



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB1612

Introduced 2/8/2023, by Sen. Patrick J. Joyce

SYNOPSIS AS INTRODUCED:

20 ILCS 2610/9

from Ch. 121, par. 307.9

Amends the Illinois State Police Act. Provides that the collegiate educational requirements for being appointed an Illinois State Police officer are met if the person: (1) has been honorably discharged by the United States Armed Forces and has been awarded the Global War on Terrorism Service Medal, Kuwait Liberation Medal (Saudi Arabia), Kuwait Liberation Medal (Kuwait), or Inherent Resolve Campaign Medal, in addition to other specified medals; or (2) is an active member of the Illinois National Guard or a reserve component of the United States Armed Forces and who has been awarded the Global War on Terrorism Service Medal, Kuwait Liberation Medal (Saudi Arabia), Kuwait Liberation Medal (Kuwait), or Inherent Resolve Campaign Medal, in addition to other specified medals, as a result of honorable service during deployment on active duty. Provides that the collegiate educational requirements are satisfied by having at least 3 years of full active and continuous United States Armed Forces (rather than military) duty, which shall also include a period of active duty with the State of Illinois under Title 10 or Title 32 of the United States Code pursuant to an order of the President or the Governor of the State of Illinois, and receiving an honorable discharge before hiring.

LRB103 00113 AWJ 52476 b

1 AN ACT concerning State government.

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

4 Section 5. The Illinois State Police Act is amended by
5 changing Section 9 as follows:

6 (20 ILCS 2610/9) (from Ch. 121, par. 307.9)

7 Sec. 9. Appointment; qualifications.

8 (a) Except as otherwise provided in this Section, the
9 appointment of Illinois State Police officers shall be made
10 from those applicants who have been certified by the Board as
11 being qualified for appointment. All persons so appointed
12 shall, at the time of their appointment, be not less than 21
13 years of age, or 20 years of age and have successfully
14 completed an associate's degree or 60 credit hours at an
15 accredited college or university. Any person appointed
16 subsequent to successful completion of an associate's degree
17 or 60 credit hours at an accredited college or university
18 shall not have power of arrest, nor shall he or she be
19 permitted to carry firearms, until he or she reaches 21 years
20 of age. In addition, all persons so certified for appointment
21 shall be of sound mind and body, be of good moral character, be
22 citizens of the United States, have no criminal records,
23 possess such prerequisites of training, education, and

1 experience as the Board may from time to time prescribe so long
2 as persons who have an associate's degree or 60 credit hours at
3 an accredited college or university are not disqualified, and
4 shall be required to pass successfully such mental and
5 physical tests and examinations as may be prescribed by the
6 Board. All persons who meet one of the following requirements
7 are deemed to have met the collegiate educational
8 requirements:

9 (i) have been honorably discharged and who have been
10 awarded a Southwest Asia Service Medal, Kuwait Liberation
11 Medal (Saudi Arabia), Kuwait Liberation Medal (Kuwait),
12 Kosovo Campaign Medal, Korean Defense Service Medal,
13 Afghanistan Campaign Medal, Iraq Campaign Medal, Global
14 War on Terrorism Service Medal, ~~or~~ Global War on Terrorism
15 Expeditionary Medal, or Inherent Resolve Campaign Medal by
16 the United States Armed Forces;

17 (ii) are active members of the Illinois National Guard
18 or a reserve component of the United States Armed Forces
19 and who have been awarded a Southwest Asia Service Medal,
20 Kuwait Liberation Medal (Saudi Arabia), Kuwait Liberation
21 Medal (Kuwait), Kosovo Campaign Medal, Korean Defense
22 Service Medal, Afghanistan Campaign Medal, Iraq Campaign
23 Medal, Global War on Terrorism Service Medal, ~~or~~ Global
24 War on Terrorism Expeditionary Medal, or Inherent Resolve
25 Campaign Medal as a result of honorable service during
26 deployment on active duty;

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

4 (iv) have at least 3 years of full active and
5 continuous United States Armed Forces military duty, which
6 shall also include a period of active duty with the State
7 of Illinois under Title 10 or Title 32 of the United States
8 Code pursuant to an order of the President or the Governor
9 of the State of Illinois, and received an honorable
10 discharge before hiring.

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

24 (b) Notwithstanding the other provisions of this Act,
25 after July 1, 1977 and before July 1, 1980, the Director of
26 State Police may appoint and promote not more than 20 persons

1 having special qualifications as special agents as he or she
2 deems necessary to carry out the Department's objectives. Any
3 such appointment or promotion shall be ratified by the Board.

4 (c) During the 90 days following March 31, 1995 (the
5 effective date of Public Act 89-9), the Director of State
6 Police may appoint up to 25 persons as State Police officers.
7 These appointments shall be made in accordance with the
8 requirements of this subsection (c) and any additional
9 criteria that may be established by the Director, but are not
10 subject to any other requirements of this Act. The Director
11 may specify the initial rank for each person appointed under
12 this subsection.

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

22 Persons appointed under this subsection (c) shall
23 thereafter be subject to the same requirements and procedures
24 as other State police officers. A person appointed under this
25 subsection must serve a probationary period of 12 months from
26 the date of appointment, during which he or she may be

1 discharged at the will of the Director.

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

5 (d) During the 180 days following January 1, 2022 (the
6 effective date of Public Act 101-652), the Director of the
7 Illinois State Police may appoint current Illinois State
8 Police employees serving in law enforcement officer positions
9 previously within Central Management Services as State Police
10 officers. These appointments shall be made in accordance with
11 the requirements of this subsection (d) and any institutional
12 criteria that may be established by the Director, but are not
13 subject to any other requirements of this Act. All
14 appointments under this subsection (d) shall be made from
15 personnel certified by the Board. A person certified by the
16 Board and appointed by the Director under this subsection must
17 have been employed by ~~the~~ a State agency, board, or commission
18 on January 1, 2021 in a job title subject to the Personnel Code
19 and in a position for which the person was eligible to earn
20 "eligible creditable service" as a "noncovered employee", as
21 those terms are defined in Article 14 of the Illinois Pension
22 Code. Persons appointed under this subsection (d) shall
23 thereafter be subject to the same requirements, and subject to
24 the same contractual benefits and obligations, as other State
25 police officers. This subsection (d) does not affect or limit
26 the Director's authority to appoint other State Police

1 officers under subsection (a) of this Section.

2 (e) The Merit Board shall review Illinois State Police
3 Cadet applicants. The Illinois State Police may provide
4 background check and investigation material to the Board for
5 its review pursuant to this Section. The Board shall approve
6 and ensure that no cadet applicant is certified unless the
7 applicant is a person of good character and has not been
8 convicted of, or entered a plea of guilty to, a felony offense,
9 any of the misdemeanors specified in this Section or if
10 committed in any other state would be an offense similar to
11 Section 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14,
12 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1,
13 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
14 violation of any Section of Part E of Title III of the Criminal
15 Code of 1961 or the Criminal Code of 2012, 32-4a, or 32-7 of
16 the Criminal Code of 1961 or the Criminal Code of 2012, or
17 subsection (a) of Section 17-32 of the Criminal Code of 1961 or
18 the Criminal Code of 2012, to Section 5 or 5.2 of the Cannabis
19 Control Act, or any felony or misdemeanor in violation of
20 federal law or the law of any state that is the equivalent of
21 any of the offenses specified therein. The Officer
22 Professional Conduct Database, provided for in Section 9.2 of
23 the Illinois Police Training Act, shall be searched as part of
24 this process. For purposes of this Section, "convicted of, or
25 entered a plea of guilty" regardless of whether the
26 adjudication of guilt or sentence is withheld or not entered

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

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

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

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

13 (Source: P.A. 101-374, eff. 1-1-20; 101-652, eff. 1-1-22;
14 102-538, eff. 8-20-21; 102-694, eff. 1-7-22; 102-813, eff.
15 5-13-22; revised 8-24-22.)