

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 Illinois Vehicle Code is amended by changing  
5 Section 2-115 as follows:

6 (625 ILCS 5/2-115) (from Ch. 95 1/2, par. 2-115)

7 Sec. 2-115. Investigators.

8 (a) The Secretary of State, for the purpose of more  
9 effectively carrying out the provisions of the laws in relation  
10 to motor vehicles, shall have power to appoint such number of  
11 investigators as he may deem necessary. It shall be the duty of  
12 such investigators to investigate and enforce violations of the  
13 provisions of this Act administered by the Secretary of State  
14 and provisions of Chapters 11, 12, 13, 14 and 15 and to  
15 investigate and report any violation by any person who operates  
16 as a motor carrier of property as defined in Section 18-100 of  
17 this Act and does not hold a valid certificate or permit. Such  
18 investigators shall have and may exercise throughout the State  
19 all of the powers of peace officers.

20 No person may be retained in service as an investigator  
21 under this Section after he or she has reached 60 years of age,  
22 except for a person employed in the title of Capitol Police  
23 Investigator and who began employment on or after January 1,

1 2011, in which case, they may not be retained in service after  
2 that person has reached 65 years of age.

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

11 (b) The Secretary may expend such sums as he deems  
12 necessary from Contractual Services appropriations for the  
13 Department of Police for the purchase of evidence, for the  
14 employment of persons to obtain evidence, and for the payment  
15 for any goods or services related to obtaining evidence. Such  
16 sums shall be advanced to investigators authorized by the  
17 Secretary to expend funds, on vouchers signed by the Secretary.  
18 In addition, the Secretary of State is authorized to maintain  
19 one or more commercial checking accounts with any State banking  
20 corporation or corporations organized under or subject to the  
21 Illinois Banking Act for the deposit and withdrawal of moneys  
22 to be used solely for the purchase of evidence and for the  
23 employment of persons to obtain evidence, or for the payment  
24 for any goods or services related to obtaining evidence;  
25 provided that no check may be written on nor any withdrawal  
26 made from any such account except on the written signatures of

1 2 persons designated by the Secretary to write such checks and  
2 make such withdrawals, and provided further that the balance of  
3 moneys on deposit in any such account shall not exceed \$5,000  
4 at any time, nor shall any one check written on or single  
5 withdrawal made from any such account exceed \$5,000.

6 All fines or moneys collected or received by the Department  
7 of Police under any State or federal forfeiture statute;  
8 including, but not limited to moneys forfeited under Section 12  
9 of the Cannabis Control Act, moneys forfeited under Section 85  
10 of the Methamphetamine Control and Community Protection Act,  
11 and moneys distributed under Section 413 of the Illinois  
12 Controlled Substances Act, shall be deposited into the  
13 Secretary of State Evidence Fund.

14 In all convictions for offenses in violation of this Act,  
15 the Court may order restitution to the Secretary of any or all  
16 sums expended for the purchase of evidence, for the employment  
17 of persons to obtain evidence, and for the payment for any  
18 goods or services related to obtaining evidence. All such  
19 restitution received by the Secretary shall be deposited into  
20 the Secretary of State Evidence Fund. Moneys deposited into the  
21 fund shall, subject to appropriation, be used by the Secretary  
22 of State for the purposes provided for under the provisions of  
23 this Section.

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