

1 AN ACT concerning transportation.

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

4 Section 5. The Racial Profiling Prevention and Data
5 Oversight Act is amended by changing Sections 15 and 40 as
6 follows:

7 (20 ILCS 2715/15)

8 Sec. 15. Oversight Board.

9 (a) There is created within the Department a Racial
10 Profiling Prevention and Data Oversight Board, consisting of 15
11 members, which shall independently exercise its powers,
12 duties, and responsibilities. The Board shall have the
13 authority to allow additional participation from various
14 groups that the Board deems necessary for additional input.

15 (b) The membership of the Oversight Board shall consist of:

16 (1) 4 legislators appointed by the General Assembly
17 leadership equally apportioned between the 2 houses and
18 political parties, with appointees of the majority party in
19 the Senate and the majority party in the House of
20 Representatives to serve as co-chairs on the Board;

21 (2) the Attorney General or his or her designee;

22 (3) the Secretary of the Illinois Department of
23 Transportation or his or her designee;

1 (4) the Director of the Illinois State Police or his or
2 her designee;

3 (5) 3 members of county or city law enforcement
4 agencies, representing jurisdictions of varied size and
5 geography, with 2 members being appointed by the co-chairs
6 and one member being appointed by the Governor;

7 (6) 4 members of community organizations representing
8 minority interests, with 2 members being appointed by the
9 co-chairs and 2 members being appointed by the Governor;
10 and

11 (7) one member of the Illinois academic community with
12 specific expertise in both statistical analysis and law
13 enforcement, appointed by the Governor.

14 (c) All members shall serve 2 years and until their
15 successors are appointed. Members may be reappointed for an
16 unlimited number of terms. The Oversight Board shall meet at
17 least quarterly.

18 (Source: P.A. 94-997, eff. 1-1-08.)

19 (20 ILCS 2715/40)

20 Sec. 40. Powers and Duties of the Oversight Board. The
21 Oversight Board shall have the following powers, duties, and
22 responsibilities:

23 (a) To operate purely as an advisory body. Any changes to
24 rules and policy promoted by the Oversight Board are only
25 recommendations, which may be reported to the Governor, the

1 Secretary of State, and the General Assembly or to appropriate
2 law enforcement agencies.

3 (b) To coordinate the development, adoption, and
4 implementation of plans and strategies to eliminate racial
5 profiling in Illinois and to coordinate the development,
6 adoption, and implementation of plans and strategies to create
7 public awareness programs in minority communities, designed to
8 educate individuals regarding racial profiling and their civil
9 rights.

10 (c) To promulgate model policies for police agencies that
11 are designed to protect individuals' civil rights related to
12 police traffic enforcement and to recommend to law enforcement
13 agencies model rules as may be necessary to effectuate training
14 regarding data collection and mechanisms to engage those
15 agencies who willfully fail to comply with the requirements of
16 the Traffic Stop Statistical Study Act.

17 (d) To study and to issue reports and recommendations to
18 the Governor, the Secretary of State, and the General Assembly
19 regarding the following subjects by the following dates:

20 (1) no later than September 1, 2009 ~~July 1, 2008~~,
21 regarding strategies to improve the benchmark data
22 available to identify the race, ethnicity, and
23 geographical residence of the Illinois driving population,
24 beginning on August 1, 2008, with the collection of race
25 and ethnicity data on new and renewal applicants for
26 driver's licenses. This data shall be available for

1 statistical benchmark comparison purposes only;

2 (2) no later than September 1, 2009 ~~January 1, 2009~~,
3 regarding data collection requirements with respect to
4 additional race and ethnicity categories to be added to the
5 traffic stop statistical study in order to improve data
6 collection among unreported and under-reported minority
7 populations. The Board shall study, and recommend if
8 required, at a minimum, data collection strategies,
9 categories, and benchmarks for persons of Middle-Eastern
10 origin. The Board shall also study stops lasting over 30
11 minutes and define categorical reasons for the extended
12 stops;

13 (3) no later than September 1, 2009 ~~July 1, 2009~~,
14 regarding technological solutions to aid in the
15 identification, elimination, and prevention of racial
16 profiling and to recommend funding sources for statewide
17 implementation of the technological solutions;

18 (4) no later than September 1, 2009 ~~January 1, 2010~~,
19 regarding whether Illinois should continue the mandatory
20 data collection required under this Act, as well as the
21 best practices of data collection as related to the
22 identification, elimination, and prevention of bias-based
23 policing; and

24 (5) on or before April 1 of each year, regarding the
25 Oversight Board's activities during the previous fiscal
26 year.

1 (Source: P.A. 94-997, eff. 1-1-08.)

2 (20 ILCS 2715/20 rep.)

3 Section 90. The Racial Profiling Prevention and Data
4 Oversight Act is amended by repealing Section 20.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.