



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB0108

Introduced 1/14/2021, by Rep. Curtis J. Tarver, II

SYNOPSIS AS INTRODUCED:

65 ILCS 5/11-1-15 new
110 ILCS 1020/1

from Ch. 144, par. 1951

Amends the Illinois Municipal Code. Provides that a municipality or municipal police department may not contract with a private college or private university to have the college's or university's campus police department patrol or police within the jurisdiction of the municipal police department. Provides that a contract in effect on the effective date of the amendatory Act that conflicts with the Section shall not be renewed, extended, or otherwise be expanded to grant any additional authority other than what is already included in such contract. Limits home rule powers. Amends the Private College Campus Police Act making conforming changes.

LRB102 04046 AWJ 14062 b

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Municipal Code is amended by
5 adding Section 11-1-15 as follows:

6 (65 ILCS 5/11-1-15 new)

7 Sec. 11-1-15. Contracts with private colleges or
8 universities for patrolling or policing.

9 (a) Notwithstanding any other provision of law, a
10 municipality or municipal police department may not contract
11 with a private college or private university to have the
12 college's or university's campus police department patrol or
13 police within the jurisdiction of the municipal police
14 department.

15 (b) A contract in effect on the effective date of this
16 amendatory Act of the 102nd General Assembly that conflicts
17 with subsection (a) shall not be renewed, extended, or
18 otherwise be expanded to grant any additional authority other
19 than what is already included in such contract.

20 (c) The regulation of contracting by municipalities or
21 municipal police departments for patrolling and policing by
22 private college or university campus police departments are
23 exclusive powers and functions of the State. A home rule

1 municipality may not regulate contracting by municipalities or
2 municipal police departments for patrolling and policing by
3 private college or university campus police departments. This
4 Section is a denial and limitation of home rule powers and
5 functions under subsection (h) of Section 6 of Article VII of
6 the Illinois Constitution.

7 Section 10. The Private College Campus Police Act is
8 amended by changing Section 1 as follows:

9 (110 ILCS 1020/1) (from Ch. 144, par. 1951)

10 Sec. 1. The Board of Trustees of a private college or
11 private university, may appoint persons to be members of a
12 campus police department. The Board shall assign duties,
13 including the enforcement of college or university
14 regulations, and prescribe the oath of office. With respect to
15 any such campus police department established for police
16 protection, the members of such campus police department shall
17 be persons who have successfully completed the Minimum
18 Standards Basic Law Enforcement Training Course offered at a
19 police training school established under the Illinois Police
20 Training Act, as such Act may be now or hereafter amended. All
21 members of such campus police departments must also
22 successfully complete the Firearms Training for Peace Officers
23 established under the Peace Officer and Probation Officer
24 Firearm Training Act. Members of the campus police department

1 shall have the powers of municipal peace officers and county
2 sheriffs, including the power to make arrests under the
3 circumstances prescribed in Section 107-2 of the Code of
4 Criminal Procedure of 1963, as amended, for violations of
5 state statutes or municipal or county ordinances, including
6 the ability to regulate and control traffic on the public way
7 contiguous to the college or university property, for the
8 protection of students, employees, visitors and their
9 property, and the property branches, and interests of the
10 college or university, in the county where the college or
11 university is located. Campus police shall have no authority
12 to serve civil process.

13 Members of the campus police department at a private
14 college or private university shall not be eligible to
15 participate in any State, county or municipal retirement fund
16 and shall not be reimbursed for training with state funds. the
17 uniforms, vehicles, and badges of such officers shall be
18 distinctive from those of the local law enforcement agency
19 where the main campus is located.

20 The Board of Trustees shall provide liability insurance
21 coverage for each member of the campus police department
22 without cost to the member, which insures the member against
23 any liability which arises out of or in the course of the
24 member's employment for no less than \$250,000 of coverage,
25 unless such indemnification is provided by a program of
26 self-insurance.

1 For the purposes of this Section, "private college" or
2 "private university" means: (1) any college or university
3 which is not owned or controlled by the State or any political
4 subdivision thereof, and (2) which provides a program of
5 education in residence leading to a baccalaureate degree, or
6 which provides a program of education in residence, for which
7 the baccalaureate degree is a prerequisite, leading to an
8 academic or professional degree, and (3) which is accredited
9 by the North Central Association or other nationally
10 recognized accrediting agency.

11 A campus police department shall not contract with a
12 municipality or municipal police department in violation of
13 Section 11-1-15 of the Illinois Municipal Code.

14 (Source: P.A. 98-725, eff. 1-1-15.)