



## 99TH GENERAL ASSEMBLY

### State of Illinois

2015 and 2016

SB1550

Introduced 2/20/2015, by Sen. Napoleon Harris, III

#### SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-21.7 from Ch. 122, par. 10-21.7  
105 ILCS 5/10-27.1A  
105 ILCS 5/10-27.1B  
105 ILCS 5/22-80 new  
105 ILCS 5/34-8.05  
105 ILCS 5/34-84a.1 rep.

Amends the School Code. Makes changes concerning reporting attacks on school personnel, including adding aggravated battery, assault, aggravated assault, criminal sexual assault, and criminal homicide as incidents that must be reported; reporting firearms in schools; and reporting drug-related incidents in schools, including adding drug paraphernalia to the definition of "drug". Sets forth provisions requiring the principal of any public or private elementary or secondary school (instead of just the principal of a Chicago public school) to report incidents of intimidation. Provides that a local law enforcement authority shall, by March 1 of each year, report certain data from the previous year to the Department of State Police's Illinois Uniform Crime Reporting Program. Removes provisions requiring the State Board of Education to compile certain information by school district and make it available to the public.

LRB099 09406 NHT 31056 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections  
5 10-21.7, 10-27.1A, 10-27.1B, and 34-8.05 and by adding Section  
6 22-80 as follows:

7 (105 ILCS 5/10-21.7) (from Ch. 122, par. 10-21.7)

8 Sec. 10-21.7. Attacks on school personnel.

9 (a) In this ~~the~~ Section, "school" means any entity subject  
10 to regulation under this Code ~~public or private elementary or~~  
11 ~~secondary school.~~

12 (b) Upon receipt of a written complaint from any school  
13 personnel, the principal or his or her designee ~~superintendent,~~  
14 ~~or other appropriate administrative officer for a private~~  
15 ~~school,~~ shall report all incidents of battery, aggravated  
16 battery, assault, aggravated assault, criminal sexual assault,  
17 or criminal homicide committed against teachers, teacher  
18 personnel, administrative personnel or educational support  
19 personnel to the local law enforcement authorities immediately  
20 after the occurrence of the attack ~~and to the Department of~~  
21 ~~State Police's Illinois Uniform Crime Reporting Program no~~  
22 ~~later than 3 days after the occurrence of the attack.~~ The local  
23 law enforcement authority shall, by March 1 of each year,

1 report the required data from the previous year to the  
2 Department of State Police's Illinois Uniform Crime Reporting  
3 Program. The State Board of Education shall receive ~~monthly as~~  
4 ~~well as~~ annual statistical compilations of attacks on school  
5 personnel from the Department of State Police through the  
6 Illinois Uniform Crime Reporting Program. ~~The State Board of~~  
7 ~~Education shall compile this information by school district and~~  
8 ~~make it available to the public.~~

9 (Source: P.A. 91-491, eff. 8-13-99.)

10 (105 ILCS 5/10-27.1A)

11 Sec. 10-27.1A. Firearms in schools.

12 (a) As used in this Section:

13 "Firearm" shall have the meaning ascribed to it in Section  
14 1.1 of the Firearm Owners Identification Card Act.

15 "School" means any entity subject to regulation under this  
16 Code.

17 "School grounds" includes the real property comprising any  
18 school, any conveyance owned, leased, or contracted by a school  
19 to transport students to or from school or a school-related  
20 activity, or any public way within 1,000 feet of the real  
21 property comprising any school.

22 (b) ~~(a)~~ All school officials, including teachers, guidance  
23 counselors, and support staff, shall immediately notify the  
24 office of the principal in the event that they observe any  
25 person in possession of a firearm on school grounds; provided

1 that taking such immediate action to notify the office of the  
2 principal would not immediately endanger the health, safety, or  
3 welfare of students who are under the direct supervision of the  
4 school official or the school official. If the health, safety,  
5 or welfare of students under the direct supervision of the  
6 school official or of the school official is immediately  
7 endangered, the school official shall notify the office of the  
8 principal as soon as the students under his or her supervision  
9 and he or she are no longer under immediate danger. A report is  
10 not required by this Section when the school official knows  
11 that the person in possession of the firearm is a law  
12 enforcement official engaged in the conduct of his or her  
13 official duties. Any school official acting in good faith who  
14 makes such a report under this Section shall have immunity from  
15 any civil or criminal liability that might otherwise be  
16 incurred as a result of making the report. The identity of the  
17 school official making such report shall not be disclosed  
18 except as expressly and specifically authorized by law.  
19 Knowingly and willfully failing to comply with this Section is  
20 a petty offense. A second or subsequent offense is a Class C  
21 misdemeanor.

22 (c) ~~(b)~~ Upon receiving a report from any school official  
23 pursuant to this Section, or from any other person, the  
24 principal or his or her designee shall immediately notify a  
25 local law enforcement agency. If the person found to be in  
26 possession of a firearm on school grounds is a student, the

1 principal or his or her designee shall also immediately notify  
2 that student's parent or guardian. Any principal or his or her  
3 designee acting in good faith who makes such reports under this  
4 Section shall have immunity from any civil or criminal  
5 liability that might otherwise be incurred or imposed as a  
6 result of making the reports. Knowingly and willfully failing  
7 to comply with this Section is a petty offense. A second or  
8 subsequent offense is a Class C misdemeanor. If the person  
9 found to be in possession of the firearm on school grounds is a  
10 minor, the law enforcement agency shall detain that minor until  
11 such time as the agency makes a determination pursuant to  
12 clause (a) of subsection (1) of Section 5-401 of the Juvenile  
13 Court Act of 1987, as to whether the agency reasonably believes  
14 that the minor is delinquent. If the law enforcement agency  
15 determines that probable cause exists to believe that the minor  
16 committed a violation of item (4) of subsection (a) of Section  
17 24-1 of the Criminal Code of 2012 while on school grounds, the  
18 agency shall detain the minor for processing pursuant to  
19 Section 5-407 of the Juvenile Court Act of 1987.

20 (d) ~~(e)~~ On or after January 1, 1997, upon receipt of any  
21 written, electronic, or verbal report from any school personnel  
22 regarding a verified incident involving a firearm in a school  
23 or on school owned or leased property, including any conveyance  
24 owned, leased, or used by the school for the transport of  
25 students or school personnel, the superintendent or his or her  
26 designee shall report all such firearm-related incidents

1 occurring in a school or on school property to the local law  
2 enforcement authorities immediately ~~and to the Department of~~  
3 ~~State Police in a form, manner, and frequency as prescribed by~~  
4 ~~the Department of State Police.~~ The local law enforcement  
5 authority shall, by March 1 of each year, report the required  
6 data from the previous year to the Department of State Police's  
7 Illinois Uniform Crime Reporting Program.

8 The State Board of Education shall receive an annual  
9 statistical compilation and related data associated with  
10 incidents involving firearms in schools from the Department of  
11 State Police. ~~The State Board of Education shall compile this~~  
12 ~~information by school district and make it available to the~~  
13 ~~public.~~

14 ~~(d) As used in this Section, the term "firearm" shall have~~  
15 ~~the meaning ascribed to it in Section 1.1 of the Firearm Owners~~  
16 ~~Identification Card Act.~~

17 ~~As used in this Section, the term "school" means any public~~  
18 ~~or private elementary or secondary school.~~

19 ~~As used in this Section, the term "school grounds" includes~~  
20 ~~the real property comprising any school, any conveyance owned,~~  
21 ~~leased, or contracted by a school to transport students to or~~  
22 ~~from school or a school related activity, or any public way~~  
23 ~~within 1,000 feet of the real property comprising any school.~~

24 (Source: P.A. 97-1150, eff. 1-25-13.)

1           Sec. 10-27.1B. Reporting drug-related incidents in  
2 schools.

3           (a) In this Section:

4           "Drug" means "cannabis" as defined under subsection (a) of  
5 Section 3 of the Cannabis Control Act, "narcotic drug" as  
6 defined under subsection (aa) of Section 102 of the Illinois  
7 Controlled Substances Act, "drug paraphernalia" as defined  
8 under subsection (d) of Section 2 of the Drug Paraphernalia  
9 Control Act, or "methamphetamine" as defined under Section 10  
10 of the Methamphetamine Control and Community Protection Act.

11           "School" means any entity subject to regulation under this  
12 Code ~~public or private elementary or secondary school.~~

13           (b) Upon receipt of any written, electronic, or verbal  
14 report from any school personnel regarding a verified incident  
15 involving drugs in a school or on school owned or leased  
16 property, including any conveyance owned, leased, or used by  
17 the school for the transport of students or school personnel,  
18 the principal ~~superintendent~~ or his or her designee, ~~or other~~  
19 ~~appropriate administrative officer for a private school,~~ shall  
20 report all such drug-related incidents occurring in a school or  
21 on school property to the local law enforcement authorities  
22 immediately ~~and to the Department of State Police in a form,~~  
23 ~~manner, and frequency as prescribed by the Department of State~~  
24 ~~Police.~~ The local law enforcement authority shall, by March 1  
25 of each year, report the required data from the previous year  
26 to the Department of State Police's Illinois Uniform Crime

1 Reporting Program.

2 (c) The State Board of Education shall receive an annual  
3 statistical compilation and related data associated with  
4 drug-related incidents in schools from the Department of State  
5 Police. ~~The State Board of Education shall compile this  
6 information by school district and make it available to the  
7 public.~~

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

9 (105 ILCS 5/22-80 new)

10 Sec. 22-80. Principals shall report incidents of  
11 intimidation.

12 (a) In this Section:

13 "Intimidation" shall have the meaning ascribed to it by  
14 Section 12-6 of the Criminal Code of 2012.

15 "School" means any entity subject to regulation under this  
16 Code.

17 (b) The principal of each public or private elementary or  
18 secondary school shall promptly notify and report to the local  
19 law enforcement authorities each incident of intimidation of  
20 which he or she has knowledge and each alleged incident of  
21 intimidation that is reported to him or her, either orally or  
22 in writing, by any pupil or by any teacher or other licensed or  
23 non-licensed personnel employed at the school. The local law  
24 enforcement authority shall, by March 1 of each year, report  
25 the required data from the previous year to the Department of



1 State Police's Illinois Uniform Crime Reporting Program.

2 (105 ILCS 5/34-8.05)

3 Sec. 34-8.05. Reporting firearms in schools.

4 (a) As used in this Section, the term "firearm" shall have  
5 the meaning ascribed to it in Section 1.1 of the Firearm Owners  
6 Identification Card Act.

7 (b) On or after January 1, 1997, upon receipt of any  
8 written, electronic, or verbal report from any school personnel  
9 regarding a verified incident involving a firearm in a school  
10 or on school owned or leased property, including any conveyance  
11 owned, leased, or used by the school for the transport of  
12 students or school personnel, the general superintendent or his  
13 or her designee shall report all such firearm-related incidents  
14 occurring in a school or on school property to the local law  
15 enforcement authorities no later than 24 hours after the  
16 occurrence of the incident ~~and to the Department of State~~  
17 ~~Police in a form, manner, and frequency as prescribed by the~~  
18 ~~Department of State Police.~~ The local law enforcement authority  
19 shall, by March 1 of each year, report the required data from  
20 the previous year to the Department of State Police's Illinois  
21 Uniform Crime Reporting Program.

22 (c) The State Board of Education shall receive an annual  
23 statistical compilation and related data associated with  
24 incidents involving firearms in schools from the Department of  
25 State Police. ~~As used in this Section, the term "firearm" shall~~

1 ~~have the meaning ascribed to it in Section 1.1 of the Firearm~~  
2 ~~Owners Identification Card Act.~~

3 (Source: P.A. 89-498, eff. 6-27-96.)

4 (105 ILCS 5/34-84a.1 rep.)

5 Section 10. The School Code is amended by repealing Section  
6 34-84a.1.