Illinois National
19 Guard while on active duty; any present or former member of the
20 Illinois State Guard while on State active duty; individuals or
21 organizations who contract with the Department of Corrections,
22 the Department of Juvenile Justice, the Comprehensive Health
23 Insurance Board, or the Department of Veterans' Affairs to
24 provide services; individuals or organizations who contract
25 with the Department of Human Services (as successor to the
26 Department of Mental Health and Developmental Disabilities) to

1 provide services including but not limited to treatment and
2 other services for sexually violent persons; individuals or
3 organizations who contract with the Department of Military
4 Affairs for youth programs; individuals or organizations who
5 contract to perform carnival and amusement ride safety
6 inspections for the Department of Labor; individuals who
7 contract with the Office of the State's Attorneys Appellate
8 Prosecutor to provide legal services, but only when performing
9 duties within the scope of the Office's prosecutorial
10 activities; individual representatives of or designated
11 organizations authorized to represent the Office of State
12 Long-Term Ombudsman for the Department on Aging; individual
13 representatives of or organizations designated by the
14 Department on Aging in the performance of their duties as adult
15 protective services agencies or regional administrative
16 agencies under the Adult Protective Services Act; individuals
17 or organizations appointed as members of a review team or the
18 Advisory Council under the Adult Protective Services Act;
19 individuals or organizations who perform volunteer services
20 for the State where such volunteer relationship is reduced to
21 writing; individuals who serve on any public entity (whether
22 created by law or administrative action) described in paragraph
23 (a) of this Section; individuals or not for profit
24 organizations who, either as volunteers, where such volunteer
25 relationship is reduced to writing, or pursuant to contract,
26 furnish professional advice or consultation to any agency or

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

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

25 (Source: P.A. 100-159, eff. 8-18-17; 100-1030, eff. 8-22-18;
26 101-81, eff. 7-12-19.)

1 Section 25. The Personnel Code is amended by changing
2 Section 4c as follows:

3 (20 ILCS 415/4c) (from Ch. 127, par. 63b104c)

4 Sec. 4c. General exemptions. The following positions in
5 State service shall be exempt from jurisdictions A, B, and C,
6 unless the jurisdictions shall be extended as provided in this
7 Act:

8 (1) All officers elected by the people.

9 (2) All positions under the Lieutenant Governor,
10 Secretary of State, State Treasurer, State Comptroller,
11 State Board of Education, Clerk of the Supreme Court,
12 Attorney General, and State Board of Elections.

13 (3) Judges, and officers and employees of the courts,
14 and notaries public.

15 (4) All officers and employees of the Illinois General
16 Assembly, all employees of legislative commissions, all
17 officers and employees of the Illinois Legislative
18 Reference Bureau and the Legislative Printing Unit.

19 (5) All positions in the Illinois National Guard and
20 Illinois State Guard, paid from federal funds or positions
21 in the State Military Service filled by enlistment and paid
22 from State funds.

23 (6) All employees of the Governor at the executive
24 mansion and on his immediate personal staff.

1 (7) Directors of Departments, the Adjutant General,
2 the Assistant Adjutant General, the Director of the
3 Illinois Emergency Management Agency, members of boards
4 and commissions, and all other positions appointed by the
5 Governor by and with the consent of the Senate.

6 (8) The presidents, other principal administrative
7 officers, and teaching, research and extension faculties
8 of Chicago State University, Eastern Illinois University,
9 Governors State University, Illinois State University,
10 Northeastern Illinois University, Northern Illinois
11 University, Western Illinois University, the Illinois
12 Community College Board, Southern Illinois University,
13 Illinois Board of Higher Education, University of
14 Illinois, State Universities Civil Service System,
15 University Retirement System of Illinois, and the
16 administrative officers and scientific and technical staff
17 of the Illinois State Museum.

18 (9) All other employees except the presidents, other
19 principal administrative officers, and teaching, research
20 and extension faculties of the universities under the
21 jurisdiction of the Board of Regents and the colleges and
22 universities under the jurisdiction of the Board of
23 Governors of State Colleges and Universities, Illinois
24 Community College Board, Southern Illinois University,
25 Illinois Board of Higher Education, Board of Governors of
26 State Colleges and Universities, the Board of Regents,

1 University of Illinois, State Universities Civil Service
2 System, University Retirement System of Illinois, so long
3 as these are subject to the provisions of the State
4 Universities Civil Service Act.

5 (10) The State Police so long as they are subject to
6 the merit provisions of the State Police Act. Employees of
7 the Illinois State Police Merit Board are subject to the
8 provisions of this Code.

9 (11) (Blank).

10 (12) The technical and engineering staffs of the
11 Department of Transportation, the Department of Nuclear
12 Safety, the Pollution Control Board, and the Illinois
13 Commerce Commission, and the technical and engineering
14 staff providing architectural and engineering services in
15 the Department of Central Management Services.

16 (13) All employees of the Illinois State Toll Highway
17 Authority.

18 (14) The Secretary of the Illinois Workers'
19 Compensation Commission.

20 (15) All persons who are appointed or employed by the
21 Director of Insurance under authority of Section 202 of the
22 Illinois Insurance Code to assist the Director of Insurance
23 in discharging his responsibilities relating to the
24 rehabilitation, liquidation, conservation, and dissolution
25 of companies that are subject to the jurisdiction of the
26 Illinois Insurance Code.

1 (16) All employees of the St. Louis Metropolitan Area
2 Airport Authority.

3 (17) All investment officers employed by the Illinois
4 State Board of Investment.

5 (18) Employees of the Illinois Young Adult
6 Conservation Corps program, administered by the Illinois
7 Department of Natural Resources, authorized grantee under
8 Title VIII of the Comprehensive Employment and Training Act
9 of 1973, 29 USC 993.

10 (19) Seasonal employees of the Department of
11 Agriculture for the operation of the Illinois State Fair
12 and the DuQuoin State Fair, no one person receiving more
13 than 29 days of such employment in any calendar year.

14 (20) All "temporary" employees hired under the
15 Department of Natural Resources' Illinois Conservation
16 Service, a youth employment program that hires young people
17 to work in State parks for a period of one year or less.

18 (21) All hearing officers of the Human Rights
19 Commission.

20 (22) All employees of the Illinois Mathematics and
21 Science Academy.

22 (23) All employees of the Kankakee River Valley Area
23 Airport Authority.

24 (24) The commissioners and employees of the Executive
25 Ethics Commission.

26 (25) The Executive Inspectors General, including

1 special Executive Inspectors General, and employees of
2 each Office of an Executive Inspector General.

3 (26) The commissioners and employees of the
4 Legislative Ethics Commission.

5 (27) The Legislative Inspector General, including
6 special Legislative Inspectors General, and employees of
7 the Office of the Legislative Inspector General.

8 (28) The Auditor General's Inspector General and
9 employees of the Office of the Auditor General's Inspector
10 General.

11 (29) All employees of the Illinois Power Agency.

12 (30) Employees having demonstrable, defined advanced
13 skills in accounting, financial reporting, or technical
14 expertise who are employed within executive branch
15 agencies and whose duties are directly related to the
16 submission to the Office of the Comptroller of financial
17 information for the publication of the Comprehensive
18 Annual Financial Report (CAFR).

19 (31) All employees of the Illinois Sentencing Policy
20 Advisory Council.

21 (Source: P.A. 100-1148, eff. 12-10-18.)

22 Section 30. The Department of State Police Law of the Civil
23 Administrative Code of Illinois is amended by changing Section
24 2605-50 as follows:

1 (20 ILCS 2605/2605-50) (was 20 ILCS 2605/55a-6)

2 Sec. 2605-50. Division of Internal Investigation. The
3 Division of Internal Investigation shall initiate internal
4 departmental investigations and, at the direction of the
5 Governor, investigate complaints and initiate investigations
6 of official misconduct by State officers and State employees
7 under the jurisdiction of the Governor. Notwithstanding any
8 other provisions of law, the Division shall serve as the
9 investigative body for the Illinois State Police for purposes
10 of compliance with the provisions of Sections 12.6 and 12.7 of
11 this Act.

12 (Source: P.A. 91-239, eff. 1-1-00.)

13 Section 35. The State Police Act is amended by changing
14 Sections 3, 6, 8, and 9 and by adding Sections 6.5, 11.5, 11.6,
15 12.6, 12.7, 40.1, and 46 as follows:

16 (20 ILCS 2610/3) (from Ch. 121, par. 307.3)

17 Sec. 3. The Governor shall appoint, by and with the advice
18 and consent of the Senate, a Department of State Police Merit
19 Board, hereinafter called the Board, consisting of 7 ~~5~~ members
20 to hold office. Notwithstanding any provision of law to the
21 contrary, the term of office of each director of the Authority
22 serving on the effective date of this amendatory Act of the
23 101st General Assembly, is abolished and a vacancy in each
24 office is created on the effective date of this amendatory Act

1 of the 101st General Assembly. The Governor shall appoint new
2 board members within 30 days for the vacancies created under
3 this amendatory Act of the 101st General Assembly. Board
4 members whose terms are abolished under this amendatory Act of
5 the 101st General Assembly shall be eligible for reappointment.
6 Board members shall be appointed to four-year terms. No member
7 shall be appointed to more than 2 terms. In making the
8 appointments, the Governor shall make a good faith effort to
9 appoint members reflecting the geographic, ethnic, and cultural
10 diversity of this State. In making the appointments, the
11 Governor should also consider appointing: persons with
12 professional backgrounds, possessing legal, management,
13 personnel, or labor experience; at least one member with at
14 least 10 years of experience as a licensed physician or
15 clinical psychologist with expertise in mental health; and at
16 least one member affiliated with an organization commitment
17 to social and economic rights and to eliminating
18 discrimination. , one until the third Monday in March, 1951,
19 one until the third Monday in March, 1953, and one until the
20 third Monday in March, 1955, and until their respective
21 successors are appointed and qualified. One of the members
22 added by this amendatory Act of 1977 shall serve a term
23 expiring on the third Monday in March, 1980, and until his
24 successor is appointed and qualified, and one shall serve a
25 term expiring on the third Monday in March, 1982, and until his
26 successor is appointed and qualified. Upon the expiration of

1 ~~the terms of office of those first appointed, their respective~~
2 ~~successors shall be appointed to hold office from the third~~
3 ~~Monday in March of the year of their respective appointments~~
4 ~~for a term of six years and until their successors are~~
5 ~~appointed and qualified for a like term. No more than 4 3~~
6 members of the Board shall be affiliated with the same
7 political party. If the Senate is not in session at the time
8 initial appointments are made pursuant to this section, the
9 Governor shall make temporary appointments as in the case of a
10 vacancy. In order to avoid actual conflicts of interest, or
11 the appearance of conflicts of interest, no board member shall
12 be a retired or former employee of the Illinois State Police.
13 When a Board member may have an actual, perceived, or potential
14 conflict of interest that could prevent the Board member from
15 making a fair and impartial decision on a complaint or formal
16 complaint against an Illinois State Police officer, the Board
17 member shall recuse himself or herself; or If the Board member
18 fails to recuse himself or herself, then the Board may, by a
19 simple majority, vote to recuse the Board member.

20 (Source: P.A. 87-284.)

21 (20 ILCS 2610/6) (from Ch. 121, par. 307.6)

22 Sec. 6. The Board is authorized to employ such clerical and
23 technical staff assistants, not to exceed fifteen, as may be
24 necessary to enable the Board to transact its business and, if
25 the rate of compensation is not otherwise fixed by law, to fix

1 their compensation. In order to avoid actual conflicts of
2 interest, or the appearance of conflicts of interest, no
3 employee, contractor, clerical or technical staff shall be a
4 retired or former employee of the Illinois State Police. All
5 employees shall be subject to the Personnel Code.

6 (Source: Laws 1949, p. 1357.)

7 (20 ILCS 2610/6.5 new)

8 Sec. 6.5. Badges. No badge, star, or shield shall be
9 issued to Board members, employees, contractors, clerical or
10 technical staff.

11 (20 ILCS 2610/8) (from Ch. 121, par. 307.8)

12 Sec. 8. Board jurisdiction.

13 (a) The Board shall exercise jurisdiction over the
14 certification for appointment and promotion, and over the
15 discipline, removal, demotion and suspension of Department of
16 State Police officers. The Board and the Illinois State Police
17 should also ensure Illinois State Police cadets and officers
18 represent the utmost integrity and professionalism and
19 represent the geographic, ethnic, and cultural diversity of
20 this State. The Board shall also exercise jurisdiction to
21 certify and terminate Illinois State Police Officers in
22 compliance with certification standards consistent with
23 Sections 9, 11.5, and 12.6 of this Act. Pursuant to recognized
24 merit principles of public employment, the Board shall

1 formulate, adopt, and put into effect rules, regulations and
2 procedures for its operation and the transaction of its
3 business. The Board shall establish a classification of ranks
4 of persons subject to its jurisdiction and shall set standards
5 and qualifications for each rank. Each Department of State
6 Police officer appointed by the Director shall be classified as
7 a State Police officer as follows: trooper, sergeant, master
8 sergeant, lieutenant, captain, major, or Special Agent.

9 (b) The Board shall publish all standards and
10 qualifications for each rank, including Cadet, on its website.
11 This shall include, but not be limited to, all physical
12 fitness, medical, visual, and hearing standards. The Illinois
13 State Police shall cooperate with the Board by providing any
14 necessary information to complete this requirement.

15 (Source: P.A. 100-49, eff. 1-1-18.)

16 (20 ILCS 2610/9) (from Ch. 121, par. 307.9)

17 Sec. 9. Appointment; qualifications.

18 (a) Except as otherwise provided in this Section, the
19 appointment of Department of State Police officers shall be
20 made from those applicants who have been certified by the Board
21 as being qualified for appointment. All persons so appointed
22 shall, at the time of their appointment, be not less than 21
23 years of age, or 20 years of age and have successfully
24 completed an associate's degree or 60 credit hours at an
25 accredited college or university. Any person appointed

1 subsequent to successful completion of an associate's degree or
2 60 credit hours at an accredited college or university shall
3 not have power of arrest, nor shall he or she be permitted to
4 carry firearms, until he or she reaches 21 years of age. In
5 addition, all persons so certified for appointment shall be of
6 sound mind and body, be of good moral character, be citizens of
7 the United States, have no criminal records, possess such
8 prerequisites of training, education, and experience as the
9 Board may from time to time prescribe so long as persons who
10 have an associate's degree or 60 credit hours at an accredited
11 college or university are not disqualified, and shall be
12 required to pass successfully such mental and physical tests
13 and examinations as may be prescribed by the Board. All persons
14 who meet one of the following requirements are deemed to have
15 met the collegiate educational requirements:

16 (i) have been honorably discharged and who have been
17 awarded a Southwest Asia Service Medal, Kosovo Campaign
18 Medal, Korean Defense Service Medal, Afghanistan Campaign
19 Medal, Iraq Campaign Medal, or Global War on Terrorism
20 Expeditionary Medal by the United States Armed Forces;

21 (ii) are active members of the Illinois National Guard
22 or a reserve component of the United States Armed Forces
23 and who have been awarded a Southwest Asia Service Medal,
24 Kosovo Campaign Medal, Korean Defense Service Medal,
25 Afghanistan Campaign Medal, Iraq Campaign Medal, or Global
26 War on Terrorism Expeditionary Medal as a result of

1 honorable service during deployment on active duty;

2 (iii) have been honorably discharged who served in a
3 combat mission by proof of hostile fire pay or imminent
4 danger pay during deployment on active duty; or

5 (iv) have at least 3 years of full active and
6 continuous military duty and received an honorable
7 discharge before hiring.

8 Preference shall be given in such appointments to persons
9 who have honorably served in the military or naval services of
10 the United States. All appointees shall serve a probationary
11 period of 12 months from the date of appointment and during
12 that period may be discharged at the will of the Director.
13 However, the Director may in his or her sole discretion extend
14 the probationary period of an officer up to an additional 6
15 months when to do so is deemed in the best interest of the
16 Department. Nothing in this subsection (a) limits the Board's
17 ability to prescribe education prerequisites or requirements
18 to certify Department of State Police officers for promotion as
19 provided in Section 10 of this Act.

20 (b) Notwithstanding the other provisions of this Act, after
21 July 1, 1977 and before July 1, 1980, the Director of State
22 Police may appoint and promote not more than 20 persons having
23 special qualifications as special agents as he or she deems
24 necessary to carry out the Department's objectives. Any such
25 appointment or promotion shall be ratified by the Board.

26 (c) During the 90 days following the effective date of this

1 amendatory Act of 1995, the Director of State Police may
2 appoint up to 25 persons as State Police officers. These
3 appointments shall be made in accordance with the requirements
4 of this subsection (c) and any additional criteria that may be
5 established by the Director, but are not subject to any other
6 requirements of this Act. The Director may specify the initial
7 rank for each person appointed under this subsection.

8 All appointments under this subsection (c) shall be made
9 from personnel certified by the Board. A person certified by
10 the Board and appointed by the Director under this subsection
11 must have been employed by the Illinois Commerce Commission on
12 November 30, 1994 in a job title subject to the Personnel Code
13 and in a position for which the person was eligible to earn
14 "eligible creditable service" as a "noncovered employee", as
15 those terms are defined in Article 14 of the Illinois Pension
16 Code.

17 Persons appointed under this subsection (c) shall
18 thereafter be subject to the same requirements and procedures
19 as other State police officers. A person appointed under this
20 subsection must serve a probationary period of 12 months from
21 the date of appointment, during which he or she may be
22 discharged at the will of the Director.

23 This subsection (c) does not affect or limit the Director's
24 authority to appoint other State Police officers under
25 subsection (a) of this Section.

26 (d) During the 180 days following the effective date of

1 this amendatory Act of the 101st General Assembly, the Director
2 of the Illinois State Police may appoint law enforcement
3 officers from other State agencies, boards, and commission as
4 State Police officers. These appointments shall be made in
5 accordance with the requirements of this subsection (d) and any
6 institutional criteria that may be established by the Director,
7 but are not subject to any other requirements of this Act. The
8 Director may specify the initial rank for each person appointed
9 under this subsection. All appointments under this subsection
10 (d) shall be made from personnel certified by the Board. A
11 person certified by the Board and appointed by the Director
12 under this subsection must have been employed by the a state
13 agency, board, or commission on January 1, 2021, in a job title
14 subject to the Personnel Code and in a position for which the
15 person was eligible to earn "eligible creditable service" as a
16 "noncovered employee", as those terms are defined in Article 14
17 of the Illinois Pension Code. Persons appointed under this
18 subsection (d) shall thereafter be subject to the same
19 requirements and procedures as other State police officers.
20 This subsection (d) does not affect or limit the Director's
21 authority to appoint other State Police officers under
22 subsection (a) of this Section.

23 (e) The Merit Board shall review Illinois State Police
24 Cadet applicants. The Illinois State Police may provide
25 background check and investigation material to the Board for
26 their review 10 pursuant to this section. The Board shall

1 approve and ensure that no cadet applicant is certified unless
2 the applicant is a person of good character and has not been
3 convicted of, or entered a plea of guilty to, a felony offense,
4 any of the misdemeanors in Section or if committed in any other
5 state would be an offense similar to 11-1.50, 11-6,11-9.1,
6 11-14, 11-14.1, 11-30, 12-2, 12- 3.2, 12-3.5, 16-1, 17-1, 17-2,
7 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
8 violation of any section of Part E of Title III of the Criminal
9 Code of 1961 or the Criminal Code of 2012, 32-4a, or 32-7 of
10 the Criminal Code of 1961 or the Criminal Code of 2012, or
11 subsection (a) of Section 17-32 of the Criminal Code of 1961 or
12 the Criminal Code of 2012, to Section 5 or 5.2 of the Cannabis
13 Control Act, or any felony or misdemeanor in violation of
14 federal law or the law of any state that is the equivalent of
15 any of the offenses specified therein. The Officer Misconduct
16 Database, provided in Section 9.2 of the Illinois Police
17 Training Act, shall be searched as part of this process. For
18 purposes of this Section "convicted of, or entered a plea of
19 guilty" regardless of whether the adjudication of guilt or
20 sentence is withheld or not entered thereon. This includes
21 sentences of supervision, conditional discharge, or first
22 offender probation, or any similar disposition provided for by
23 law.

24 (f) The Board shall by rule establish an application fee
25 waiver program for any person who meets one or more of the
26 following criteria:

1 (1) his or her available personal income is 200% or
2 less of the current poverty level; or

3 (2) he or she is, in the discretion of the Board,
4 unable to proceed in an action with payment of application
5 fee and payment of that fee would result in substantial
6 hardship to the person or the person's family.

7 (Source: P.A. 100-11, eff. 7-1-17; 101-374, eff. 1-1-20.)

8 (20 ILCS 2610/11.5 new)

9 Sec. 11.5. Merit Board annual report.

10 (a) The Illinois State Police Merit Board shall report
11 annually to the Governor and General Assembly the following
12 information:

13 (1) the number of state police officers terminated in
14 the preceding calendar year;

15 (2) the number of cadet written tests administered and
16 the pass and fail rate;

17 (3) cadet physical fitness testing and locations;

18 (4) the number of cadet applicants who administered a
19 physical fitness test and the pass and fail rate;

20 (5) the number of cadet applicants who failed the
21 background investigation and general categories for
22 failure; and

23 (6) the number of cadet applicants certified for each
24 cadet class.

25 (b) The Board shall also report the number of promotional

1 tests and assessments administered and the number of persons
2 who were certified for promotion. All reported categories and
3 data shall contain a gender and ethnic breakdown for those
4 individuals. The Illinois State Police shall cooperate with the
5 Board by providing any necessary information to complete this
6 annual report. The report shall also identify strategies for
7 promoting diversity and inclusion in all testing, including
8 promotional testing, and cadet recruitment, and barriers to
9 advancement of these goals. The first report shall be filed no
10 later than March 31, 2022.

11 (20 ILCS 2610/11.6 new)

12 Sec. 11.6. Illinois State Police annual disciplinary data
13 report.

14 (a) The Illinois State Police shall report annually to the
15 Governor and General Assembly the following statistical
16 information, which may be part of its annual report, pursuant
17 to Section 5-650 of the Civil Administrative Code of Illinois:

18 (1) the number of complaints received in the preceding
19 calendar year against an Illinois State Police officer,
20 including but not limited to the race, gender, and type of
21 complaints received;

22 (2) the number of internal investigations initiated in
23 the preceding calendar year since the date of the last
24 report;

25 (3) the number of internal investigations concluded in

1 the preceding calendar year;

2 (4) the number of investigations pending as of the
3 reporting date;

4 (5) the number of Merit Board referrals;

5 (6) the number of officers decertified in the preceding
6 calendar year; and

7 (7) the number of investigations that led to a
8 determination of: administratively closed, exonerated, not
9 sustained, sustained, and unfounded.

10 (b) This report shall not contain any personal identifiable
11 information or case specific information.

12 (c) This report shall be filed beginning March 1, 2023, or
13 whenever the agency files its annual report.

14 (20 ILCS 2610/12.6 new)

15 Sec. 12.6. Automatic termination of Illinois State Police
16 officers. The Board shall terminate a state police officer
17 convicted of a felony offense under the laws of this State or
18 any other state which if committed in this State would be
19 punishable as a felony. The Board must also terminate Illinois
20 State Police officers who were convicted of, or entered a plea
21 of guilty to, on or after the effective date of this amendatory
22 Act of the 101st General Assembly, any misdemeanor specified in
23 this Section or if committed in any other state would be an
24 offense similar to Section 11-1.50, 11-6, 11-9.1, 11-14,
25 11-14.1, 11-30, 12-2, 12-3.2, 12-3.5, 16-1, 17-1, 17-2, 26.5-1,

1 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in violation of any
2 section of Part E of Title III of the Criminal Code of 1961 or
3 the Criminal Code of 2012, 32-4a, or 32-7 of the Criminal Code
4 of 1961 or the Criminal Code of 2012, or subsection (a) of
5 Section 17-32 of the Criminal Code of 1961 or the Criminal Code
6 of 2012, to Section 5 or 5.2 of the Cannabis Control Act, or
7 any felony or misdemeanor in violation of federal law or the
8 law of any state that is the equivalent of any of the offenses
9 specified therein. The Illinois State Police Merit Board shall
10 report terminations under this Section to the Officer
11 Misconduct Database, provided in Section 9.2 of the Illinois
12 Police Training Act. For purposes of this section "convicted
13 of, or entered a plea of guilty" regardless of whether the
14 adjudication of guilt or sentence is withheld or not entered
15 thereon. This includes sentences of supervision, conditional
16 discharge, or first offender probation, or any similar
17 disposition provided for by law.

18 (20 ILCS 2610/12.7 new)

19 Sec. 12.7. Discretionary termination of Illinois State
20 Police officers.

21 (a) Definitions. For purposes of this Section 6.3:

22 "Duty to Intervene" means an obligation to intervene to
23 prevent harm from occurring that arises when an officer is
24 present and has reason to know:

25 (1) that excessive force is being used;

1 (2) that a citizen has been unjustifiably arrested; or
2 (3) that any constitutional violation has been
3 committed by a law enforcement official; and the officer
4 has a realistic opportunity to intervene.

5 This duty applies equally to supervisory and
6 nonsupervisory officers. If aid is required, the officer
7 shall not, when reasonable to administer aid, knowingly and
8 willingly refuse to render aid as defined by state or
9 federal law.

10 "Excessive use of force" means using force in violation of
11 State or federal law.

12 "False statement" means:

13 (1) any intentional false statement provided on a form
14 or report;

15 (2) that the writer does not believe to be true; and

16 (3) that the writer includes to mislead a public
17 servant in performing that public servant's official
18 functions.

19 "Perjury" has the meaning as defined under Sections 32-2
20 and 32-3 of the Criminal Code of 2012.

21 "Tampers with or fabricates evidence" means if a law
22 enforcement officer:

23 (1) has reason to believe that an official proceeding
24 is pending or may be instituted; and

25 (2) alters, destroys, conceals, or removes any record,
26 document, data, video or thing to impair its validity or

1 availability in the proceeding.

2 (b) Discretionary termination conduct. The Board may
3 terminate an Illinois State Police officer upon a determination
4 by the Board that the Illinois State Police officer has:

5 (1) committed an act that would constitute a felony or
6 misdemeanor which could serve as basis for automatic
7 decertification, whether or not the law enforcement
8 officer was criminally prosecuted, and whether or not the
9 law enforcement officer's employment was terminated;

10 (2) exercised excessive use of force;

11 (3) failed to comply with the officer's duty to
12 intervene, including through acts or omission;

13 (4) tampered with a dash camera or body-worn camera or
14 data recorded by a dash camera or body-worn camera or
15 directed another to tamper with or turn off a dash camera
16 or body-worn camera or data recorded by a dash camera or
17 body-worn camera for the purpose of concealing, destroying
18 or altering potential evidence;

19 (5) committed perjury, made a false statement, or
20 knowingly tampered with or fabricated evidence;

21 (6) engaged in any other conduct while on active duty
22 or under color of law that involves moral turpitude. Moral
23 turpitude includes actions that contravene the need to
24 protect the public, fail to meet the integrity of the
25 profession, or do not preserve the administration of
26 justice from reproach.

1 (b) If an officer enters a plea of guilty, nolo contendere,
2 stipulates to the facts or is found guilty of a violation of
3 any law, or if there is any other Board or judicial
4 determination that will support any punitive measure taken
5 against the officer, such action by the officer or judicial
6 entity may be considered for the purposes of this Section.

7 (c) The Illinois State Police Merit Board shall report all
8 terminations under this Section to the Officer Misconduct
9 Database, provided in Section 9.2 of the Illinois Police
10 Training Act.

11 (d) Nothing in this Act shall require an Illinois State
12 Police officer to waive any applicable constitutional rights.

13 (e) Nothing in this Section shall prohibit the Merit Board
14 from administering discipline up to and including termination
15 for violations of Illinois State Police policies and procedures
16 pursuant to other sections of this Act.

17 (20 ILCS 2610/40.1 new)

18 Sec. 40.1. Mandated training compliance. The Director of
19 the Illinois State Police and the Illinois State Police Academy
20 shall ensure all Illinois State Police cadets and officers
21 comply with all statutory, regulatory, and department mandated
22 training.

23 (20 ILCS 2610/46 new)

24 Sec. 46. Officer Professional Conduct Database; reporting,

1 transparency.

2 (a) The Illinois State Police Merit Board shall be
3 responsible for reporting all required information contained
4 in the Officer Misconduct Database, provided in Section 9.2 of
5 the Illinois Police Training Act.

6 (b) Before the Illinois State Police Merit Board certifies
7 any Illinois State Police Cadet the Board shall conduct a
8 search of all Illinois State Police Cadet applicants in the
9 Officer Professional Conduct Database.

10 (c) The database, documents, materials, or other
11 information in the possession or control of the Board that are
12 obtained by, created by, or disclosed to the Board or any other
13 entity pursuant to this subsection shall be confidential by law
14 and privileged, shall not be subject to disclosure under the
15 Freedom of Information Act, shall not be subject to subpoena,
16 and shall not be subject to discovery or admissible in evidence
17 in any private civil action. However, the Board is authorized
18 to use such documents, materials, or other information in
19 furtherance of any regulatory or legal action brought as part
20 of the Board's official duties. The Board shall not otherwise
21 disclose the database or make such documents, materials, or
22 other information public without the prior written consent of
23 the governmental agency and the law enforcement officer. The
24 Board nor any person who received documents, materials or other
25 information shared pursuant to this subsection shall be
26 permitted or required to testify in any private civil action

1 concerning the database or any confidential documents,
2 materials, or information subject to this subsection.

3 Section 40. The Illinois Police Training Act is amended by
4 changing Sections 2, 3, 6, 6.1, 7, 7.5, 8, 8.1, 8.2, 9, 10,
5 10.1, 10.2, 10.3, 10.7, 10.11, 10.12, 10.13, 10.16, 10.18,
6 10.19, 10.20, and 10.22 and by adding Sections 3.1, 6.3, 6.6,
7 6.7, 8.3, 8.4, 9.2, and 13 as follows:

8 (50 ILCS 705/2) (from Ch. 85, par. 502)

9 Sec. 2. Definitions. As used in this Act, unless the
10 context otherwise requires:

11 "Board" means the Illinois Law Enforcement Training
12 Standards Board.

13 "Full-time law enforcement officer" means a law
14 enforcement officer who has completed the officer's
15 probationary period and is employed on a full-time basis as a
16 law enforcement officer by a local government agency, State
17 government agency, or as a campus police officer by a
18 participating State-controlled university, college, or public
19 community college.

20 "Governmental agency" means any local governmental agency
21 and any State governmental agency.

22 "Local governmental agency" means any local governmental
23 unit or municipal corporation in this State. It does not
24 include the State of Illinois or any office, officer,

1 department, division, bureau, board, commission, or agency of
2 the State, except that it does include a State-controlled
3 university, college or public community college.

4 "State governmental agency" means any governmental unit of
5 this State. This includes any office, officer, department,
6 division, bureau, board, commission, or agency of the State. It
7 does not include the Illinois State Police as defined in the
8 State Police Act.

9 "Panel" means the Certification Review Panel.

10 "Police training school" means any school located within
11 the State of Illinois whether privately or publicly owned which
12 offers a course in police or county corrections training and
13 has been approved by the Board.

14 "Probationary police officer" means a recruit law
15 enforcement officer required to successfully complete initial
16 minimum basic training requirements at a police training school
17 to be eligible for permanent full-time employment as a local
18 law enforcement officer.

19 "Probationary part-time police officer" means a recruit
20 part-time law enforcement officer required to successfully
21 complete initial minimum part-time training requirements to be
22 eligible for employment on a part-time basis as a local law
23 enforcement officer.

24 "Permanent law enforcement ~~police~~ officer" means a law
25 enforcement officer who has completed the officer's ~~his or her~~
26 probationary period and is permanently employed on a full-time

1 basis as a local law enforcement officer by a participating
2 local governmental unit or as a security officer or campus
3 police officer ~~policeman~~ permanently employed by a
4 participating State-controlled university, college, or public
5 community college.

6 "Part-time law enforcement ~~police~~ officer" means a law
7 enforcement officer who has completed the officer's ~~his or her~~
8 probationary period and is employed on a part-time basis as a
9 law enforcement officer by a participating unit of local
10 government or as a campus police officer ~~policeman~~ by a
11 participating State-controlled university, college, or public
12 community college.

13 "Law enforcement officer" means (i) any police officer of a
14 local governmental agency who is primarily responsible for
15 prevention or detection of crime and the enforcement of the
16 criminal code, traffic, or highway laws of this State or any
17 political subdivision of this State or (ii) any member of a
18 police force appointed and maintained as provided in Section 2
19 of the Railroad Police Act.

20 "Recruit" means any full-time or part-time law enforcement
21 officer or full-time county corrections officer who is enrolled
22 in an approved training course.

23 "Probationary county corrections officer" means a recruit
24 county corrections officer required to successfully complete
25 initial minimum basic training requirements at a police
26 training school to be eligible for permanent employment on a

1 full-time basis as a county corrections officer.

2 "Permanent county corrections officer" means a county
3 corrections officer who has completed the officer's ~~his~~
4 probationary period and is permanently employed on a full-time
5 basis as a county corrections officer by a participating local
6 governmental unit.

7 "County corrections officer" means any sworn officer of the
8 sheriff who is primarily responsible for the control and
9 custody of offenders, detainees or inmates.

10 "Probationary court security officer" means a recruit
11 court security officer required to successfully complete
12 initial minimum basic training requirements at a designated
13 training school to be eligible for employment as a court
14 security officer.

15 "Permanent court security officer" means a court security
16 officer who has completed the officer's ~~his or her~~ probationary
17 period and is employed as a court security officer by a
18 participating local governmental unit.

19 "Court security officer" has the meaning ascribed to it in
20 Section 3-6012.1 of the Counties Code.

21 (Source: P.A. 94-846, eff. 1-1-07.)

22 (50 ILCS 705/3) (from Ch. 85, par. 503)

23 Sec. 3. Board - composition - appointments - tenure -
24 vacancies.

25 (a) The Board shall be composed of 18 members selected as

1 follows: The Attorney General of the State of Illinois, the
2 Director of State Police, the Director of Corrections, the
3 Superintendent of the Chicago Police Department, the Sheriff of
4 Cook County, the Clerk of the Circuit Court of Cook County, who
5 shall serve as ex officio members, and the following to be
6 appointed by the Governor: 2 mayors or village presidents of
7 Illinois municipalities, 2 Illinois county sheriffs from
8 counties other than Cook County, 2 managers of Illinois
9 municipalities, 2 chiefs of municipal police departments in
10 Illinois having no Superintendent of the Police Department on
11 the Board, 2 citizens of Illinois who shall be members of an
12 organized enforcement officers' association, one active member
13 of a statewide association representing sheriffs, and one
14 active member of a statewide association representing
15 municipal police chiefs. The appointments of the Governor shall
16 be made on the first Monday of August in 1965 with 3 of the
17 appointments to be for a period of one year, 3 for 2 years, and
18 3 for 3 years. Their successors shall be appointed in like
19 manner for terms to expire the first Monday of August each 3
20 years thereafter. All members shall serve until their
21 respective successors are appointed and qualify. Vacancies
22 shall be filled by the Governor for the unexpired terms. Any ex
23 officio member may appoint a designee to the Board who shall
24 have the same powers and immunities otherwise conferred to the
25 member of the Board, including the power to vote and be counted
26 toward quorum, so long as the member is not in attendance.

1 (b) When a Board member may have an actual, perceived,
2 or potential conflict of interest or appearance of bias that
3 could prevent the Board member from making a fair and impartial
4 decision on a certification decision or formal complaint:

5 (1) The Board member shall recuse himself or herself.

6 (2) If the Board member fails to recuse himself or
7 herself, then the Board may, by a simple majority of the
8 remaining members, vote to recuse the Board member. Board
9 members who are found to have voted on a matter in which
10 they should have recused themselves may be removed from the
11 Board by the Governor.

12 A conflict of interest or appearance of bias may include,
13 but is not limited to, matters where one of the following is a
14 party to a decision on a decertification or formal complaint:
15 someone with whom the member has an employment relationship;
16 any of the following relatives: spouse, parents, children,
17 adopted children, legal wards, stepchildren, step parents,
18 step siblings, half siblings, siblings, parents-in-law,
19 siblings-in-law, children-in-law, aunts, uncles, nieces, and
20 nephews; a friend; or a member of a professional organization,
21 association, or a union in which the member now actively
22 serves.

23 (c) A vacancy in members does not prevent a quorum of the
24 remaining sitting members from exercising all rights and
25 performing all duties of the Board.

26 (d) An individual serving on the Board shall not also serve

1 on the Panel.

2 (Source: P.A. 99-651, eff. 7-28-16; 100-995, eff. 8-20-18.)

3 (50 ILCS 705/3.1 new)

4 Sec. 3.1. Illinois Law Enforcement Certification Review
5 Panel.

6 (a) There is hereby created the Illinois Law Enforcement
7 Certification Review Panel. The Panel shall be composed of the
8 following members, to be appointed in accordance with this
9 Section no later than 30 days after the effective date of this
10 amendatory Act of the 101st General Assembly. An individual
11 serving on the Panel shall not also serve on the Board.

12 (1) The Governor shall appoint 9 members as prescribed
13 in this paragraph (1): one person who shall be an active
14 member of an organized law enforcement officers'
15 association; one person who shall be an active member of a
16 statewide association representing sheriffs; one person
17 who shall be an active member of a statewide association
18 representing municipal police chiefs; 2 persons who shall
19 be active members of a minority law enforcement
20 association; one person who shall be an active member from
21 a statewide association representing State's Attorneys;
22 and 3 persons who shall be Illinois residents who are from
23 communities with disproportionately high instances of
24 interaction with law enforcement, as indicated by a high
25 need, underserved community with high rates of gun

1 violence, unemployment, child poverty, and commitments to
2 Illinois Department of Corrections, but who are not
3 themselves law enforcement officers. Three of the initial
4 appointments of the Governor shall be for a period of one
5 year, another 3 of the initial appointments for 2 years,
6 and 3 of the initial appointments for 3 years. Their
7 successors shall be appointed in like manner for terms to
8 expire the first Monday of June each 3 years thereafter.
9 All members shall serve until their respective successors
10 are appointed and qualify. Vacancies shall be filled by the
11 Governor for the unexpired terms. Terms shall run
12 regardless of whether the position is vacant.

13 (2) The Attorney General shall appoint 2 members as
14 prescribed in this paragraph (2): One person who shall be a
15 representative of the victims' advocacy community but
16 shall not be a member of law enforcement; and one person
17 who shall be a resident of Illinois and shall not be an
18 employee of the Office of the Illinois Attorney General.
19 The members shall serve for a three-year term and until
20 their respective successors are appointed and qualify. The
21 members' successors shall be appointed in like manner for
22 terms to expire the first Monday of June each 3 years
23 thereafter. Any vacancy of these positions shall be filled
24 by the Attorney General for the unexpired term. The term
25 shall run regardless of whether the position is vacant.

26 (b) The Panel shall annually elect by a simple majority

1 vote one of its members as chairperson and one of its members
2 as vice-chairperson. The vice-chairperson shall serve in the
3 place of the chairperson at any meeting of the Panel in which
4 the chairperson is not present. If both the chairperson and the
5 vice-chairperson are absent at any meeting, the members present
6 shall elect by a simple majority vote another member to serve
7 as a temporary chairperson for the limited purpose of that
8 meeting. No member shall be elected more than twice in
9 succession to the same office. Each member shall serve until
10 that member's successor has been elected and qualified.

11 (c) The Board shall provide administrative assistance to
12 the Panel.

13 (d) The members of the Panel shall serve without
14 compensation but shall be entitled to reimbursement for their
15 actual and necessary expenses in attending meetings and in the
16 performance of their duties hereunder.

17 (e) Members of the Panel will receive initial and annual
18 training that is adequate in quality, quantity, scope, and
19 type, and will cover, at minimum the following topics:

20 (1) constitutional and other relevant law on
21 police-community encounters, including the law on the use
22 of force and stops, searches, and arrests;

23 (2) police tactics;

24 (3) investigations of police conduct;

25 (4) impartial policing;

26 (5) policing individuals in crisis;

1 (6) Illinois police policies, procedures, and
2 disciplinary rules;

3 (7) procedural justice; and

4 (8) community outreach.

5 (f) The State shall indemnify and hold harmless members of
6 the Panel for all of their acts, omissions, decisions, or other
7 conduct arising out of the scope of their service on the Panel,
8 except those involving willful or wanton misconduct. The method
9 of providing indemnification shall be as provided in the State
10 Employee Indemnification Act.

11 (g) When a Panel member may have an actual, perceived, or
12 potential conflict of interest or appearance of bias that could
13 prevent the Panel member from making a fair and impartial
14 decision on a complaint or formal complaint:

15 (1) The Panel member shall recuse himself or herself.

16 (2) If the Panel member fails to recuse himself or
17 herself, then the remaining members of the Panel may, by a
18 simple majority, vote to recuse the Panel member. Any Panel
19 member who is found to have voted on a matter in which they
20 should have recused themselves may be removed from the
21 Panel by the State official who initially appointed the
22 Panel member. A conflict of interest or appearance of bias
23 may include, but is not limited to, matters where one of
24 the following is a party to a certification decision for
25 formal complaint: someone with whom the member has an
26 employment relationship; any of the following relatives:

1 spouse, parents, children, adopted children, legal wards,
2 stepchildren, stepparents, step siblings, half siblings,
3 siblings, _____ parents-in-law, _____ siblings-in-law,
4 children-in-law, aunts, uncles, nieces, and nephews; a
5 friend; or a member of a professional organization,
6 association, or a union in which the member now actively
7 serves.

8 (h) A vacancy in membership does not impair the ability of
9 a quorum to exercise all rights and perform all duties of the
10 Panel.

11 (50 ILCS 705/6) (from Ch. 85, par. 506)

12 Sec. 6. Powers and duties of the Board; selection and
13 certification of schools. The Board shall select and certify
14 schools within the State of Illinois for the purpose of
15 providing basic training for probationary law enforcement
16 ~~police~~ officers, probationary county corrections officers, and
17 court security officers and of providing advanced or in-service
18 training for permanent law enforcement ~~police~~ officers or
19 permanent county corrections officers, which schools may be
20 either publicly or privately owned and operated. In addition,
21 the Board has the following power and duties:

22 a. To require local governmental units, to furnish such
23 reports and information as the Board deems necessary to
24 fully implement this Act.

25 b. To establish appropriate mandatory minimum

1 standards relating to the training of probationary local
2 law enforcement officers or probationary county
3 corrections officers, and in-service training of permanent
4 law enforcement ~~police~~ officers.

5 c. To provide appropriate certification to those
6 probationary officers who successfully complete the
7 prescribed minimum standard basic training course.

8 d. To review and approve annual training curriculum for
9 county sheriffs.

10 e. To review and approve applicants to ensure that no
11 applicant is admitted to a certified academy unless the
12 applicant is a person of good character and has not been
13 convicted of, found guilty of, or entered a plea of guilty
14 to, or entered a plea of nolo contendere to a felony
15 offense, any of the misdemeanors in Sections 11-1.50, 11-6,
16 11-9.1, 11-14, 11-14.1, ~~11-17, 11-19, 11-30~~, 12-2, 12-3.2,
17 12-3.5, ~~12-15~~, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3,
18 28-3, 29-1, any misdemeanor in violation of any Section of
19 Part E of Title III of the Criminal Code of 1961 or the
20 Criminal Code of 2012, ~~31-1, 31-6, 31-7, 32-4a, or 32-7 of~~
21 ~~the Criminal Code of 1961 or the Criminal Code of 2012,~~
22 ~~subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the~~
23 ~~Criminal Code of 1961 or the Criminal Code of 2012,~~ or
24 subsection (a) of Section 17-32 of the Criminal Code of
25 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
26 the Cannabis Control Act, or a crime involving moral

1 turpitude under the laws of this State or any other state
2 which if committed in this State would be punishable as a
3 felony or a crime of moral turpitude, or any felony or
4 misdemeanor in violation of federal law or the law of any
5 state that is the equivalent of any of the offenses
6 specified therein. The Board may appoint investigators who
7 shall enforce the duties conferred upon the Board by this
8 Act.

9 f. For purposes of this paragraph (e), a person is
10 considered to have been "convicted of, found guilty of, or
11 entered a plea of guilty to, plea of nolo contendere to"
12 regardless of whether the adjudication of guilt or sentence
13 is withheld or not entered thereon. This includes sentences
14 of supervision, conditional discharge, or first offender
15 probation, or any similar disposition provided for by law.

16 g. To review and ensure all law enforcement officers
17 remain in compliance with this Act, and any administrative
18 rules adopted under this Act.

19 h. To suspend any certificate for a definite period,
20 limit or restrict any certificate, or revoke any
21 certificate.

22 i. The Board and the Panel shall have power to secure
23 by its subpoena and bring before it any person or entity in
24 this State and to take testimony either orally or by
25 deposition or both with the same fees and mileage and in
26 the same manner as prescribed by law in judicial

1 proceedings in civil cases in circuit courts of this State.
2 The Board and the Panel shall also have the power to
3 subpoena the production of documents, papers, files,
4 books, documents, and records, whether in physical or
5 electronic form, in support of the charges and for defense,
6 and in connection with a hearing or investigation.

7 j. The Executive Director, the administrative law
8 judge designated by the Executive Director, and each member
9 of the Board and the Panel shall have the power to
10 administer oaths to witnesses at any hearing that the Board
11 is authorized to conduct under this Act and any other oaths
12 required or authorized to be administered by the Board
13 under this Act.

14 k. In case of the neglect or refusal of any person to
15 obey a subpoena issued by the Board and the Panel, any
16 circuit court, upon application of the Board and the Panel,
17 through the Illinois Attorney General, may order such
18 person to appear before the Board and the Panel give
19 testimony or produce evidence, and any failure to obey such
20 order is punishable by the court as a contempt thereof.
21 This order may be served by personal delivery, by email, or
22 by mail to the address of record or email address of
23 record.

24 (Source: P.A. 101-187, eff. 1-1-20.)

25 (50 ILCS 705/6.1)

1 Sec. 6.1. Automatic Decertification of full-time and
2 part-time law enforcement ~~police~~ officers.

3 (a) The Board must review law enforcement ~~police~~ officer
4 conduct and records to ensure that no law enforcement ~~police~~
5 officer is certified or provided a valid waiver if that law
6 enforcement ~~police~~ officer has been convicted of, found guilty
7 of, or entered a plea of guilty to, or entered a plea of nolo
8 contendere to, a felony offense under the laws of this State or
9 any other state which if committed in this State would be
10 punishable as a felony. The Board must also ensure that no law
11 enforcement ~~police~~ officer is certified or provided a valid
12 waiver if that law enforcement ~~police~~ officer has been
13 convicted of, found guilty of, or entered a plea of guilty to,
14 ~~on or after the effective date of this amendatory Act of 1999~~
15 of any misdemeanor specified in this Section or if committed in
16 any other state would be an offense similar to Section 11-1.50,
17 11-6, 11-9.1, 11-14, 11-14.1, ~~11-17, 11-19,~~ 11-30, 12-2,
18 12-3.2, 12-3.5, ~~12-15,~~ 16-1, 17-1, 17-2, 26.5-1, 26.5-2,
19 26.5-3, 28-3, 29-1, any misdemeanor in violation of any section
20 of Part E of Title III of the Criminal Code of 1961 or the
21 Criminal Code of 2012 ~~31-1, 31-6, 31-7, 32-4a, or 32-7 of the~~
22 ~~Criminal Code of 1961 or the Criminal Code of 2012, to~~
23 ~~subdivision (a)(1) or (a)(2)(C) of Section 11-14.3 of the~~
24 ~~Criminal Code of 1961 or the Criminal Code of 2012,~~ or
25 subsection (a) of Section 17-32 of the Criminal Code of 1961 or
26 the Criminal Code of 2012, or to Section 5 or 5.2 of the

1 Cannabis Control Act, or any felony or misdemeanor in violation
2 of federal law or the law of any state that is the equivalent
3 of any of the offenses specified therein. The Board must
4 appoint investigators to enforce the duties conferred upon the
5 Board by this Act.

6 (a-1) For purposes of this Section, a person is "convicted
7 of, or entered a plea of guilty to, plea of nolo contendere to,
8 found guilty of" regardless of whether the adjudication of
9 guilt or sentence is withheld or not entered thereon. This
10 includes sentences of supervision, conditional discharge, or
11 first offender probation, or any similar disposition provided
12 for by law.

13 (b) It is the responsibility of the sheriff or the chief
14 executive officer of every governmental ~~local law enforcement~~
15 agency or department within this State to report to the Board
16 any arrest, conviction, finding of guilt, or plea of guilty, or
17 plea of nolo contendere to, of any officer for an offense
18 identified in this Section, regardless of whether the
19 adjudication of guilt or sentence is withheld or not entered
20 thereon, this includes sentences of supervision, conditional
21 discharge, or first offender probation.

22 (c) It is the duty and responsibility of every full-time
23 and part-time law enforcement ~~police~~ officer in this State to
24 report to the Board within 14 ~~30~~ days, and the officer's
25 sheriff or chief executive officer, of the officer's ~~his or her~~
26 arrest, conviction, found guilty of, or plea of guilty for an

1 offense identified in this Section. Any full-time or part-time
2 law enforcement ~~police~~ officer who knowingly makes, submits,
3 causes to be submitted, or files a false or untruthful report
4 to the Board must have the officer's ~~his or her~~ certificate or
5 waiver immediately decertified or revoked.

6 (d) Any person, or a local or State agency, or the Board is
7 immune from liability for submitting, disclosing, or releasing
8 information of arrests, convictions, or pleas of guilty in this
9 Section as long as the information is submitted, disclosed, or
10 released in good faith and without malice. The Board has
11 qualified immunity for the release of the information.

12 (e) Any full-time or part-time law enforcement ~~police~~
13 officer with a certificate or waiver issued by the Board who is
14 convicted of, found guilty of, or entered a plea of guilty to,
15 or entered a plea of nolo contendere to any offense described
16 in this Section immediately becomes decertified or no longer
17 has a valid waiver. The decertification and invalidity of
18 waivers occurs as a matter of law. Failure of a convicted
19 person to report to the Board the officer's ~~his or her~~
20 conviction as described in this Section or any continued law
21 enforcement practice after receiving a conviction is a Class 4
22 felony.

23 For purposes of this Section, a person is considered to
24 have been "convicted of, found guilty of, or entered a plea of
25 guilty to, plea of nolo contendere to" regardless of whether
26 the adjudication of guilt or sentence is withheld or not

1 entered thereon, including sentences of supervision,
2 conditional discharge, first offender probation, or any
3 similar disposition as provided for by law.

4 (f) The Board's investigators shall be law enforcement
5 officers as defined in Section 2 of this Act ~~are peace officers~~
6 ~~and have all the powers possessed by policemen in cities and by~~
7 ~~sheriff's, and these investigators may exercise those powers~~
8 ~~anywhere in the State. An investigator shall not have peace~~
9 ~~officer status or exercise police powers unless he or she~~
10 ~~successfully completes the basic police training course~~
11 ~~mandated and approved by the Board or the Board waives the~~
12 ~~training requirement by reason of the investigator's prior law~~
13 ~~enforcement experience, training, or both.~~ The Board shall not
14 waive the training requirement unless the investigator has had
15 a minimum of 5 years experience as a sworn officer of a local,
16 State, or federal law enforcement agency. An investigator shall
17 not have been terminated for good cause, decertified, had his
18 or her law enforcement license or certificate revoked in this
19 or any other jurisdiction, or been convicted of any of the
20 conduct listed in subsection (a). Any complaint filed against
21 the Board's investigators shall be investigated by the Illinois
22 State Police.

23 (g) The Board must request and receive information and
24 assistance from any federal, state, or local governmental
25 agency as part of the authorized criminal background
26 investigation. The Department of State Police must process,

1 retain, and additionally provide and disseminate information
2 to the Board concerning criminal charges, arrests,
3 convictions, and their disposition, that have been filed
4 ~~before, on, or after the effective date of this amendatory Act~~
5 ~~of the 91st General Assembly~~ against a basic academy applicant,
6 law enforcement applicant, or law enforcement officer whose
7 fingerprint identification cards are on file or maintained by
8 the Department of State Police. The Federal Bureau of
9 Investigation must provide the Board any criminal history
10 record information contained in its files pertaining to law
11 enforcement officers or any applicant to a Board certified
12 basic law enforcement academy as described in this Act based on
13 fingerprint identification. The Board must make payment of fees
14 to the Department of State Police for each fingerprint card
15 submission in conformance with the requirements of paragraph 22
16 of Section 55a of the Civil Administrative Code of Illinois.

17 (h) (Blank). ~~A police officer who has been certified or~~
18 ~~granted a valid waiver shall also be decertified or have his or~~
19 ~~her waiver revoked upon a determination by the Illinois Labor~~
20 ~~Relations Board State Panel that he or she, while under oath,~~
21 ~~has knowingly and willfully made false statements as to a~~
22 ~~material fact going to an element of the offense of murder. If~~
23 ~~an appeal is filed, the determination shall be stayed.~~

24 ~~(1) In the case of an acquittal on a charge of murder,~~
25 ~~a verified complaint may be filed:~~

26 ~~(A) by the defendant; or~~

1 ~~(B) by a police officer with personal knowledge of~~
2 ~~perjured testimony.~~

3 ~~The complaint must allege that a police officer, while~~
4 ~~under oath, knowingly and willfully made false statements~~
5 ~~as to a material fact going to an element of the offense of~~
6 ~~murder. The verified complaint must be filed with the~~
7 ~~Executive Director of the Illinois Law Enforcement~~
8 ~~Training Standards Board within 2 years of the judgment of~~
9 ~~acquittal.~~

10 ~~(2) Within 30 days, the Executive Director of the~~
11 ~~Illinois Law Enforcement Training Standards Board shall~~
12 ~~review the verified complaint and determine whether the~~
13 ~~verified complaint is frivolous and without merit, or~~
14 ~~whether further investigation is warranted. The Illinois~~
15 ~~Law Enforcement Training Standards Board shall notify the~~
16 ~~officer and the Executive Director of the Illinois Labor~~
17 ~~Relations Board State Panel of the filing of the complaint~~
18 ~~and any action taken thereon. If the Executive Director of~~
19 ~~the Illinois Law Enforcement Training Standards Board~~
20 ~~determines that the verified complaint is frivolous and~~
21 ~~without merit, it shall be dismissed. The Executive~~
22 ~~Director of the Illinois Law Enforcement Training~~
23 ~~Standards Board has sole discretion to make this~~
24 ~~determination and this decision is not subject to appeal.~~

25 ~~(i) (Blank). If the Executive Director of the Illinois Law~~
26 ~~Enforcement Training Standards Board determines that the~~

1 ~~verified complaint warrants further investigation, he or she~~
2 ~~shall refer the matter to a task force of investigators created~~
3 ~~for this purpose. This task force shall consist of 8 sworn~~
4 ~~police officers: 2 from the Illinois State Police, 2 from the~~
5 ~~City of Chicago Police Department, 2 from county police~~
6 ~~departments, and 2 from municipal police departments. These~~
7 ~~investigators shall have a minimum of 5 years of experience in~~
8 ~~conducting criminal investigations. The investigators shall be~~
9 ~~appointed by the Executive Director of the Illinois Law~~
10 ~~Enforcement Training Standards Board. Any officer or officers~~
11 ~~acting in this capacity pursuant to this statutory provision~~
12 ~~will have statewide police authority while acting in this~~
13 ~~investigative capacity. Their salaries and expenses for the~~
14 ~~time spent conducting investigations under this paragraph~~
15 ~~shall be reimbursed by the Illinois Law Enforcement Training~~
16 ~~Standards Board.~~

17 (j) (Blank). ~~Once the Executive Director of the Illinois~~
18 ~~Law Enforcement Training Standards Board has determined that an~~
19 ~~investigation is warranted, the verified complaint shall be~~
20 ~~assigned to an investigator or investigators. The investigator~~
21 ~~or investigators shall conduct an investigation of the verified~~
22 ~~complaint and shall write a report of his or her findings. This~~
23 ~~report shall be submitted to the Executive Director of the~~
24 ~~Illinois Labor Relations Board State Panel.~~

25 ~~Within 30 days, the Executive Director of the Illinois~~
26 ~~Labor Relations Board State Panel shall review the~~

1 ~~investigative report and determine whether sufficient evidence~~
2 ~~exists to conduct an evidentiary hearing on the verified~~
3 ~~complaint. If the Executive Director of the Illinois Labor~~
4 ~~Relations Board State Panel determines upon his or her review~~
5 ~~of the investigatory report that a hearing should not be~~
6 ~~conducted, the complaint shall be dismissed. This decision is~~
7 ~~in the Executive Director's sole discretion, and this dismissal~~
8 ~~may not be appealed.~~

9 ~~If the Executive Director of the Illinois Labor Relations~~
10 ~~Board State Panel determines that there is sufficient evidence~~
11 ~~to warrant a hearing, a hearing shall be ordered on the~~
12 ~~verified complaint, to be conducted by an administrative law~~
13 ~~judge employed by the Illinois Labor Relations Board State~~
14 ~~Panel. The Executive Director of the Illinois Labor Relations~~
15 ~~Board State Panel shall inform the Executive Director of the~~
16 ~~Illinois Law Enforcement Training Standards Board and the~~
17 ~~person who filed the complaint of either the dismissal of the~~
18 ~~complaint or the issuance of the complaint for hearing. The~~
19 ~~Executive Director shall assign the complaint to the~~
20 ~~administrative law judge within 30 days of the decision~~
21 ~~granting a hearing.~~

22 (k) (Blank). ~~In the case of a finding of guilt on the~~
23 ~~offense of murder, if a new trial is granted on direct appeal,~~
24 ~~or a state post conviction evidentiary hearing is ordered,~~
25 ~~based on a claim that a police officer, under oath, knowingly~~
26 ~~and willfully made false statements as to a material fact going~~

1 ~~to an element of the offense of murder, the Illinois Labor~~
2 ~~Relations Board State Panel shall hold a hearing to determine~~
3 ~~whether the officer should be decertified if an interested~~
4 ~~party requests such a hearing within 2 years of the court's~~
5 ~~decision. The complaint shall be assigned to an administrative~~
6 ~~law judge within 30 days so that a hearing can be scheduled.~~

7 ~~At the hearing, the accused officer shall be afforded the~~
8 ~~opportunity to:~~

9 ~~(1) Be represented by counsel of his or her own~~
10 ~~choosing;~~

11 ~~(2) Be heard in his or her own defense;~~

12 ~~(3) Produce evidence in his or her defense;~~

13 ~~(4) Request that the Illinois Labor Relations Board~~
14 ~~State Panel compel the attendance of witnesses and~~
15 ~~production of related documents including but not limited~~
16 ~~to court documents and records.~~

17 ~~Once a case has been set for hearing, the verified~~
18 ~~complaint shall be referred to the Department of Professional~~
19 ~~Regulation. That office shall prosecute the verified complaint~~
20 ~~at the hearing before the administrative law judge. The~~
21 ~~Department of Professional Regulation shall have the~~
22 ~~opportunity to produce evidence to support the verified~~
23 ~~complaint and to request the Illinois Labor Relations Board~~
24 ~~State Panel to compel the attendance of witnesses and the~~
25 ~~production of related documents, including, but not limited to,~~
26 ~~court documents and records. The Illinois Labor Relations Board~~

1 ~~State Panel shall have the power to issue subpoenas requiring~~
2 ~~the attendance of and testimony of witnesses and the production~~
3 ~~of related documents including, but not limited to, court~~
4 ~~documents and records and shall have the power to administer~~
5 ~~oaths.~~

6 ~~The administrative law judge shall have the responsibility~~
7 ~~of receiving into evidence relevant testimony and documents,~~
8 ~~including court records, to support or disprove the allegations~~
9 ~~made by the person filing the verified complaint and, at the~~
10 ~~close of the case, hear arguments. If the administrative law~~
11 ~~judge finds that there is not clear and convincing evidence to~~
12 ~~support the verified complaint that the police officer has,~~
13 ~~while under oath, knowingly and willfully made false statements~~
14 ~~as to a material fact going to an element of the offense of~~
15 ~~murder, the administrative law judge shall make a written~~
16 ~~recommendation of dismissal to the Illinois Labor Relations~~
17 ~~Board State Panel. If the administrative law judge finds that~~
18 ~~there is clear and convincing evidence that the police officer~~
19 ~~has, while under oath, knowingly and willfully made false~~
20 ~~statements as to a material fact that goes to an element of the~~
21 ~~offense of murder, the administrative law judge shall make a~~
22 ~~written recommendation so concluding to the Illinois Labor~~
23 ~~Relations Board State Panel. The hearings shall be transcribed.~~
24 ~~The Executive Director of the Illinois Law Enforcement Training~~
25 ~~Standards Board shall be informed of the administrative law~~
26 ~~judge's recommended findings and decision and the Illinois~~

1 ~~Labor Relations Board State Panel's subsequent review of the~~
2 ~~recommendation.~~

3 (l) (Blank). ~~An officer named in any complaint filed~~
4 ~~pursuant to this Act shall be indemnified for his or her~~
5 ~~reasonable attorney's fees and costs by his or her employer.~~
6 ~~These fees shall be paid in a regular and timely manner. The~~
7 ~~State, upon application by the public employer, shall reimburse~~
8 ~~the public employer for the accused officer's reasonable~~
9 ~~attorney's fees and costs. At no time and under no~~
10 ~~circumstances will the accused officer be required to pay his~~
11 ~~or her own reasonable attorney's fees or costs.~~

12 (m) (Blank). ~~The accused officer shall not be placed on~~
13 ~~unpaid status because of the filing or processing of the~~
14 ~~verified complaint until there is a final non appealable order~~
15 ~~sustaining his or her guilt and his or her certification is~~
16 ~~revoked. Nothing in this Act, however, restricts the public~~
17 ~~employer from pursuing discipline against the officer in the~~
18 ~~normal course and under procedures then in place.~~

19 (n) (Blank). ~~The Illinois Labor Relations Board State Panel~~
20 ~~shall review the administrative law judge's recommended~~
21 ~~decision and order and determine by a majority vote whether or~~
22 ~~not there was clear and convincing evidence that the accused~~
23 ~~officer, while under oath, knowingly and willfully made false~~
24 ~~statements as to a material fact going to the offense of~~
25 ~~murder. Within 30 days of service of the administrative law~~
26 ~~judge's recommended decision and order, the parties may file~~

1 ~~exceptions to the recommended decision and order and briefs in~~
2 ~~support of their exceptions with the Illinois Labor Relations~~
3 ~~Board State Panel. The parties may file responses to the~~
4 ~~exceptions and briefs in support of the responses no later than~~
5 ~~15 days after the service of the exceptions. If exceptions are~~
6 ~~filed by any of the parties, the Illinois Labor Relations Board~~
7 ~~State Panel shall review the matter and make a finding to~~
8 ~~uphold, vacate, or modify the recommended decision and order.~~
9 ~~If the Illinois Labor Relations Board State Panel concludes~~
10 ~~that there is clear and convincing evidence that the accused~~
11 ~~officer, while under oath, knowingly and willfully made false~~
12 ~~statements as to a material fact going to an element of the~~
13 ~~offense murder, the Illinois Labor Relations Board State Panel~~
14 ~~shall inform the Illinois Law Enforcement Training Standards~~
15 ~~Board and the Illinois Law Enforcement Training Standards Board~~
16 ~~shall revoke the accused officer's certification. If the~~
17 ~~accused officer appeals that determination to the Appellate~~
18 ~~Court, as provided by this Act, he or she may petition the~~
19 ~~Appellate Court to stay the revocation of his or her~~
20 ~~certification pending the court's review of the matter.~~

21 (o) (Blank). ~~None of the Illinois Labor Relations Board~~
22 ~~State Panel's findings or determinations shall set any~~
23 ~~precedent in any of its decisions decided pursuant to the~~
24 ~~Illinois Public Labor Relations Act by the Illinois Labor~~
25 ~~Relations Board State Panel or the courts.~~

26 (p) (Blank). ~~A party aggrieved by the final order of the~~

1 ~~Illinois Labor Relations Board State Panel may apply for and~~
2 ~~obtain judicial review of an order of the Illinois Labor~~
3 ~~Relations Board State Panel, in accordance with the provisions~~
4 ~~of the Administrative Review Law, except that such judicial~~
5 ~~review shall be afforded directly in the Appellate Court for~~
6 ~~the district in which the accused officer resides. Any direct~~
7 ~~appeal to the Appellate Court shall be filed within 35 days~~
8 ~~from the date that a copy of the decision sought to be reviewed~~
9 ~~was served upon the party affected by the decision.~~

10 (q) (Blank). ~~Interested parties. Only interested parties~~
11 ~~to the criminal prosecution in which the police officer~~
12 ~~allegedly, while under oath, knowingly and willfully made false~~
13 ~~statements as to a material fact going to an element of the~~
14 ~~offense of murder may file a verified complaint pursuant to~~
15 ~~this Section. For purposes of this Section, "interested~~
16 ~~parties" shall be limited to the defendant and any police~~
17 ~~officer who has personal knowledge that the police officer who~~
18 ~~is the subject of the complaint has, while under oath,~~
19 ~~knowingly and willfully made false statements as to a material~~
20 ~~fact going to an element of the offense of murder.~~

21 (r) (Blank). ~~Semi-annual reports. The Executive Director~~
22 ~~of the Illinois Labor Relations Board shall submit semi-annual~~
23 ~~reports to the Governor, President, and Minority Leader of the~~
24 ~~Senate, and to the Speaker and Minority Leader of the House of~~
25 ~~Representatives beginning on June 30, 2004, indicating:~~

26 ~~(1) the number of verified complaints received since~~

1 ~~the date of the last report;~~

2 ~~(2) the number of investigations initiated since the~~
3 ~~date of the last report;~~

4 ~~(3) the number of investigations concluded since the~~
5 ~~date of the last report;~~

6 ~~(4) the number of investigations pending as of the~~
7 ~~reporting date;~~

8 ~~(5) the number of hearings held since the date of the~~
9 ~~last report; and~~

10 ~~(6) the number of officers decertified since the date~~
11 ~~of the last report.~~

12 (Source: P.A. 101-187, eff. 1-1-20.)

13 (50 ILCS 705/6.3 new)

14 Sec. 6.3. Discretionary decertification of full-time and
15 part-time law enforcement officers.

16 (a) Definitions. For purposes of this Section 6.3:

17 "Duty to Intervene" means an obligation to intervene to
18 prevent harm from occurring that arises when: an officer is
19 present, and has reason to know (1) that excessive force is
20 being used, (2) that a citizen has been unjustifiably arrested,
21 or (3) that any constitutional violation has been committed by
22 a law enforcement official; and the officer has a realistic
23 opportunity to intervene. This duty applies equally to
24 supervisory and nonsupervisory officers. If aid is required,
25 the officer shall not, when reasonable to administer aid,

1 knowingly and willingly refuse to render aid as defined by
2 state or federal law.

3 "Excessive use of force" means using force in violation of
4 State or federal law.

5 "False statement" means (1) any intentional false
6 statement provided on a form or report, (2) that the writer
7 does not believe to be true, and (3) that the writer includes
8 to mislead a public servant in performing the public servant's
9 official functions. "Perjury" means that as defined under
10 Sections 32-2 and 32-3 of the Criminal Code of 2012.

11 "Tampers with or fabricates evidence" means if a law
12 enforcement officer (1) has reason to believe that an official
13 proceeding is pending or may be instituted, and (2) alters,
14 destroys, conceals, or removes any record, document, data,
15 video or thing to impair its validity or availability in the
16 proceeding.

17 (b) Decertification conduct. The Board has the authority to
18 decertify a full-time or a part-time law enforcement officer
19 upon a determination by the Board that the law enforcement
20 officer has:

21 (1) committed an act that would constitute a felony or
22 misdemeanor which could serve as basis for automatic
23 decertification, whether or not the law enforcement
24 officer was criminally prosecuted, and whether or not the
25 law enforcement officer's employment was terminated;

26 (2) exercised excessive use of force;

1 (3) failed to comply with the officer's duty to
2 intervene, including through acts or omissions;

3 (4) tampered with a dash camera or body-worn camera or
4 data recorded by a dash camera or body-worn camera or
5 directed another to tamper with or turn off a dash camera
6 or body-worn camera or data recorded by a dash camera or
7 body-worn camera for the purpose of concealing, destroying
8 or altering potential evidence;

9 (5) committed perjury, made a false statement, or
10 knowingly tampered with or fabricated evidence; and

11 (6) engaged in any other conduct while on active duty
12 or under color of law that involves moral turpitude. Moral
13 turpitude includes actions that contravene the need to
14 protect the public, fail to meet the integrity of the
15 profession, or do not preserve the administration of
16 justice from reproach.

17 (c) Notice of Alleged Violation.

18 (1) The following individuals and agencies shall
19 notify the Board within 7 days of becoming aware of any
20 violation described in subsection (a):

21 (A) A governmental agency as defined in Section 2
22 or any law enforcement officer of this State. For this
23 subsection (c), governmental agency includes, but is
24 not limited to, a civilian review board, an inspector
25 general, and legal counsel for a government agency.

26 (B) The Executive Director of the Board;

1 (2) if submitted under subsection (c)(1), the agency
2 name and title of the person submitting the notice;

3 (3) the full name, badge number, governmental agency,
4 and physical description of the officer, if known;

5 (4) the full name or names, address or addresses,
6 telephone number or numbers, and physical description or
7 descriptions of any witnesses, if known

8 (5) a concise statement of facts that describe the
9 alleged violation and any copies of supporting evidence
10 including but not limited to any photographic, video, or
11 audio recordings of the incident; and

12 (6) whether the person submitting the notice has
13 notified any other agency.

14 Nothing in this subsection (d) shall preclude the Board
15 from receiving, investigating, or acting upon allegations made
16 anonymously or in a format different from the form provided for
17 in this subsection.

18 (e) Preliminary review.

19 (1) The Board shall complete a preliminary review of
20 the allegations to determine whether there is sufficient
21 information to warrant a further investigation of any
22 violations of the Act. Upon initiating a preliminary review
23 of the allegations, the Board shall notify the head of the
24 governmental agency that employs the law enforcement
25 officer who is the subject of the allegations. At the
26 request of the Board, the governmental agency must submit

1 any copies of investigative findings, evidence, or
2 documentation to the Board in accordance with rules adopted
3 by the Board to facilitate the Board's preliminary review.
4 The Board may correspond with the governmental agency,
5 official records clerks or any investigative agencies in
6 conducting its preliminary review.

7 (2) During the preliminary review, the Board will take
8 all reasonable steps to discover any and all objective
9 verifiable evidence relevant to the alleged violation
10 through the identification, retention, review, and
11 analysis of all currently available evidence, including,
12 but not limited to: all time-sensitive evidence, audio and
13 video evidence, physical evidence, arrest reports,
14 photographic evidence, GPS records, computer data, lab
15 reports, medical documents, and witness interviews. All
16 reasonable steps will be taken to preserve relevant
17 evidence identified during the preliminary investigation.

18 (3) If after a preliminary review of the alleged
19 violation or violations, the Board believes there is
20 sufficient information to warrant further investigation of
21 any violations of this Act, the alleged violation or
22 violations shall be assigned for investigation in
23 accordance with subsection (f).

24 Notwithstanding subsection (b) of Section 3.8 of the
25 Uniform Peace Officers' Disciplinary Act, if the Board
26 determines that there is objective verifiable evidence to

1 support allegation or allegations submitted anonymously or
2 without an affidavit, the Board shall complete a sworn
3 affidavit override to comply with subsection (b) of Section
4 3.8 of the Uniform Peace Officers' Disciplinary Act. The
5 sworn affidavit override shall be specified on a form to be
6 determined by the Board, which shall include, at a minimum,
7 what evidence has been reviewed and, in reliance upon that
8 evidence, shall affirm that it is necessary and appropriate
9 for the investigation to continue. The Board shall forward
10 the completed sworn affidavit form along with the alleged
11 violation in accordance with subsection (f).

12 (4) If after a review of the allegations, the Board
13 believes there is insufficient information supporting the
14 allegations to warrant further investigation, it may close
15 a notice. Notification of the Board's decision to close a
16 notice shall be sent to all relevant individuals and
17 agencies under paragraphs (1) and (2) of subsection (c) and
18 any entities that received notice of the violation under
19 paragraph (2) of subsection (c) within 30 days of the
20 notice being closed, except in cases where the notice is
21 submitted anonymously if the complainant is unknown.

22 (5) Except when the Board has received notice under
23 subparagraph (A) of paragraph (1) of subsection (b), no
24 later than 30 days after receiving notice, the Board shall
25 report any notice of violation it receives to the relevant
26 governmental agency, unless reporting the notice would

1 jeopardize any subsequent investigation. The Board shall
2 also record any notice of violation it receives to the
3 Officer Professional Conduct Database in accordance with
4 Section 9.2. The Board shall report to the appropriate
5 State's Attorney any alleged violations that contain
6 allegations, claims, or factual assertions that, if true,
7 would constitute a violation of Illinois law. The Board
8 shall inform the law enforcement officer via certified mail
9 that it has received a notice of violation against the law
10 enforcement officer.

11 If the Board determines that due to the circumstances
12 and the nature of the allegation that it would not be
13 prudent to notify the law enforcement officer and the
14 officer's governmental agency unless and until the filing
15 of a Formal Complaint, the Board shall document in the file
16 the reason or reasons a notification was not made.

17 (6) If a criminal proceeding has been initiated against
18 the law enforcement officer, the Board is responsible for
19 maintaining a current status report including court dates,
20 hearings, pleas, adjudication status and sentencing. A
21 State's Attorney's Office is responsible for notifying the
22 Board of any criminal charges filed against a law
23 enforcement officer.

24 (f) Investigations; requirements. Investigations are to be
25 assigned after a preliminary review, unless the investigations
26 were closed under paragraph (4) of subsection (e), as follows

1 in paragraphs (1), (2), and (3) of this subsection (f).

2 (1) A governmental agency that submits a notice of
3 violation to the Board under subparagraph (A) of paragraph
4 (1) of subsection (b) shall be responsible for conducting
5 an investigation of the underlying allegations except
6 when: (i) the governmental agency refers the notice to
7 another governmental agency or the Board for investigation
8 and such other agency or the Board conducts the
9 investigation; (ii) an external, independent, or civilian
10 oversight agency conducts the investigation in accordance
11 with local ordinance or other applicable law; or (iii) the
12 Board has determined based upon the facts and circumstances
13 of the violation that it will conduct the investigation,
14 including but not limited to, investigations regarding the
15 Chief or Sheriff of a governmental agency, familial
16 conflict of interests, complaints involving a substantial
17 portion of a governmental agency, or complaints involving a
18 policy of a governmental agency. Any agency or entity
19 conducting an investigation under this paragraph (1)
20 shall, within 7 days of completing an investigation,
21 deliver an Investigative Summary Report and copies of any
22 administrative evidence to the Board. If the Board finds an
23 investigation conducted under this paragraph (1) is
24 incomplete, unsatisfactory, or deficient in any way, the
25 Board may direct the investigating entity or agency to take
26 any additional investigative steps deemed necessary to

1 thoroughly and satisfactorily complete the investigation,
2 or the Board may take any steps necessary to complete the
3 investigation. The investigating entity or agency or, when
4 necessary, the Board will then amend and re-submit the
5 Investigative Summary Report to the Board for approval.

6 (2) The Board shall investigate and complete an
7 Investigative Summary Report when a State's Attorney's
8 Office submits a notice of violation to the Board under
9 (c) (1) (C).

10 (3) When a person submits a notice to the Board under
11 paragraph (2) of subsection (c) the Board may conduct the
12 investigation and complete the Investigative Summary
13 Report or the Board may direct these actions be completed
14 by: (i) the governmental agency that employs or employed
15 the law enforcement officer or officers who are the subject
16 of the allegations; (ii) a governmental agency other than
17 the agency that employs or employed the law enforcement
18 officer or officers who are the subject of the allegations;
19 or (iii) an external, independent, or civilian oversight
20 agency in accordance with local ordinance or other
21 applicable law. The investigating entity or agency shall,
22 within 7 days of completing an investigation, deliver an
23 Investigative Summary Report and copies of any evidence to
24 the Board. If the Board finds an investigation conducted
25 under this subsection (f) (3) is incomplete,
26 unsatisfactory, or deficient in any way, the Board may

1 direct the investigating entity to take any additional
2 investigative steps deemed necessary to thoroughly and
3 satisfactorily complete the investigation, or the Board
4 may take any steps necessary to complete the investigation.
5 The investigating entity or agency or, when necessary, the
6 Board will then amend and re-submit The Investigative
7 Summary Report to the Board for approval. The investigating
8 entity shall cooperate with and assist the Board, as
9 necessary, in any subsequent investigation.

10 (4) Concurrent Investigations. The Board may, at any
11 point, initiate a concurrent investigation under this
12 section. The original investigating entity shall timely
13 communicate, coordinate, and cooperate with the Board to
14 the fullest extent. The Board shall promulgate rules that
15 shall address, at a minimum, the sharing of information and
16 investigative means such as subpoenas and interviewing
17 witnesses.

18 (5) Investigative Summary Report. An Investigative
19 Summary Report shall contain, at a minimum, the allegations
20 and elements within each allegation followed by the
21 testimonial, documentary, or physical evidence that is
22 relevant to each such allegation or element listed and
23 discussed in association with it. All persons who have been
24 interviewed and listed in the Investigative Summary Report
25 will be identified as a complainant, witness, person with
26 specialized knowledge, or law enforcement employee.

1 (6) Each governmental agency shall adopt a written
2 policy regarding the investigation of conduct under
3 subsection (a) that involves a law enforcement officer
4 employed by that governmental agency. The written policy
5 adopted must include the following, at a minimum:

6 (a) Each law enforcement officer shall immediately
7 report any conduct under subsection (b) to the
8 appropriate supervising officer.

9 (b) The written policy under this Section shall be
10 available for inspection and copying under the Freedom
11 of Information Act, and not subject to any exemption of
12 that Act.

13 (7) Nothing in this Act shall prohibit a governmental
14 agency from conducting an investigation for the purpose of
15 internal discipline. However, any such investigation shall
16 be conducted in a manner that avoids interference with, and
17 preserves the integrity of, any separate investigation
18 being conducted.

19 (g) Formal complaints. Upon receipt of an Investigative
20 Summary Report, the Board shall review the Report and any
21 relevant evidence obtained and determine whether there is
22 reasonable basis to believe that the law enforcement officer
23 committed any conduct that would be deemed a violation of this
24 Act. If after reviewing the Report and any other relevant
25 evidence obtained, the Board determines that a reasonable basis
26 does exist, the Board shall file a formal complaint with the

1 Certification Review Panel.

2 (h) Hearing.

3 (1) Upon issuance of a formal complaint, the Panel
4 shall set the matter for an initial hearing in front of an
5 administrative law judge. At least 30 days before the date
6 set for an initial hearing, the Panel must, in writing,
7 notify the law enforcement officer subject to the complaint
8 of the following:

9 (i) the allegations against the law enforcement
10 officer, the time and place for the hearing, and
11 whether the law enforcement officer's certification
12 has been temporarily suspended under Section 8.3;

13 (ii) the right to file a written answer to the
14 complaint with the Panel under oath within 20 days
15 after service of the notice;

16 (iii) if the law enforcement officer fails to file
17 within 20 days a written answer with the Panel, the
18 Panel shall enter a default order against the law
19 enforcement officer along with a finding that the
20 allegations in the complaint are deemed admitted, and
21 that the law enforcement officer's certification may
22 be revoked as a result; and

23 (iv) the law enforcement officer may request an
24 informal conference to surrender the officer's
25 certification. If the law enforcement officer, after
26 receiving the notice, fails to file within 20 days an

1 answer with the Panel, all of the allegations contained
2 in the complaint shall be deemed admitted and the law
3 enforcement officer shall be decertified without a
4 hearing if the conduct charged in the complaint
5 constitutes sufficient grounds for decertification
6 under this Act. The notice may be served by personal
7 delivery, by mail, or, at the discretion of the Board,
8 by electronic means as adopted by rule to the address
9 or email address specified by the law enforcement
10 officer in the officer's last communication with the
11 Board. Notice shall also be provided to the law
12 enforcement officer's governmental agency.

13 (2) Surrender of certification or waiver. Upon the
14 Board's issuance of a complaint, and prior to hearing on
15 the matter, a law enforcement officer may choose to
16 surrender the officer's certification or waiver by
17 notifying the Board in writing of the officer's decision to
18 do so. Upon receipt of such notification from the law
19 enforcement officer, the Board shall immediately decertify
20 the officer, or revoke any waiver previously granted. In
21 the case of a surrender of certification or waiver, the
22 Board's proceeding shall terminate.

23 (3) Appointment of administrative law judges. The
24 Board shall employ any attorney licensed to practice law in
25 the State of Illinois to serve as an administrative law
26 judge in any action initiated against a law enforcement

1 officer under this Act. The administrative law judge shall
2 be employed to a term of no greater than 4 years. If more
3 than one judge is employed, the employment terms shall be
4 staggered. The administrative law judge has full authority
5 to conduct the hearings.

6 Administrative law judges will receive initial and annual
7 training that is adequate in quality, quantity, scope, and
8 type, and will cover, at minimum the following topics:

9 (1) constitutional and other relevant law on police-
10 community encounters, including the law on the use of force
11 and stops, searches, and arrests;

12 (2) police tactics;

13 (3) investigations of police conduct;

14 (4) impartial policing;

15 (5) policing individuals in crisis;

16 (6) Illinois police policies, procedures, and
17 disciplinary rules;

18 (7) procedural justice; and

19 (8) community outreach.

20 At the hearing, the administrative law judge will hear the
21 allegations alleged in the complaint. The law enforcement
22 officer, the counsel of the officer's choosing, and the Board,
23 or the officer's counsel, shall be afforded the opportunity to
24 present any pertinent statements, testimony, evidence, and
25 arguments. The law enforcement officer shall be afforded the
26 opportunity to request that the Board compel the attendance of

1 witnesses and production of related documents. After the
2 conclusion of the hearing, the administrative law judge shall
3 report his or her findings of fact, conclusions of law, and
4 recommended disposition to the Panel.

5 (i) Certification Review Meeting. Upon receipt of the
6 administrative law judge's findings of fact, conclusions of
7 law, and recommended disposition, the Panel shall call for a
8 certification review meeting.

9 In such a meeting, the Panel may adjourn into a closed
10 conference for the purposes of deliberating on the evidence
11 presented during the hearing. In closed conference, the Panel
12 shall consider the hearing officer's findings of fact,
13 conclusions of law, and recommended disposition and may
14 deliberate on all evidence and testimony received and may
15 consider the weight and credibility to be given to the evidence
16 received. No new or additional evidence may be presented to the
17 Panel. After concluding its deliberations, the Panel shall
18 convene in open session for its consideration of the matter. If
19 a simple majority of the Panel finds that no allegations in the
20 complaint supporting one or more charges of misconduct are
21 proven by clear and convincing evidence, then the Panel shall
22 recommend to the Board that the complaint be dismissed. If a
23 simple majority of the Panel finds that the allegations in the
24 complaint supporting one or more charges of misconduct are
25 proven by clear and convincing evidence, then the Panel shall
26 recommend to the Board to decertify the officer. In doing so,

1 the Panel may adopt, in whole or in part, the hearing officer's
2 findings of fact, conclusions of law, and recommended
3 disposition.

4 (j) Final action by the Board. After receiving the Panel's
5 recommendations, and after due consideration of the Panel's
6 recommendations, the Board shall issue a final decision to
7 decertify the law enforcement officer or take no action in
8 regard to the law enforcement officer. No new or additional
9 evidence may be presented to the Board. If the Board makes a
10 final decision contrary to the recommendations of the Panel,
11 the Board shall set forth in its final written decision the
12 specific written reasons for not following the Panel's
13 recommendations. A copy of the Board's final decision shall be
14 served upon the law enforcement officer by the Board, either
15 personally or as provided in this Act for the service of a
16 notice of hearing. A copy of the Board's final decision also
17 shall be delivered to the employing governmental agency, the
18 complainant, and the Panel.

19 (k) Reconsideration of the Board's Decision. Within 20 days
20 after service of the Board's final decision, the Panel or the
21 law enforcement officer may file a written motion for
22 reconsideration with the Board. The motion for reconsideration
23 shall specify the particular grounds for reconsideration. The
24 non-moving party may respond to the motion for reconsideration.
25 The Board may deny the motion for reconsideration, or it may
26 grant the motion in whole or in part and issue a new final

1 decision in the matter. The Board must notify the law
2 enforcement officer within 14 days of a denial and state the
3 reasons for denial.

4 (50 ILCS 705/6.6 new)

5 Sec. 6.6. Administrative Review Law; application.

6 (a) All final administrative decisions of the Board are
7 subject to judicial review under the Administrative Review Law
8 and its rules. The term "administrative decision" is defined in
9 Section 3-101 of the Code of Civil Procedure.

10 (b) Proceedings for judicial review shall be commenced in
11 Sangamon County or Cook County.

12 (50 ILCS 705/6.7 new)

13 Sec. 6.7. Certification and decertification procedures
14 under Act exclusive. Notwithstanding any other law, the
15 certification and decertification procedures, including the
16 conduct of any investigation or hearing, under this Act are the
17 sole and exclusive procedures for certification as law
18 enforcement officers in Illinois and are not subject to
19 collective bargaining under the Illinois Public Labor
20 Relations Act or appealable except as set forth herein. The
21 provisions of any collective bargaining agreement adopted by a
22 governmental agency and covering the law enforcement officer or
23 officers under investigation shall be inapplicable to any
24 investigation or hearing conducted under this Act.

1 An individual has no property interest in employment or
2 otherwise resulting from law enforcement officer certification
3 at the time of initial certification or at any time thereafter,
4 including, but not limited to, after decertification or the
5 officer's certification has been deemed inactive.

6 (50 ILCS 705/7) (from Ch. 85, par. 507)

7 Sec. 7. Rules and standards for schools. The Board shall
8 adopt rules and minimum standards for such schools which shall
9 include, but not be limited to, the following:

10 a. The curriculum for probationary law enforcement
11 ~~police~~ officers which shall be offered by all certified
12 schools shall include, but not be limited to, courses of
13 procedural justice, arrest and use and control tactics,
14 search and seizure, including temporary questioning, civil
15 rights, human rights, human relations, cultural
16 competency, including implicit bias and racial and ethnic
17 sensitivity, criminal law, law of criminal procedure,
18 constitutional and proper use of law enforcement
19 authority, vehicle and traffic law including uniform and
20 non-discriminatory enforcement of the Illinois Vehicle
21 Code, traffic control and accident investigation,
22 techniques of obtaining physical evidence, court
23 testimonies, statements, reports, firearms training,
24 training in the use of electronic control devices,
25 including the psychological and physiological effects of

1 the use of those devices on humans, first-aid (including
2 cardiopulmonary resuscitation), training in the
3 administration of opioid antagonists as defined in
4 paragraph (1) of subsection (e) of Section 5-23 of the
5 Substance Use Disorder Act, handling of juvenile
6 offenders, recognition of mental conditions and crises,
7 including, but not limited to, the disease of addiction,
8 which require immediate assistance and response and
9 methods to safeguard and provide assistance to a person in
10 need of mental treatment, recognition of abuse, neglect,
11 financial exploitation, and self-neglect of adults with
12 disabilities and older adults, as defined in Section 2 of
13 the Adult Protective Services Act, crimes against the
14 elderly, law of evidence, the hazards of high-speed police
15 vehicle chases with an emphasis on alternatives to the
16 high-speed chase, and physical training. The curriculum
17 shall include specific training in techniques for
18 immediate response to and investigation of cases of
19 domestic violence and of sexual assault of adults and
20 children, including cultural perceptions and common myths
21 of sexual assault and sexual abuse as well as interview
22 techniques that are age sensitive and are trauma informed,
23 victim centered, and victim sensitive. The curriculum
24 shall include training in techniques designed to promote
25 effective communication at the initial contact with crime
26 victims and ways to comprehensively explain to victims and

1 witnesses their rights under the Rights of Crime Victims
2 and Witnesses Act and the Crime Victims Compensation Act.
3 The curriculum shall also include training in effective
4 recognition of and responses to stress, trauma, and
5 post-traumatic stress experienced by law enforcement
6 ~~police~~ officers that is consistent with Section 25 of the
7 Illinois Mental Health First Aid Training Act in a peer
8 setting, including recognizing signs and symptoms of
9 work-related cumulative stress, issues that may lead to
10 suicide, and solutions for intervention with peer support
11 resources. The curriculum shall include a block of
12 instruction addressing the mandatory reporting
13 requirements under the Abused and Neglected Child
14 Reporting Act. The curriculum shall also include a block of
15 instruction aimed at identifying and interacting with
16 persons with autism and other developmental or physical
17 disabilities, reducing barriers to reporting crimes
18 against persons with autism, and addressing the unique
19 challenges presented by cases involving victims or
20 witnesses with autism and other developmental
21 disabilities. The curriculum shall include training in the
22 detection and investigation of all forms of human
23 trafficking. The curriculum shall also include instruction
24 in trauma-informed responses designed to ensure the
25 physical safety and well-being of a child of an arrested
26 parent or immediate family member; this instruction must

1 include, but is not limited to: (1) understanding the
2 trauma experienced by the child while maintaining the
3 integrity of the arrest and safety of officers, suspects,
4 and other involved individuals; (2) de-escalation tactics
5 that would include the use of force when reasonably
6 necessary; and (3) inquiring whether a child will require
7 supervision and care. The curriculum for permanent law
8 enforcement ~~police~~ officers shall include, but not be
9 limited to: (1) refresher and in-service training in any of
10 the courses listed above in this subparagraph, (2) advanced
11 courses in any of the subjects listed above in this
12 subparagraph, (3) training for supervisory personnel, and
13 (4) specialized training in subjects and fields to be
14 selected by the board. The training in the use of
15 electronic control devices shall be conducted for
16 probationary law enforcement ~~police~~ officers, including
17 University police officers.

18 b. Minimum courses of study, attendance requirements
19 and equipment requirements.

20 c. Minimum requirements for instructors.

21 d. Minimum basic training requirements, which a
22 probationary law enforcement ~~police~~ officer must
23 satisfactorily complete before being eligible for
24 permanent employment as a local law enforcement officer for
25 a participating local governmental or state governmental
26 agency. Those requirements shall include training in first

1 aid (including cardiopulmonary resuscitation).

2 e. Minimum basic training requirements, which a
3 probationary county corrections officer must
4 satisfactorily complete before being eligible for
5 permanent employment as a county corrections officer for a
6 participating local governmental agency.

7 f. Minimum basic training requirements which a
8 probationary court security officer must satisfactorily
9 complete before being eligible for permanent employment as
10 a court security officer for a participating local
11 governmental agency. The Board shall establish those
12 training requirements which it considers appropriate for
13 court security officers and shall certify schools to
14 conduct that training.

15 A person hired to serve as a court security officer
16 must obtain from the Board a certificate (i) attesting to
17 the officer's ~~his or her~~ successful completion of the
18 training course; (ii) attesting to the officer's ~~his or her~~
19 satisfactory completion of a training program of similar
20 content and number of hours that has been found acceptable
21 by the Board under the provisions of this Act; or (iii)
22 attesting to the Board's determination that the training
23 course is unnecessary because of the person's extensive
24 prior law enforcement experience.

25 Individuals who currently serve as court security
26 officers shall be deemed qualified to continue to serve in

1 that capacity so long as they are certified as provided by
2 this Act within 24 months of June 1, 1997 (the effective
3 date of Public Act 89-685). Failure to be so certified,
4 absent a waiver from the Board, shall cause the officer to
5 forfeit his or her position.

6 All individuals hired as court security officers on or
7 after June 1, 1997 (the effective date of Public Act
8 89-685) shall be certified within 12 months of the date of
9 their hire, unless a waiver has been obtained by the Board,
10 or they shall forfeit their positions.

11 The Sheriff's Merit Commission, if one exists, or the
12 Sheriff's Office if there is no Sheriff's Merit Commission,
13 shall maintain a list of all individuals who have filed
14 applications to become court security officers and who meet
15 the eligibility requirements established under this Act.
16 Either the Sheriff's Merit Commission, or the Sheriff's
17 Office if no Sheriff's Merit Commission exists, shall
18 establish a schedule of reasonable intervals for
19 verification of the applicants' qualifications under this
20 Act and as established by the Board.

21 g. Minimum in-service training requirements, which a
22 law enforcement ~~police~~ officer must satisfactorily
23 complete every 3 years. Those requirements shall include
24 constitutional and proper use of law enforcement
25 authority, procedural justice, civil rights, human rights,
26 mental health awareness and response, officer wellness,

1 reporting child abuse and neglect, and cultural
2 competency.

3 h. Minimum in-service training requirements, which a
4 law enforcement ~~police~~ officer must satisfactorily
5 complete at least annually. Those requirements shall
6 include law updates and use of force training which shall
7 include scenario based training, or similar training
8 approved by the Board.

9 (Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18;
10 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff.
11 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215,
12 eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19;
13 101-564, eff. 1-1-20; revised 9-10-19.)

14 (50 ILCS 705/7.5)

15 Sec. 7.5. Law enforcement ~~Police~~ pursuit guidelines. The
16 Board shall annually review police pursuit procedures and make
17 available suggested law enforcement ~~police~~ pursuit guidelines
18 for law enforcement agencies. This Section does not alter the
19 effect of previously existing law, including the immunities
20 established under the Local Governmental and Governmental
21 Employees Tort Immunity Act.

22 (Source: P.A. 88-637, eff. 9-9-94.)

23 (50 ILCS 705/8) (from Ch. 85, par. 508)

24 Sec. 8. Participation required. All home rule local

1 governmental units shall comply with Sections 6.3, 8.1, and 8.2
2 and any other mandatory provisions of this Act. This Act is a
3 limitation on home rule powers under subsection (i) of Section
4 6 of Article VII of the Illinois Constitution.

5 (Source: P.A. 89-170, eff. 1-1-96.)

6 (50 ILCS 705/8.1) (from Ch. 85, par. 508.1)

7 Sec. 8.1. Full-time law enforcement ~~police~~ and county
8 corrections officers.

9 (a) ~~No After January 1, 1976, no~~ person shall receive a
10 ~~permanent appointment as a law enforcement officer as defined~~
11 ~~in this Act nor shall any person receive, after the effective~~
12 ~~date of this amendatory Act of 1984,~~ a permanent appointment as
13 a county corrections officer unless that person has been
14 awarded, within 6 months of the officer's ~~his or her~~ initial
15 full-time employment, a certificate attesting to the officer's
16 ~~his or her~~ successful completion of the Minimum Standards Basic
17 Law Enforcement and County Correctional Training Course as
18 prescribed by the Board; or has been awarded a certificate
19 attesting to the officer's ~~his or her~~ satisfactory completion
20 of a training program of similar content and number of hours
21 and which course has been found acceptable by the Board under
22 the provisions of this Act; or by reason of extensive prior law
23 enforcement or county corrections experience the basic
24 training requirement is determined by the Board to be illogical
25 and unreasonable.

1 If such training is required and not completed within the
2 applicable 6 months, then the officer must forfeit the
3 officer's ~~his or her~~ position, or the employing agency must
4 obtain a waiver from the Board extending the period for
5 compliance. Such waiver shall be issued only for good and
6 justifiable reasons, and in no case shall extend more than 90
7 days beyond the initial 6 months. Any hiring agency that fails
8 to train a law enforcement officer within this period shall be
9 prohibited from employing this individual in a law enforcement
10 capacity for one year from the date training was to be
11 completed. If an agency again fails to train the individual a
12 second time, the agency shall be permanently barred from
13 employing this individual in a law enforcement capacity.

14 An individual who is not certified by the Board or whose
15 certified status is inactive shall not function as a law
16 enforcement officer, be assigned the duties of a law
17 enforcement officer by a governmental agency, or be authorized
18 to carry firearms under the authority of the employer, except
19 as otherwise authorized to carry a firearm under State or
20 federal law. Sheriffs who are elected are exempt from the
21 requirement of certified status. Failure to be certified in
22 accordance with this Act shall cause the officer to forfeit the
23 officer's position.

24 A governmental agency may not grant a person status as a
25 law enforcement officer unless the person has been granted an
26 active law enforcement officer certification by the Board.

1 (b) Inactive status. A person who has an inactive law
2 enforcement officer certification has no law enforcement
3 authority.

4 (1) A law enforcement officer's certification becomes
5 inactive upon termination, resignation, retirement, or
6 separation from the officer's employing governmental
7 agency for any reason. The Board shall re-activate a
8 certification upon written application from the law
9 enforcement officer's governmental agency that shows the
10 law enforcement officer: (i) has accepted a full-time law
11 enforcement position with that governmental agency, (ii)
12 is not the subject of a decertification proceeding, and
13 (iii) meets all other criteria for re-activation required
14 by the Board.

15 The Board may refuse to re-activate the certification
16 of a law enforcement officer who was involuntarily
17 terminated for good cause by his or her governmental agency
18 for conduct subject to decertification under this Act or
19 resigned or retired after receiving notice of a
20 governmental agency's investigation.

21 (2) A law enforcement officer who is currently
22 certified can place his or her certificate on inactive
23 status by sending a written request to the Board. A law
24 enforcement officer whose certificate has been placed on
25 inactive status shall not function as a law enforcement
26 officer until the officer has completed any requirements

1 for reactivating the certificate as required by the Board.
2 A request for inactive status in this subsection shall be
3 in writing, accompanied by verifying documentation, and
4 shall be submitted to the Board with a copy to the chief
5 administrator of the law enforcement officer's
6 governmental agency.

7 (3) Certification that has become inactive under
8 paragraph (2) of this subsection (b), shall be reactivated
9 by written notice from the law enforcement officer's agency
10 upon a showing that the law enforcement officer is: (i)
11 employed in a full-time law enforcement position with the
12 same governmental agency (ii) not the subject of a
13 decertification proceeding, and (iii) meets all other
14 criteria for re-activation required by the Board.

15 (4) Notwithstanding paragraph (3) of this subsection
16 (b), a law enforcement officer whose certification has
17 become inactive under paragraph (2) may have the officer's
18 governmental agency submit a request for a waiver of
19 training requirements to the Board. A grant of a waiver is
20 within the discretion of the Board. Within 7 days of
21 receiving a request for a waiver under this section, the
22 Board shall notify the law enforcement officer and the
23 chief administrator of the law enforcement officer's
24 governmental agency, whether the request has been granted,
25 denied, or if the Board needs an extension for information.
26 A law enforcement officer whose request for a waiver under

1 this subsection is denied is entitled to appeal the denial
2 to the Board within 20 days of the waiver being denied.

3 ~~(c) (b) No provision of this Section shall be construed to~~
4 ~~mean that a law enforcement officer employed by a local~~
5 ~~governmental agency at the time of the effective date of this~~
6 ~~amendatory Act, either as a probationary police officer or as a~~
7 ~~permanent police officer, shall require certification under~~
8 ~~the provisions of this Section.~~ No provision of this Section
9 shall be construed to mean that a county corrections officer
10 employed by a ~~local~~ governmental agency at the time of the
11 effective date of this amendatory Act ~~of 1984~~, either as a
12 probationary county corrections or as a permanent county
13 corrections officer, shall require certification under the
14 provisions of this Section. No provision of this Section shall
15 be construed to apply to certification of elected county
16 sheriffs.

17 (d) Within 14 days, a law enforcement officer shall report
18 to the Board: (1) any name change; (2) any change in
19 employment; or (3) the filing of any criminal indictment or
20 charges against the officer alleging that the officer committed
21 any offense as enumerated in section 6.1 of this Act.

22 (e) All law enforcement officers must report the completion
23 of the training requirements required in this Act in compliance
24 with Section 8.4 of this Act.

25 (e-1) Each employing governmental agency shall allow and
26 provide an opportunity for a law enforcement officer to

1 complete the mandated requirements in this Act.

2 (f) ~~(e)~~ This Section does not apply to part-time law
3 enforcement ~~police~~ officers or probationary part-time law
4 enforcement ~~police~~ officers.

5 (Source: P.A. 101-187, eff. 1-1-20.)

6 (50 ILCS 705/8.2)

7 Sec. 8.2. Part-time law enforcement ~~police~~ officers.

8 (a) A person hired to serve as a part-time law enforcement
9 ~~police~~ officer must obtain from the Board a certificate (i)
10 attesting to the officer's ~~his or her~~ successful completion of
11 the part-time police training course; (ii) attesting to the
12 officer's ~~his or her~~ satisfactory completion of a training
13 program of similar content and number of hours that has been
14 found acceptable by the Board under the provisions of this Act;
15 or (iii) attesting to the Board's determination that the
16 part-time police training course is unnecessary because of the
17 person's extensive prior law enforcement experience. A person
18 hired on or after the effective date of this amendatory Act of
19 the 92nd General Assembly must obtain this certificate within
20 18 months after the initial date of hire as a probationary
21 part-time law enforcement ~~police~~ officer in the State of
22 Illinois. The probationary part-time law enforcement ~~police~~
23 officer must be enrolled and accepted into a Board-approved
24 course within 6 months after active employment by any
25 department in the State. A person hired on or after January 1,

1 1996 and before the effective date of this amendatory Act of
2 the 92nd General Assembly must obtain this certificate within
3 18 months after the date of hire. A person hired before January
4 1, 1996 must obtain this certificate within 24 months after the
5 effective date of this amendatory Act of 1995.

6 The employing agency may seek a waiver from the Board
7 extending the period for compliance. A waiver shall be issued
8 only for good and justifiable reasons, and the probationary
9 part-time law enforcement ~~police~~ officer may not practice as a
10 part-time law enforcement ~~police~~ officer during the waiver
11 period. If training is required and not completed within the
12 applicable time period, as extended by any waiver that may be
13 granted, then the officer must forfeit the officer's ~~his or her~~
14 position.

15 An individual who is not certified by the Board or whose
16 certified status is inactive shall not function as a law
17 enforcement officer, be assigned the duties of a law
18 enforcement officer by an agency, or be authorized to carry
19 firearms under the authority of the employer, except that
20 sheriffs who are elected are exempt from the requirement of
21 certified status. Failure to be in accordance with this Act
22 shall cause the officer to forfeit the officer's position.

23 A part-time probationary officer shall be allowed to
24 complete six months of a part-time police training course and
25 function as a law enforcement officer with a waiver from the
26 Board, provided the part-time law enforcement officer is still

1 enrolled in the training course. If the part-time probationary
2 officer withdraws from the course for any reason or does not
3 complete the course within the applicable time period, as
4 extended by any waiver that may be granted, then the officer
5 must forfeit the officer's position.

6 A governmental agency may not grant a person status as a
7 law enforcement officer unless the person has been granted an
8 active law enforcement officer certification by the Board.

9 (b) Inactive status. A person who has an inactive law
10 enforcement officer certification has no law enforcement
11 authority. (Blank).

12 (1) A law enforcement officer's certification becomes
13 inactive upon termination, resignation, retirement, or
14 separation from the governmental agency for any reason. The
15 Board shall re-activate a certification upon written
16 application from the law enforcement officer's
17 governmental agency that shows the law enforcement
18 officer: (i) has accepted a part-time law enforcement
19 position with that a governmental agency, (ii) is not the
20 subject of a decertification proceeding, and (iii) meets
21 all other criteria for re-activation required by the Board.

22 The Board may refuse to re-activate the certification
23 of a law enforcement officer who was involuntarily
24 terminated for good cause by the officer's governmental
25 agency for conduct subject to decertification under this
26 Act or resigned or retired after receiving notice of a

1 governmental agency's investigation.

2 (2) A law enforcement officer who is currently
3 certified can place his or her certificate on inactive
4 status by sending a written request to the Board. A law
5 enforcement officer whose certificate has been placed on
6 inactive status shall not function as a law enforcement
7 officer until the officer has completed any requirements
8 for reactivating the certificate as required by the Board.
9 A request for inactive status in this subsection shall be
10 in writing, accompanied by verifying documentation, and
11 shall be submitted to the Board by the law enforcement
12 officer's governmental agency.

13 (3) Certification that has become inactive under
14 paragraph (2) of this subsection (b), shall be reactivated
15 by written notice from the law enforcement officer's agency
16 upon a showing that the law enforcement officer is: (i)
17 employed in a full-time law enforcement position with the
18 same governmental agency, (ii) not the subject of a
19 decertification proceeding, and (iii) meets all other
20 criteria for re-activation required by the Board.

21 (4) Notwithstanding paragraph (3) of this Section, a
22 law enforcement officer whose certification has become
23 inactive under paragraph (2) may have the officer's
24 governmental agency submit a request for a waiver of
25 training requirements to the Board. A grant of a waiver is
26 within the discretion of the Board. Within 7 days of

1 receiving a request for a waiver under this section, the
2 Board shall notify the law enforcement officer and the
3 chief administrator of the law enforcement officer's
4 governmental agency, whether the request has been granted,
5 denied, or if the Board needs an extension for information.
6 A law enforcement officer whose request for a waiver under
7 this subsection is denied is entitled to appeal the denial
8 to the Board within 20 days of the waiver being denied.

9 (c) The part-time police training course referred to in
10 this Section shall be of similar content and the same number of
11 hours as the courses for full-time officers and shall be
12 provided by Mobile Team In-Service Training Units under the
13 Intergovernmental Law Enforcement Officer's In-Service
14 Training Act or by another approved program or facility in a
15 manner prescribed by the Board.

16 (d) Within 14 days, a law enforcement officer shall report
17 to the Board: (1) any name change; (2) any change in
18 employment; or (3) the filing of any criminal indictment or
19 charges against the officer alleging that the officer committed
20 any offense as enumerated in section 6.1 of this Act.

21 (e) All law enforcement officers must report the completion
22 of the training requirements required in this Act in compliance
23 with Section 8.4 of this Act.

24 (e-1) Each employing agency shall allow and provide an
25 opportunity for a law enforcement officer to complete the
26 requirements in this Act.

1 (f) ~~(d)~~ For the purposes of this Section, the Board shall
2 adopt rules defining what constitutes employment on a part-time
3 basis.

4 (Source: P.A. 92-533, eff. 3-14-02.)

5 (50 ILCS 705/8.3 new)

6 Sec. 8.3. Emergency order of suspension.

7 (a) The Board, upon being notified that a law enforcement
8 officer has been arrested or indicted on any felony charge or
9 charges, may immediately suspend the law enforcement officer's
10 certification. The Board shall also notify the chief
11 administrator of any governmental agency currently employing
12 the officer. The Board shall have authority to dissolve an
13 emergency order of suspension at any time for any reason.

14 (b) Notice of the immediate suspension shall be served on
15 the law enforcement officer, the governmental agency, the chief
16 executive of the municipality, and state the reason for
17 suspension within seven days.

18 (c) Upon service of the notice, the law enforcement officer
19 shall have 30 days to request to be heard by the Panel. The
20 Panel shall meet within 15 days upon receipt of the law
21 enforcement officer's request.

22 (d) At the meeting, the law enforcement officer may present
23 evidence, witnesses and argument as to why the officer's
24 certification should not be suspended. The Panel shall review
25 the suspension, and if the Panel finds that the proof is

1 evident or the presumption great that the officer has committed
2 the offense charged, the Panel can sustain or reduce the length
3 of the suspension. If the Panel does not find that the proof is
4 evident or the presumption great that the officer has committed
5 the offense charged, the Panel can reverse the suspension.

6 If the law enforcement officer does not request to be heard
7 or does not appear, the Panel may hold the hearing in the
8 officer's absence. The law enforcement officer and the
9 governmental agency shall be notified of the decision of the
10 Panel within 7 days. The law enforcement officer may request to
11 suspend the hearing until after the officer's criminal trial
12 has occurred, however the suspension will remain intact until
13 the hearing.

14 (e) Findings and conclusions made in hearing for an
15 emergency suspension shall not be binding on any party in any
16 subsequent proceeding under this Act.

17 (f) A Panel member acting in good faith, and not in a
18 willful and wanton manner, in accordance with this Section,
19 shall not, as a result of such actions, be subject to criminal
20 prosecution or civil damages, including but not limited to lost
21 wages.

22 (50 ILCS 705/8.4 new)

23 Sec. 8.4. Law Enforcement Compliance Verification.

24 (a) (1) Unless on inactive status under 8.1 (b) or 8.2 (b),
25 every law enforcement officer subject to this Act shall submit

1 a verification form that confirms compliance with this Act. The
2 verification shall apply to the 3 calendar years preceding the
3 date of verification. Law enforcement officers shall submit the
4 officer's first report by January 30 during the initial
5 three-year reporting period, as determined on the basis of the
6 law enforcement officer's last name under paragraph (2) of this
7 subsection then every third year of the officer's applicable
8 three-year report period as determined by the Board. An officer
9 may submit the officer's verification individually or through
10 the officer's governmental agency. At the conclusion of each
11 law enforcement officer's applicable reporting period, the
12 chief administrative officer of the officer's governmental
13 agency is to determine the compliance of each officer under
14 this Section. Each law enforcement officer is responsible for
15 reporting and demonstrating compliance to the officer's chief
16 administrative officer.

17 (2) The applicable three-year reporting period shall begin
18 on January 30, 2023 for law enforcement officers whose last
19 names being with the letters A through G, on January 30, 2024
20 for law enforcement officers whose last names being with the
21 letters H through O, and January 30, 2025 for law enforcement
22 officers whose last names being with the letters P through Z.

23 (3) The compliance verification form shall be in a form and
24 manner prescribed by the Board and, at a minimum, include the
25 following: (i) verification that the law enforcement officer
26 has completed the mandatory training programs in the preceding

1 3 years; (ii) the law enforcement officer's current employment
2 information, including but not limited to, the termination of
3 any previous law enforcement or security employment in the
4 relevant time period; and (iii) a statement verifying that the
5 officer has not committed misconduct under Section 6.1.

6 (b) (1) On October 1 of each year, the Board shall send
7 notice to all certified law enforcement officers, unless
8 exempted in (a), of the upcoming deadline to submit the
9 compliance verification form. No later than March 1 of each
10 year, the Board shall send notice to all certified law
11 enforcement officers who have failed to submit the compliance
12 verification form, as well as the officer's governmental
13 agencies. The Board shall not send a notice of noncompliance to
14 law enforcement officers whom the Board knows, based on the
15 status of the law enforcement officer's certification status,
16 are inactive or retired. The Board may accept compliance
17 verification forms until April 1 of the year in which a law
18 enforcement officer is required to submit the form.

19 (2) No earlier than April 1 of the year in which a law
20 enforcement officer is required to submit a verification form,
21 the Board may determine a law enforcement officer's
22 certification to be inactive if the law enforcement officer
23 failed to either: (1) submit a compliance verification in
24 accordance with this Section; or (2) report an exemption from
25 the requirements of this Section. The Board shall then send
26 notice, by mail or email, to any such law enforcement officer

1 and the officer's governmental agency that the officer's
2 certificate will be deemed inactive on the date specified in
3 the notice, which shall be no sooner than 21 days from the date
4 of the notice, because of the officer's failure to comply or
5 report compliance, or failure to report an exemption. The Board
6 shall deem inactive the certificate of such law enforcement
7 officers on the date specified in the notice unless the Board
8 determines before that date that the law enforcement officer
9 has complied. A determination that a certificate is inactive
10 under this section is not a disciplinary sanction.

11 (3) A law enforcement officer who was on voluntary inactive
12 status shall, upon return to active status, be required to
13 complete the deferred training programs within 1 year.

14 (4) The Board may waive the reporting requirements, as
15 required in this section, if the law enforcement officer or the
16 officer's governmental agency demonstrates the existence of
17 mitigating circumstances justifying the law enforcement
18 officer's failure to obtain the training requirements due to
19 failure of the officer's governmental agency or the Board to
20 offer the training requirement during the officer's required
21 compliance verification period. If the Board finds that the law
22 enforcement officer can meet the training requirements with
23 extended time, the Board may allow the law enforcement officer
24 a maximum of six additional months to complete the
25 requirements.

26 (a) A request for a training waiver under this subsection

1 due to the mitigating circumstance shall be in writing,
2 accompanied by verifying documentation, and shall be submitted
3 to the Board not less than 30 days before the end of the law
4 enforcement officer's required compliance verification period.

5 (b) A law enforcement officer whose request for waiver
6 under this subsection is denied, is entitled to a request for a
7 review by the Board. The law enforcement officer or the
8 officer's governmental agency must request a review within 20
9 days of the waiver being denied. The burden of proof shall be
10 on the law enforcement officer to show why the officer is
11 entitled to a waiver.

12 (c) Recordkeeping and Audits.

13 (1) For four years after the end of each reporting
14 period, each certified law enforcement officer shall
15 maintain sufficient documentation necessary to corroborate
16 compliance with the mandatory training requirements under
17 this Act.

18 (2) Notwithstanding any other provision in state law,
19 for four years after the end of each reporting period, each
20 governmental agency shall maintain sufficient
21 documentation necessary to corroborate compliance with the
22 mandatory training requirements under this Act of each
23 officer it employs or employed within the relevant time
24 period.

25 (3) The Board may audit compliance verification forms
26 submitted to determine the accuracy of the submissions. The

1 audit may include but is not limited to, training
2 verification and a law enforcement officer background
3 check.

4 (d) Audits that Reveal an Inaccurate Verification.

5 (1) If an audit conducted under paragraph (2) of
6 subsection (f) reveals inaccurate information, the Board
7 shall provide the law enforcement officer and employing
8 governmental agency with written notice containing: (i)
9 the results of the audit, specifying each alleged
10 inaccuracy; (ii) a summary of the basis of that
11 determination; and (iii) a deadline, which shall be at
12 least 30 days from the date of the notice, for the law
13 enforcement officer to file a written response if the law
14 enforcement officer objects to any of the contents of the
15 notice.

16 (2) After considering any response from the law
17 enforcement officer, if the Board determines that the law
18 enforcement officer filed an inaccurate verification, the
19 law enforcement officer shall be given 60 days in which to
20 file an amended verification form, together with all
21 documentation specified in paragraph (e) (1), demonstrating
22 full compliance with the applicable requirements.

23 (3) If the results of the audit suggest that the law
24 enforcement officer willfully filed a false verification
25 form, the Board shall submit a formal complaint to the
26 Panel for decertification. An officer who has been

1 decertified for willfully filing a false verification form
2 shall not be eligible for reactivation under subsection
3 (e).

4 (e) Reactivation. A law enforcement officer who has been
5 deemed inactive due to noncompliance with the reporting
6 requirements under (a)(1) may request to have the Board
7 re-activate his or her certification upon submitting a
8 compliance verification form that shows full compliance for the
9 period in which the law enforcement officer was deemed inactive
10 due to noncompliance. The Board shall make a determination
11 regarding a submission under this subsection active no later
12 than 7 days after the Board determines full compliance or
13 continued noncompliance.

14 (50 ILCS 705/9) (from Ch. 85, par. 509)

15 Sec. 9. A special fund is hereby established in the State
16 Treasury to be known as the Traffic and Criminal Conviction
17 Surcharge Fund. Moneys in this Fund shall be expended as
18 follows:

19 (1) a portion of the total amount deposited in the Fund
20 may be used, as appropriated by the General Assembly, for
21 the ordinary and contingent expenses of the Illinois Law
22 Enforcement Training Standards Board;

23 (2) a portion of the total amount deposited in the Fund
24 shall be appropriated for the reimbursement of local
25 governmental agencies participating in training programs

1 certified by the Board, in an amount equaling 1/2 of the
2 total sum paid by such agencies during the State's previous
3 fiscal year for mandated training for probationary law
4 enforcement ~~police~~ officers or probationary county
5 corrections officers and for optional advanced and
6 specialized law enforcement or county corrections
7 training; these reimbursements may include the costs for
8 tuition at training schools, the salaries of trainees while
9 in schools, and the necessary travel and room and board
10 expenses for each trainee; if the appropriations under this
11 paragraph (2) are not sufficient to fully reimburse the
12 participating local governmental agencies, the available
13 funds shall be apportioned among such agencies, with
14 priority first given to repayment of the costs of mandatory
15 training given to law enforcement officer or county
16 corrections officer recruits, then to repayment of costs of
17 advanced or specialized training for permanent law
18 enforcement ~~police~~ officers or permanent county
19 corrections officers;

20 (3) a portion of the total amount deposited in the Fund
21 may be used to fund the Intergovernmental Law Enforcement
22 Officer's In-Service Training Act, veto overridden October
23 29, 1981, as now or hereafter amended, at a rate and method
24 to be determined by the board;

25 (4) a portion of the Fund also may be used by the
26 Illinois Department of State Police for expenses incurred

1 in the training of employees from any State, county or
2 municipal agency whose function includes enforcement of
3 criminal or traffic law;

4 (5) a portion of the Fund may be used by the Board to
5 fund grant-in-aid programs and services for the training of
6 employees from any county or municipal agency whose
7 functions include corrections or the enforcement of
8 criminal or traffic law;

9 (6) for fiscal years 2013 through 2017 only, a portion
10 of the Fund also may be used by the Department of State
11 Police to finance any of its lawful purposes or functions;

12 (7) a portion of the Fund may be used by the Board,
13 subject to appropriation, to administer grants to local law
14 enforcement agencies for the purpose of purchasing
15 bulletproof vests under the Law Enforcement Officer
16 Bulletproof Vest Act; and

17 (8) a portion of the Fund may be used by the Board to
18 create a law enforcement grant program available for units
19 of local government to fund crime prevention programs,
20 training, and interdiction efforts, including enforcement
21 and prevention efforts, relating to the illegal cannabis
22 market and driving under the influence of cannabis.

23 All payments from the Traffic and Criminal Conviction
24 Surcharge Fund shall be made each year from moneys appropriated
25 for the purposes specified in this Section. No more than 50% of
26 any appropriation under this Act shall be spent in any city

1 having a population of more than 500,000. The State Comptroller
2 and the State Treasurer shall from time to time, at the
3 direction of the Governor, transfer from the Traffic and
4 Criminal Conviction Surcharge Fund to the General Revenue Fund
5 in the State Treasury such amounts as the Governor determines
6 are in excess of the amounts required to meet the obligations
7 of the Traffic and Criminal Conviction Surcharge Fund.

8 (Source: P.A. 100-987, eff. 7-1-19; 101-27, eff. 6-25-19.)

9 (50 ILCS 705/9.2 new)

10 Sec. 9.2. Officer professional conduct database;
11 Transparency.

12 (a) All governmental agencies shall notify the Board of any
13 final determination of a willful violation of department or
14 agency policy, official misconduct, or violation of law within
15 10 days when:

16 (1) the determination leads to a suspension of at least
17 10 days;

18 (2) any infraction that would trigger an official or
19 formal investigation under a governmental agency policy;

20 (3) there is an allegation of misconduct or regarding
21 truthfulness, bias, or integrity; or

22 (4) the officer resigns or retires during the course of
23 an investigation and the officer has been served notice
24 that the officer is under investigation.

25 Agencies may report to the Board any conduct they deem

1 appropriate to disseminate to another governmental agency
2 regarding a law enforcement officer.

3 The agency shall report to the Board within 10 days of a
4 final determination and final exhaustion of any administrative
5 appeal, or the law enforcement officer's resignation or
6 retirement, and shall provide information regarding the nature
7 of the violation. This notification shall not necessarily
8 trigger certification review.

9 A governmental agency shall be immune from liability for a
10 disclosure made as described in this subsection, unless the
11 disclosure would constitute intentional misrepresentation or
12 gross negligence.

13 (b) Upon receiving notification from a governmental
14 agency, the Board must notify the law enforcement officer of
15 the report and the officer's right to provide a statement
16 regarding the reported violation.

17 (c) The Board shall maintain a database readily available
18 to any chief administrative officer, or the officer's designee,
19 of a governmental agency that shall show for each law
20 enforcement officer: (i) dates of certification,
21 decertification, and inactive status; (ii) each sustained
22 instance of departmental misconduct that lead to a suspension
23 at least 10 days or any infraction that would trigger an
24 official or formal investigation under the governmental agency
25 policy, any allegation of misconduct regarding truthfulness,
26 bias, or integrity, or any other reported violation, the nature

1 of the violation, the reason for the final decision of
2 discharge or dismissal, and any statement provided by the
3 officer; (iii) date of separation from employment from any
4 local or state governmental agency; (iv) the reason for
5 separation from employment, including, but not limited to:
6 whether the separation was based on misconduct or occurred
7 while the local or State governmental agency was conducting an
8 investigation of the certified individual for a violation of an
9 employing agency's rules, policy or procedure or other
10 misconduct or improper action.

11 (1) This database shall also be accessible to the
12 State's Attorney of any county in this State and the
13 Attorney General for the purpose of complying with
14 obligations under Brady v. Maryland (373 U.S. 83) or Giglio
15 v. United States (405 U.S. 150). This database shall also
16 be accessible to the chief administrative officer of any
17 governmental agency for the purposes of hiring law
18 enforcement officers. This database shall not be
19 accessible to anyone not listed in this subsection.

20 (2) Before a governmental agency may appoint a law
21 enforcement officer or a person seeking a certification as
22 a law enforcement officer in this State, the chief
23 administrative officer or designee must check the Officer
24 Professional Conduct Database, contact each person's
25 previous law enforcement employers, and document the
26 contact. This documentation must be available for review by

1 the Board for a minimum of five years after the law
2 enforcement officer's termination, retirement, resignation
3 or separation with that agency.

4 (3) The database, documents, materials, or other
5 information in the possession or control of the Board that
6 are obtained by, created by, or disclosed to the Board or
7 any other under this subsection shall be confidential by
8 law and privileged, shall not be subject to disclosure
9 under the Freedom of Information Act, shall not be subject
10 to subpoena, and shall not be subject to discovery or
11 admissible in evidence in any private civil action.

12 However, the Board is authorized to use such documents,
13 materials, or other information in furtherance of any
14 regulatory or legal action brought as part of the Board's
15 official duties. The Board shall not otherwise disclose the
16 database or make such documents, materials, or other
17 information public without the prior written consent of the
18 governmental agency and the law enforcement officer.

19 Neither the Board nor any person who received documents,
20 materials or other information shared under this
21 subsection shall be permitted or required to testify in any
22 private civil action concerning the database or any
23 confidential documents, materials, or information subject
24 to this subsection.

25 (d) The Board shall maintain a searchable database of law
26 enforcement officers accessible to the public that shall

1 include: (i) the law enforcement officer's local or state
2 governmental agency; (ii) the date of the officer's initial
3 certification and the officer's current certification status;
4 and (iii) any sustained complaint of misconduct that resulted
5 in decertification and the date thereof; provided, however,
6 that information shall not be included in the database that
7 would allow the public to ascertain the home address of an
8 officer or another person; provided further, that information
9 regarding an officer's or another person's family member shall
10 not be included in the database. The Board shall make the
11 database publicly available on its website.

12 (e) The Board shall maintain a searchable database of all
13 completed investigations against law enforcement officers. The
14 database shall identify each law enforcement officer by a
15 confidential and anonymous number and include: (i) the law
16 enforcement officer's local or state governmental agency; (ii)
17 the date of the incident referenced in the complaint; (iii) the
18 location of the incident; (iv) the race and ethnicity of each
19 officer involved in the incident; (v) the age, gender, race and
20 ethnicity of each person involved in the incident, if known;
21 (vi) whether a person in the complaint was injured, received
22 emergency medical care, was hospitalized or died as a result of
23 the incident; (vii) the governmental agency or other entity
24 assigned to conduct an investigation of the incident; (viii)
25 when the investigation was completed; (ix) whether the
26 complaint was sustained; and (x) the type of misconduct

1 investigated; provided, however, that the Board shall redact or
2 withhold such information as necessary to prevent the
3 disclosure of the identity of an officer. The Board shall make
4 the database publicly available on its website.

5 (e-1) An investigation is complete when the investigation
6 has either been terminated or the decertification action,
7 including the administrative review process, has been
8 completed, whichever is later.

9 (f) Annual report. The Board shall submit an annual report
10 to the Governor, Attorney General, President and Minority
11 Leader of the Senate, and the Speaker and Minority Leader of
12 the House of Representatives beginning on March 1, 2023, and
13 every year thereafter indicating:

14 (1) the number of complaints received in the preceding
15 calendar year, including but not limited to the race,
16 gender, and type of complaints received;

17 (2) the number of investigations initiated in the
18 preceding calendar year since the date of the last report;

19 (3) the number of investigations concluded in the
20 preceding calendar year;

21 (4) the number of investigations pending as of the
22 reporting date;

23 (5) the number of hearings held in the preceding
24 calendar year; and

25 (6) the number of officers decertified in the preceding
26 calendar year.

1 (50 ILCS 705/10) (from Ch. 85, par. 510)

2 Sec. 10. The Board may make, amend and rescind such rules
3 and regulations as may be necessary to carry out the provisions
4 of this Act, including those relating to the annual
5 certification of retired law enforcement officers qualified
6 under federal law to carry a concealed weapon. A copy of all
7 rules and regulations and amendments or rescissions thereof
8 shall be filed with the Secretary of State within a reasonable
9 time after their adoption. The schools certified by the Board
10 and participating in the training program may dismiss from the
11 school any trainee prior to the officer's ~~his~~ completion of the
12 course, if in the opinion of the person in charge of the
13 training school, the trainee is unable or unwilling to
14 satisfactorily complete the prescribed course of training.

15 The Board shall adopt emergency rules to administer this
16 Act in accordance with Section 5-45 of the Illinois
17 Administrative Procedure Act. For the purposes of the Illinois
18 Administrative Procedure Act, the General Assembly finds that
19 the adoption of rules to implement this Act is deemed an
20 emergency and necessary to the public interest, safety, and
21 welfare.

22 (Source: P.A. 94-103, eff. 7-1-05.)

23 (50 ILCS 705/10.1) (from Ch. 85, par. 510.1)

24 Sec. 10.1. Additional training programs. The Board shall

1 initiate, administer, and conduct training programs for
2 permanent law enforcement ~~police~~ officers and permanent county
3 corrections officers in addition to the basic recruit training
4 program. The Board may initiate, administer, and conduct
5 training programs for part-time law enforcement ~~police~~
6 officers in addition to the basic part-time law enforcement
7 ~~police~~ training course. The training for permanent and
8 part-time law enforcement ~~police~~ officers and permanent county
9 corrections officers may be given in any schools selected by
10 the Board. Such training may include all or any part of the
11 subjects enumerated in Section 7 of this Act.

12 The corporate authorities of all participating local
13 governmental agencies may elect to participate in the advanced
14 training for permanent and part-time law enforcement ~~police~~
15 officers and permanent county corrections officers but
16 nonparticipation in this program shall not in any way affect
17 the mandatory responsibility of governmental units to
18 participate in the basic recruit training programs for
19 probationary full-time and part-time law enforcement ~~police~~
20 and permanent county corrections officers. The failure of any
21 permanent or part-time law enforcement ~~police~~ officer or
22 permanent county corrections officer to successfully complete
23 any course authorized under this Section shall not affect the
24 officer's status as a member of the police department or county
25 sheriff's office of any local governmental agency.

26 The Board may initiate, administer, and conduct training

1 programs for clerks of circuit courts. Those training programs,
2 at the Board's discretion, may be the same or variations of
3 training programs for law enforcement officers.

4 The Board shall initiate, administer, and conduct a
5 training program regarding the set up and operation of portable
6 scales for all municipal and county police officers,
7 technicians, and employees who set up and operate portable
8 scales. This training program must include classroom and field
9 training.

10 (Source: P.A. 90-271, eff. 7-30-97, 91-129, eff. 7-16-99.)

11 (50 ILCS 705/10.2)

12 Sec. 10.2. Criminal background investigations.

13 (a) On and after March 14, 2002 (the effective date of
14 Public Act 92-533) ~~this amendatory Act of the 92nd General~~
15 ~~Assembly~~, an applicant for employment as a peace officer, or
16 for annual certification as a retired law enforcement officer
17 qualified under federal law to carry a concealed weapon, shall
18 authorize an investigation to determine if the applicant has
19 been convicted of, ~~or entered a plea of guilty to,~~ any criminal
20 offense that disqualifies the person as a peace officer.

21 (b) No governmental ~~law enforcement~~ agency may knowingly
22 employ a person, or certify a retired law enforcement officer
23 qualified under federal law to carry a concealed weapon, unless
24 (i) a criminal background investigation of that person has been
25 completed and (ii) that investigation reveals no convictions of

1 or pleas of guilty to ~~of~~ offenses specified in subsection (a)
2 of Section 6.1 of this Act.

3 (Source: P.A. 101-187, eff. 1-1-20; revised 9-23-19.)

4 (50 ILCS 705/10.3)

5 Sec. 10.3. Training of law enforcement ~~police~~ officers to
6 conduct electronic interrogations.

7 (a) From appropriations made to it for that purpose, the
8 Board shall initiate, administer, and conduct training
9 programs for permanent law enforcement ~~police~~ officers,
10 part-time law enforcement ~~police~~ officers, and recruits on the
11 methods and technical aspects of conducting electronic
12 recordings of interrogations.

13 (b) Subject to appropriation, the Board shall develop
14 technical guidelines for the mandated recording of custodial
15 interrogations in all homicide investigations by law
16 enforcement agencies. These guidelines shall be developed in
17 conjunction with law enforcement agencies and technology
18 accreditation groups to provide guidance for law enforcement
19 agencies in implementing the mandated recording of custodial
20 interrogations in all homicide investigations.

21 (Source: P.A. 95-688, eff. 10-23-07.)

22 (50 ILCS 705/10.7)

23 Sec. 10.7. Mandatory training; police chief and deputy
24 police chief. Each police chief and deputy police chief shall

1 obtain at least 20 hours of training each year. The training
2 must be approved by the Illinois Law Enforcement Training ~~and~~
3 Standards Board and must be related to law enforcement,
4 management or executive development, or ethics. This
5 requirement may be satisfied by attending any training portion
6 of a conference held by an association that represents chiefs
7 of police that has been approved by the Illinois Law
8 Enforcement Training ~~and~~ Standards Board. Any police chief and
9 any deputy police chief, upon presentation of a certificate of
10 completion from the person or entity conducting the training,
11 shall be reimbursed by the municipality in accordance with the
12 municipal policy regulating the terms of reimbursement, for the
13 officer's ~~his or her~~ reasonable expenses in obtaining the
14 training required under this Section. No police chief or deputy
15 police chief may attend any recognized training offering
16 without the prior approval of the officer's ~~his or her~~
17 municipal mayor, manager, or immediate supervisor.

18 This Section does not apply to the City of Chicago or the
19 Sheriff's Police Department in Cook County.

20 (Source: P.A. 94-354, eff. 1-1-06; revised 11-16-20.)

21 (50 ILCS 705/10.11)

22 Sec. 10.11. Training; death and homicide investigation.
23 The Illinois Law Enforcement Training ~~and~~ Standards Board shall
24 conduct or approve a training program in death and homicide
25 investigation for the training of law enforcement officers of

1 local government agencies. Only law enforcement officers who
2 successfully complete the training program may be assigned as
3 lead investigators in death and homicide investigations.
4 Satisfactory completion of the training program shall be
5 evidenced by a certificate issued to the law enforcement
6 officer by the Illinois Law Enforcement Training ~~and~~ Standards
7 Board.

8 The Illinois Law Enforcement Training ~~and~~ Standards Board
9 shall develop a process for waiver applications sent by a local
10 governmental ~~law enforcement~~ agency administrator for those
11 officers whose prior training and experience as homicide
12 investigators may qualify them for a waiver. The Board may
13 issue a waiver at its discretion, based solely on the prior
14 training and experience of an officer as a homicide
15 investigator. This Section does not affect or impede the powers
16 of the office of the coroner to investigate all deaths as
17 provided in Division 3-3 of the Counties Code and the Coroner
18 Training Board Act.

19 (Source: P.A. 99-408, eff. 1-1-16; revised 11-16-20.)

20 (50 ILCS 705/10.12)

21 Sec. 10.12. Police dog training standards. All police dogs
22 used by State and local governmental ~~law enforcement~~ agencies
23 for drug enforcement purposes pursuant to the Cannabis Control
24 Act, the Illinois Controlled Substances Act, or the
25 Methamphetamine Control and Community Protection Act shall be

1 trained by programs that meet the minimum certification
2 requirements set by the Board.

3 (Source: P.A. 101-27, eff. 6-25-19.)

4 (50 ILCS 705/10.13)

5 Sec. 10.13. Training; Post-Traumatic Stress Disorder
6 (PTSD). The Illinois Law Enforcement Training Standards Board
7 shall conduct or approve a training program in Post-Traumatic
8 Stress Disorder (PTSD) for law enforcement officers of local
9 governmental ~~government~~ agencies. The purpose of that training
10 shall be to equip law enforcement officers of local
11 governmental ~~government~~ agencies to identify the symptoms of
12 PTSD and to respond appropriately to individuals exhibiting
13 those symptoms.

14 (Source: P.A. 97-1040, eff. 1-1-13.)

15 (50 ILCS 705/10.16)

16 Sec. 10.16. Veterans' awareness. The Illinois Law
17 Enforcement Training Standards Board may conduct or approve a
18 training program in veterans' awareness for law enforcement
19 officers of local government agencies. The program shall train
20 law enforcement officers to identify issues relating to
21 veterans and provide guidelines dictating how law enforcement
22 officers should respond to and address such issues. Each local
23 governmental ~~government~~ agency is encouraged to designate an
24 individual to respond to veterans' issues.

1 (Source: P.A. 98-960, eff. 1-1-15.)

2 (50 ILCS 705/10.18)

3 Sec. 10.18. Training; administration of opioid
4 antagonists. The Board shall conduct or approve an in-service
5 training program for law enforcement ~~police~~ officers in the
6 administration of opioid antagonists as defined in paragraph
7 (1) of subsection (e) of Section 5-23 of the Substance Use
8 Disorder Act that is in accordance with that Section. As used
9 in this Section, the term "law enforcement ~~police~~ officers"
10 includes full-time or part-time probationary law enforcement
11 ~~police~~ officers, permanent or part-time law enforcement ~~police~~
12 officers, law enforcement officers, recruits, permanent or
13 probationary county corrections officers, permanent or
14 probationary county security officers, and court security
15 officers. The term does not include auxiliary police officers
16 as defined in Section 3.1-30-20 of the Illinois Municipal Code.
17 (Source: P.A. 99-480, eff. 9-9-15; 99-642, eff. 7-28-16;
18 100-759, eff. 1-1-19.)

19 (50 ILCS 705/10.19)

20 Sec. 10.19. Training; administration of epinephrine.

21 (a) This Section, along with Section 40 of the State Police
22 Act, may be referred to as the Annie LeGere Law.

23 (b) For purposes of this Section, "epinephrine
24 auto-injector" means a single-use device used for the automatic

1 injection of a pre-measured dose of epinephrine into the human
2 body prescribed in the name of a local governmental agency.

3 (c) The Board shall conduct or approve an optional advanced
4 training program for law enforcement ~~police~~ officers to
5 recognize and respond to anaphylaxis, including the
6 administration of an epinephrine auto-injector. The training
7 must include, but is not limited to:

8 (1) how to recognize symptoms of an allergic reaction;

9 (2) how to respond to an emergency involving an
10 allergic reaction;

11 (3) how to administer an epinephrine auto-injector;

12 (4) how to respond to an individual with a known
13 allergy as well as an individual with a previously unknown
14 allergy;

15 (5) a test demonstrating competency of the knowledge
16 required to recognize anaphylaxis and administer an
17 epinephrine auto-injector; and

18 (6) other criteria as determined in rules adopted by
19 the Board.

20 (d) A local governmental agency may authorize a law
21 enforcement ~~police~~ officer who has completed an optional
22 advanced training program under subsection (c) to carry,
23 administer, or assist with the administration of epinephrine
24 auto-injectors provided by the local governmental agency
25 whenever the officer ~~he or she~~ is performing official duties.

26 (e) A local governmental agency that authorizes its

1 officers to carry and administer epinephrine auto-injectors
2 under subsection (d) must establish a policy to control the
3 acquisition, storage, transportation, administration, and
4 disposal of epinephrine auto-injectors and to provide
5 continued training in the administration of epinephrine
6 auto-injectors.

7 (f) A physician, physician's assistant with prescriptive
8 authority, or advanced practice registered nurse with
9 prescriptive authority may provide a standing protocol or
10 prescription for epinephrine auto-injectors in the name of a
11 local governmental agency to be maintained for use when
12 necessary.

13 (g) When a law enforcement ~~police~~ officer administers an
14 epinephrine auto-injector in good faith, the law enforcement
15 ~~police~~ officer and local governmental agency, and its employees
16 and agents, including a physician, physician's assistant with
17 prescriptive authority, or advanced practice registered nurse
18 with prescriptive authority who provides a standing order or
19 prescription for an epinephrine auto-injector, incur no civil
20 or professional liability, except for willful and wanton
21 conduct, or as a result of any injury or death arising from the
22 use of an epinephrine auto-injector.

23 (Source: P.A. 99-711, eff. 1-1-17; 100-201, eff. 8-18-17;
24 100-648, eff. 7-31-18.)

1 Sec. 10.20. Disposal of medications. The Board shall
2 develop rules and minimum standards for local governmental
3 agencies that authorize law enforcement ~~police~~ officers to
4 dispose of unused medications under Section 18 of the Safe
5 Pharmaceutical Disposal Act.

6 (Source: P.A. 99-648, eff. 1-1-17; 100-201, eff. 8-18-17.)

7 (50 ILCS 705/10.22)

8 Sec. 10.22. School resource officers.

9 (a) The Board shall develop or approve a course for school
10 resource officers as defined in Section 10-20.68 of the School
11 Code.

12 (b) The school resource officer course shall be developed
13 within one year after January 1, 2019 (the effective date of
14 Public Act 100-984) and shall be created in consultation with
15 organizations demonstrating expertise and or experience in the
16 areas of youth and adolescent developmental issues,
17 educational administrative issues, prevention of child abuse
18 and exploitation, youth mental health treatment, and juvenile
19 advocacy.

20 (c) The Board shall develop a process allowing law
21 enforcement agencies to request a waiver of this training
22 requirement for any specific individual assigned as a school
23 resource officer. Applications for these waivers may be
24 submitted by a local governmental ~~law enforcement~~ agency chief
25 administrator for any officer whose prior training and

1 experience may qualify for a waiver of the training requirement
2 of this subsection (c). The Board may issue a waiver at its
3 discretion, based solely on the prior training and experience
4 of an officer.

5 (d) Upon completion, the employing agency shall be issued a
6 certificate attesting to a specific officer's completion of the
7 school resource officer training. Additionally, a letter of
8 approval shall be issued to the employing agency for any
9 officer who is approved for a training waiver under this
10 subsection (d).

11 (Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19.)

12 (50 ILCS 705/13 new)

13 Sec. 13. Admissibility. Notwithstanding any other law or
14 rule of evidence, the fact that a certificate was issued,
15 denied, or revoked by the Board, is admissible in a judicial or
16 administrative proceeding as prima facie evidence of any facts
17 stated.

18 (50 ILCS 705/6.2 rep.)

19 (50 ILCS 705/9.1 rep.)

20 (50 ILCS 705/10.5 rep.)

21 Section 45. The Illinois Police Training Act is amended by
22 repealing Sections 6.2, 9.1, and 10.5.

23 Section 97. Severability. The provisions of this Act are

1 severable under Section 1.31 of the Statute on Statutes.

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.".