



## 96TH GENERAL ASSEMBLY

### State of Illinois

2009 and 2010

HB5911

Introduced 2/10/2010, by Rep. Brandon W. Phelps

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2505/2505-305

was 20 ILCS 2505/39b15.1

Amends the Department of Revenue Law of the Civil Administrative Code of Illinois. Provides that if a Department of Revenue investigator, except an investigator appointed to enforce taxing or other measures under the Liquor Control Act of 1934, discovers any criminal offense or violation unrelated to taxing or other measures administered by the Department, then the investigator may exercise the powers of a police officer if (i) the criminal offense or violation creates a threat to the life or safety of the investigator or any other person and (ii) the investigator notifies the proper local or State law enforcement agency as soon as it is practical. Effective immediately.

LRB096 18159 HLH 33534 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

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 Department of Revenue Law of the Civil  
5 Administrative Code of Illinois is amended by changing Section  
6 2505-305 as follows:

7 (20 ILCS 2505/2505-305) (was 20 ILCS 2505/39b15.1)

8 Sec. 2505-305. Investigators.

9 (a) The Department has the power to appoint investigators  
10 to conduct all investigations, searches, seizures, arrests,  
11 and other duties imposed under the provisions of any law  
12 administered by the Department. Except as provided in  
13 subsection (c), these investigators have and may exercise all  
14 the powers of peace officers ~~solely~~ for the purpose of  
15 enforcing taxing or other measures administered by the  
16 Department.

17 (a-5) In addition to the powers provided in subsection (a),  
18 if an investigator, except an investigator appointed to enforce  
19 taxing or other measures under the Liquor Control Act of 1934,  
20 discovers any criminal offense or violation unrelated to taxing  
21 or other measures administered by the Department, then the  
22 investigator may exercise the powers of a police officer if (i)  
23 the criminal offense or violation creates a threat to the life

1 or safety of the investigator or any other person and (ii) the  
2 investigator notifies the proper local or State law enforcement  
3 agency as soon as it is practical.

4 (b) The Director must authorize to each investigator  
5 employed under this Section and to any other employee of the  
6 Department exercising the powers of a peace officer a distinct  
7 badge that, on its face, (i) clearly states that the badge is  
8 authorized by the Department and (ii) contains a unique  
9 identifying number. No other badge shall be authorized by the  
10 Department.

11 (c) The Department may enter into agreements with the  
12 Illinois Gaming Board providing that investigators appointed  
13 under this Section shall exercise the peace officer powers set  
14 forth in paragraph (20.6) of subsection (c) of Section 5 of the  
15 Riverboat Gambling Act.

16 (Source: P.A. 96-37, eff. 7-13-09.)

17 Section 99. Effective date. This Act takes effect upon  
18 becoming law.