

1 AN ACT concerning police officers.

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

4 Section 5. The Illinois Police Training Act is amended
5 by changing Section 8.2 and by adding Section 10.2 as
6 follows:

7 (50 ILCS 705/8.2)

8 Sec. 8.2. Part-time police officers.

9 (a) A person hired to serve as a part-time police
10 officer must obtain from the Board a certificate (i)
11 attesting to his or her successful completion of the
12 part-time police training course; (ii) attesting to his or
13 her satisfactory completion of a training program of similar
14 content and number of hours that has been found acceptable by
15 the Board under the provisions of this Act; or (iii)
16 attesting to the Board's determination that the part-time
17 police training course is unnecessary because of the person's
18 extensive prior law enforcement experience. A person hired on
19 or after the effective date of this amendatory Act of the
20 92nd General Assembly must obtain this certificate within 18
21 months after the initial date of hire as a probationary
22 part-time police officer in the State of Illinois. The
23 probationary part-time police officer must be enrolled and
24 accepted into a Board-approved course within 6 months after
25 active employment by any department in the State. A person
26 hired on or after January 1, 1996 and before the effective
27 date of this amendatory Act of the 92nd General Assembly must
28 obtain this certificate within 18 months after the date of
29 hire. A person hired before January 1, 1996 must obtain this
30 certificate within 24 months after the effective date of this
31 amendatory Act of 1995.

1 The employing agency may seek a waiver from the Board
2 extending the period for compliance. A waiver shall be
3 issued only for good and justifiable reasons, and the
4 probationary part-time police officer may not practice as a
5 part-time police officer during the waiver period and may not
6 extend--the-initial-period-by-more-than-90-days. If training
7 is required and not completed within the applicable time
8 period, as extended by any waiver that may be granted, then
9 the officer must forfeit his or her position.

10 (b) (Blank).

11 (c) The part-time police training course referred to in
12 this Section shall be of similar content and the same number
13 of hours as the courses for full-time officers and shall be
14 provided by Mobile Team In-Service Training Units under the
15 Intergovernmental Law Enforcement Officer's In-Service
16 Training Act or by another approved program or facility in a
17 manner prescribed by the Board.

18 (d) For the purposes of this Section, the Board shall
19 adopt rules defining what constitutes employment on a
20 part-time basis.

21 (Source: P.A. 89-170, eff. 1-1-96; 90-271, eff. 7-30-97.)

22 (50 ILCS 705/10.2 new)

23 Sec. 10.2. Criminal background investigations.

24 (a) On and after the effective date of this amendatory
25 Act of the 92nd General Assembly, an applicant for employment
26 as a peace officer shall authorize an investigation to
27 determine if the applicant has been convicted of any criminal
28 offense that disqualifies the person as a peace officer.

29 (b) No law enforcement agency may knowingly employ a
30 person unless (i) a criminal background investigation of that
31 person has been completed and (ii) that investigation reveals
32 no convictions of offenses specified in subsection (a) of
33 Section 6.1 of this Act.

1 Section 10. The Illinois Municipal Code is amended by
2 changing Section 10-2.1-6 as follows:

3 (65 ILCS 5/10-2.1-6) (from Ch. 24, par. 10-2.1-6)

4 Sec. 10-2.1-6. Examination of applicants;
5 disqualifications.

6 (a) All applicants for a position in either the fire or
7 police department of the municipality shall be under 35 years
8 of age, shall be subject to an examination that shall be
9 public, competitive, and open to all applicants (unless the
10 council or board of trustees by ordinance limit applicants to
11 electors of the municipality, county, state or nation) and
12 shall be subject to reasonable limitations as to residence,
13 health, habits, and moral character. The municipality may
14 not charge or collect any fee from an applicant who has met
15 all prequalification standards established by the
16 municipality for any such position.

17 (b) Residency requirements in effect at the time an
18 individual enters the fire or police service of a
19 municipality (other than a municipality that has more than
20 1,000,000 inhabitants) cannot be made more restrictive for
21 that individual during his period of service for that
22 municipality, or be made a condition of promotion, except for
23 the rank or position of Fire or Police Chief.

24 (c) No person with a record of misdemeanor convictions
25 except those under Sections 11-6, 11-7, 11-9, 11-14, 11-15,
26 11-17, 11-18, 11-19, 12-2, 12-6, 12-15, 14-4, 16-1, 21.1-3,
27 24-3.1, 24-5, 25-1, 28-3, 31-1, 31-4, 31-6, 31-7, 32-1, 32-2,
28 32-3, 32-4, 32-8, and subsections (1), (6) and (8) of Section
29 24-1 of the Criminal Code of 1961 or arrested for any cause
30 but not convicted on that cause shall be disqualified from
31 taking the examination to qualify for a position in the fire
32 department on grounds of habits or moral character.

33 (d) The age limitation in subsection (a) does not apply
34 (i) to any person previously employed as a policeman or

1 fireman in a regularly constituted police or fire department
2 of (I) any municipality or (II) a fire protection district
3 whose obligations were assumed by a municipality under
4 Section 21 of the Fire Protection District Act, (ii) to any
5 person who has served a municipality as a regularly enrolled
6 volunteer fireman for 5 years immediately preceding the time
7 that municipality begins to use full time firemen to provide
8 all or part of its fire protection service, or (iii) to any
9 person who has served as an auxiliary policeman under Section
10 3.1-30-20 for at least 5 years and is under 40 years of age,
11 or (iv) to any person who has served as a deputy under
12 Section 3-6008 of the Counties Code and otherwise meets
13 necessary training requirements.

14 (e) Applicants who are 20 years of age and who have
15 successfully completed 2 years of law enforcement studies at
16 an accredited college or university may be considered for
17 appointment to active duty with the police department. An
18 applicant described in this subsection (e) who is appointed
19 to active duty shall not have power of arrest, nor shall the
20 applicant be permitted to carry firearms, until he or she
21 reaches 21 years of age.

22 (f) Applicants who are 18 years of age and who have
23 successfully completed 2 years of study in fire techniques,
24 amounting to a total of 4 high school credits, within the
25 cadet program of a municipality may be considered for
26 appointment to active duty with the fire department of any
27 municipality.

28 (g) The council or board of trustees may by ordinance
29 provide that persons residing outside the municipality are
30 eligible to take the examination.

31 (h) The examinations shall be practical in character and
32 relate to those matters that will fairly test the capacity of
33 the persons examined to discharge the duties of the positions
34 to which they seek appointment. No person shall be appointed

1 to the police or fire department if he or she does not
2 possess a high school diploma or an equivalent high school
3 education. A board of fire and police commissioners may, by
4 its rules, require police applicants to have obtained an
5 associate's degree or a bachelor's degree as a prerequisite
6 for employment. The examinations shall include tests of
7 physical qualifications and health. No person shall be
8 appointed to the police or fire department if he or she has
9 suffered the amputation of any limb unless the applicant's
10 duties will be only clerical or as a radio operator. No
11 applicant shall be examined concerning his or her political
12 or religious opinions or affiliations. The examinations
13 shall be conducted by the board of fire and police
14 commissioners of the municipality as provided in this
15 Division 2.1.

16 (i) No person who is classified by his local selective
17 service draft board as a conscientious objector, or who has
18 ever been so classified, may be appointed to the police
19 department.

20 (j) No person shall be appointed to the police or fire
21 department unless he or she is a person of good character and
22 not an habitual drunkard, gambler, or a person who has been
23 convicted of a felony or a crime involving moral turpitude.
24 No person, however, shall be disqualified from appointment to
25 the fire department because of his or her record of
26 misdemeanor convictions except those under Sections 11-6,
27 11-7, 11-9, 11-14, 11-15, 11-17, 11-18, 11-19, 12-2, 12-6,
28 12-15, 14-4, 16-1, 21.1-3, 24-3.1, 24-5, 25-1, 28-3, 31-1,
29 31-4, 31-6, 31-7, 32-1, 32-2, 32-3, 32-4, 32-8, and
30 subsections (1), (6) and (8) of Section 24-1 of the Criminal
31 Code of 1961 or arrest for any cause without conviction on
32 that cause. Any such person who is in the department may be
33 removed on charges brought and after a trial as provided in
34 this Division 2.1.

1 (Source: P.A. 89-52, eff. 6-30-95; 90-445, eff. 8-16-97;
2 90-481, eff. 8-17-97; 90-655, eff. 7-30-98.)

3 Section 90. The State Mandates Act is amended by adding
4 Section 8.25 as follows:

5 (30 ILCS 805/8.25 new)

6 Sec. 8.25. Exempt mandate. Notwithstanding Sections 6
7 and 8 of this Act, no reimbursement by the State is required
8 for the implementation of any mandate created by this
9 amendatory Act of the 92nd General Assembly.

10 Section 99. Effective date. This Act takes effect upon
11 becoming law.