



Rep. La Shawn K. Ford

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09900HB6266ham001

LRB099 19113 RJF 47189 a

1 AMENDMENT TO HOUSE BILL 6266

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 6266 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Public Labor Relations Act is  
5 amended by changing Section 15 as follows:

6 (5 ILCS 315/15) (from Ch. 48, par. 1615)

7 (Text of Section WITH the changes made by P.A. 98-599,  
8 which has been held unconstitutional)

9 Sec. 15. Act Takes Precedence.

10 (a) In case of any conflict between the provisions of this  
11 Act and any other law (other than Section 5 of the State  
12 Employees Group Insurance Act of 1971 and other than the  
13 changes made to the Illinois Pension Code by Public Act 96-889  
14 and other than as provided in Section 7.5), executive order or  
15 administrative regulation relating to wages, hours and  
16 conditions of employment and employment relations, the

1 provisions of this Act or any collective bargaining agreement  
2 negotiated thereunder shall prevail and control. Nothing in  
3 this Act shall be construed to replace or diminish the rights  
4 of employees established by Sections 28 and 28a of the  
5 Metropolitan Transit Authority Act, Sections 2.15 through 2.19  
6 of the Regional Transportation Authority Act. The provisions of  
7 this Act are subject to Section 7.5 of this Act and Section 5  
8 of the State Employees Group Insurance Act of 1971. Nothing in  
9 this Act shall be construed to replace the necessity of  
10 complaints against a sworn peace officer, as defined in Section  
11 2(a) of the Uniform Peace Officer Disciplinary Act, from having  
12 a complaint supported by a sworn affidavit.

13 (b) Except as provided in subsection (a) above, any  
14 collective bargaining contract between a public employer and a  
15 labor organization executed pursuant to this Act shall  
16 supersede any contrary statutes, charters, ordinances, rules  
17 or regulations relating to wages, hours and conditions of  
18 employment and employment relations adopted by the public  
19 employer or its agents. Any collective bargaining agreement  
20 entered into prior to the effective date of this Act shall  
21 remain in full force during its duration.

22 (c) It is the public policy of this State, pursuant to  
23 paragraphs (h) and (i) of Section 6 of Article VII of the  
24 Illinois Constitution, that the provisions of this Act are the  
25 exclusive exercise by the State of powers and functions which  
26 might otherwise be exercised by home rule units. Such powers

1 and functions may not be exercised concurrently, either  
2 directly or indirectly, by any unit of local government,  
3 including any home rule unit, except as otherwise authorized by  
4 this Act.

5 (Source: P.A. 98-599, eff. 6-1-14.)

6 (Text of Section WITHOUT the changes made by P.A. 98-599,  
7 which has been held unconstitutional)

8 Sec. 15. Act Takes Precedence.

9 (a) In case of any conflict between the provisions of this  
10 Act and any other law (other than Section 5 of the State  
11 Employees Group Insurance Act of 1971 and other than the  
12 changes made to the Illinois Pension Code by this amendatory  
13 Act of the 96th General Assembly), executive order or  
14 administrative regulation relating to wages, hours and  
15 conditions of employment and employment relations, the  
16 provisions of this Act or any collective bargaining agreement  
17 negotiated thereunder shall prevail and control. Nothing in  
18 this Act shall be construed to replace or diminish the rights  
19 of employees established by Sections 28 and 28a of the  
20 Metropolitan Transit Authority Act, Sections 2.15 through 2.19  
21 of the Regional Transportation Authority Act. The provisions of  
22 this Act are subject to Section 5 of the State Employees Group  
23 Insurance Act of 1971. Nothing in this Act shall be construed  
24 to replace the necessity of complaints against a sworn peace  
25 officer, as defined in Section 2(a) of the Uniform Peace

1 Officer Disciplinary Act, from having a complaint supported by  
2 a sworn affidavit. Nothing in this Act shall be construed to  
3 take precedence over Section 25 of the Local Records Act or  
4 Section 8 of the Personnel Record Review Act with regard to  
5 deletion or destruction of disciplinary reports, letters of  
6 reprimand, or other records of disciplinary action of peace  
7 officers.

8 (b) Except as provided in subsection (a) above, any  
9 collective bargaining contract between a public employer and a  
10 labor organization executed pursuant to this Act shall  
11 supersede any contrary statutes, charters, ordinances, rules  
12 or regulations relating to wages, hours and conditions of  
13 employment and employment relations adopted by the public  
14 employer or its agents. Any collective bargaining agreement  
15 entered into prior to the effective date of this Act shall  
16 remain in full force during its duration.

17 (c) It is the public policy of this State, pursuant to  
18 paragraphs (h) and (i) of Section 6 of Article VII of the  
19 Illinois Constitution, that the provisions of this Act are the  
20 exclusive exercise by the State of powers and functions which  
21 might otherwise be exercised by home rule units. Such powers  
22 and functions may not be exercised concurrently, either  
23 directly or indirectly, by any unit of local government,  
24 including any home rule unit, except as otherwise authorized by  
25 this Act.

26 (Source: P.A. 95-331, eff. 8-21-07; 96-889, eff. 1-1-11.)

1           Section 10. The Local Records Act is amended by adding  
2           Section 25 as follows:

3           (50 ILCS 205/25 new)

4           Sec. 25. Police misconduct records. All records, both  
5           public records and non-public, related to complaints,  
6           investigations, and adjudications of police misconduct shall  
7           be permanently retained and may not be destroyed.

8           Section 15. The Personnel Record Review Act is amended by  
9           changing Section 8 as follows:

10           (820 ILCS 40/8) (from Ch. 48, par. 2008)

11           Sec. 8. Except as otherwise provided in this Section, an ~~An~~  
12           employer shall review a personnel record before releasing  
13           information to a third party and, except when the release is  
14           ordered to a party in a legal action or arbitration, delete  
15           disciplinary reports, letters of reprimand, or other records of  
16           disciplinary action which are more than 4 years old. An  
17           employer shall not delete or destroy disciplinary reports,  
18           letters of reprimand, or other records of disciplinary action  
19           of peace officers, as defined in Section 3 of the Illinois  
20           Public Labor Relations Act.

21           (Source: P.A. 83-1104.)

1           Section 99. Effective date. This Act takes effect upon  
2 becoming law.".