

1 AN ACT concerning law enforcement.

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

4 Section 5. The Department of State Police Law of the  
5 Civil Administrative Code of Illinois is amended by adding  
6 Section 2605-117 as follows:

7 (20 ILCS 2605/2605-117 new)

8 Sec. 2605-117. Training and continuing education to  
9 State Police officers concerning cultural diversity. To  
10 provide training and continuing education to State Police  
11 officers concerning cultural diversity, including sensitivity  
12 toward racial and ethnic differences. This training and  
13 continuing education shall include, but not be limited to, an  
14 emphasis on the fact that the primary purpose of enforcement  
15 of the Illinois Vehicle Code is safety and equal and uniform  
16 enforcement under the law.

17 Section 10. The Illinois Police Training Act is amended  
18 by changing Section 7 as follows:

19 (50 ILCS 705/7) (from Ch. 85, par. 507)

20 Sec. 7. Rules and standards for schools. The Board shall  
21 adopt rules and minimum standards for such schools which  
22 shall include but not be limited to the following:

23 a. The curriculum for probationary police officers which  
24 shall be offered by all certified schools shall include but  
25 not be limited to courses of arrest, search and seizure,  
26 civil rights, human relations, cultural diversity, including  
27 racial and ethnic sensitivity, criminal law, law of criminal  
28 procedure, vehicle and traffic law including uniform and  
29 non-discriminatory enforcement of the Illinois Vehicle Code,

1 traffic control and accident investigation, techniques of  
2 obtaining physical evidence, court testimonies, statements,  
3 reports, firearms training, first-aid (including  
4 cardiopulmonary resuscitation), handling of juvenile  
5 offenders, recognition of mental conditions which require  
6 immediate assistance and methods to safeguard and provide  
7 assistance to a person in need of mental treatment, law of  
8 evidence, the hazards of high-speed police vehicle chases  
9 with an emphasis on alternatives to the high-speed chase, and  
10 physical training. The curriculum shall include specific  
11 training in techniques for immediate response to and  
12 investigation of cases of domestic violence and of sexual  
13 assault of adults and children. The curriculum for permanent  
14 police officers shall include but not be limited to (1)  
15 refresher and in-service training in any of the courses  
16 listed above in this subparagraph, (2) advanced courses in  
17 any of the subjects listed above in this subparagraph, (3)  
18 training for supervisory personnel, and (4) specialized  
19 training in subjects and fields to be selected by the board.

20 b. Minimum courses of study, attendance requirements and  
21 equipment requirements.

22 c. Minimum requirements for instructors.

23 d. Minimum basic training requirements, which a  
24 probationary police officer must satisfactorily complete  
25 before being eligible for permanent employment as a local law  
26 enforcement officer for a participating local governmental  
27 agency. Those requirements shall include training in first  
28 aid (including cardiopulmonary resuscitation).

29 e. Minimum basic training requirements, which a  
30 probationary county corrections officer must satisfactorily  
31 complete before being eligible for permanent employment as a  
32 county corrections officer for a participating local  
33 governmental agency.

34 f. Minimum basic training requirements which a

1 probationary court security officer must satisfactorily  
2 complete before being eligible for permanent employment as a  
3 court security officer for a participating local governmental  
4 agency. The Board shall establish those training  
5 requirements which it considers appropriate for court  
6 security officers and shall certify schools to conduct that  
7 training.

8 A person hired to serve as a court security officer must  
9 obtain from the Board a certificate (i) attesting to his or  
10 her successful completion of the training course; (ii)  
11 attesting to his or her satisfactory completion of a training  
12 program of similar content and number of hours that has been  
13 found acceptable by the Board under the provisions of this  
14 Act; or (iii) attesting to the Board's determination that the  
15 training course is unnecessary because of the person's  
16 extensive prior law enforcement experience.

17 Individuals who currently serve as court security  
18 officers shall be deemed qualified to continue to serve in  
19 that capacity so long as they are certified as provided by  
20 this Act within 24 months of the effective date of this  
21 amendatory Act of 1996. Failure to be so certified, absent a  
22 waiver from the Board, shall cause the officer to forfeit his  
23 or her position.

24 All individuals hired as court security officers on or  
25 after the effective date of this amendatory Act of 1996 shall  
26 be certified within 12 months of the date of their hire,  
27 unless a waiver has been obtained by the Board, or they shall  
28 forfeit their positions.

29 The Sheriff's Merit Commission, if one exists, or the  
30 Sheriff's Office if there is no Sheriff's Merit Commission,  
31 shall maintain a list of all individuals who have filed  
32 applications to become court security officers and who meet  
33 the eligibility requirements established under this Act.  
34 Either the Sheriff's Merit Commission, or the Sheriff's

1 Office if no Sheriff's Merit Commission exists, shall  
2 establish a schedule of reasonable intervals for verification  
3 of the applicants' qualifications under this Act and as  
4 established by the Board.

5 (Source: P.A. 88-661, eff. 1-1-95; 89-685, eff. 6-1-97;  
6 89-707, eff. 6-1-97.)

7 Section 15. The Illinois Vehicle Code is amended by  
8 changing Section 12-603.1 as follows:

9 (625 ILCS 5/12-603.1) (from Ch. 95 1/2, par. 12-603.1)

10 Sec. 12-603.1. Driver and passenger required to use  
11 safety belts, exceptions and penalty.

12 (a) Each driver and front seat passenger of a motor  
13 vehicle operated on a street or highway in this State shall  
14 wear a properly adjusted and fastened seat safety belt;  
15 except that, a child less than 6 years of age shall be  
16 protected as required pursuant to the Child Passenger  
17 Protection Act. Each driver under the age of 18 years and  
18 each of the driver's passengers under the age of 18 years of  
19 a motor vehicle operated on a street or highway in this State  
20 shall wear a properly adjusted and fastened seat safety belt.  
21 Each driver of a motor vehicle transporting a child 6 years  
22 of age or more, but less than 16 years of age, in the front  
23 seat of the motor vehicle shall secure the child in a  
24 properly adjusted and fastened seat safety belt.

25 (b) Paragraph (a) shall not apply to any of the  
26 following:

27 1. A driver or passenger frequently stopping and  
28 leaving the vehicle or delivering property from the  
29 vehicle, if the speed of the vehicle between stops does  
30 not exceed 15 miles per hour.

31 2. A driver or passenger possessing a written  
32 statement from a physician that such person is unable,

1 for medical or physical reasons, to wear a seat safety  
2 belt.

3 3. A driver or passenger possessing an official  
4 certificate or license endorsement issued by the  
5 appropriate agency in another state or country indicating  
6 that the driver is unable for medical, physical, or other  
7 valid reasons to wear a seat safety belt.

8 4. A driver operating a motor vehicle in reverse.

9 5. A motor vehicle with a model year prior to 1965.

10 6. A motorcycle or motor driven cycle.

11 7. A motorized pedalcycle.

12 8. A motor vehicle which is not required to be  
13 equipped with seat safety belts under federal law.

14 9. A motor vehicle operated by a rural letter  
15 carrier of the United States postal service while  
16 performing duties as a rural letter carrier.

17 (c) Failure to wear a seat safety belt in violation of  
18 this Section shall not be considered evidence of negligence,  
19 shall not limit the liability of an insurer, and shall not  
20 diminish any recovery for damages arising out of the  
21 ownership, maintenance, or operation of a motor vehicle.

22 (d) Before January 1, 2002, any person who is stopped by  
23 any law enforcement officer solely on the basis of a  
24 violation of this Section shall receive only a verbal or  
25 written warning from the law enforcement officer informing  
26 the person that he or she has violated this Section.

27 A violation of this Section shall be a petty offense and  
28 subject to a fine not to exceed \$25. Enforcement of this  
29 Section shall be conducted in a manner calculated to save  
30 lives and not in a manner that results in harassment of the  
31 citizens of this State.

32 From January 1, 2002 until 4 years after the effective  
33 date of this amendatory Act of the 92nd General Assembly,  
34 whenever a State or local law enforcement officer issues a

1 uniform traffic citation or warning citation he or she shall  
2 record on the face of the citation whether the violator is:

- 3 (1) Caucasian;
- 4 (2) African-American;
- 5 (3) Hispanic; or
- 6 (4) any other race or ethnicity.

7 On and after January 1, 2002, all citations produced for  
8 use by State or local law enforcement officers shall contain  
9 on their face a list of these racial and ethnic groups.

10 (e) (Blank) No motor vehicle, or driver or passenger of  
11 such vehicle, shall be stopped or searched by any law  
12 enforcement officer solely on the basis of a violation or  
13 suspected violation of this Section.

14 (f) To ensure uniform enforcement of this Code, the  
15 Secretary of State shall conduct a study to determine whether  
16 there is a pattern of discrimination in the enforcement of  
17 this Code by the Department of State Police or by law  
18 enforcement officers for a municipality with a population of  
19 greater than 2,000,000. The Secretary of State shall compile  
20 the information on race or ethnicity from all uniform traffic  
21 citations and warning citations issued by the Department of  
22 State Police and by law enforcement officers for a  
23 municipality with a population of greater than 2,000,000. The  
24 Secretary of State shall submit an annual report of his or  
25 her findings to the Governor and the General Assembly by May  
26 1 of the years 2003, 2004, 2005, and 2006.

27 (Source: P.A. 90-369, eff. 1-1-98.)

28 Section 20. The Code of Criminal Procedure of 1963 is  
29 amended by changing Section 108-1 as follows:

30 (725 ILCS 5/108-1) (from Ch. 38, par. 108-1)

31 Sec. 108-1. Search without warrant. (1) When a lawful  
32 arrest is effected a peace officer may reasonably search the

1 person arrested and the area within such person's immediate  
2 presence for the purpose of:

- 3 (a) Protecting the officer from attack; or
- 4 (b) Preventing the person from escaping; or
- 5 (c) Discovering the fruits of the crime; or
- 6 (d) Discovering any instruments, articles, or things  
7 which may have been used in the commission of, or which may  
8 constitute evidence of, an offense.

9 (2) On and before December 31, 2001, no motor vehicle,  
10 or driver or passenger of such vehicle, shall be stopped or  
11 searched by any law enforcement officer solely on the basis  
12 of a violation or suspected violation of Section 12-603.1 of  
13 The Illinois Vehicle Code.

14 (Source: P.A. 85-291.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.