



Rep. Barbara Flynn Currie

Filed: 5/20/2016

09900SB0805ham002

LRB099 03670 AXK 48986 a

1 AMENDMENT TO SENATE BILL 805

2 AMENDMENT NO. _____. Amend Senate Bill 805, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by
6 changing Section 2-115 as follows:

7 (625 ILCS 5/2-115) (from Ch. 95 1/2, par. 2-115)

8 Sec. 2-115. Investigators.

9 (a) The Secretary of State, for the purpose of more
10 effectively carrying out the provisions of the laws in relation
11 to motor vehicles, shall have power to appoint such number of
12 investigators as he may deem necessary. It shall be the duty of
13 such investigators to investigate and enforce violations of the
14 provisions of this Act administered by the Secretary of State
15 and provisions of Chapters 11, 12, 13, 14 and 15 and to
16 investigate and report any violation by any person who operates

1 as a motor carrier of property as defined in Section 18-100 of
2 this Act and does not hold a valid certificate or permit. Such
3 investigators shall have and may exercise throughout the State
4 all of the powers of peace officers.

5 No person may be retained in service as an investigator
6 under this Section after he or she has reached 60 years of age,
7 except for a person employed in the title of Capitol Police
8 Investigator and who began employment on or after January 1,
9 2011, in which case, they may not be retained in service after
10 that person has reached 65 years of age.

11 The Secretary of State must authorize to each investigator
12 employed under this Section and to any other employee of the
13 Office of the Secretary of State exercising the powers of a
14 peace officer a distinct badge that, on its face, (i) clearly
15 states that the badge is authorized by the Office of the
16 Secretary of State and (ii) contains a unique identifying
17 number. No other badge shall be authorized by the Office of the
18 Secretary of State.

19 (b) The Secretary may expend such sums as he deems
20 necessary from Contractual Services appropriations for the
21 Department of Police for the purchase of evidence, for the
22 employment of persons to obtain evidence, and for the payment
23 for any goods or services related to obtaining evidence. Such
24 sums shall be advanced to investigators authorized by the
25 Secretary to expend funds, on vouchers signed by the Secretary.
26 In addition, the Secretary of State is authorized to maintain

1 one or more commercial checking accounts with any State banking
2 corporation or corporations organized under or subject to the
3 Illinois Banking Act for the deposit and withdrawal of moneys
4 to be used solely for the purchase of evidence and for the
5 employment of persons to obtain evidence, or for the payment
6 for any goods or services related to obtaining evidence;
7 provided that no check may be written on nor any withdrawal
8 made from any such account except on the written signatures of
9 2 persons designated by the Secretary to write such checks and
10 make such withdrawals, and provided further that the balance of
11 moneys on deposit in any such account shall not exceed \$5,000
12 at any time, nor shall any one check written on or single
13 withdrawal made from any such account exceed \$5,000.

14 All fines or moneys collected or received by the Department
15 of Police under any State or federal forfeiture statute;
16 including, but not limited to moneys forfeited under Section 12
17 of the Cannabis Control Act, moneys forfeited under Section 85
18 of the Methamphetamine Control and Community Protection Act,
19 and moneys distributed under Section 413 of the Illinois
20 Controlled Substances Act, shall be deposited into the
21 Secretary of State Evidence Fund.

22 In all convictions for offenses in violation of this Act,
23 the Court may order restitution to the Secretary of any or all
24 sums expended for the purchase of evidence, for the employment
25 of persons to obtain evidence, and for the payment for any
26 goods or services related to obtaining evidence. All such

1 restitution received by the Secretary shall be deposited into
2 the Secretary of State Evidence Fund. Moneys deposited into the
3 fund shall, subject to appropriation, be used by the Secretary
4 of State for the purposes provided for under the provisions of
5 this Section.

6 (Source: P.A. 94-556, eff. 9-11-05.)".