



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB5910

by Rep. Anna Moeller

SYNOPSIS AS INTRODUCED:

720 ILCS 5/2-13
745 ILCS 22/5

from Ch. 38, par. 2-13

Amends the Criminal Code of 2012. Changes references of various federal law enforcement agencies from their previous names to their current names. Includes in the definition of "peace officer" under the Criminal Code of 2012 for particular purposes: (1) Amtrak Police; (2) Federal Reserve Police; (3) the United States Department of Veterans Affairs Police; and (4) U.S. Probation and Pre-trial Services. Amends the Federal Law Enforcement Officer Immunity Act to make conforming changes.

LRB099 18730 RLC 43114 b

1 AN ACT concerning federal law enforcement agencies.

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

4 Section 5. The Criminal Code of 2012 is amended by changing
5 Section 2-13 as follows:

6 (720 ILCS 5/2-13) (from Ch. 38, par. 2-13)

7 Sec. 2-13. "Peace officer". "Peace officer" means (i) any
8 person who by virtue of his office or public employment is
9 vested by law with a duty to maintain public order or to make
10 arrests for offenses, whether that duty extends to all offenses
11 or is limited to specific offenses, or (ii) any person who, by
12 statute, is granted and authorized to exercise powers similar
13 to those conferred upon any peace officer employed by a law
14 enforcement agency of this State.

15 For purposes of Sections concerning unlawful use of
16 weapons, for the purposes of assisting an Illinois peace
17 officer in an arrest, or when the commission of any offense
18 under Illinois law is directly observed by the person, and
19 statutes involving the false personation of a peace officer,
20 false personation of a peace officer while carrying a deadly
21 weapon, false personation of a peace officer in attempting or
22 committing a felony, and false personation of a peace officer
23 in attempting or committing a forcible felony, then officers,

1 agents, or employees of the federal government commissioned by
2 federal statute to make arrests for violations of federal
3 criminal laws shall be considered "peace officers" under this
4 Code, including, but not limited to all criminal investigators
5 of:

6 (1) the United States Department of Justice, the
7 Federal Bureau of Investigation, the Drug Enforcement
8 Agency and all United States Marshals or Deputy United
9 States Marshals whose duties involve the enforcement of
10 federal criminal laws ~~the Department of Immigration and~~
11 ~~Naturalization;~~

12 (1.5) the United States Department of Homeland
13 Security, United States Citizenship and Immigration
14 Services, United States Coast Guard, United States Customs
15 and Border Protection, and United States Immigration and
16 Customs Enforcement;

17 (2) the United States Department of the Treasury, the
18 Alcohol and Tobacco Tax and Trade Bureau, and the United
19 States ~~the Secret Service, the Bureau of Alcohol, Tobacco~~
20 ~~and Firearms and the Customs Service;~~

21 (3) the United States Internal Revenue Service;

22 (4) the United States General Services Administration;

23 (5) the United States Postal Service;

24 (6) (blank); ~~all United States Marshals or Deputy~~
25 ~~United States Marshals whose duties involve the~~
26 ~~enforcement of federal criminal laws; and~~

- 1 (7) the United States Department of Defense;~~;~~
2 (8) Amtrak Police;
3 (9) Federal Reserve Police;
4 (10) the United States Department of Veterans Affairs
5 Police; and
6 (11) U.S. Probation and Pre-trial Services.
7 (Source: P.A. 97-1150, eff. 1-25-13.)

8 Section 10. The Federal Law Enforcement Officer Immunity
9 Act is amended by changing Section 5 as follows:

10 (745 ILCS 22/5)

11 Sec. 5. Definition. As used in this Act, "federal law
12 enforcement officer" means any officer, agent or employee of
13 the federal government commissioned by federal statute to make
14 arrests for violations of federal criminal laws, including but
15 not limited to, all criminal investigators of:

16 (a) The United States Department of Justice, the ~~The~~
17 Federal Bureau of Investigation, the ~~The~~ Drug Enforcement
18 Agency and all United States Marshals or Deputy United States
19 Marshals whose duties involve the enforcement of federal
20 criminal laws ~~and The Department of Immigration and~~
21 ~~Naturalization;~~

22 (a-5) The United States Department of Homeland Security,
23 United States Citizenship and Immigration Services, United
24 States Coast Guard, United States Customs and Border

1 Protection, and United States Immigration and Customs
2 Enforcement;

3 (b) The United States Department of the Treasury, the
4 Alcohol and Tobacco Tax and Trade Bureau, and the United States
5 ~~The Secret Service, The Bureau of Alcohol, Tobacco and Firearms~~
6 ~~and The Customs Service;~~

7 (c) The United States Internal Revenue Service;

8 (d) The United States General Services Administration;

9 (e) The United States Postal Service; ~~and~~

10 (f) (Blank); ~~All United States Marshals or Deputy United~~
11 ~~States Marshals whose duties involve the enforcement of federal~~
12 ~~criminal laws.~~

13 (g) The United States Department of Defense;

14 (h) Amtrak Police;

15 (i) Federal Reserve Police;

16 (j) the United States Department of Veterans Affairs
17 Police; and

18 (k) U.S. Probation and Pre-trial Services.

19 (Source: P.A. 95-331, eff. 8-21-07.)