

AN ACT concerning criminal law.

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

Section 3. The Freedom of Information Act is amended by changing Section 7 as follows:

(5 ILCS 140/7) (from Ch. 116, par. 207)

Sec. 7. Exemptions.

(1) When a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying. Subject to this requirement, the following shall be exempt from inspection and copying:

(a) Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing federal or State law.

(b) Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.

(b-5) Files, documents, and other data or databases maintained by one or more law enforcement agencies and

specifically designed to provide information to one or more law enforcement agencies regarding the physical or mental status of one or more individual subjects.

(c) Personal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information. "Unwarranted invasion of personal privacy" means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information. The disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.

(d) Records in the possession of any public body created in the course of administrative enforcement proceedings, and any law enforcement or correctional agency for law enforcement purposes, but only to the extent that disclosure would:

(i) interfere with pending or actually and reasonably contemplated law enforcement proceedings conducted by any law enforcement or correctional agency that is the recipient of the request;

(ii) interfere with active administrative

enforcement proceedings conducted by the public body that is the recipient of the request;

(iii) create a substantial likelihood that a person will be deprived of a fair trial or an impartial hearing;

(iv) unavoidably disclose the identity of a confidential source, confidential information furnished only by the confidential source, or persons who file complaints with or provide information to administrative, investigative, law enforcement, or penal agencies; except that the identities of witnesses to traffic accidents, traffic accident reports, and rescue reports shall be provided by agencies of local government, except when disclosure would interfere with an active criminal investigation conducted by the agency that is the recipient of the request;

(v) disclose unique or specialized investigative techniques other than those generally used and known or disclose internal documents of correctional agencies related to detection, observation or investigation of incidents of crime or misconduct, and disclosure would result in demonstrable harm to the agency or public body that is the recipient of the request;

(vi) endanger the life or physical safety of law

enforcement personnel or any other person; or

(vii) obstruct an ongoing criminal investigation by the agency that is the recipient of the request.

(d-5) A law enforcement record created for law enforcement purposes and contained in a shared electronic record management system if the law enforcement agency that is the recipient of the request did not create the record, did not participate in or have a role in any of the events which are the subject of the record, and only has access to the record through the shared electronic record management system.

(d-6) Records contained in the Officer Professional Conduct Database under Section 9.2 ~~9.4~~ of the Illinois Police Training Act, except to the extent authorized under that Section. This includes the documents supplied to Illinois Law Enforcement Training Standards Board from the Illinois State Police and Illinois State Police Merit Board.

(e) Records that relate to or affect the security of correctional institutions and detention facilities.

(e-5) Records requested by persons committed to the Department of Corrections, Department of Human Services Division of Mental Health, or a county jail if those materials are available in the library of the correctional institution or facility or jail where the inmate is confined.

(e-6) Records requested by persons committed to the Department of Corrections, Department of Human Services Division of Mental Health, or a county jail if those materials include records from staff members' personnel files, staff rosters, or other staffing assignment information.

(e-7) Records requested by persons committed to the Department of Corrections or Department of Human Services Division of Mental Health if those materials are available through an administrative request to the Department of Corrections or Department of Human Services Division of Mental Health.

(e-8) Records requested by a person committed to the Department of Corrections, Department of Human Services Division of Mental Health, or a county jail, the disclosure of which would result in the risk of harm to any person or the risk of an escape from a jail or correctional institution or facility.

(e-9) Records requested by a person in a county jail or committed to the Department of Corrections or Department of Human Services Division of Mental Health, containing personal information pertaining to the person's victim or the victim's family, including, but not limited to, a victim's home address, home telephone number, work or school address, work telephone number, social security number, or any other identifying information, except as

may be relevant to a requester's current or potential case or claim.

(e-10) Law enforcement records of other persons requested by a person committed to the Department of Corrections, Department of Human Services Division of Mental Health, or a county jail, including, but not limited to, arrest and booking records, mug shots, and crime scene photographs, except as these records may be relevant to the requester's current or potential case or claim.

(f) Preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions are formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body. The exemption provided in this paragraph (f) extends to all those records of officers and agencies of the General Assembly that pertain to the preparation of legislative documents.

(g) Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged, or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only

insofar as the claim directly applies to the records requested.

The information included under this exemption includes all trade secrets and commercial or financial information obtained by a public body, including a public pension fund, from a private equity fund or a privately held company within the investment portfolio of a private equity fund as a result of either investing or evaluating a potential investment of public funds in a private equity fund. The exemption contained in this item does not apply to the aggregate financial performance information of a private equity fund, nor to the identity of the fund's managers or general partners. The exemption contained in this item does not apply to the identity of a privately held company within the investment portfolio of a private equity fund, unless the disclosure of the identity of a privately held company may cause competitive harm.

Nothing contained in this paragraph (g) shall be construed to prevent a person or business from consenting to disclosure.

(h) Proposals and bids for any contract, grant, or agreement, including information which if it were disclosed would frustrate procurement or give an advantage to any person proposing to enter into a contractor agreement with the body, until an award or final selection is made. Information prepared by or for the body in

preparation of a bid solicitation shall be exempt until an award or final selection is made.

(i) Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss. The exemption for "computer geographic systems" provided in this paragraph (i) does not extend to requests made by news media as defined in Section 2 of this Act when the requested information is not otherwise exempt and the only purpose of the request is to access and disseminate information regarding the health, safety, welfare, or legal rights of the general public.

(j) The following information pertaining to educational matters:

(i) test questions, scoring keys and other examination data used to administer an academic examination;

(ii) information received by a primary or secondary school, college, or university under its procedures for the evaluation of faculty members by their academic peers;

(iii) information concerning a school or university's adjudication of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student; and



(iv) course materials or research materials used by faculty members.

(k) Architects' plans, engineers' technical submissions, and other construction related technical documents for projects not constructed or developed in whole or in part with public funds and the same for projects constructed or developed with public funds, including, but not limited to, power generating and distribution stations and other transmission and distribution facilities, water treatment facilities, airport facilities, sport stadiums, convention centers, and all government owned, operated, or occupied buildings, but only to the extent that disclosure would compromise security.

(l) Minutes of meetings of public bodies closed to the public as provided in the Open Meetings Act until the public body makes the minutes available to the public under Section 2.06 of the Open Meetings Act.

(m) Communications between a public body and an attorney or auditor representing the public body that would not be subject to discovery in litigation, and materials prepared or compiled by or for a public body in anticipation of a criminal, civil, or administrative proceeding upon the request of an attorney advising the public body, and materials prepared or compiled with respect to internal audits of public bodies.

(n) Records relating to a public body's adjudication of employee grievances or disciplinary cases; however, this exemption shall not extend to the final outcome of cases in which discipline is imposed.

(o) Administrative or technical information associated with automated data processing operations, including, but not limited to, software, operating protocols, computer program abstracts, file layouts, source listings, object modules, load modules, user guides, documentation pertaining to all logical and physical design of computerized systems, employee manuals, and any other information that, if disclosed, would jeopardize the security of the system or its data or the security of materials exempt under this Section.

(p) Records relating to collective negotiating matters between public bodies and their employees or representatives, except that any final contract or agreement shall be subject to inspection and copying.

(q) Test questions, scoring keys, and other examination data used to determine the qualifications of an applicant for a license or employment.

(r) The records, documents, and information relating to real estate purchase negotiations until those negotiations have been completed or otherwise terminated. With regard to a parcel involved in a pending or actually and reasonably contemplated eminent domain proceeding

under the Eminent Domain Act, records, documents, and information relating to that parcel shall be exempt except as may be allowed under discovery rules adopted by the Illinois Supreme Court. The records, documents, and information relating to a real estate sale shall be exempt until a sale is consummated.

(s) Any and all proprietary information and records related to the operation of an intergovernmental risk management association or self-insurance pool or jointly self-administered health and accident cooperative or pool. Insurance or self insurance (including any intergovernmental risk management association or self insurance pool) claims, loss or risk management information, records, data, advice or communications.

(t) Information contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of a public body responsible for the regulation or supervision of financial institutions, insurance companies, or pharmacy benefit managers, unless disclosure is otherwise required by State law.

(u) Information that would disclose or might lead to the disclosure of secret or confidential information, codes, algorithms, programs, or private keys intended to be used to create electronic signatures under the Uniform Electronic Transactions Act.

(v) Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.

(w) (Blank).

(x) Maps and other records regarding the location or security of generation, transmission, distribution, storage, gathering, treatment, or switching facilities owned by a utility, by a power generator, or by the Illinois Power Agency.

(y) Information contained in or related to proposals, bids, or negotiations related to electric power procurement under Section 1-75 of the Illinois Power Agency Act and Section 16-111.5 of the Public Utilities Act that is determined to be confidential and proprietary by the Illinois Power Agency or by the Illinois Commerce

Commission.

(z) Information about students exempted from disclosure under Sections 10-20.38 or 34-18.29 of the School Code, and information about undergraduate students enrolled at an institution of higher education exempted from disclosure under Section 25 of the Illinois Credit Card Marketing Act of 2009.

(aa) Information the disclosure of which is exempted under the Viatical Settlements Act of 2009.

(bb) Records and information provided to a mortality review team and records maintained by a mortality review team appointed under the Department of Juvenile Justice Mortality Review Team Act.

(cc) Information regarding interments, entombments, or inurnments of human remains that are submitted to the Cemetery Oversight Database under the Cemetery Care Act or the Cemetery Oversight Act, whichever is applicable.

(dd) Correspondence and records (i) that may not be disclosed under Section 11-9 of the Illinois Public Aid Code or (ii) that pertain to appeals under Section 11-8 of the Illinois Public Aid Code.

(ee) The names, addresses, or other personal information of persons who are minors and are also participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation

associations.

(ff) The names, addresses, or other personal information of participants and registrants in programs of park districts, forest preserve districts, conservation districts, recreation agencies, and special recreation associations where such programs are targeted primarily to minors.

(gg) Confidential information described in Section 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

(hh) The report submitted to the State Board of Education by the School Security and Standards Task Force under item (8) of subsection (d) of Section 2-3.160 of the School Code and any information contained in that report.

(ii) Records requested by persons committed to or detained by the Department of Human Services under the Sexually Violent Persons Commitment Act or committed to the Department of Corrections under the Sexually Dangerous Persons Act if those materials: (i) are available in the library of the facility where the individual is confined; (ii) include records from staff members' personnel files, staff rosters, or other staffing assignment information; or (iii) are available through an administrative request to the Department of Human Services or the Department of Corrections.

(jj) Confidential information described in Section

5-535 of the Civil Administrative Code of Illinois.

(kk) The public body's credit card numbers, debit card numbers, bank account numbers, Federal Employer Identification Number, security code numbers, passwords, and similar account information, the disclosure of which could result in identity theft or impersonation or defrauding of a governmental entity or a person.

(ll) Records concerning the work of the threat assessment team of a school district.

(1.5) Any information exempt from disclosure under the Judicial Privacy Act shall be redacted from public records prior to disclosure under this Act.

(2) A public record that is not in the possession of a public body but is in the possession of a party with whom the agency has contracted to perform a governmental function on behalf of the public body, and that directly relates to the governmental function and is not otherwise exempt under this Act, shall be considered a public record of the public body, for purposes of this Act.

(3) This Section does not authorize withholding of information or limit the availability of records to the public, except as stated in this Section or otherwise provided in this Act.

(Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20; 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff. 6-25-21; 102-558, eff. 8-20-21; revised 10-4-21.)

Section 5. The Illinois State Police Act is amended by changing Sections 9, 12.6, and 46 as follows:

(20 ILCS 2610/9) (from Ch. 121, par. 307.9)

(Text of Section before amendment by P.A. 101-652)

Sec. 9. Appointment; qualifications.

(a) Except as otherwise provided in this Section, the appointment of Department of State Police officers shall be made from those applicants who have been certified by the Board as being qualified for appointment. All persons so appointed shall, at the time of their appointment, be not less than 21 years of age, or 20 years of age and have successfully completed an associate's degree or 60 credit hours at an accredited college or university. Any person appointed subsequent to successful completion of an associate's degree or 60 credit hours at an accredited college or university shall not have power of arrest, nor shall he or she be permitted to carry firearms, until he or she reaches 21 years of age. In addition, all persons so certified for appointment shall be of sound mind and body, be of good moral character, be citizens of the United States, have no criminal records, possess such prerequisites of training, education, and experience as the Board may from time to time prescribe so long as persons who have an associate's degree or 60 credit hours at an accredited college or university are not disqualified, and



shall be required to pass successfully such mental and physical tests and examinations as may be prescribed by the Board. All persons who meet one of the following requirements are deemed to have met the collegiate educational requirements:

(i) have been honorably discharged and who have been awarded a Southwest Asia Service Medal, Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, or Global War on Terrorism Expeditionary Medal by the United States Armed Forces;

(ii) are active members of the Illinois National Guard or a reserve component of the United States Armed Forces and who have been awarded a Southwest Asia Service Medal, Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, or Global War on Terrorism Expeditionary Medal as a result of honorable service during deployment on active duty;

(iii) have been honorably discharged who served in a combat mission by proof of hostile fire pay or imminent danger pay during deployment on active duty; or

(iv) have at least 3 years of full active and continuous military duty and received an honorable discharge before hiring.

Preference shall be given in such appointments to persons who have honorably served in the military or naval services of the United States. All appointees shall serve a probationary

period of 12 months from the date of appointment and during that period may be discharged at the will of the Director. However, the Director may in his or her sole discretion extend the probationary period of an officer up to an additional 6 months when to do so is deemed in the best interest of the Department. Nothing in this subsection (a) limits the Board's ability to prescribe education prerequisites or requirements to certify Department of State Police officers for promotion as provided in Section 10 of this Act.

(b) Notwithstanding the other provisions of this Act, after July 1, 1977 and before July 1, 1980, the Director of State Police may appoint and promote not more than 20 persons having special qualifications as special agents as he or she deems necessary to carry out the Department's objectives. Any such appointment or promotion shall be ratified by the Board.

(c) During the 90 days following the effective date of this amendatory Act of 1995, the Director of State Police may appoint up to 25 persons as State Police officers. These appointments shall be made in accordance with the requirements of this subsection (c) and any additional criteria that may be established by the Director, but are not subject to any other requirements of this Act. The Director may specify the initial rank for each person appointed under this subsection.

All appointments under this subsection (c) shall be made from personnel certified by the Board. A person certified by the Board and appointed by the Director under this subsection

must have been employed by the Illinois Commerce Commission on November 30, 1994 in a job title subject to the Personnel Code and in a position for which the person was eligible to earn "eligible creditable service" as a "noncovered employee", as those terms are defined in Article 14 of the Illinois Pension Code.

Persons appointed under this subsection (c) shall thereafter be subject to the same requirements and procedures as other State police officers. A person appointed under this subsection must serve a probationary period of 12 months from the date of appointment, during which he or she may be discharged at the will of the Director.

This subsection (c) does not affect or limit the Director's authority to appoint other State Police officers under subsection (a) of this Section.

(Source: P.A. 100-11, eff. 7-1-17; 101-374, eff. 1-1-20.)

(Text of Section after amendment by P.A. 101-652)

Sec. 9. Appointment; qualifications.

(a) Except as otherwise provided in this Section, the appointment of Department of State Police officers shall be made from those applicants who have been certified by the Board as being qualified for appointment. All persons so appointed shall, at the time of their appointment, be not less than 21 years of age, or 20 years of age and have successfully completed an associate's degree or 60 credit hours at an

accredited college or university. Any person appointed subsequent to successful completion of an associate's degree or 60 credit hours at an accredited college or university shall not have power of arrest, nor shall he or she be permitted to carry firearms, until he or she reaches 21 years of age. In addition, all persons so certified for appointment shall be of sound mind and body, be of good moral character, be citizens of the United States, have no criminal records, possess such prerequisites of training, education, and experience as the Board may from time to time prescribe so long as persons who have an associate's degree or 60 credit hours at an accredited college or university are not disqualified, and shall be required to pass successfully such mental and physical tests and examinations as may be prescribed by the Board. All persons who meet one of the following requirements are deemed to have met the collegiate educational requirements:

(i) have been honorably discharged and who have been awarded a Southwest Asia Service Medal, Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, or Global War on Terrorism Expeditionary Medal by the United States Armed Forces;

(ii) are active members of the Illinois National Guard or a reserve component of the United States Armed Forces and who have been awarded a Southwest Asia Service Medal, Kosovo Campaign Medal, Korean Defense Service Medal,

Afghanistan Campaign Medal, Iraq Campaign Medal, or Global War on Terrorism Expeditionary Medal as a result of honorable service during deployment on active duty;

(iii) have been honorably discharged who served in a combat mission by proof of hostile fire pay or imminent danger pay during deployment on active duty; or

(iv) have at least 3 years of full active and continuous military duty and received an honorable discharge before hiring.

Preference shall be given in such appointments to persons who have honorably served in the military or naval services of the United States. All appointees shall serve a probationary period of 12 months from the date of appointment and during that period may be discharged at the will of the Director. However, the Director may in his or her sole discretion extend the probationary period of an officer up to an additional 6 months when to do so is deemed in the best interest of the Department. Nothing in this subsection (a) limits the Board's ability to prescribe education prerequisites or requirements to certify Department of State Police officers for promotion as provided in Section 10 of this Act.

(b) Notwithstanding the other provisions of this Act, after July 1, 1977 and before July 1, 1980, the Director of State Police may appoint and promote not more than 20 persons having special qualifications as special agents as he or she deems necessary to carry out the Department's objectives. Any

such appointment or promotion shall be ratified by the Board.

(c) During the 90 days following the effective date of this amendatory Act of 1995, the Director of State Police may appoint up to 25 persons as State Police officers. These appointments shall be made in accordance with the requirements of this subsection (c) and any additional criteria that may be established by the Director, but are not subject to any other requirements of this Act. The Director may specify the initial rank for each person appointed under this subsection.

All appointments under this subsection (c) shall be made from personnel certified by the Board. A person certified by the Board and appointed by the Director under this subsection must have been employed by the Illinois Commerce Commission on November 30, 1994 in a job title subject to the Personnel Code and in a position for which the person was eligible to earn "eligible creditable service" as a "noncovered employee", as those terms are defined in Article 14 of the Illinois Pension Code.

Persons appointed under this subsection (c) shall thereafter be subject to the same requirements and procedures as other State police officers. A person appointed under this subsection must serve a probationary period of 12 months from the date of appointment, during which he or she may be discharged at the will of the Director.

This subsection (c) does not affect or limit the Director's authority to appoint other State Police officers

under subsection (a) of this Section.

(d) During the 180 days following the effective date of this amendatory Act of the 101st General Assembly, the Director of the Illinois State Police may appoint current Illinois State Police Employees serving in law enforcement officer positions previously within Central Management Services as State Police Officers. These appointments shall be made in accordance with the requirements of this subsection (d) and any institutional criteria that may be established by the Director, but are not subject to any other requirements of this Act. All appointments under this subsection (d) shall be made from personnel certified by the Board. A person certified by the Board and appointed by the Director under this subsection must have been employed by the a state agency, board, or commission on January 1, 2021, in a job title subject to the Personnel Code and in a position for which the person was eligible to earn "eligible creditable service" as a "noncovered employee", as those terms are defined in Article 14 of the Illinois Pension Code. Persons appointed under this subsection (d) shall thereafter be subject to the same requirements, and subject to the same contractual benefits and obligations, as other State police officers. This subsection (d) does not affect or limit the Director's authority to appoint other State Police officers under subsection (a) of this Section.

(e) The Merit Board shall review Illinois State Police

Cadet applicants. The Illinois State Police may provide background check and investigation material to the Board for their review 10 pursuant to this section. The Board shall approve and ensure that no cadet applicant is certified unless the applicant is a person of good character and has not been convicted of, or entered a plea of guilty to, a felony offense, any of the misdemeanors in Section or if committed in any other state would be an offense similar to 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12- 3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in violation of any section of Part E of Title III of the Criminal Code of 1961 or the Criminal Code of 2012, 32-4a, or 32-7 of the Criminal Code of 1961 or the Criminal Code of 2012, or subsection (a) of Section 17-32 of the Criminal Code of 1961 or the Criminal Code of 2012, to Section 5 or 5.2 of the Cannabis Control Act, or any felony or misdemeanor in violation of federal law or the law of any state that is the equivalent of any of the offenses specified therein. The Officer Misconduct Database, provided in Section 9.2 of the Illinois Police Training Act, shall be searched as part of this process. For purposes of this Section "convicted of, or entered a plea of guilty" regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon. This includes sentences of supervision, conditional discharge, or first offender probation, or any similar disposition provided for by law.



(f) The Board shall by rule establish an application fee waiver program for any person who meets one or more of the following criteria:

(1) his or her available personal income is 200% or less of the current poverty level; or

(2) he or she is, in the discretion of the Board, unable to proceed in an action with payment of application fee and payment of that fee would result in substantial hardship to the person or the person's family.

(Source: P.A. 100-11, eff. 7-1-17; 101-374, eff. 1-1-20; 101-652, eff. 1-1-22.)

(20 ILCS 2610/12.6)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 12.6. Automatic termination of Illinois State Police officers. The Board shall terminate a state police officer convicted of a felony offense under the laws of this State or any other state which if committed in this State would be punishable as a felony. The Board must also terminate Illinois State Police officers who were convicted of, or entered a plea of guilty to, on or after the effective date of this amendatory Act of the 101st General Assembly, any misdemeanor specified in this Section or if committed in any other state would be an offense similar to Section 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4,

12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in violation of any section of Part E of Title III of the Criminal Code of 1961 or the Criminal Code of 2012, 32-4a, or 32-7 of the Criminal Code of 1961 or the Criminal Code of 2012, or subsection (a) of Section 17-32 of the Criminal Code of 1961 or the Criminal Code of 2012, to Section 5 or 5.2 of the Cannabis Control Act, or any felony or misdemeanor in violation of federal law or the law of any state that is the equivalent of any of the offenses specified therein. The Illinois State Police Merit Board shall report terminations under this Section to the Officer Misconduct Database, provided in Section 9.2 of the Illinois Police Training Act. For purposes of this section "convicted of, or entered a plea of guilty" regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon. This includes sentences of supervision, conditional discharge, or first offender probation, or any similar disposition provided for by law.

(Source: P.A. 101-652, eff. 1-1-22.)

(20 ILCS 2610/46)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 46. Officer Professional Conduct Database; reporting, transparency.

(a) The Illinois State Police Merit Board shall be

responsible for reporting all required information contained in the Officer Misconduct Database, provided in Section 9.2 of the Illinois Police Training Act.

(b) Before the Illinois State Police Merit Board certifies any Illinois State Police Cadet the Board shall conduct a search of all Illinois State Police Cadet applicants in the Officer Professional Conduct Database.

(c) The database, documents, materials, or other information in the possession or control of the Board that are obtained by or disclosed to the Board pursuant to this subsection shall be confidential by law and privileged, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action. However, the Board is authorized to use such documents, materials, or other information in furtherance of any regulatory or legal action brought as part of the Board's official duties. Unless otherwise required by law, the Board shall not disclose the database or make such documents, materials, or other information public without the prior written consent of the law enforcement ~~governmental~~ agency and the law enforcement officer. The Board nor any person who received documents, materials or other information shared pursuant to this subsection shall be required to testify in any private civil action concerning the database or any confidential documents, materials, or information subject to this subsection.

Nothing in this Section shall exempt a law enforcement agency from which the Board has obtained data, documents, materials, or other information or that has disclosed data, documents, materials, or other information to the Board from disclosing public records in accordance with the Freedom of Information Act.

~~Nothing in this Section shall exempt a governmental agency from disclosing public records in accordance with the Freedom of Information Act.~~

(Source: P.A. 101-652, eff. 1-1-22.)

Section 10. The Illinois Police Training Act is amended by changing Sections 1, 2, 3, 3.1, 6, 6.1, 6.3, 6.7, 7, 8.1, 8.2, 8.3, 8.4, 9.2, 10.1, 10.2, 10.6, 10.11, 10.12, 10.13, 10.16, 10.19, 10.20, and 10.22 and by reenacting Section 6.2 as follows:

(50 ILCS 705/1) (from Ch. 85, par. 501)

Sec. 1. It is hereby declared as a matter of legislative determination that in order to promote and protect citizen health, safety and welfare, it is necessary and in the public interest to provide for the creation of the Illinois Law Enforcement Training Standards Board for the purpose of encouraging and aiding municipalities, counties, park districts, State controlled universities, colleges, and public community colleges, and other local governmental agencies of

this State, and participating State agencies in their efforts to raise the level of law enforcement by upgrading and maintaining a high level of training and standards for law enforcement executives and officers, county corrections officers, sheriffs, and law enforcement support personnel under this Act. It is declared to be the responsibility of the board to ensure the required participation of the pertinent local governmental units in the programs established under this Act, ~~to encourage the voluntary participation of other local governmental units and participating State agencies,~~ to set standards, develop and provide quality training and education, and to aid in the establishment of adequate training facilities.

(Source: P.A. 99-408, eff. 1-1-16.)

(50 ILCS 705/2) (from Ch. 85, par. 502)

(Text of Section before amendment by P.A. 101-652)

Sec. 2. Definitions. As used in this Act, unless the context otherwise requires:

"Board" means the Illinois Law Enforcement Training Standards Board.

"Local governmental agency" means any local governmental unit or municipal corporation in this State. It does not include the State of Illinois or any office, officer, department, division, bureau, board, commission, or agency of the State, except that it does include a State-controlled

university, college or public community college.

"Police training school" means any school located within the State of Illinois whether privately or publicly owned which offers a course in police or county corrections training and has been approved by the Board.

"Probationary police officer" means a recruit law enforcement officer required to successfully complete initial minimum basic training requirements at a police training school to be eligible for permanent full-time employment as a local law enforcement officer.

"Probationary part-time police officer" means a recruit part-time law enforcement officer required to successfully complete initial minimum part-time training requirements to be eligible for employment on a part-time basis as a local law enforcement officer.

"Permanent police officer" means a law enforcement officer who has completed his or her probationary period and is permanently employed on a full-time basis as a local law enforcement officer by a participating local governmental unit or as a security officer or campus policeman permanently employed by a participating State-controlled university, college, or public community college.

"Part-time police officer" means a law enforcement officer who has completed his or her probationary period and is employed on a part-time basis as a law enforcement officer by a participating unit of local government or as a campus

policeman by a participating State-controlled university, college, or public community college.

"Law enforcement officer" means (i) any police officer of a local governmental agency who is primarily responsible for prevention or detection of crime and the enforcement of the criminal code, traffic, or highway laws of this State or any political subdivision of this State or (ii) any member of a police force appointed and maintained as provided in Section 2 of the Railroad Police Act.

"Recruit" means any full-time or part-time law enforcement officer or full-time county corrections officer who is enrolled in an approved training course.

"Probationary county corrections officer" means a recruit county corrections officer required to successfully complete initial minimum basic training requirements at a police training school to be eligible for permanent employment on a full-time basis as a county corrections officer.

"Permanent county corrections officer" means a county corrections officer who has completed his probationary period and is permanently employed on a full-time basis as a county corrections officer by a participating local governmental unit.

"County corrections officer" means any sworn officer of the sheriff who is primarily responsible for the control and custody of offenders, detainees or inmates.

"Probationary court security officer" means a recruit

court security officer required to successfully complete initial minimum basic training requirements at a designated training school to be eligible for employment as a court security officer.

"Permanent court security officer" means a court security officer who has completed his or her probationary period and is employed as a court security officer by a participating local governmental unit.

"Court security officer" has the meaning ascribed to it in Section 3-6012.1 of the Counties Code.

(Source: P.A. 94-846, eff. 1-1-07.)

(Text of Section after amendment by P.A. 101-652)

Sec. 2. Definitions. As used in this Act, unless the context otherwise requires:

"Board" means the Illinois Law Enforcement Training Standards Board.

"Full-time law enforcement officer" means a law enforcement officer who has completed the officer's probationary period and is employed on a full-time basis as a law enforcement officer by a local government agency, State government agency, or as a campus police officer by a ~~participating State-controlled~~ university, college, or ~~public~~ community college.

"Law Enforcement agency" means any entity with statutory police powers and the ability to employ individuals authorized



to make arrests. It does not include the Illinois State Police as defined in the State Police Act. A law enforcement agency may include any university, college, or community college.

~~"Governmental agency" means any local governmental agency and any State governmental agency.~~

"Local law enforcement ~~governmental~~ agency" means any law enforcement local governmental unit of government or municipal corporation in this State. It does not include the State of Illinois or any office, officer, department, division, bureau, board, commission, or agency of the State, except that it does include a State-controlled university, college or public community college.

"State law enforcement ~~governmental~~ agency" means any law enforcement agency ~~governmental unit~~ of this State. This includes any office, officer, department, division, bureau, board, commission, or agency of the State. It does not include the Illinois State Police as defined in the State Police Act.

"Panel" means the Certification Review Panel.

"Basic ~~Police~~ training school" means any school located within the State of Illinois whether privately or publicly owned which offers a course in basic law enforcement ~~police~~ or county corrections training and has been approved by the Board.

"Probationary police officer" means a recruit law enforcement officer required to successfully complete initial minimum basic training requirements at a basic ~~police~~ training

school to be eligible for permanent full-time employment as a local law enforcement officer.

"Probationary part-time police officer" means a recruit part-time law enforcement officer required to successfully complete initial minimum part-time training requirements to be eligible for employment on a part-time basis as a local law enforcement officer.

"Permanent law enforcement officer" means a law enforcement officer who has completed the officer's probationary period and is permanently employed on a full-time basis as a local law enforcement officer, ~~by a participating local governmental unit or~~ as a security officer, ~~or campus police officer permanently employed by a~~ law enforcement agency participating State-controlled university, college, or public community college.

"Part-time law enforcement officer" means a law enforcement officer who has completed the officer's probationary period and is employed on a part-time basis as a law enforcement officer ~~by a participating unit of local government~~ or as a campus police officer by a law enforcement agency participating State-controlled university, college, or public community college.

"Law enforcement officer" means (i) any police officer of a law enforcement ~~local governmental~~ agency who is primarily responsible for prevention or detection of crime and the enforcement of the criminal code, traffic, or highway laws of

this State or any political subdivision of this State or (ii) any member of a police force appointed and maintained as provided in Section 2 of the Railroad Police Act.

"Recruit" means any full-time or part-time law enforcement officer or full-time county corrections officer who is enrolled in an approved training course.

"Review Committee" means the committee at the Board for certification disciplinary cases in which the Panel, a law enforcement officer, or a law enforcement agency may file for reconsideration of a decertification decision made by the Board.

"Probationary county corrections officer" means a recruit county corrections officer required to successfully complete initial minimum basic training requirements at a basic police training school to be eligible for permanent employment on a full-time basis as a county corrections officer.

"Permanent county corrections officer" means a county corrections officer who has completed the officer's probationary period and is permanently employed on a full-time basis as a county corrections officer by a participating law enforcement agency ~~local governmental unit~~.

"County corrections officer" means any sworn officer of the sheriff who is primarily responsible for the control and custody of offenders, detainees or inmates.

"Probationary court security officer" means a recruit court security officer required to successfully complete

initial minimum basic training requirements at a designated training school to be eligible for employment as a court security officer.

"Permanent court security officer" means a court security officer who has completed the officer's probationary period and is employed as a court security officer by a participating law enforcement agency ~~local governmental unit~~.

"Court security officer" has the meaning ascribed to it in Section 3-6012.1 of the Counties Code.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/3) (from Ch. 85, par. 503)

Sec. 3. Board; composition; appointments; tenure; vacancies. ~~Board — composition — appointments — tenure — vacancies.~~

(a) The Board shall be composed of 18 members selected as follows: The Attorney General of the State of Illinois, the Director of the Illinois State Police, the Director of Corrections, the Superintendent of the Chicago Police Department, the Sheriff of Cook County, the Clerk of the Circuit Court of Cook County, who shall serve as ex officio members, and the following to be appointed by the Governor: 2 mayors or village presidents of Illinois municipalities, 2 Illinois county sheriffs from counties other than Cook County, 2 managers of Illinois municipalities, 2 chiefs of municipal police departments in Illinois having no Superintendent of the

Police Department on the Board, 2 citizens of Illinois who shall be members of an organized enforcement officers' association, one active member of a statewide association representing sheriffs, and one active member of a statewide association representing municipal police chiefs. The appointments of the Governor shall be made on the first Monday of August in 1965 with 3 of the appointments to be for a period of one year, 3 for 2 years, and 3 for 3 years. Their successors shall be appointed in like manner for terms to expire the first Monday of August each 3 years thereafter. All members shall serve until their respective successors are appointed and qualify. Vacancies shall be filled by the Governor for the unexpired terms. Any ex officio member may appoint a designee to the Board who shall have the same powers and immunities otherwise conferred to the member of the Board, including the power to vote and be counted toward quorum, so long as the member is not in attendance.

(a-5) Within the Board is created a Review Committee. The Review Committee shall review disciplinary cases in which the Panel, the law enforcement officer, or the law enforcement agency file for reconsideration of a decertification decision made by the Board. The Review Committee shall be composed of 9 annually rotating members from the Board appointed by the Board Chairman. One member of the Review Committee shall be designated by the Board Chairman as the Chair. The Review Committee shall sit in 3 member panels composed of one member

representing law enforcement management, one member representing members of law enforcement, and one member who is not a current or former member of law enforcement.

(b) When a Board member may have an actual, perceived, or potential conflict of interest or appearance of bias that could prevent the Board member from making a fair and impartial decision regarding decertification:

(1) The Board member shall recuse himself or herself.

(2) If the Board member fails to recuse himself or herself, then the Board may, by a simple majority of the remaining members, vote to recuse the Board member. Board members who are found to have voted on a matter in which they should have recused themselves may be removed from the Board by the Governor.

A conflict of interest or appearance of bias may include, but is not limited to, matters where one of the following is a party to a decision on a decertification or formal complaint: someone with whom the member has an employment relationship; any of the following relatives: spouse, parents, children, adopted children, legal wards, stepchildren, step parents, step siblings, half siblings, siblings, parents-in-law, siblings-in-law, children-in-law, aunts, uncles, nieces, and nephews; a friend; or a member of a professional organization, association, or a union in which the member now actively serves.

(c) A vacancy in members does not prevent a quorum of the

remaining sitting members from exercising all rights and performing all duties of the Board.

(d) An individual serving on the Board shall not also serve on the Panel.

(Source: P.A. 101-652, eff. 1-1-22; 102-538, eff. 8-20-21; revised 10-13-21.)

(50 ILCS 705/3.1)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 3.1. Illinois Law Enforcement Certification Review Panel.

(a) There is hereby created the Illinois Law Enforcement Certification Review Panel. The Panel shall be composed of the following members, to be appointed in accordance with this Section no later than 30 days after the effective date of this amendatory Act of the 101st General Assembly. An individual serving on the Panel shall not also serve on the Board.

(1) The Governor shall appoint 4 ~~3~~ members as prescribed in this paragraph (1): one person who shall be an active member from a statewide association representing State's Attorneys; and 3 ~~2~~ persons who shall be Illinois residents who are from communities with disproportionately high instances of interaction with law enforcement, as indicated by a high need, underserved community with high rates of gun violence, unemployment, child poverty, and

commitments to Illinois Department of Corrections, but who are not themselves law enforcement officers. The initial appointments of the Governor shall be for a period of 3 years. Their successors shall be appointed in like manner for terms to expire the first Monday of June each 3 years thereafter. All members shall serve until their respective successors are appointed and qualify. Vacancies shall be filled by the Governor for the unexpired terms. Terms shall run regardless of whether the position is vacant.

(2) The Attorney General shall appoint 9 ~~8~~ members as prescribed in this paragraph (2). The membership shall have racial, ethnic, gender, and geographic diversity and include the following: two persons who shall be active members of statewide organization representing more than 20,000 active and retired law enforcement officers; one person who shall be an active member of a statewide organization representing more than 3,000 active and retired law enforcement officials; one person who shall be an active member of a statewide association representing a minimum of 75 sheriffs; one person who shall be an active member of a statewide association representing at least 200 municipal police chiefs; two persons who shall be active members of a minority law enforcement association; one person who shall be a representative of the victims' advocacy community but shall not be a member of law enforcement; and one person who shall be a resident of



Illinois and shall not be an employee of the Office of the Illinois Attorney General. The members shall serve for a 3-year term and until their respective successors are appointed and qualify. The members' successors shall be appointed in like manner for terms to expire the first Monday of June each 3 years thereafter. Any vacancy of these positions shall be filled by the Attorney General for the unexpired term. The term shall run regardless of whether the position is vacant.

(b) The Panel shall annually elect by a simple majority vote one of its members as chairperson and one of its members as vice-chairperson. The vice-chairperson shall serve in the place of the chairperson at any meeting of the Panel in which the chairperson is not present. If both the chairperson and the vice-chairperson are absent at any meeting, the members present shall elect by a simple majority vote another member to serve as a temporary chairperson for the limited purpose of that meeting. No member shall be elected more than twice in succession to the same office. Each member shall serve until that member's successor has been elected and qualified.

(c) The Board shall provide administrative assistance to the Panel.

(d) The members of the Panel shall serve without compensation but shall be entitled to reimbursement for their actual and necessary expenses in attending meetings and in the performance of their duties hereunder.

(e) Members of the Panel will receive initial and annual training that is adequate in quality, quantity, scope, and type, and will cover, at minimum the following topics:

- (1) constitutional and other relevant law on police-community encounters, including the law on the use of force and stops, searches, and arrests;
- (2) police tactics;
- (3) investigations of police conduct;
- (4) impartial policing;
- (5) policing individuals in crisis;
- (6) Illinois police policies, procedures, and disciplinary rules;
- (7) procedural justice; and
- (8) community outreach.

The Board shall determine the content and extent of the training within the scope provided for by this subsection.

(f) The State shall indemnify and hold harmless members of the Panel for all of their acts, omissions, decisions, or other conduct arising out of the scope of their service on the Panel, except those involving willful or wanton misconduct. The method of providing indemnification shall be as provided in the State Employee Indemnification Act.

(g) When a Panel member may have an actual, perceived, or potential conflict of interest or appearance of bias that could prevent the Panel member from making a fair and impartial decision on a complaint or formal complaint:

(1) The Panel member shall self-recuse ~~himself or herself~~.

(2) If the Panel member fails to self-recuse ~~himself or herself~~, then the remaining members of the Panel may, by a simple majority, vote to recuse the Panel member. Any Panel member who is found to have voted on a matter in which they should have self-recused ~~themselves~~ may be removed from the Panel by the State official who initially appointed the Panel member. A conflict of interest or appearance of bias may include, but is not limited to, matters where one of the following is a party to a certification decision for formal complaint: someone with whom the member has an employment relationship; any of the following relatives: spouse, parents, children, adopted children, legal wards, stepchildren, stepparents, step siblings, half siblings, siblings, parents-in-law, siblings-in-law, children-in-law, aunts, uncles, nieces, and nephews; a friend; or a member of a professional organization or ~~an~~ association ~~, or a union~~ in which the member now actively serves.

(h) A vacancy in membership does not impair the ability of a quorum to exercise all rights and perform all duties of the Panel.

(i) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly and Public Act 101-652 take effect July

1, 2022.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/6) (from Ch. 85, par. 506)

(Text of Section before amendment by P.A. 101-652)

Sec. 6. Powers and duties of the Board; selection and certification of schools. The Board shall select and certify schools within the State of Illinois for the purpose of providing basic training for probationary police officers, probationary county corrections officers, and court security officers and of providing advanced or in-service training for permanent police officers or permanent county corrections officers, which schools may be either publicly or privately owned and operated. In addition, the Board has the following power and duties:

a. To require local governmental units to furnish such reports and information as the Board deems necessary to fully implement this Act.

b. To establish appropriate mandatory minimum standards relating to the training of probationary local law enforcement officers or probationary county corrections officers, and in-service training of permanent police officers.

c. To provide appropriate certification to those probationary officers who successfully complete the prescribed minimum standard basic training course.

d. To review and approve annual training curriculum for county sheriffs.

e. To review and approve applicants to ensure that no applicant is admitted to a certified academy unless the applicant is a person of good character and has not been convicted of, or entered a plea of guilty to, a felony offense, any of the misdemeanors in Sections 11-1.50, 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1, 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7 of the Criminal Code of 1961 or the Criminal Code of 2012, subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the Criminal Code of 1961 or the Criminal Code of 2012, or subsection (a) of Section 17-32 of the Criminal Code of 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of the Cannabis Control Act, or a crime involving moral turpitude under the laws of this State or any other state which if committed in this State would be punishable as a felony or a crime of moral turpitude. The Board may appoint investigators who shall enforce the duties conferred upon the Board by this Act.

(Source: P.A. 101-187, eff. 1-1-20.)

(Text of Section after amendment by P.A. 101-652, Article 10, Section 10-143 but before amendment by P.A. 101-652, Article 25, Section 25-40)

Sec. 6. Powers and duties of the Board; selection and

certification of schools. The Board shall select and certify schools within the State of Illinois for the purpose of providing basic training for probationary police officers, probationary county corrections officers, and court security officers and of providing advanced or in-service training for permanent police officers or permanent county corrections officers, which schools may be either publicly or privately owned and operated. In addition, the Board has the following power and duties:

a. To require local governmental units to furnish such reports and information as the Board deems necessary to fully implement this Act.

b. To establish appropriate mandatory minimum standards relating to the training of probationary local law enforcement officers or probationary county corrections officers, and in-service training of permanent police officers.

c. To provide appropriate certification to those probationary officers who successfully complete the prescribed minimum standard basic training course.

d. To review and approve annual training curriculum for county sheriffs.

e. To review and approve applicants to ensure that no applicant is admitted to a certified academy unless the applicant is a person of good character and has not been convicted of, or entered a plea of guilty to, a felony

offense, any of the misdemeanors in Sections 11-1.50, 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1, 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7 of the Criminal Code of 1961 or the Criminal Code of 2012, subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the Criminal Code of 1961 or the Criminal Code of 2012, or subsection (a) of Section 17-32 of the Criminal Code of 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of the Cannabis Control Act, or a crime involving moral turpitude under the laws of this State or any other state which if committed in this State would be punishable as a felony or a crime of moral turpitude. The Board may appoint investigators who shall enforce the duties conferred upon the Board by this Act.

f. To establish statewide standards for minimum standards regarding regular mental health screenings for probationary and permanent police officers, ensuring that counseling sessions and screenings remain confidential.

(Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10, Section 10-143, eff. 7-1-21.)

(Text of Section after amendment by P.A. 101-652, Article 25, Section 25-40)

Sec. 6. Powers and duties of the Board; selection and certification of schools. The Board shall select and certify schools within the State of Illinois for the purpose of

providing basic training for probationary law enforcement officers, probationary county corrections officers, and court security officers and of providing advanced or in-service training for permanent law enforcement officers or permanent county corrections officers, which schools may be either publicly or privately owned and operated. In addition, the Board has the following power and duties:

a. To require law enforcement agencies ~~local governmental units,~~ to furnish such reports and information as the Board deems necessary to fully implement this Act.

b. To establish appropriate mandatory minimum standards relating to the training of probationary local law enforcement officers or probationary county corrections officers, and in-service training of permanent law enforcement officers.

c. To provide appropriate certification to those probationary officers who successfully complete the prescribed minimum standard basic training course.

d. To review and approve annual training curriculum for county sheriffs.

e. To review and approve applicants to ensure that no applicant is admitted to a certified academy unless the applicant is a person of good character and has not been convicted of, found guilty of, ~~or~~ entered a plea of guilty to, or entered a plea of nolo contendere to a felony



offense, any of the misdemeanors in Sections 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in violation of any Section of Part E of Title III of the Criminal Code of 1961 or the Criminal Code of 2012, or subsection (a) of Section 17-32 of the Criminal Code of 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of the Cannabis Control Act, or a crime involving moral turpitude under the laws of this State or any other state which if committed in this State would be punishable as a felony or a crime of moral turpitude, or any felony or misdemeanor in violation of federal law or the law of any state that is the equivalent of any of the offenses specified therein. The Board may appoint investigators who shall enforce the duties conferred upon the Board by this Act.

For purposes of this paragraph e, a person is considered to have been convicted of, found guilty of, or entered a plea of guilty to, plea of nolo contendere to regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon. This includes sentences of supervision, conditional discharge, or first offender probation, or any similar disposition provided for by law.

f. To establish statewide standards for minimum

standards regarding regular mental health screenings for probationary and permanent police officers, ensuring that counseling sessions and screenings remain confidential.

~~f. For purposes of this paragraph (c), a person is considered to have been "convicted of, found guilty of, or entered a plea of guilty to, plea of nolo contendere to" regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon. This includes sentences of supervision, conditional discharge, or first offender probation, or any similar disposition provided for by law.~~

g. To review and ensure all law enforcement officers remain in compliance with this Act, and any administrative rules adopted under this Act.

h. To suspend any certificate for a definite period, limit or restrict any certificate, or revoke any certificate.

i. The Board and the Panel shall have power to secure by its subpoena and bring before it any person or entity in this State and to take testimony either orally or by deposition or both with the same fees and mileage and in the same manner as prescribed by law in judicial proceedings in civil cases in circuit courts of this State. The Board and the Panel shall also have the power to subpoena the production of documents, papers, files, books, documents, and records, whether in physical or

electronic form, in support of the charges and for defense, and in connection with a hearing or investigation.

j. The Executive Director, the administrative law judge designated by the Executive Director, and each member of the Board and the Panel shall have the power to administer oaths to witnesses at any hearing that the Board is authorized to conduct under this Act and any other oaths required or authorized to be administered by the Board under this Act.

k. In case of the neglect or refusal of any person to obey a subpoena issued by the Board and the Panel, any circuit court, upon application of the Board and the Panel, through the Illinois Attorney General, may order such person to appear before the Board and the Panel give testimony or produce evidence, and any failure to obey such order is punishable by the court as a contempt thereof. This order may be served by personal delivery, by email, or by mail to the address of record or email address of record.

l. The Board shall have the power to administer state certification examinations. Any and all records related to these examinations, including, but not limited to, test questions, test formats, digital files, answer responses, answer keys, and scoring information shall be exempt from disclosure.

(Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10, Section 10-143, eff. 7-1-21; 101-652, Article 25, Section 25-40, eff. 1-1-22; revised 4-26-21.)

(50 ILCS 705/6.1)

Sec. 6.1. Automatic decertification of full-time and part-time law enforcement officers.

(a) The Board must review law enforcement officer conduct and records to ensure that no law enforcement officer is certified or provided a valid waiver if that law enforcement officer has been convicted of, found guilty of, entered a plea of guilty to, or entered a plea of nolo contendere to, a felony offense under the laws of this State or any other state which if committed in this State would be punishable as a felony. The Board must also ensure that no law enforcement officer is certified or provided a valid waiver if that law enforcement officer has been convicted of, found guilty of, or entered a plea of guilty to, on or after January 1, 2022 (the effective date of Public Act 101-652) ~~this amendatory Act of the 101st General Assembly~~ of any misdemeanor specified in this Section or if committed in any other state would be an offense similar to Section 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in violation of any Section of Part E of Title III of the Criminal Code of 1961 or the Criminal Code of 2012, or

subsection (a) of Section 17-32 of the Criminal Code of 1961 or the Criminal Code of 2012, or to Section 5 or 5.2 of the Cannabis Control Act, or any felony or misdemeanor in violation of federal law or the law of any state that is the equivalent of any of the offenses specified therein. The Board must appoint investigators to enforce the duties conferred upon the Board by this Act.

(a-1) For purposes of this Section, a person is "convicted of, or entered a plea of guilty to, plea of nolo contendere to, found guilty of" regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon. This includes sentences of supervision, conditional discharge, or first offender probation, or any similar disposition provided for by law.

(b) It is the responsibility of the sheriff or the chief executive officer of every law enforcement ~~governmental~~ agency or department within this State to report to the Board any arrest, conviction, finding of guilt, plea of guilty, or plea of nolo contendere to, of any officer for an offense identified in this Section, regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon, this includes sentences of supervision, conditional discharge, or first offender probation.

(c) It is the duty and responsibility of every full-time and part-time law enforcement officer in this State to report to the Board within 14 days, and the officer's sheriff or chief

executive officer, of the officer's arrest, conviction, found guilty of, or plea of guilty for an offense identified in this Section. Any full-time or part-time law enforcement officer who knowingly makes, submits, causes to be submitted, or files a false or untruthful report to the Board must have the officer's certificate or waiver immediately decertified or revoked.

(d) Any person, or a local or State agency, or the Board is immune from liability for submitting, disclosing, or releasing information of arrests, convictions, or pleas of guilty in this Section as long as the information is submitted, disclosed, or released in good faith and without malice. The Board has qualified immunity for the release of the information.

(e) Any full-time or part-time law enforcement officer with a certificate or waiver issued by the Board who is convicted of, found guilty of, or entered a plea of guilty to, or entered a plea of nolo contendere to any offense described in this Section immediately becomes decertified or no longer has a valid waiver. The decertification and invalidity of waivers occurs as a matter of law. Failure of a convicted person to report to the Board the officer's conviction as described in this Section or any continued law enforcement practice after receiving a conviction is a Class 4 felony.

For purposes of this Section, a person is considered to have been "convicted of, found guilty of, or entered a plea of

guilty to, plea of nolo contendere to" regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon, including sentences of supervision, conditional discharge, first offender probation, or any similar disposition as provided for by law.

(f) The Board's investigators shall be law enforcement officers as defined in Section 2 of this Act. The Board shall not waive the training requirement unless the investigator has had a minimum of 5 years experience as a sworn officer of a local, State, or federal law enforcement agency. An investigator shall not have been terminated for good cause, decertified, had his or her law enforcement license or certificate revoked in this or any other jurisdiction, or been convicted of any of the conduct listed in subsection (a). Any complaint filed against the Board's investigators shall be investigated by the Illinois State Police.

(g) The Board must request and receive information and assistance from any federal, state, ~~or~~ local, or private enforcement ~~governmental~~ agency as part of the authorized criminal background investigation. The Illinois State Police must process, retain, and additionally provide and disseminate information to the Board concerning criminal charges, arrests, convictions, and their disposition, that have been filed against a basic academy applicant, law enforcement applicant, or law enforcement officer whose fingerprint identification cards are on file or maintained by the Illinois State Police.

The Federal Bureau of Investigation must provide the Board any criminal history record information contained in its files pertaining to law enforcement officers or any applicant to a Board certified basic law enforcement academy as described in this Act based on fingerprint identification. The Board must make payment of fees to the Illinois State Police for each fingerprint card submission in conformance with the requirements of paragraph 22 of Section 55a of the Civil Administrative Code of Illinois.

(g-5) Notwithstanding any provision of law to the contrary, the changes to this Section made by this amendatory Act of the 102nd General Assembly and Public Act 101-652 shall apply prospectively only from July 1, 2022.

~~(h) (Blank).~~

~~(i) (Blank).~~

~~(j) (Blank).~~

~~(k) (Blank).~~

~~(l) (Blank).~~

~~(m) (Blank).~~

~~(n) (Blank).~~

~~(o) (Blank).~~

~~(p) (Blank).~~

~~(q) (Blank).~~

~~(r) (Blank).~~

(Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22; 102-538, eff. 8-20-21; revised 10-13-21.)



(50 ILCS 705/6.2)

(Section scheduled to be repealed on January 1, 2022)

Sec. 6.2. Officer professional conduct database. In order to ensure the continuing effectiveness of this Section, it is set forth in full and reenacted by this amendatory Act of the 102nd General Assembly. This reenactment is intended as a continuation of this Section. This reenactment is not intended to supersede any amendment to this Section that may be made by any other Public Act of the 102nd General Assembly.

(a) All law enforcement agencies shall notify the Board of any final determination of willful violation of department or agency policy, official misconduct, or violation of law when:

(1) the officer is discharged or dismissed as a result of the violation; or

(2) the officer resigns during the course of an investigation and after the officer has been served notice that he or she is under investigation that is based on the commission of any felony or sex offense.

The agency shall report to the Board within 30 days of a final decision of discharge or dismissal and final exhaustion of any appeal, or resignation, and shall provide information regarding the nature of the violation.

(b) Upon receiving notification from a law enforcement agency, the Board must notify the law enforcement officer of the report and his or her right to provide a statement

regarding the reported violation.

(c) The Board shall maintain a database readily available to any chief administrative officer, or his or her designee, of a law enforcement agency or any State's Attorney that shall show each reported instance, including the name of the officer, the nature of the violation, reason for the final decision of discharge or dismissal, and any statement provided by the officer.

(Source: P.A. 101-652, eff. 7-1-21. Repealed by P.A. 101-652, Article 25, Section 25-45, eff. 1-1-22.)

(50 ILCS 705/6.3)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 6.3. Discretionary decertification of full-time and part-time law enforcement officers.

(a) Definitions. For purposes of this Section 6.3:

"Duty to intervene" means an obligation to intervene to prevent harm from occurring that arises when: an officer is present, and has reason to know (1) that excessive force is being used or that any constitutional violation has been committed by a law enforcement official; and (2) the officer has a realistic opportunity to intervene. This duty applies equally to supervisory and nonsupervisory officers. If aid is required, the officer shall not, when reasonable to administer aid, knowingly and willingly refuse to render aid as defined

by State or federal law. An officer does not violate this duty if the failure to render aid is due to circumstances such as lack of appropriate specialized training, lack of resources or equipment, or if it is unsafe or impracticable to render aid.

"Excessive use of force" means using force in violation of State or federal law.

"False statement" means (1) any knowingly false statement provided on a form or report, (2) that the writer does not believe to be true, and (3) that the writer includes to mislead a public servant in performing the public servant's official functions.

"Perjury" means that as defined under Sections 32-2 and 32-3 of the Criminal Code of 2012.

"Tampers with or fabricates evidence" means if a law enforcement officer (1) has reason to believe that an official proceeding is pending or may be instituted, and (2) alters, destroys, conceals, or removes any record, document, data, video or thing to impair its validity or availability in the proceeding.

(b) Decertification conduct. The Board has the authority to decertify a full-time or a part-time law enforcement officer upon a determination by the Board that the law enforcement officer has:

- (1) committed an act that would constitute a felony or misdemeanor which could serve as basis for automatic decertification, whether or not the law enforcement

officer was criminally prosecuted, and whether or not the law enforcement officer's employment was terminated;

(2) exercised excessive use of force;

(3) failed to comply with the officer's duty to intervene, including through acts or omissions;

(4) tampered with a dash camera or body-worn camera or data recorded by a dash camera or body-worn camera or directed another to tamper with or turn off a dash camera or body-worn camera or data recorded by a dash camera or body-worn camera for the purpose of concealing, destroying or altering potential evidence;

(5) engaged in the following conduct relating to the reporting, investigation, or prosecution of a crime: committed perjury, made a false statement, or knowingly tampered with or fabricated evidence; and

(6) engaged in any unprofessional, unethical, deceptive, or deleterious conduct or practice harmful to the public; such conduct or practice need not have resulted in actual injury to any person. As used in this paragraph, the term "unprofessional conduct" shall include any departure from, or failure to conform to, the minimal standards of acceptable and prevailing practice of an officer.

(b-5) The Board has the authority to decertify a full-time or part-time law enforcement officer notwithstanding whether a law enforcement agency takes disciplinary action against a law

enforcement officer for the same underlying conduct as outlined in subsection (b).

(c) Notice of Alleged Violation.

(1) The following individuals and agencies shall notify the Board within 7 days of becoming aware of any violation described in subsection (b):

(A) A law enforcement ~~governmental~~ agency as defined in Section 2 or any law enforcement officer of this State. For this subsection (c), law enforcement ~~governmental~~ agency includes, but is not limited to, a civilian review board, an inspector general, and legal counsel for a law enforcement ~~government~~ agency.

(B) The Executive Director of the Board;

(C) A State's Attorney's Office of this State.

"Becoming aware" does not include confidential communications between agency lawyers and agencies regarding legal advice. For purposes of this subsection, "law enforcement ~~governmental~~ agency" does not include the Illinois Attorney General when providing legal representation to a law enforcement officer under the State Employee Indemnification Act.

(2) Any person may also notify the Board of any conduct the person believes a law enforcement officer has committed as described in subsection (b). Such notifications may be made confidentially. Notwithstanding any other provision in state law or any collective

bargaining agreement, the Board shall accept notice and investigate any allegations from individuals who remain confidential.

(3) Upon written request, the Board shall disclose to the individual or entity who filed a notice of violation the status of the Board's review.

(d) Form. The notice of violation reported under subsection (c) shall be on a form prescribed by the Board in its rules. The form shall be publicly available by paper and electronic means. The form shall include fields for the following information, at a minimum:

(1) the full name, address, and telephone number of the person submitting the notice;

(2) if submitted under subsection (c)(1), the agency name and title of the person submitting the notice;

(3) the full name, badge number, employing ~~governmental~~ agency, and physical description of the officer, if known;

(4) the full name or names, address or addresses, telephone number or numbers, and physical description or descriptions of any witnesses, if known;

(5) a concise statement of facts that describe the alleged violation and any copies of supporting evidence including but not limited to any photographic, video, or audio recordings of the incident;

(6) whether the person submitting the notice has

notified any other agency; and

(7) an option for an individual, who submits directly to the Board, to consent to have the individual's identity disclosed. The identity of any individual providing information or reporting any possible or alleged violation to the Board shall be kept confidential and may not be disclosed without the consent of that individual, unless the individual consents to disclosure of the individual's name or disclosure of the individual's identity is otherwise required by law. The confidentiality granted by this subsection does not preclude the disclosure of the identity of a person in any capacity other than as the source of an allegation.

~~(a) The identity of any individual providing information or reporting any possible or alleged violation to the Board shall be kept confidential and may not be disclosed without the consent of that individual, unless the individual consents to disclosure of the individual's name or disclosure of the individual's identity is otherwise required by law. The confidentiality granted by this subsection does not preclude the disclosure of the identity of a person in any capacity other than as the source of an allegation.~~

Nothing in this subsection (d) shall preclude the Board from receiving, investigating, or acting upon allegations made

confidentially or in a format different from the form provided for in this subsection.

(e) Preliminary review.

(1) The Board shall complete a preliminary review of the allegations to determine whether there is sufficient information to warrant a further investigation of any violations of the Act. Upon initiating a preliminary review of the allegations, the Board shall notify the head of the law enforcement ~~governmental~~ agency that employs the law enforcement officer who is the subject of the allegations. At the request of the Board, the law enforcement ~~governmental~~ agency must submit any copies of investigative findings, evidence, or documentation to the Board in accordance with rules adopted by the Board to facilitate the Board's preliminary review. The Board may correspond with the law enforcement ~~governmental~~ agency, official records clerks or any investigative agencies in conducting its preliminary review.

(2) During the preliminary review, the Board will take all reasonable steps to discover any and all objective verifiable evidence relevant to the alleged violation through the identification, retention, review, and analysis of all currently available evidence, including, but not limited to: all time-sensitive evidence, audio and video evidence, physical evidence, arrest reports, photographic evidence, GPS records, computer data, lab



reports, medical documents, and witness interviews. All reasonable steps will be taken to preserve relevant evidence identified during the preliminary investigation.

(3) If after a preliminary review of the alleged violation or violations, the Board believes there is sufficient information to warrant further investigation of any violations of this Act, the alleged violation or violations shall be assigned for investigation in accordance with subsection (f).

(4) If after a review of the allegations, the Board believes there is insufficient information supporting the allegations to warrant further investigation, it may close a notice. Notification of the Board's decision to close a notice shall be sent to all relevant individuals, agencies, and any entities that received notice of the violation under subsection (c) within 30 days of the notice being closed, except in cases where the notice is submitted anonymously if the complainant is unknown.

(5) Except when the Board has received notice under subparagraph (A) of paragraph (1) of subsection (c), no later than 30 days after receiving notice, the Board shall report any notice of violation it receives to the relevant law enforcement ~~governmental~~ agency, unless reporting the notice would jeopardize any subsequent investigation. The Board shall also record any notice of violation it receives to the Officer Professional Conduct Database in

accordance with Section 9.2. The Board shall report to the appropriate State's Attorney any alleged violations that contain allegations, claims, or factual assertions that, if true, would constitute a violation of Illinois law. The Board shall inform the law enforcement officer via certified mail that it has received a notice of violation against the law enforcement officer.

If the Board determines that due to the circumstances and the nature of the allegation that it would not be prudent to notify the law enforcement officer and the officer's law enforcement ~~governmental~~ agency unless and until the filing of a Formal Complaint, the Board shall document in the file the reason or reasons a notification was not made.

(6) If the law enforcement officer is involved in a criminal proceeding on the same subject as the notice of violation ~~has been initiated against the law enforcement officer~~, the Board is responsible for maintaining a current status report including court dates, hearings, pleas, adjudication status and sentencing. A State's Attorney's Office must notify ~~is responsible for notifying~~ the Board of any criminal charges filed against a law enforcement officer, and must provide updates of significant developments to the Board in a timely manner but no later than 30 days after such developments.

(f) Investigations; requirements. Investigations are to be

assigned after a preliminary review, unless the investigations were closed under paragraph (4) of subsection (e), as follows in paragraphs (1), (2), and (3) of this subsection (f).

(1) A law enforcement ~~governmental~~ agency that submits a notice of violation to the Board under subparagraph (A) of paragraph (1) of subsection (c) shall be responsible for conducting an investigation of the underlying allegations except when: (i) the law enforcement ~~governmental~~ agency refers the notice to another law enforcement ~~governmental~~ agency or the Board for investigation and such other agency or the Board agrees to conduct the investigation; (ii) an external, independent, or civilian oversight agency conducts the investigation in accordance with local ordinance or other applicable law; or (iii) the Board has determined that it will conduct the investigation based upon the facts and circumstances of the alleged violation, including but not limited to, investigations regarding the Chief or Sheriff of a law enforcement ~~governmental~~ agency, familial conflict of interests, complaints involving a substantial portion of a law enforcement ~~governmental~~ agency, or complaints involving a policy of a law enforcement ~~governmental~~ agency. Any agency or entity conducting an investigation under this paragraph (1) shall submit quarterly reports to the Board regarding the progress of the investigation. The quarterly report shall be reviewed by the individual or

individuals at the Board who conducted the preliminary review, if available.

Any agency or entity conducting an investigation under this paragraph (1) shall, within 7 days of completing an investigation, deliver an Investigative Summary Report and copies of any administrative evidence to the Board. If the Board finds an investigation conducted under this paragraph (1) is incomplete, unsatisfactory, or deficient in any way, the Board may direct the investigating entity or agency to take any additional investigative steps deemed necessary to thoroughly and satisfactorily complete the investigation, or the Board may take any steps necessary to complete the investigation. The investigating entity or agency or, when necessary, the Board will then amend and re-submit the Investigative Summary Report to the Board for approval.

The Board shall submit a report to the investigating entity disclosing the name, address, and telephone numbers of persons who have knowledge of facts which are the subject of the investigation and identifying the subject matter of their knowledge.

(2) The Board shall investigate and complete an Investigative Summary Report when a State's Attorney's Office submits a notice of violation to the Board under (c) (1) (C).

(3) When a person submits a notice to the Board under

paragraph (2) of subsection (c), The Board shall assign the investigation to the law enforcement ~~governmental~~ agency that employs the law enforcement officer, except when: (i) the law enforcement ~~governmental~~ agency requests to refer the notice to another law enforcement ~~governmental~~ agency or the Board for investigation and such other agency or the Board agrees to conduct the investigation; (ii) an external, independent, or civilian oversight agency conducts the investigation in accordance with local ordinance or other applicable law; or (iii) the Board has determined that it will conduct the investigation based upon the facts and circumstances of the alleged violation, including but not limited to, investigations regarding the Chief or Sheriff of a law enforcement ~~governmental~~ agency, familial conflict of interests, complaints involving a substantial portion of a law enforcement ~~governmental~~ agency, or complaints involving a policy of a law enforcement ~~governmental~~ agency.

The investigating entity or agency shall submit quarterly reports to the Board regarding the progress of the investigation in a form to be determined by the Board. The quarterly report shall be reviewed by the individual at the Board who conducted the preliminary review, if available.

The investigating entity or agency shall, within 7 days of

completing an investigation, deliver an Investigative Summary Report and copies of any evidence to the Board. If the Board finds an investigation conducted under this subsection (f)(3) is incomplete, unsatisfactory, or deficient in any way, the Board may direct the investigating entity to take any additional investigative steps deemed necessary to thoroughly and satisfactorily complete the investigation, or the Board may take any steps necessary to complete the investigation. The investigating entity or agency or, when necessary, the Board will then amend and re-submit the ~~The~~ Investigative Summary Report to the Board for approval. The investigating entity shall cooperate with and assist the Board, as necessary, in any subsequent investigation.

(4) Concurrent Investigations. The Board may, at any point, initiate a concurrent investigation under this section. The original investigating entity shall timely communicate, coordinate, and cooperate with the Board to the fullest extent. The Board shall promulgate rules that shall address, at a minimum, the sharing of information and investigative means such as subpoenas and interviewing witnesses.

(5) Investigative Summary Report. An Investigative Summary Report shall contain, at a minimum, the allegations and elements within each allegation followed by the testimonial, documentary, or physical evidence that

is relevant to each such allegation or element listed and discussed in association with it. All persons who have been interviewed and listed in the Investigative Summary Report will be identified as a complainant, witness, person with specialized knowledge, or law enforcement employee.

(6) Each law enforcement ~~governmental~~ agency shall adopt a written policy regarding the investigation of conduct under subsection (a) that involves a law enforcement officer employed by that law enforcement ~~governmental~~ agency. The written policy adopted must include the following, at a minimum:

(a) Each law enforcement officer shall immediately report any conduct under subsection (b) to the appropriate supervising officer.

(b) The written policy under this Section shall be available for inspection and copying under the Freedom of Information Act, and not subject to any exemption of that Act.

(7) Nothing in this Act shall prohibit a law enforcement ~~governmental~~ agency from conducting an investigation for the purpose of internal discipline. However, any such investigation shall be conducted in a manner that avoids interference with, and preserves the integrity of, any separate investigation by the Board being conducted.

(g) Formal complaints. Upon receipt of an Investigative Summary Report, the Board shall review the Report and any relevant evidence obtained and determine whether there is reasonable basis to believe that the law enforcement officer committed any conduct that would be deemed a violation of this Act. If after reviewing the Report and any other relevant evidence obtained, the Board determines that a reasonable basis does exist, the Board shall file a formal complaint with the Certification Review Panel.

(h) Formal Complaint Hearing.

(1) Upon issuance of a formal complaint, the Panel shall set the matter for an initial hearing in front of an administrative law judge. At least 30 days before the date set for an initial hearing, the Panel must, in writing, notify the law enforcement officer subject to the complaint of the following:

(i) the allegations against the law enforcement officer, the time and place for the hearing, and whether the law enforcement officer's certification has been temporarily suspended under Section 8.3;

(ii) the right to file a written answer to the complaint with the Panel within 30 days after service of the notice;

(iii) if the law enforcement officer fails to comply with the notice of the default order in paragraph (2), the Panel shall enter a default order



against the law enforcement officer along with a finding that the allegations in the complaint are deemed admitted, and that the law enforcement officer's certification may be revoked as a result; and

(iv) the law enforcement officer may request an informal conference to surrender the officer's certification.

(2) The Board shall send the law enforcement officer notice of the default order. The notice shall state that the officer has 30 days to notify the Board in writing of their desire to have the order vacated and to appear before the Board. If the law enforcement officer does not notify the Board within 30 days, the Board may set the matter for hearing. If the matter is set for hearing, the Board shall send the law enforcement officer the notice of the date, time and location of the hearing. If the law enforcement officer or counsel for the officer does appear, at the Board's discretion, the hearing may proceed or may be continued to a date and time agreed upon by all parties. If on the date of the hearing, neither the law enforcement officer nor counsel for the officer appears, the Board may proceed with the hearing for default in their absence.

(3) If the law enforcement officer fails to comply with paragraph (2), all of the allegations contained in

the complaint shall be deemed admitted and the law enforcement officer shall be decertified if, by a majority vote of the panel, the conduct charged in the complaint is found to constitute sufficient grounds for decertification under this Act. Notice of the decertification decision may be served by personal delivery, by mail, or, at the discretion of the Board, by electronic means as adopted by rule to the address or email address specified by the law enforcement officer in the officer's last communication with the Board. Notice shall also be provided to the law enforcement officer's employing law enforcement ~~governmental~~ agency.

(4) The Board, at the request of the law enforcement officer subject to the Formal Complaint, may suspend a hearing on a Formal Complaint for no more than one year if a concurrent criminal matter is pending. If the law enforcement officer requests to have the hearing suspended, the law enforcement officer's certification shall be deemed inactive until the law enforcement officer's Formal Complaint hearing concludes. The Board or the law enforcement officer may request to have the hearing suspended for up to 6 additional months for good cause. This request may be renewed. For purposes of this paragraph (4), "good cause" means an incident or occurrence that is beyond the control of the requester and that prevents the hearing from occurring, or holding the

hearing would impose an undue hardship or prejudice on the requester.

(5) Surrender of certification or waiver. Upon the Board's issuance of a complaint, and prior to hearing on the matter, a law enforcement officer may choose to surrender the officer's certification or waiver by notifying the Board in writing of the officer's decision to do so. Upon receipt of such notification from the law enforcement officer, the Board shall immediately decertify the officer, or revoke any waiver previously granted. In the case of a surrender of certification or waiver, the Board's proceeding shall terminate.

(6) Appointment of administrative law judges. The Board shall retain any attorney licensed to practice law in the State of Illinois to serve as an administrative law judge in any action involving ~~initiated against~~ a law enforcement officer under this Act. The administrative law judge shall be retained to a term of no greater than 4 years. If more than one judge is retained, the terms shall be staggered. The administrative law judge has full authority to conduct the hearings.

Administrative law judges will receive initial and annual training that is adequate in quality, quantity, scope, and type, and will cover, at minimum the following topics:

- (i) constitutional and other relevant law on

police-community encounters, including the law on the use of force and stops, searches, and arrests;

(ii) police tactics;

(iii) investigations of police conduct;

(iv) impartial policing;

(v) policing individuals in crisis;

(vi) Illinois police policies, procedures, and disciplinary rules;

(vii) procedural justice; and

(viii) community outreach.

The Board shall determine the content and extent of the training within the scope provided for by this subsection.

(7) Hearing. At the hearing, the administrative law judge will hear the allegations alleged in the complaint. The law enforcement officer, the counsel of the officer's choosing, and the Board, or the officer's counsel, shall be afforded the opportunity to present any pertinent statements, testimony, evidence, and arguments. The law enforcement officer shall be afforded the opportunity to request that the Board compel the attendance of witnesses and production of related documents. After the conclusion of the hearing, the administrative law judge shall report any ~~his or her~~ findings of fact, conclusions of law, and recommended disposition to the Panel. If the law enforcement officer objects to any procedural or

substantive legal portion of the report, the officer may do so by written brief filed with the Panel within 14 days after receipt of the report. The Panel may grant reasonable extensions for good cause shown or when mutually agreed upon by the parties.

No later than 28 days before the hearing, a party shall disclose the following:

(i) The name and, if known, the address and telephone number of each individual likely to have information relevant to the hearing that the disclosing party may use to support its claims or defenses. This includes, but is not limited to, any name that has previously been held as confidential by the Board.

(ii) A copy of any documents and videos that are in the possession, custody, or control of the party, and that the disclosing party may use to support its claims or defenses.

(8) Certification Review Meeting. Upon receipt of the administrative law judge's findings of fact, conclusions of law, and recommended disposition, and any submitted objections from the law enforcement officer, the Panel shall call for a certification review meeting.

In such a meeting, the Panel may adjourn into a closed conference for the purposes of deliberating on the evidence presented during the hearing. In closed

conference, the Panel shall consider the hearing officer's findings of fact, conclusions of law, and recommended disposition and may deliberate on all evidence and testimony received and may consider the weight and credibility to be given to the evidence received. No new or additional evidence may be presented to the Panel. After concluding its deliberations, the Panel shall convene in open session for its consideration of the matter. If a simple majority of the Panel finds that no allegations in the complaint supporting one or more charges of misconduct are proven by clear and convincing evidence, then the Panel shall recommend to the Board that the complaint be dismissed. If a simple majority of the Panel finds that the allegations in the complaint supporting one or more charges of misconduct are proven by clear and convincing evidence, then the Panel shall recommend to the Board to decertify the officer. The Panel shall prepare a summary report as soon as practicable after the completion of the meeting including the following: ~~In doing so, the Panel may adopt, in whole or in part,~~ the hearing officer's findings of fact, conclusions of law, ~~and~~ recommended disposition, and the Panel's order.

(9) Final action by the Board. After receiving the Panel's recommendations and any objections by the law enforcement officer, and after due consideration of the

Panel's recommendations, the Board, by majority vote, shall issue a final decision to decertify the law enforcement officer or take no action in regard to the law enforcement officer. No new or additional evidence may be presented to the Board. If the Board makes a final decision contrary to the recommendations of the Panel, the Board shall set forth in its final written decision the specific written reasons for not following the Panel's recommendations. A copy of the Board's final decision shall be served upon the law enforcement officer by the Board, either personally or as provided in this Act for the service of a notice of hearing. A copy of the Board's final decision also shall be delivered to the last employing law enforcement ~~governmental~~ agency, the complainant, and the Panel.

(10) Reconsideration of the Board's Decision. Within 30 days after service of the Board's final decision, the Panel or the law enforcement officer may file a written motion for reconsideration with the Review Committee ~~Board~~. The motion for reconsideration shall specify the particular grounds for reconsideration. The non-moving party may respond to the motion for reconsideration. The Review Committee shall only address the issues raised by the parties.

The Review Committee ~~Board~~ may deny the motion for reconsideration, or it may grant the motion in whole or in

part and issue a new final decision in the matter. The Review Committee Board must notify the law enforcement officer and their last employing law enforcement agency within 14 days of a denial and state the reasons for denial.

(i) This Section applies to conduct by a full-time or part-time law enforcement officer in violation of subsection (b) that occurred before, on, or after the effective date of this amendatory Act of the 102nd General Assembly.

(j) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly and Public Act 101-652 take effect July 1, 2022.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/6.7)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 6.7. Certification and decertification procedures under Act exclusive. Notwithstanding any other law, the certification and decertification procedures, including the conduct of any investigation or hearing, under this Act are the sole and exclusive procedures for certification as law enforcement officers in Illinois and are not subject to collective bargaining under the Illinois Public Labor Relations Act or appealable except as set forth herein. The



provisions of any collective bargaining agreement adopted by a law enforcement ~~governmental~~ agency and covering the law enforcement officer or officers under investigation shall be inapplicable to any investigation or hearing conducted under this Act.

An individual has no property interest in law enforcement certification ~~employment or otherwise resulting from law enforcement officer certification~~ at the time of initial certification or at any time thereafter, including, but not limited to, after decertification or after the officer's certification has been deemed inactive. Nothing in this Act shall be construed to create a requirement that a law enforcement ~~governmental~~ agency shall continue to employ a law enforcement officer who has been decertified.

(Source: P.A. 101-652, eff. 1-1-22.)

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

(Text of Section before amendment by P.A. 101-652)

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

- a. The curriculum for probationary police officers which shall be offered by all certified schools shall include, but not be limited to, courses of procedural justice, arrest and use and control tactics, search and seizure, including temporary questioning, civil rights,

human rights, human relations, cultural competency, including implicit bias and racial and ethnic sensitivity, criminal law, law of criminal procedure, constitutional and proper use of law enforcement authority, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first-aid (including cardiopulmonary resuscitation), training in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act, handling of juvenile offenders, recognition of mental conditions and crises, including, but not limited to, the disease of addiction, which require immediate assistance and response and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in Section 2 of the Adult Protective Services Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and

physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children, including cultural perceptions and common myths of sexual assault and sexual abuse as well as interview techniques that are age sensitive and are trauma informed, victim centered, and victim sensitive. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by police officers that is consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting, including recognizing signs and symptoms of work-related cumulative stress, issues that may lead to suicide, and solutions for intervention with peer support resources. The curriculum shall include a block of instruction addressing the mandatory reporting requirements under the Abused and Neglected Child Reporting Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other

developmental or physical disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum shall include training in the detection and investigation of all forms of human trafficking. The curriculum shall also include instruction in trauma-informed responses designed to ensure the physical safety and well-being of a child of an arrested parent or immediate family member; this instruction must include, but is not limited to: (1) understanding the trauma experienced by the child while maintaining the integrity of the arrest and safety of officers, suspects, and other involved individuals; (2) de-escalation tactics that would include the use of force when reasonably necessary; and (3) inquiring whether a child will require supervision and care. The curriculum for permanent police officers shall include, but not be limited to: (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board. The training in the use of electronic control devices shall be conducted for probationary police officers, including University police

officers.

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

c. Minimum requirements for instructors.

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

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

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.

A person hired to serve as a court security officer must obtain from the Board a certificate (i) attesting to

his or her successful completion of the training course; (ii) attesting to his or her satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the provisions of this Act; or (iii) attesting to the Board's determination that the training course is unnecessary because of the person's extensive prior law enforcement experience.

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of June 1, 1997 (the effective date of Public Act 89-685). Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after June 1, 1997 (the effective date of Public Act 89-685) shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

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

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

g. Minimum in-service training requirements, which a police officer must satisfactorily complete every 3 years. Those requirements shall include constitutional and proper use of law enforcement authority, procedural justice, civil rights, human rights, mental health awareness and response, officer wellness, reporting child abuse and neglect, and cultural competency.

h. Minimum in-service training requirements, which a police officer must satisfactorily complete at least annually. Those requirements shall include law updates and use of force training which shall include scenario based training, or similar training approved by the Board.

(Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff. 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215, eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19; 101-564, eff. 1-1-20; revised 9-10-19.)

(Text of Section after amendment by P.A. 101-652, Article 10, Section 10-143 but before amendment by P.A. 101-652, Article 25, Section 25-40)

Sec. 7. Rules and standards for schools. The Board shall

adopt rules and minimum standards for such schools which shall include, but not be limited to, the following:

a. The curriculum for probationary police officers which shall be offered by all certified schools shall include, but not be limited to, courses of procedural justice, arrest and use and control tactics, search and seizure, including temporary questioning, civil rights, human rights, human relations, cultural competency, including implicit bias and racial and ethnic sensitivity, criminal law, law of criminal procedure, constitutional and proper use of law enforcement authority, crisis intervention training, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first-aid (including cardiopulmonary resuscitation), training in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act, handling of juvenile offenders, recognition of mental conditions and crises, including, but not limited to, the disease of addiction, which require immediate assistance and response and



methods to safeguard and provide assistance to a person in need of mental treatment, recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in Section 2 of the Adult Protective Services Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children, including cultural perceptions and common myths of sexual assault and sexual abuse as well as interview techniques that are age sensitive and are trauma informed, victim centered, and victim sensitive. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by police officers that is consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting, including recognizing signs and symptoms of work-related cumulative

stress, issues that may lead to suicide, and solutions for intervention with peer support resources. The curriculum shall include a block of instruction addressing the mandatory reporting requirements under the Abused and Neglected Child Reporting Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other developmental or physical disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum shall include training in the detection and investigation of all forms of human trafficking. The curriculum shall also include instruction in trauma-informed responses designed to ensure the physical safety and well-being of a child of an arrested parent or immediate family member; this instruction must include, but is not limited to: (1) understanding the trauma experienced by the child while maintaining the integrity of the arrest and safety of officers, suspects, and other involved individuals; (2) de-escalation tactics that would include the use of force when reasonably necessary; and (3) inquiring whether a child will require supervision and care. The curriculum for probationary police officers shall include: (1) at least 12 hours of hands-on, scenario-based role-playing;

(2) at least 6 hours of instruction on use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and feasible; (3) specific training on officer safety techniques, including cover, concealment, and time; and (4) at least 6 hours of training focused on high-risk traffic stops. The curriculum for permanent police officers shall include, but not be limited to: (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board. The training in the use of electronic control devices shall be conducted for probationary police officers, including University police officers.

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

c. Minimum requirements for instructors.

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

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

f. Minimum basic training requirements which a probationary court security officer must satisfactorily complete before being eligible for permanent employment as a court security officer for a participating local governmental agency. The Board shall establish those training requirements which it considers appropriate for court security officers and shall certify schools to conduct that training.

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

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by

this Act within 24 months of June 1, 1997 (the effective date of Public Act 89-685). Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after June 1, 1997 (the effective date of Public Act 89-685) shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

g. Minimum in-service training requirements, which a police officer must satisfactorily complete every 3 years. Those requirements shall include constitutional and proper use of law enforcement authority, procedural justice, civil rights, human rights, reporting child abuse and neglect, and cultural competency, including implicit bias and racial and ethnic sensitivity.

h. Minimum in-service training requirements, which a police officer must satisfactorily complete at least annually. Those requirements shall include law updates, emergency medical response training and certification, crisis intervention training, and officer wellness and mental health.

i. Minimum in-service training requirements as set forth in Section 10.6.

(Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff. 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215, eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19; 101-564, eff. 1-1-20; P.A. 101-652, Article 10, Section 10-143, eff. 7-1-21.)

(Text of Section after amendment by P.A. 101-652, Article 25, Section 25-40)

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

a. The curriculum for probationary law enforcement officers which shall be offered by all certified schools shall include, but not be limited to, courses of procedural justice, arrest and use and control tactics, search and seizure, including temporary questioning, civil rights, human rights, human relations, cultural

competency, including implicit bias and racial and ethnic sensitivity, criminal law, law of criminal procedure, constitutional and proper use of law enforcement authority, crisis intervention training, vehicle and traffic law including uniform and non-discriminatory enforcement of the Illinois Vehicle Code, traffic control and accident investigation, techniques of obtaining physical evidence, court testimonies, statements, reports, firearms training, training in the use of electronic control devices, including the psychological and physiological effects of the use of those devices on humans, first-aid (including cardiopulmonary resuscitation), training in the administration of opioid antagonists as defined in paragraph (1) of subsection (e) of Section 5-23 of the Substance Use Disorder Act, handling of juvenile offenders, recognition of mental conditions and crises, including, but not limited to, the disease of addiction, which require immediate assistance and response and methods to safeguard and provide assistance to a person in need of mental treatment, recognition of abuse, neglect, financial exploitation, and self-neglect of adults with disabilities and older adults, as defined in Section 2 of the Adult Protective Services Act, crimes against the elderly, law of evidence, the hazards of high-speed police vehicle chases with an emphasis on alternatives to the high-speed chase, and

physical training. The curriculum shall include specific training in techniques for immediate response to and investigation of cases of domestic violence and of sexual assault of adults and children, including cultural perceptions and common myths of sexual assault and sexual abuse as well as interview techniques that are age sensitive and are trauma informed, victim centered, and victim sensitive. The curriculum shall include training in techniques designed to promote effective communication at the initial contact with crime victims and ways to comprehensively explain to victims and witnesses their rights under the Rights of Crime Victims and Witnesses Act and the Crime Victims Compensation Act. The curriculum shall also include training in effective recognition of and responses to stress, trauma, and post-traumatic stress experienced by law enforcement officers that is consistent with Section 25 of the Illinois Mental Health First Aid Training Act in a peer setting, including recognizing signs and symptoms of work-related cumulative stress, issues that may lead to suicide, and solutions for intervention with peer support resources. The curriculum shall include a block of instruction addressing the mandatory reporting requirements under the Abused and Neglected Child Reporting Act. The curriculum shall also include a block of instruction aimed at identifying and interacting with persons with autism and other



developmental or physical disabilities, reducing barriers to reporting crimes against persons with autism, and addressing the unique challenges presented by cases involving victims or witnesses with autism and other developmental disabilities. The curriculum shall include training in the detection and investigation of all forms of human trafficking. The curriculum shall also include instruction in trauma-informed responses designed to ensure the physical safety and well-being of a child of an arrested parent or immediate family member; this instruction must include, but is not limited to: (1) understanding the trauma experienced by the child while maintaining the integrity of the arrest and safety of officers, suspects, and other involved individuals; (2) de-escalation tactics that would include the use of force when reasonably necessary; and (3) inquiring whether a child will require supervision and care. The curriculum for probationary law enforcement ~~police~~ officers shall include: (1) at least 12 hours of hands-on, scenario-based role-playing; (2) at least 6 hours of instruction on use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and feasible; (3) specific training on officer safety techniques, including cover, concealment, and time; and (4) at least 6 hours of training focused on high-risk traffic stops. The curriculum for permanent law

enforcement officers shall include, but not be limited to: (1) refresher and in-service training in any of the courses listed above in this subparagraph, (2) advanced courses in any of the subjects listed above in this subparagraph, (3) training for supervisory personnel, and (4) specialized training in subjects and fields to be selected by the board. The training in the use of electronic control devices shall be conducted for probationary law enforcement officers, including University police officers.

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

c. Minimum requirements for instructors.

d. Minimum basic training requirements, which a probationary law enforcement officer must satisfactorily complete before being eligible for permanent employment as a local law enforcement officer for a participating local governmental or State ~~state~~ governmental agency. Those requirements shall include training in first aid (including cardiopulmonary resuscitation).

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

f. Minimum basic training requirements which a

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

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

Individuals who currently serve as court security officers shall be deemed qualified to continue to serve in that capacity so long as they are certified as provided by this Act within 24 months of June 1, 1997 (the effective date of Public Act 89-685). Failure to be so certified, absent a waiver from the Board, shall cause the officer to forfeit his or her position.

All individuals hired as court security officers on or after June 1, 1997 (the effective date of Public Act

89-685) shall be certified within 12 months of the date of their hire, unless a waiver has been obtained by the Board, or they shall forfeit their positions.

The Sheriff's Merit Commission, if one exists, or the Sheriff's Office if there is no Sheriff's Merit Commission, shall maintain a list of all individuals who have filed applications to become court security officers and who meet the eligibility requirements established under this Act. Either the Sheriff's Merit Commission, or the Sheriff's Office if no Sheriff's Merit Commission exists, shall establish a schedule of reasonable intervals for verification of the applicants' qualifications under this Act and as established by the Board.

g. Minimum in-service training requirements, which a law enforcement officer must satisfactorily complete every 3 years. Those requirements shall include constitutional and proper use of law enforcement authority, procedural justice, civil rights, human rights, reporting child abuse and neglect, and cultural competency, including implicit bias and racial and ethnic sensitivity.

h. Minimum in-service training requirements, which a law enforcement officer must satisfactorily complete at least annually. Those requirements shall include law updates, emergency medical response training and certification, crisis intervention training, and officer wellness and mental health.

i. Minimum in-service training requirements as set forth in Section 10.6.

Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly, Public Act 101-652, and Public Act 102-28 take effect July 1, 2022.

(Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff. 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215, eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19; 101-564, eff. 1-1-20; P.A. 101-652, Article 10, Section 10-143, eff. 7-1-21; 101-652, Article 25, Section 25-40, eff. 1-1-22; revised 4-26-21.)

(50 ILCS 705/8.1) (from Ch. 85, par. 508.1)

(Text of Section before amendment by P.A. 101-652)

Sec. 8.1. Full-time police and county corrections officers.

(a) After January 1, 1976, no person shall receive a permanent appointment as a law enforcement officer as defined in this Act nor shall any person receive, after the effective date of this amendatory Act of 1984, a permanent appointment as a county corrections officer unless that person has been awarded, within 6 months of his or her initial full-time employment, a certificate attesting to his or her successful completion of the Minimum Standards Basic Law Enforcement and

County Correctional Training Course as prescribed by the Board; or has been awarded a certificate attesting to his or her satisfactory completion of a training program of similar content and number of hours and which course has been found acceptable by the Board under the provisions of this Act; or by reason of extensive prior law enforcement or county corrections experience the basic training requirement is determined by the Board to be illogical and unreasonable.

If such training is required and not completed within the applicable 6 months, then the officer must forfeit his or her position, or the employing agency must obtain a waiver from the Board extending the period for compliance. Such waiver shall be issued only for good and justifiable reasons, and in no case shall extend more than 90 days beyond the initial 6 months. Any hiring agency that fails to train a law enforcement officer within this period shall be prohibited from employing this individual in a law enforcement capacity for one year from the date training was to be completed. If an agency again fails to train the individual a second time, the agency shall be permanently barred from employing this individual in a law enforcement capacity.

(b) No provision of this Section shall be construed to mean that a law enforcement officer employed by a local governmental agency at the time of the effective date of this amendatory Act, either as a probationary police officer or as a permanent police officer, shall require certification under

the provisions of this Section. No provision of this Section shall be construed to mean that a county corrections officer employed by a local governmental agency at the time of the effective date of this amendatory Act of 1984, either as a probationary county corrections or as a permanent county corrections officer, shall require certification under the provisions of this Section. No provision of this Section shall be construed to apply to certification of elected county sheriffs.

(c) This Section does not apply to part-time police officers or probationary part-time police officers.

(Source: P.A. 101-187, eff. 1-1-20.)

(Text of Section after amendment by P.A. 101-652)

Sec. 8.1. Full-time law enforcement and county corrections officers.

(a) No person shall receive a permanent appointment as a law enforcement officer or a permanent appointment as a county corrections officer unless that person has been awarded, within 6 months of the officer's initial full-time employment, a certificate attesting to the officer's successful completion of the Minimum Standards Basic Law Enforcement or County Correctional Training Course as prescribed by the Board; or has been awarded a certificate attesting to the officer's satisfactory completion of a training program of similar content and number of hours and which course has been found

acceptable by the Board under the provisions of this Act; or a training waiver by reason of extensive prior law enforcement or county corrections experience the basic training requirement is determined by the Board to be illogical and unreasonable.

If such training is required and not completed within the applicable 6 months, then the officer must forfeit the officer's position, or the employing agency must obtain a waiver from the Board extending the period for compliance. Such waiver shall be issued only for good and justifiable reasons, and in no case shall extend more than 90 days beyond the initial 6 months. Any hiring agency that fails to train a law enforcement officer within this period shall be prohibited from employing this individual in a law enforcement capacity for one year from the date training was to be completed. If an agency again fails to train the individual a second time, the agency shall be permanently barred from employing this individual in a law enforcement capacity.

An individual who is not certified by the Board or whose certified status is inactive shall not function as a law enforcement officer, be assigned the duties of a law enforcement officer by an employing agency, or be authorized to carry firearms under the authority of the employer, except as otherwise authorized to carry a firearm under State or federal law. Sheriffs who are elected as of the effective date of this Amendatory Act of the 101st General Assembly, are



exempt from the requirement of certified status. Failure to be certified in accordance with this Act shall cause the officer to forfeit the officer's position.

An employing agency may not grant a person status as a law enforcement officer unless the person has been granted an active law enforcement officer certification by the Board.

(b) Inactive status. A person who has an inactive law enforcement officer certification has no law enforcement authority.

(1) A law enforcement officer's certification becomes inactive upon termination, resignation, retirement, or separation from the officer's employing law enforcement ~~governmental~~ agency for any reason. The Board shall re-activate a certification upon written application from the law enforcement officer's law enforcement ~~governmental~~ agency that shows the law enforcement officer: (i) has accepted a full-time law enforcement position with that law enforcement ~~governmental~~ agency, (ii) is not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board. The Board may also establish special training requirements to be completed as a condition for re-activation.

The Board shall review a notice for reactivation from a law enforcement agency and provide a response within 30 days. The Board may extend this review. A law enforcement

officer shall be allowed to be employed as a full-time law enforcement officer while the law enforcement officer reactivation waiver is under review.

A law enforcement officer who is refused reactivation or an employing agency of a ~~A~~ law enforcement officer who is refused reactivation under this Section may request a hearing in accordance with the hearing procedures as outlined in subsection (h) of Section 6.3 of this Act.

The Board may refuse to re-activate the certification of a law enforcement officer who was involuntarily terminated for good cause by an employing ~~his or her governmental~~ agency for conduct subject to decertification under this Act or resigned or retired after receiving notice of a law enforcement ~~governmental~~ agency's investigation.

(2) A law enforcement agency may place an officer who is currently certified ~~can place his or her certificate~~ on inactive status by sending a written request to the Board. A law enforcement officer whose certificate has been placed on inactive status shall not function as a law enforcement officer until the officer has completed any requirements for reactivating the certificate as required by the Board. A request for inactive status in this subsection shall be in writing, accompanied by verifying documentation, and shall be submitted to the Board with a copy to the chief administrator of the law enforcement

officer's current or new employing ~~governmental~~ agency.

(3) Certification that has become inactive under paragraph (2) of this subsection (b), shall be reactivated by written notice from the law enforcement officer's agency upon a showing that the law enforcement officer is: (i) employed in a full-time law enforcement position with the same law enforcement ~~governmental~~ agency (ii) not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board.

(4) Notwithstanding paragraph (3) of this subsection (b), a law enforcement officer whose certification has become inactive under paragraph (2) may have the officer's employing ~~governmental~~ agency submit a request for a waiver of training requirements to the Board in writing and accompanied by any verifying documentation.. A grant of a waiver is within the discretion of the Board. Within 7 days of receiving a request for a waiver under this section, the Board shall notify the law enforcement officer and the chief administrator of the law enforcement officer's employing ~~governmental~~ agency, whether the request has been granted, denied, or if the Board will take additional time for information. A law enforcement agency, whose request for a waiver under this subsection is denied, is entitled to request a review of the denial by the Board. The law enforcement agency must request a

review within 20 days of the waiver being denied. The burden of proof shall be on the law enforcement agency to show why the law enforcement officer is entitled to a waiver of the legislatively required training and eligibility requirements. ~~A law enforcement officer whose request for a waiver under this subsection is denied is entitled to appeal the denial to the Board within 20 days of the waiver being denied.~~

(c) No provision of this Section shall be construed to mean that a county corrections officer employed by a governmental agency at the time of the effective date of this amendatory Act, either as a probationary county corrections or as a permanent county corrections officer, shall require certification under the provisions of this Section. No provision of this Section shall be construed to apply to certification of elected county sheriffs.

(d) Within 14 days, a law enforcement officer shall report to the Board: (1) any name change; (2) any change in employment; or (3) the filing of any criminal indictment or charges against the officer alleging that the officer committed any offense as enumerated in Section 6.1 of this Act.

(e) All law enforcement officers must report the completion of the training requirements required in this Act in compliance with Section 8.4 of this Act.

(e-1) Each employing law enforcement ~~governmental~~ agency

shall allow and provide an opportunity for a law enforcement officer to complete the mandated requirements in this Act. All mandated training shall be provided for at no cost to the employees. Employees shall be paid for all time spent attending mandated training.

(e-2) Each agency, academy, or training provider shall maintain proof of a law enforcement officer's completion of legislatively required training in a format designated by the Board. The report of training shall be submitted to the Board within 30 days following completion of the training. A copy of the report shall be submitted to the law enforcement officer. Upon receipt of a properly completed report of training, the Board will make the appropriate entry into the training records of the law enforcement officer.

(f) This Section does not apply to part-time law enforcement officers or probationary part-time law enforcement officers.

(g) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly, Public Act 101-652, and Public Act 102-28 take effect July 1, 2022.

(Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22.)

(50 ILCS 705/8.2)

(Text of Section before amendment by P.A. 101-652)

Sec. 8.2. Part-time police officers.

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

The employing agency may seek a waiver from the Board extending the period for compliance. A waiver shall be issued only for good and justifiable reasons, and the probationary

part-time police officer may not practice as a part-time police officer during the waiver period. If training is required and not completed within the applicable time period, as extended by any waiver that may be granted, then the officer must forfeit his or her position.

(b) (Blank).

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

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

(Source: P.A. 92-533, eff. 3-14-02.)

(Text of Section after amendment by P.A. 101-652)

Sec. 8.2. Part-time law enforcement officers.

(a) A person hired to serve as a part-time law enforcement officer must obtain from the Board a certificate (i) attesting to the officer's successful completion of the part-time police training course; (ii) attesting to the officer's satisfactory completion of a training program of similar content and number of hours that has been found acceptable by the Board under the

provisions of this Act; or (iii) a training waiver attesting to the Board's determination that the part-time police training course is unnecessary because of the person's extensive prior law enforcement experience. A person hired on or after the effective date of this amendatory Act of the 92nd General Assembly must obtain this certificate within 18 months after the initial date of hire as a probationary part-time law enforcement officer in the State of Illinois. The probationary part-time law enforcement officer must be enrolled and accepted into a Board-approved course within 6 months after active employment by any department in the State. A person hired on or after January 1, 1996 and before the effective date of this amendatory Act of the 92nd General Assembly must obtain this certificate within 18 months after the date of hire. A person hired before January 1, 1996 must obtain this certificate within 24 months after the effective date of this amendatory Act of 1995.

The employing agency may seek an extension waiver from the Board extending the period for compliance. An extension waiver shall be issued only for good and justifiable reasons, and the probationary part-time law enforcement officer may not practice as a part-time law enforcement officer during the extension waiver period. If training is required and not completed within the applicable time period, as extended by any waiver that may be granted, then the officer must forfeit the officer's position.



An individual who is not certified by the Board or whose certified status is inactive shall not function as a law enforcement officer, be assigned the duties of a law enforcement officer by an agency, or be authorized to carry firearms under the authority of the employer, except that sheriffs who are elected are exempt from the requirement of certified status. Failure to be in accordance with this Act shall cause the officer to forfeit the officer's position.

(a-5) A part-time probationary law enforcement officer shall be allowed to complete six months of a part-time police training course and function as a law enforcement officer as permitted by this subsection with a waiver from the Board, provided the part-time law enforcement officer is still enrolled in the training course. If the part-time probationary law enforcement officer withdraws from the course for any reason or does not complete the course within the applicable time period, as extended by any waiver that may be granted, then the officer must forfeit the officer's position. A probationary law enforcement officer must function under the following rules:

(1) A law enforcement ~~governmental~~ agency may not grant a person status as a law enforcement officer unless the person has been granted an active law enforcement officer certification by the Board.

(2) A part-time probationary law enforcement officer shall not be used as a permanent replacement for a

full-time law enforcement.

(3) A part-time probationary law enforcement officer shall be directly supervised at all times by a Board certified law enforcement officer. Direct supervision requires oversight and control with the supervisor having final decision-making authority as to the actions of the recruit during duty hours.

(b) Inactive status. A person who has an inactive law enforcement officer certification has no law enforcement authority.

(1) A law enforcement officer's certification becomes inactive upon termination, resignation, retirement, or separation from the employing ~~governmental~~ agency for any reason. The Board shall re-activate a certification upon written application from the law enforcement officer's employing ~~governmental~~ agency that shows the law enforcement officer: (i) has accepted a part-time law enforcement position with that a law enforcement ~~governmental~~ agency, (ii) is not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board.

The Board may refuse to re-activate the certification of a law enforcement officer who was involuntarily terminated for good cause by the officer's employing ~~governmental~~ agency for conduct subject to decertification under this Act or resigned or retired after receiving

notice of a law enforcement ~~governmental~~ agency's investigation.

(2) A law enforcement agency may place an officer who is currently certified ~~can place his or her certificate~~ on inactive status by sending a written request to the Board. A law enforcement officer whose certificate has been placed on inactive status shall not function as a law enforcement officer until the officer has completed any requirements for reactivating the certificate as required by the Board. A request for inactive status in this subsection shall be in writing, accompanied by verifying documentation, and shall be submitted to the Board by the law enforcement officer's employing ~~governmental~~ agency.

(3) Certification that has become inactive under paragraph (2) of this subsection (b), shall be reactivated by written notice from the law enforcement officer's law enforcement agency upon a showing that the law enforcement officer is: (i) employed in a part-time ~~full-time~~ law enforcement position with the same law enforcement ~~governmental~~ agency, (ii) not the subject of a decertification proceeding, and (iii) meets all other criteria for re-activation required by the Board. The Board may also establish special training requirements to be completed as a condition for re-activation.

The Board shall review a notice for reactivation from a law enforcement agency and provide a response within 30

days. The Board may extend this review. A law enforcement officer shall be allowed to be employed as a part-time law enforcement officer while the law enforcement officer reactivation waiver is under review.

A law enforcement officer who is refused reactivation or an employing agency of a ~~A~~ law enforcement officer who is refused reactivation under this Section may request a hearing in accordance with the hearing procedures as outlined in subsection (h) of Section 6.3 of this Act.

(4) Notwithstanding paragraph (3) of this Section, a law enforcement officer whose certification has become inactive under paragraph (2) may have the officer's employing ~~governmental~~ agency submit a request for a waiver of training requirements to the Board in writing and accompanied by any verifying documentation. A grant of a waiver is within the discretion of the Board. Within 7 days of receiving a request for a waiver under this section, the Board shall notify the law enforcement officer and the chief administrator of the law enforcement officer's employing ~~governmental~~ agency, whether the request has been granted, denied, or if the Board will take additional time for information. A law enforcement agency or law enforcement officer, whose request for a waiver under this subsection is denied, is entitled to request a review of the denial by the Board. The law enforcement agency must request a review within 20 days

after the waiver being denied. The burden of proof shall be on the law enforcement agency to show why the law enforcement officer is entitled to a waiver of the legislatively required training and eligibility requirements. ~~A law enforcement officer whose request for a waiver under this subsection is denied is entitled to appeal the denial to the Board within 20 days of the waiver being denied.~~

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

(d) Within 14 days, a law enforcement officer shall report to the Board: (1) any name change; (2) any change in employment; or (3) the filing of any criminal indictment or charges against the officer alleging that the officer committed any offense as enumerated in Section 6.1 of this Act.

(e) All law enforcement officers must report the completion of the training requirements required in this Act in compliance with Section 8.4 of this Act.

(e-1) Each employing agency shall allow and provide an opportunity for a law enforcement officer to complete the

requirements in this Act. All mandated training shall be provided for at no cost to the employees. Employees shall be paid for all time spent attending mandated training.

(e-2) Each agency, academy, or training provider shall maintain proof of a law enforcement officer's completion of legislatively required training in a format designated by the Board. The report of training shall be submitted to the Board within 30 days following completion of the training. A copy of the report shall be submitted to the law enforcement officer. Upon receipt of a properly completed report of training, the Board will make the appropriate entry into the training records of the law enforcement officer.

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

(g) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly and Public Act 101-652 take effect July 1, 2022.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/8.3)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 8.3. Emergency order of suspension.

(a) The Board, upon being notified that a law enforcement

officer has been arrested or indicted on any felony charge or charges, may immediately suspend the law enforcement officer's certification for a term specified by the Board to begin no sooner than the date of the violation. The Board shall also notify the chief administrator of any law enforcement ~~governmental~~ agency currently employing the officer. The Board shall have authority to dissolve an emergency order of suspension at any time for any reason.

(a-5) The Board may consider the following factors in determining the term of a suspension:

(1) the seriousness of the conduct resulting in the arrest;

(2) whether the offense contains an element of actual or threatened bodily injury or coerce against another person;

(3) the law enforcement officer's previous arrests;

(4) the law enforcement officer's previous certification suspensions;

(5) actual or potential harm to public safety; and

(6) rebuttal evidence regarding mitigating factors.

(b) Notice of the immediate suspension shall be served on the law enforcement officer, the employing ~~governmental~~ agency, the chief executive of the employing agency municipality, and state the reason for suspension within seven days.

(c) Upon service of the notice, the law enforcement

officer's employing agency officer shall have 30 days to request to be heard by the Panel. The hearing, if requested by the officer licensee, shall follow the hearing procedures as outlined in subsection (h) of Section 6.3 of this Act. In the hearing, the written communication and any other evidence obtained therewith may be introduced as evidence against the law enforcement officer; provided however, the law enforcement officer, or their counsel, shall have the opportunity to discredit, impeach and submit evidence rebutting such evidence to explain why the officer's certification should not be suspended or why the suspension should be shortened. The law enforcement officer may also present any rebuttal evidence of mitigating factors.

(d) ~~At the meeting, the law enforcement officer may present evidence, witnesses and argument as to why the officer's certification should not be suspended.~~ The Panel shall review the recommendation from the administrative law judge regarding the suspension, and if the Panel finds that the proof is evident or the presumption great that the officer has committed the offense charged, the Panel can sustain or reduce the length of the suspension. If the Panel does not find that the proof is evident or the presumption great that the officer has committed the offense charged, the Panel can reverse the suspension.

If the law enforcement officer does not request to be heard or does not appear, the Panel may hold the hearing in the



officer's absence. The law enforcement officer and the employing ~~governmental~~ agency shall be notified of the decision of the Panel within 7 days. The law enforcement officer may request to suspend the hearing until after the officer's criminal trial has occurred, however the suspension will remain intact until the hearing.

(e) Findings and conclusions made in hearing for an emergency suspension shall not be binding on any party in any subsequent proceeding under this Act.

(f) A Panel member acting in good faith, and not in a willful and wanton manner, in accordance with this Section, shall not, as a result of such actions, be subject to criminal prosecution or civil damages, including but not limited to lost wages.

(g) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly and Public Act 101-652 take effect July 1, 2022.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/8.4)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 8.4. Law enforcement compliance verification.

(a)(1) Unless on inactive status under subsection (b) of Section 8.1 or subsection (b) of Section 8.2, every law

enforcement officer subject to this Act shall submit a verification form that confirms compliance with this Act. The verification shall apply to the 3 calendar years preceding the date of verification. Law enforcement officers shall submit the officer's first report by January 30 during the initial three-year reporting period, as determined on the basis of the law enforcement officer's last name under paragraph (2) of this subsection then every third year of the officer's applicable three-year report period as determined by the Board. At the conclusion of each law enforcement officer's applicable reporting period, the chief administrative officer of the officer's law enforcement ~~governmental~~ agency is to determine the compliance of each officer under this Section. An officer may verify their successful completion of training requirements with their law enforcement ~~governmental~~ agency. Each law enforcement officer is responsible for reporting and demonstrating compliance to the officer's chief administrative officer.

(2) The applicable three-year reporting period shall begin on January 30, 2023 for law enforcement officers whose last names begin with the letters A through G, on January 30, 2024 for law enforcement officers whose last names begin with the letters H through O, and January 30, 2025 for law enforcement officers whose last names begin with the letters P through Z.

(3) The compliance verification form shall be in a form and manner prescribed by the Board and, at a minimum, include

the following: (i) verification that the law enforcement officer has completed the mandatory training programs in the preceding 3 years; (ii) the law enforcement officer's current employment information, including but not limited to, the termination of any previous law enforcement or security employment in the relevant time period; and (iii) a statement verifying that the officer has not committed misconduct under Section 6.1.

(b) (1) On October 1 of each year, the Board shall send notice to all certified law enforcement officers, unless exempted in (a), of the upcoming deadline to submit the compliance verification form. No later than March 1 of each year, the Board shall send notice to all certified law enforcement officers who have failed to submit the compliance verification form, as well as the officer's law enforcement ~~governmental~~ agencies. The Board shall not send a notice of noncompliance to law enforcement officers whom the Board knows, based on the status of the law enforcement officer's certification status, are inactive or retired. The Board may accept compliance verification forms until April 1 of the year in which a law enforcement officer is required to submit the form.

(2) No earlier than April 1 of the year in which a law enforcement officer is required to submit a verification form, the Board may determine a law enforcement officer's certification to be inactive if the law enforcement officer

failed to either: (1) submit a compliance verification in accordance with this Section; or (2) report an exemption from the requirements of this Section. The Board shall then send notice, by mail or email, to any such law enforcement officer and the officer's law enforcement ~~governmental~~ agency that the officer's certificate will be deemed inactive on the date specified in the notice, which shall be no sooner than 21 days from the date of the notice, because of the officer's failure to comply or report compliance, or failure to report an exemption. The Board shall deem inactive the certificate of such law enforcement officers on the date specified in the notice unless the Board determines before that date that the law enforcement officer has complied. A determination that a certificate is inactive under this section is not a disciplinary sanction.

(3) A law enforcement officer who was on ~~voluntary~~ inactive status shall, upon return to active status, be required to complete the deferred training programs within 1 year.

(4) The Board may waive the reporting requirements, as required in this section, if the law enforcement officer or the officer's law enforcement ~~governmental~~ agency demonstrates the existence of mitigating circumstances justifying the law enforcement officer's failure to obtain the training requirements due to failure of the officer's law enforcement ~~governmental~~ agency or the Board to offer the training

requirement during the officer's required compliance verification period. If the Board finds that the law enforcement officer can meet the training requirements with extended time, the Board may allow the law enforcement officer a maximum of six additional months to complete the requirements.

(5) A request for a training waiver under this subsection due to the mitigating circumstance shall be in writing, accompanied by verifying documentation, and shall be submitted to the Board not less than 30 days before the end of the law enforcement officer's required compliance verification period.

(6) A law enforcement officer whose request for waiver under this subsection is denied, is entitled to a request for a review by the Board. The law enforcement officer or the officer's law enforcement agency must request a review within 20 days after the waiver being denied. The burden of proof shall be on the law enforcement officer to show why the officer is entitled to a waiver. ~~A law enforcement officer whose request for waiver under this subsection is denied, is entitled to a request for a review by the Board. The law enforcement officer or the officer's governmental agency must request a review within 20 days of the waiver being denied. The burden of proof shall be on the law enforcement officer to show why the officer is entitled to a waiver.~~

(c) Recordkeeping and audits.

(1) For four years after the end of each reporting

period, each certified law enforcement officer shall maintain sufficient documentation necessary to corroborate compliance with the mandatory training requirements under this Act.

(2) Notwithstanding any other provision in state law, for four years after the end of each reporting period, each law enforcement ~~governmental~~ agency shall maintain sufficient documentation necessary to corroborate compliance with the mandatory training requirements under this Act of each officer it employs or employed within the relevant time period.

(3) The Board may audit compliance verification forms submitted to determine the accuracy of the submissions. The audit may include but is not limited to, training verification and a law enforcement officer background check.

(d) Audits that reveal an inaccurate verification.

(1) If an audit conducted under paragraph (3) of subsection (c) of this Section reveals inaccurate information, the Board shall provide the law enforcement officer and employing law enforcement ~~governmental~~ agency with written notice containing: (i) the results of the audit, specifying each alleged inaccuracy; (ii) a summary of the basis of that determination; and (iii) a deadline, which shall be at least 30 days from the date of the notice, for the law enforcement officer to file a written

response if the law enforcement officer objects to any of the contents of the notice.

(2) After considering any response from the law enforcement officer, if the Board determines that the law enforcement officer filed an inaccurate verification, the law enforcement officer shall be given 60 days in which to file an amended verification form, together with all documentation specified in paragraph (e)(1), demonstrating full compliance with the applicable requirements.

(3) If the results of the audit suggest that the law enforcement officer willfully filed a false verification form, the Board shall submit a formal complaint to the Panel for decertification. An officer who has been decertified for willfully filing a false verification form shall not be eligible for reactivation under subsection (e).

(e) Reactivation. A law enforcement officer who has been deemed inactive due to noncompliance with the reporting requirements under paragraph (a)(1) may request to have the Board re-activate his or her certification upon submitting a compliance verification form that shows full compliance for the period in which the law enforcement officer was deemed inactive due to noncompliance. The Board shall make a determination regarding a submission under this subsection active no later than 7 days after the Board determines full compliance or continued noncompliance.

A law enforcement officer whose request for reactivation under this subsection (e) is denied is entitled to request a review by the Board. The law enforcement officer or the officer's law enforcement agency must request a review within 20 days after reactivation being denied. The burden of proof shall be on the law enforcement officer or law enforcement agency to show that the officer is in full compliance.

(f) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly and Public Act 101-652 take effect July 1, 2022.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/9.2)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 9.2. Officer professional conduct database; transparency.

(a) All law enforcement ~~governmental~~ agencies and the Illinois State Police shall notify the Board of any final determination of a willful violation of department, agency, or the Illinois State Police policy, official misconduct, or violation of law within 10 days when:

(1) the determination leads to a suspension of at least 10 days;

(2) any infraction that would trigger an official or



formal investigation under a law enforcement ~~governmental~~ agency or the Illinois State Police policy;

(3) there is an allegation of misconduct or regarding truthfulness as to a material fact, bias, or integrity; or

(4) the officer resigns or retires during the course of an investigation and the officer has been served notice that the officer is under investigation.

Agencies and the Illinois State Police may report to the Board any conduct they deem appropriate to disseminate to another law enforcement ~~governmental~~ agency regarding a law enforcement officer.

The agency or the Illinois State Police shall report to the Board within 10 days of a final determination and final exhaustion of any administrative appeal, or the law enforcement officer's resignation or retirement, and shall provide information regarding the nature of the violation. This notification shall not necessarily trigger certification review.

A law enforcement ~~governmental~~ agency and the Illinois State Police shall be immune from liability for a disclosure made as described in this subsection, unless the disclosure would constitute intentional misrepresentation or gross negligence.

(b) Within 14 days after receiving notification ~~Upon receiving notification~~ from a law enforcement ~~governmental~~ agency or the Illinois State Police, the Board must notify the

law enforcement officer of the report and the officer's right to provide a statement regarding the reported violation. The law enforcement officer shall have 14 days from receiving notice to provide a written objection contesting information included in the agency's report. The objection must be filed with the Board on a form prescribed by the Board and a copy must be served on the law enforcement agency. The objection shall remain in the database with the reported violation.

(c) The Board shall maintain a database readily available to any chief administrative officer, or the officer's designee, of a law enforcement ~~governmental~~ agency and the Illinois State Police that shall show for each law enforcement officer: (i) dates of certification, decertification, and inactive status; (ii) each sustained instance of departmental misconduct that lead to a suspension at least 10 days or any infraction that would trigger an official or formal investigation under the law enforcement ~~governmental~~ agency policy, any allegation of misconduct regarding truthfulness as to a material fact, bias, or integrity, or any other reported violation, the nature of the violation, the reason for the final decision of discharge or dismissal, and any statement provided by the officer; (iii) date of separation from employment from any local or state law enforcement ~~governmental~~ agency; (iv) the reason for separation from employment, including, but not limited to: whether the separation was based on misconduct or occurred while the law

enforcement ~~local or State governmental~~ agency was conducting an investigation of the certified individual for a violation of an employing agency's rules, policy or procedure or other misconduct or improper action.

(1) This database shall also be accessible to the State's Attorney of any county in this State and the Attorney General for the purpose of complying with obligations under Brady v. Maryland (373 U.S. 83) or Giglio v. United States (405 U.S. 150). This database shall also be accessible to the chief administrative officer of any law enforcement ~~governmental~~ agency for the purposes of hiring law enforcement officers. This database shall not be accessible to anyone not listed in this subsection.

(2) Before a law enforcement ~~governmental~~ agency may appoint a law enforcement officer or a person seeking a certification as a law enforcement officer in this State, the chief administrative officer or designee must check the Officer Professional Conduct Database, contact each person's previous law enforcement employers, and document the contact. This documentation must be available for review by the Board for a minimum of five years after the law enforcement officer's termination, retirement, resignation or separation with that agency.

(3) The database, documents, materials, or other information in the possession or control of the Board that

are obtained by or disclosed to the Board under this subsection shall be confidential by law and privileged, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action when sought from the Board. However, the Board is authorized to use such documents, materials, or other information in furtherance of any regulatory or legal action brought as part of the Board's official duties. ~~The~~ ~~Unless otherwise required by law,~~ the Board shall not disclose the database or make such documents, materials, or other information it has obtained or that has been disclosed to it to the public ~~without the prior written consent of the governmental agency and the law enforcement officer~~. Neither the Board nor any person who received documents, materials or other information shared under this subsection shall be required to testify in any private civil action concerning the database or any confidential documents, materials, or information subject to this subsection.

~~Nothing in this Section shall exempt a governmental agency from disclosing public records in accordance with the Freedom of Information Act.~~

(d) The Board shall maintain a searchable database of law enforcement officers accessible to the public that shall include: (i) the law enforcement officer's employing ~~local or state governmental~~ agency; (ii) the date of the officer's

initial certification and the officer's current certification status; and (iii) any sustained complaint of misconduct that resulted in decertification and the date thereof; provided, however, that information shall not be included in the database that would allow the public to ascertain the home address of an officer or another person; provided further, that information regarding an officer's or another person's family member shall not be included in the database. The Board shall make the database publicly available on its website.

(e) The Board shall maintain a searchable database of all completed investigations against law enforcement officers related to decertification. The database shall identify each law enforcement officer by a confidential and anonymous number and include: (i) the law enforcement officer's employing local ~~or state governmental~~ agency; (ii) the date of the incident referenced in the complaint; (iii) the location of the incident; (iv) the race and ethnicity of each officer involved in the incident; (v) the age, gender, race and ethnicity of each person involved in the incident, if known; (vi) whether a person in the complaint, including a law enforcement officer, was injured, received emergency medical care, was hospitalized or died as a result of the incident; (vii) the law enforcement ~~governmental~~ agency or other entity assigned to conduct an investigation of the incident; (viii) when the investigation was completed; (ix) whether the complaint was sustained; and (x) the type of misconduct investigated; provided, however,

that the Board shall redact or withhold such information as necessary to prevent the disclosure of the identity of an officer. The Board shall make the database publicly available on its website.

(e-1) An investigation is complete when the investigation has either been terminated or the decertification action, including the administrative review process, has been completed, whichever is later.

(e-2) At any time, a law enforcement officer shall have access to the law enforcement officer's own records on file with the Board, as it pertains to the databases in this Section.

(f) Annual report. The Board shall submit an annual report to the Governor, Attorney General, President and Minority Leader of the Senate, and the Speaker and Minority Leader of the House of Representatives ~~beginning~~ on or before March 1, 2023, and every year thereafter indicating:

(1) the number of complaints received in the preceding calendar year, including but not limited to the race, gender, and type of discretionary decertification complaints received;

(2) the number of investigations initiated in the preceding calendar year since the date of the last report;

(3) the number of investigations concluded in the preceding calendar year;

(4) the number of investigations pending as of the

last reporting date of the preceding calendar year;

(5) the number of hearings held in the preceding calendar year; and

(6) the number of officers decertified in the preceding calendar year.

The annual report shall be publicly available on the website of the Board.

(g) Nothing in this Section shall exempt a law enforcement agency from which the Board has obtained data, documents, materials, or other information or that has disclosed data, documents, materials, or other information to the Board from disclosing public records in accordance with the Freedom of Information Act.

(h) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly and Public Act 101-652 take effect July 1, 2022.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/10.1) (from Ch. 85, par. 510.1)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.1. Additional training programs. The Board shall initiate, administer, and conduct training programs for permanent police officers and permanent county corrections officers in addition to the basic recruit training program. The Board may initiate, administer, and conduct training

programs for part-time police officers in addition to the basic part-time police training course. The training for permanent and part-time police officers and permanent county corrections officers may be given in any schools selected by the Board. Such training may include all or any part of the subjects enumerated in Section 7 of this Act.

The corporate authorities of all participating local governmental agencies may elect to participate in the advanced training for permanent and part-time police officers and permanent county corrections officers but nonparticipation in this program shall not in any way affect the mandatory responsibility of governmental units to participate in the basic recruit training programs for probationary full-time and part-time police and permanent county corrections officers. The failure of any permanent or part-time police officer or permanent county corrections officer to successfully complete any course authorized under this Section shall not affect the officer's status as a member of the police department or county sheriff's office of any local governmental agency.

The Board may initiate, administer, and conduct training programs for clerks of circuit courts. Those training programs, at the Board's discretion, may be the same or variations of training programs for law enforcement officers.

The Board shall initiate, administer, and conduct a training program regarding the set up and operation of portable scales for all municipal and county police officers,



technicians, and employees who set up and operate portable scales. This training program must include classroom and field training.

(Source: P.A. 90-271, eff. 7-30-97, 91-129, eff. 7-16-99.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.1. Additional training programs. The Board shall initiate, administer, and conduct training programs for permanent law enforcement officers and permanent county corrections officers in addition to the basic recruit training program. The Board may initiate, administer, and conduct training programs for part-time law enforcement officers in addition to the basic part-time law enforcement training course. The training for permanent and part-time law enforcement officers and permanent county corrections officers may be given in any schools selected by the Board. Such training may include all or any part of the subjects enumerated in Sections 7 and 7.4 ~~Section 7~~ of this Act.

The corporate authorities of all participating local governmental agencies may elect to participate in the advanced training for permanent and part-time law enforcement officers and permanent county corrections officers but nonparticipation in this program shall not in any way affect the mandatory responsibility of governmental units to participate in the basic recruit training programs for probationary full-time and part-time law enforcement and permanent county corrections

officers. The failure of any permanent or part-time law enforcement officer or permanent county corrections officer to successfully complete any course authorized under this Section shall not affect the officer's status as a member of the police department or county sheriff's office of any local governmental agency.

The Board may initiate, administer, and conduct training programs for clerks of circuit courts. Those training programs, at the Board's discretion, may be the same or variations of training programs for law enforcement officers.

The Board shall initiate, administer, and conduct a training program regarding the set up and operation of portable scales for all municipal and county police officers, technicians, and employees who set up and operate portable scales. This training program must include classroom and field training.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/10.2)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.2. Criminal background investigations.

(a) On and after March 14, 2002 (the effective date of Public Act 92-533), an applicant for employment as a peace officer, or for annual certification as a retired law enforcement officer qualified under federal law to carry a concealed weapon, shall authorize an investigation to

determine if the applicant has been convicted of, or entered a plea of guilty to, any criminal offense that disqualifies the person as a peace officer.

(b) No law enforcement agency may knowingly employ a person, or certify a retired law enforcement officer qualified under federal law to carry a concealed weapon, unless (i) a criminal background investigation of that person has been completed and (ii) that investigation reveals no convictions of or pleas of guilty to offenses specified in subsection (a) of Section 6.1 of this Act.

(Source: P.A. 101-187, eff. 1-1-20; 102-558, eff. 8-20-21.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.2. Criminal background investigations.

(a) On and after March 14, 2002 (the effective date of Public Act 92-533), an applicant for employment as a peace officer, or for annual certification as a retired law enforcement officer qualified under federal law to carry a concealed weapon, shall authorize an investigation to determine if the applicant has been convicted of any criminal offense that disqualifies the person as a peace officer.

(b) No law enforcement ~~governmental~~ agency may knowingly employ a person, or certify a retired law enforcement officer qualified under federal law to carry a concealed weapon, unless (i) a criminal background investigation of that person has been completed and (ii) that investigation reveals no

convictions of or pleas of guilty to offenses specified in subsection (a) of Section 6.1 of this Act.

(Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22; 102-558, eff. 8-20-21.)

(50 ILCS 705/10.6)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 10.6. Mandatory training to be completed every 3 years.

(a) The Board shall adopt rules and minimum standards for in-service training requirements as set forth in this Section. The training shall provide officers with knowledge of policies and laws regulating the use of force; equip officers with tactics and skills, including de-escalation techniques, to prevent or reduce the need to use force or, when force must be used, to use force that is objectively reasonable, necessary, and proportional under the totality of the circumstances; and ensure appropriate supervision and accountability. The training shall consist of at least 30 hours of training every 3 years and shall include:

(1) At least 12 hours of hands-on, scenario-based role-playing.

(2) At least 6 hours of instruction on use of force techniques, including the use of de-escalation techniques to prevent or reduce the need for force whenever safe and

feasible.

(3) Specific training on the law concerning stops, searches, and the use of force under the Fourth Amendment to the United States Constitution.

(4) Specific training on officer safety techniques, including cover, concealment, and time.

(5) At least 6 hours of training focused on high-risk traffic stops.

(b) Notwithstanding any provision of law to the contrary, the changes made to this Section by this amendatory Act of the 102nd General Assembly, Public Act 101-652, and Public Act 102-28 take effect July 1, 2022.

(Source: P.A. 101-652, eff. 7-1-21.)

(50 ILCS 705/10.11)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.11. Training; death and homicide investigation. The Illinois Law Enforcement Training Standards Board shall conduct or approve a training program in death and homicide investigation for the training of law enforcement officers of local government agencies. Only law enforcement officers who successfully complete the training program may be assigned as lead investigators in death and homicide investigations. Satisfactory completion of the training program shall be evidenced by a certificate issued to the law enforcement officer by the Illinois Law Enforcement Training Standards

Board.

The Illinois Law Enforcement Training Standards Board shall develop a process for waiver applications sent by a local law enforcement agency administrator for those officers whose prior training and experience as homicide investigators may qualify them for a waiver. The Board may issue a waiver at its discretion, based solely on the prior training and experience of an officer as a homicide investigator. This Section does not affect or impede the powers of the office of the coroner to investigate all deaths as provided in Division 3-3 of the Counties Code and the Coroner Training Board Act.

(Source: P.A. 102-558, eff. 8-20-21.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.11. Training; death and homicide investigation. The Illinois Law Enforcement Training Standards Board shall conduct or approve a training program in death and homicide investigation for the training of law enforcement officers of local law enforcement ~~government~~ agencies. Only law enforcement officers who successfully complete the training program may be assigned as lead investigators in death and homicide investigations. Satisfactory completion of the training program shall be evidenced by a certificate issued to the law enforcement officer by the Illinois Law Enforcement Training Standards Board.

The Illinois Law Enforcement Training Standards Board

shall develop a process for waiver applications sent by a local governmental agency administrator for those officers whose prior training and experience as homicide investigators may qualify them for a waiver. The Board may issue a waiver at its discretion, based solely on the prior training and experience of an officer as a homicide investigator. This Section does not affect or impede the powers of the office of the coroner to investigate all deaths as provided in Division 3-3 of the Counties Code and the Coroner Training Board Act.

(Source: P.A. 101-652, eff. 1-1-22; 102-558, eff. 8-20-21.)

(50 ILCS 705/10.12)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.12. Police dog training standards. All police dogs used by State and local law enforcement agencies for drug enforcement purposes pursuant to the Cannabis Control Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall be trained by programs that meet the minimum certification requirements set by the Board.

(Source: P.A. 101-27, eff. 6-25-19.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.12. Police dog training standards. All police dogs used by State and local law enforcement ~~governmental~~ agencies for drug enforcement purposes pursuant to the Cannabis Control

Act, the Illinois Controlled Substances Act, or the Methamphetamine Control and Community Protection Act shall be trained by programs that meet the minimum certification requirements set by the Board.

(Source: P.A. 101-27, eff. 6-25-19; 101-652, eff. 1-1-22.)

(50 ILCS 705/10.13)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.13. Training; Post-Traumatic Stress Disorder (PTSD). The Illinois Law Enforcement Training Standards Board shall conduct or approve a training program in Post-Traumatic Stress Disorder (PTSD) for law enforcement officers of local government agencies. The purpose of that training shall be to equip law enforcement officers of local government agencies to identify the symptoms of PTSD and to respond appropriately to individuals exhibiting those symptoms.

(Source: P.A. 97-1040, eff. 1-1-13.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.13. Training; Post-Traumatic Stress Disorder (PTSD). The Illinois Law Enforcement Training Standards Board shall conduct or approve a training program in Post-Traumatic Stress Disorder (PTSD) for law enforcement officers of local law enforcement ~~governmental~~ agencies. The purpose of that training shall be to equip law enforcement officers of local law enforcement ~~governmental~~ agencies to identify the symptoms



of PTSD and to respond appropriately to individuals exhibiting those symptoms.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/10.16)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.16. Veterans' awareness. The Illinois Law Enforcement Training Standards Board may conduct or approve a training program in veterans' awareness for law enforcement officers of local government agencies. The program shall train law enforcement officers to identify issues relating to veterans and provide guidelines dictating how law enforcement officers should respond to and address such issues. Each local government agency is encouraged to designate an individual to respond to veterans' issues.

(Source: P.A. 98-960, eff. 1-1-15.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.16. Veterans' awareness. The Illinois Law Enforcement Training Standards Board may conduct or approve a training program in veterans' awareness for law enforcement officers of local government agencies. The program shall train law enforcement officers to identify issues relating to veterans and provide guidelines dictating how law enforcement officers should respond to and address such issues. Each local law enforcement ~~governmental~~ agency is encouraged to designate

an individual to respond to veterans' issues.

(Source: P.A. 101-652, eff. 1-1-22.)

(50 ILCS 705/10.19)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.19. Training; administration of epinephrine.

(a) This Section, along with Section 40 of the State Police Act, may be referred to as the Annie LeGere Law.

(b) For purposes of this Section, "epinephrine auto-injector" means a single-use device used for the automatic injection of a pre-measured dose of epinephrine into the human body prescribed in the name of a local governmental agency.

(c) The Board shall conduct or approve an optional advanced training program for police officers to recognize and respond to anaphylaxis, including the administration of an epinephrine auto-injector. The training must include, but is not limited to:

- (1) how to recognize symptoms of an allergic reaction;
- (2) how to respond to an emergency involving an allergic reaction;
- (3) how to administer an epinephrine auto-injector;
- (4) how to respond to an individual with a known allergy as well as an individual with a previously unknown allergy;
- (5) a test demonstrating competency of the knowledge

required to recognize anaphylaxis and administer an epinephrine auto-injector; and

(6) other criteria as determined in rules adopted by the Board.

(d) A local governmental agency may authorize a police officer who has completed an optional advanced training program under subsection (c) to carry, administer, or assist with the administration of epinephrine auto-injectors provided by the local governmental agency whenever he or she is performing official duties.

(e) A local governmental agency that authorizes its officers to carry and administer epinephrine auto-injectors under subsection (d) must establish a policy to control the acquisition, storage, transportation, administration, and disposal of epinephrine auto-injectors and to provide continued training in the administration of epinephrine auto-injectors.

(f) A physician, physician's assistant with prescriptive authority, or advanced practice registered nurse with prescriptive authority may provide a standing protocol or prescription for epinephrine auto-injectors in the name of a local governmental agency to be maintained for use when necessary.

(g) When a police officer administers an epinephrine auto-injector in good faith, the police officer and local governmental agency, and its employees and agents, including a

physician, physician's assistant with prescriptive authority, or advanced practice registered nurse with prescriptive authority who provides a standing order or prescription for an epinephrine auto-injector, incur no civil or professional liability, except for willful and wanton conduct, as a result of any injury or death arising from the use of an epinephrine auto-injector.

(Source: P.A. 99-711, eff. 1-1-17; 100-201, eff. 8-18-17; 100-648, eff. 7-31-18.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.19. Training; administration of epinephrine.

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(b) For purposes of this Section, "epinephrine auto-injector" means a single-use device used for the automatic injection of a pre-measured dose of epinephrine into the human body prescribed in the name of a local law enforcement ~~governmental~~ agency.

(c) The Board shall conduct or approve an optional advanced training program for law enforcement officers to recognize and respond to anaphylaxis, including the administration of an epinephrine auto-injector. The training must include, but is not limited to:

- (1) how to recognize symptoms of an allergic reaction;
- (2) how to respond to an emergency involving an

allergic reaction;

(3) how to administer an epinephrine auto-injector;

(4) how to respond to an individual with a known allergy as well as an individual with a previously unknown allergy;

(5) a test demonstrating competency of the knowledge required to recognize anaphylaxis and administer an epinephrine auto-injector; and

(6) other criteria as determined in rules adopted by the Board.

(d) A local law enforcement ~~governmental~~ agency may authorize a law enforcement officer who has completed an optional advanced training program under subsection (c) to carry, administer, or assist with the administration of epinephrine auto-injectors provided by the local law enforcement ~~governmental~~ agency whenever the officer is performing official duties.

(e) A local law enforcement ~~governmental~~ agency that authorizes its officers to carry and administer epinephrine auto-injectors under subsection (d) must establish a policy to control the acquisition, storage, transportation, administration, and disposal of epinephrine auto-injectors and to provide continued training in the administration of epinephrine auto-injectors.

(f) A physician, physician's assistant with prescriptive authority, or advanced practice registered nurse with

prescriptive authority may provide a standing protocol or prescription for epinephrine auto-injectors in the name of a local law enforcement ~~governmental~~ agency to be maintained for use when necessary.

(g) When a law enforcement officer administers an epinephrine auto-injector in good faith, the law enforcement officer and local law enforcement ~~governmental~~ agency, and its employees and agents, including a physician, physician's assistant with prescriptive authority, or advanced practice registered nurse with prescriptive authority who provides a standing order or prescription for an epinephrine auto-injector, incur no civil or professional liability, except for willful and wanton conduct, or as a result of any injury or death arising from the use of an epinephrine auto-injector.

(Source: P.A. 100-201, eff. 8-18-17; 100-648, eff. 7-31-18; 101-652, eff. 1-1-22.)

(50 ILCS 705/10.20)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.20. Disposal of medications. The Board shall develop rules and minimum standards for local governmental agencies that authorize police officers to dispose of unused medications under Section 18 of the Safe Pharmaceutical Disposal Act.

(Source: P.A. 99-648, eff. 1-1-17; 100-201, eff. 8-18-17.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.20. Disposal of medications. The Board shall develop rules and minimum standards for local law enforcement ~~governmental~~ agencies that authorize law enforcement officers to dispose of unused medications under Section 18 of the Safe Pharmaceutical Disposal Act.

(Source: P.A. 100-201, eff. 8-18-17; 101-652, eff. 1-1-22.)

(50 ILCS 705/10.22)

(Text of Section before amendment by P.A. 101-652)

Sec. 10.22. School resource officers.

(a) The Board shall develop or approve a course for school resource officers as defined in Section 10-20.68 of the School Code.

(b) The school resource officer course shall be developed within one year after January 1, 2019 (the effective date of Public Act 100-984) and shall be created in consultation with organizations demonstrating expertise and or experience in the areas of youth and adolescent developmental issues, educational administrative issues, prevention of child abuse and exploitation, youth mental health treatment, and juvenile advocacy.

(c) The Board shall develop a process allowing law enforcement agencies to request a waiver of this training requirement for any specific individual assigned as a school

resource officer. Applications for these waivers may be submitted by a local law enforcement agency chief administrator for any officer whose prior training and experience may qualify for a waiver of the training requirement of this subsection (c). The Board may issue a waiver at its discretion, based solely on the prior training and experience of an officer.

(d) Upon completion, the employing agency shall be issued a certificate attesting to a specific officer's completion of the school resource officer training. Additionally, a letter of approval shall be issued to the employing agency for any officer who is approved for a training waiver under this subsection (d).

(Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19.)

(Text of Section after amendment by P.A. 101-652)

Sec. 10.22. School resource officers.

(a) The Board shall develop or approve a course for school resource officers as defined in Section 10-20.68 of the School Code.

(b) The school resource officer course shall be developed within one year after January 1, 2019 (the effective date of Public Act 100-984) and shall be created in consultation with organizations demonstrating expertise and or experience in the areas of youth and adolescent developmental issues, educational administrative issues, prevention of child abuse



and exploitation, youth mental health treatment, and juvenile advocacy.

(c) The Board shall develop a process allowing law enforcement agencies to request a waiver of this training requirement for any specific individual assigned as a school resource officer. Applications for these waivers may be submitted by a local law enforcement ~~governmental~~ agency chief administrator for any officer whose prior training and experience may qualify for a waiver of the training requirement of this subsection (c). The Board may issue a waiver at its discretion, based solely on the prior training and experience of an officer.

(d) Upon completion, the employing agency shall be issued a certificate attesting to a specific officer's completion of the school resource officer training. Additionally, a letter of approval shall be issued to the employing agency for any officer who is approved for a training waiver under this subsection (d).

(Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19; 101-652, eff. 1-1-22.)

Section 16. The Law Enforcement Officer-Worn Body Camera Act is amended by changing Section 10-20 as follows:

(50 ILCS 706/10-20)

Sec. 10-20. Requirements.

(a) The Board shall develop basic guidelines for the use of officer-worn body cameras by law enforcement agencies. The guidelines developed by the Board shall be the basis for the written policy which must be adopted by each law enforcement agency which employs the use of officer-worn body cameras. The written policy adopted by the law enforcement agency must include, at a minimum, all of the following:

(1) Cameras must be equipped with pre-event recording, capable of recording at least the 30 seconds prior to camera activation, unless the officer-worn body camera was purchased and acquired by the law enforcement agency prior to July 1, 2015.

(2) Cameras must be capable of recording for a period of 10 hours or more, unless the officer-worn body camera was purchased and acquired by the law enforcement agency prior to July 1, 2015.

(3) Cameras must be turned on at all times when the officer is in uniform and is responding to calls for service or engaged in any law enforcement-related encounter or activity~~7~~ that occurs while the officer is on duty.

(A) If exigent circumstances exist which prevent the camera from being turned on, the camera must be turned on as soon as practicable.

(B) Officer-worn body cameras may be turned off when the officer is inside of a patrol car which is

equipped with a functioning in-car camera; however, the officer must turn on the camera upon exiting the patrol vehicle for law enforcement-related encounters.

(C) Officer-worn body cameras may be turned off when the officer is inside a correctional facility or courthouse which is equipped with a functioning camera system.

(4) Cameras must be turned off when:

(A) the victim of a crime requests that the camera be turned off, and unless impractical or impossible, that request is made on the recording;

(B) a witness of a crime or a community member who wishes to report a crime requests that the camera be turned off, and unless impractical or impossible that request is made on the recording;

(C) the officer is interacting with a confidential informant used by the law enforcement agency; or

(D) an officer of the Department of Revenue enters a Department of Revenue facility or conducts an interview during which return information will be discussed or visible.

However, an officer may continue to record or resume recording a victim or a witness, if exigent circumstances exist, or if the officer has reasonable articulable suspicion that a victim or witness, or confidential informant has committed or is in the process of committing

a crime. Under these circumstances, and unless impractical or impossible, the officer must indicate on the recording the reason for continuing to record despite the request of the victim or witness.

(4.5) Cameras may be turned off when the officer is engaged in community caretaking functions. However, the camera must be turned on when the officer has reason to believe that the person on whose behalf the officer is performing a community caretaking function has committed or is in the process of committing a crime. If exigent circumstances exist which prevent the camera from being turned on, the camera must be turned on as soon as practicable.

(5) The officer must provide notice of recording to any person if the person has a reasonable expectation of privacy and proof of notice must be evident in the recording. If exigent circumstances exist which prevent the officer from providing notice, notice must be provided as soon as practicable.

(6) (A) For the purposes of redaction, labeling, or duplicating recordings, access to camera recordings shall be restricted to only those personnel responsible for those purposes. The recording officer or his or her supervisor may not redact, label, duplicate or otherwise alter the recording officer's camera recordings. Except as otherwise provided in this Section, the recording officer

and his or her supervisor may access and review recordings prior to completing incident reports or other documentation, provided that the supervisor discloses that fact in the report or documentation.

(i) A law enforcement officer shall not have access to or review his or her body-worn camera recordings or the body-worn camera recordings of another officer prior to completing incident reports or other documentation when the officer:

(a) has been involved in or is a witness to an officer-involved shooting, use of deadly force incident, or use of force incidents resulting in great bodily harm;

(b) is ordered to write a report in response to or during the investigation of a misconduct complaint against the officer.

(ii) If the officer subject to subparagraph (i) prepares a report, any report shall be prepared without viewing body-worn camera recordings, and subject to supervisor's approval, officers may file amendatory reports after viewing body-worn camera recordings. Supplemental reports under this provision shall also contain documentation regarding access to the video footage.

(B) The recording officer's assigned field training officer may access and review recordings for

training purposes. Any detective or investigator directly involved in the investigation of a matter may access and review recordings which pertain to that investigation but may not have access to delete or alter such recordings.

(7) Recordings made on officer-worn cameras must be retained by the law enforcement agency or by the camera vendor used by the agency, on a recording medium for a period of 90 days.

(A) Under no circumstances shall any recording, except for a non-law enforcement related activity or encounter, made with an officer-worn body camera be altered, erased, or destroyed prior to the expiration of the 90-day storage period. In the event any recording made with an officer-worn body camera is altered, erased, or destroyed prior to the expiration of the 90-day storage period, the law enforcement agency shall maintain, for a period of one year, a written record including (i) the name of the individual who made such alteration, erasure, or destruction, and (ii) the reason for any such alteration, erasure, or destruction.

(B) Following the 90-day storage period, any and all recordings made with an officer-worn body camera must be destroyed, unless any encounter captured on the recording has been flagged. An encounter is deemed

to be flagged when:

(i) a formal or informal complaint has been filed;

(ii) the officer discharged his or her firearm or used force during the encounter;

(iii) death or great bodily harm occurred to any person in the recording;

(iv) the encounter resulted in a detention or an arrest, excluding traffic stops which resulted in only a minor traffic offense or business offense;

(v) the officer is the subject of an internal investigation or otherwise being investigated for possible misconduct;

(vi) the supervisor of the officer, prosecutor, defendant, or court determines that the encounter has evidentiary value in a criminal prosecution; or

(vii) the recording officer requests that the video be flagged for official purposes related to his or her official duties.

(C) Under no circumstances shall any recording made with an officer-worn body camera relating to a flagged encounter be altered or destroyed prior to 2 years after the recording was flagged. If the flagged recording was used in a criminal, civil, or

administrative proceeding, the recording shall not be destroyed except upon a final disposition and order from the court.

(D) Nothing in this Act prohibits law enforcement agencies from labeling officer-worn body camera video within the recording medium; provided that the labeling does not alter the actual recording of the incident captured on the officer-worn body camera. The labels, titles, and tags shall not be construed as altering the officer-worn body camera video in any way.

(8) Following the 90-day storage period, recordings may be retained if a supervisor at the law enforcement agency designates the recording for training purposes. If the recording is designated for training purposes, the recordings may be viewed by officers, in the presence of a supervisor or training instructor, for the purposes of instruction, training, or ensuring compliance with agency policies.

(9) Recordings shall not be used to discipline law enforcement officers unless:

(A) a formal or informal complaint of misconduct has been made;

(B) a use of force incident has occurred;

(C) the encounter on the recording could result in a formal investigation under the Uniform Peace



Officers' Disciplinary Act; or

(D) as corroboration of other evidence of misconduct.

Nothing in this paragraph (9) shall be construed to limit or prohibit a law enforcement officer from being subject to an action that does not amount to discipline.

(10) The law enforcement agency shall ensure proper care and maintenance of officer-worn body cameras. Upon becoming aware, officers must as soon as practical document and notify the appropriate supervisor of any technical difficulties, failures, or problems with the officer-worn body camera or associated equipment. Upon receiving notice, the appropriate supervisor shall make every reasonable effort to correct and repair any of the officer-worn body camera equipment.

(11) No officer may hinder or prohibit any person, not a law enforcement officer, from recording a law enforcement officer in the performance of his or her duties in a public place or when the officer has no reasonable expectation of privacy. The law enforcement agency's written policy shall indicate the potential criminal penalties, as well as any departmental discipline, which may result from unlawful confiscation or destruction of the recording medium of a person who is not a law enforcement officer. However, an officer may take reasonable action to maintain safety and control, secure

crime scenes and accident sites, protect the integrity and confidentiality of investigations, and protect the public safety and order.

(b) Recordings made with the use of an officer-worn body camera are not subject to disclosure under the Freedom of Information Act, except that:

(1) if the subject of the encounter has a reasonable expectation of privacy, at the time of the recording, any recording which is flagged, due to the filing of a complaint, discharge of a firearm, use of force, arrest or detention, or resulting death or bodily harm, shall be disclosed in accordance with the Freedom of Information Act if:

(A) the subject of the encounter captured on the recording is a victim or witness; and

(B) the law enforcement agency obtains written permission of the subject or the subject's legal representative;

(2) except as provided in paragraph (1) of this subsection (b), any recording which is flagged due to the filing of a complaint, discharge of a firearm, use of force, arrest or detention, or resulting death or bodily harm shall be disclosed in accordance with the Freedom of Information Act; and

(3) upon request, the law enforcement agency shall disclose, in accordance with the Freedom of Information

Act, the recording to the subject of the encounter captured on the recording or to the subject's attorney, or the officer or his or her legal representative.

For the purposes of paragraph (1) of this subsection (b), the subject of the encounter does not have a reasonable expectation of privacy if the subject was arrested as a result of the encounter. For purposes of subparagraph (A) of paragraph (1) of this subsection (b), "witness" does not include a person who is a victim or who was arrested as a result of the encounter.

Only recordings or portions of recordings responsive to the request shall be available for inspection or reproduction. Any recording disclosed under the Freedom of Information Act shall be redacted to remove identification of any person that appears on the recording and is not the officer, a subject of the encounter, or directly involved in the encounter. Nothing in this subsection (b) shall require the disclosure of any recording or portion of any recording which would be exempt from disclosure under the Freedom of Information Act.

(c) Nothing in this Section shall limit access to a camera recording for the purposes of complying with Supreme Court rules or the rules of evidence.

(Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21; revised 7-30-21.)

Section 20. The Code of Criminal Procedure of 1963 is

amended by adding Section 103-3.5 as follows:

(725 ILCS 5/103-3.5 new)

Sec. 103-3.5. Right to communicate with attorney and family; transfers; presumption of inadmissibility.

(a) Persons who are in police custody shall have the right to communicate free of charge with an attorney of his or her choice and members of his or her family as soon as possible upon being taken into police custody, but no later than 3 hours of arrival at the first place of detention. Persons in police custody must be given access to use a telephone via a landline or cellular phone to make 3 telephone calls.

(b) In accordance with Section 103-7, at every police facility where a person is in police custody, a sign containing at minimum, the following information in bold block type must be posted in a conspicuous place:

(1) a short statement notifying persons who are in police custody of their right to have access to a phone within 3 hours of being taken into police custody; and

(2) that persons who are in police custody have the right to make 3 phone calls within 3 hours of being taken into custody, at no charge.

(c) In addition to the information listed in subsection (b), if the place of detention is located in a jurisdiction where the court has appointed the public defender or other attorney to represent persons who are in police custody, the

telephone number to the public defender or other attorney's office must also be displayed. The telephone call to the public defender or other attorney must not be monitored, eavesdropped upon, or recorded.

(d) If a person who is in police custody is transferred to a new place of detention, that person's right to make 3 telephone calls under this Section within 3 hours of arrival is renewed.

(e) Statements made by a person who is detained in police custody in violation of this section are presumed inadmissible in court as evidence. The presumption of inadmissibility may be overcome by a preponderance of the evidence that the statement was voluntarily given and is reliable, based on the totality of the circumstances. As used in this subsection, "totality of the circumstances" includes, but is not limited to, evidence that law enforcement knowingly prevented or delayed a person's right to communicate or failed to comply with the requirements of this Section.

(f) The 3-hour requirement under this Section shall not apply while the person in police custody is asleep, unconscious, or otherwise incapacitated or an exigent circumstance prevents the officers from timely complying with this Section. If this occurs, it must be documented within the police report detailing the exigent circumstance. Once the exigent circumstance ends, the right to make 3 phone calls within 3 hours resumes.

(g) In accordance with this Section, the following records shall be maintained: (i) the number of phone calls the person made while in custody; (ii) the time or times the person made phone calls; and (iii) if the person did not make any phone calls, a statement of the reason or reasons why no calls were made.

(h) For purposes of this Section, "place of detention" means a building or a police station that is a place of operation for a municipal police department or county sheriff department or other law enforcement agency, other than a courthouse, that is owned or operated by a law enforcement agency, or other building, such as a school or hospital, where persons are held in detention in connection with criminal charges against those persons.

(725 ILCS 5/103-3 rep.)

Section 25. The Code of Criminal Procedure of 1963 is amended by repealing Section 103-3.

Section 30. The Pretrial Services Act is amended by adding Section 1.5 as follows:

(725 ILCS 185/1.5 new)

Sec. 1.5. Framework facilitating the hiring and training of new State-employed pretrial services personnel to serve circuit courts or counties without existing pretrial services

agencies. Notwithstanding anything in this Act to the contrary, the Supreme Court is encouraged to establish a framework that facilitates the hiring and training of new State-employed pretrial services personnel to serve circuit courts or counties without existing pretrial services agencies, as required by Section 1.

Section 35. The Unified Code of Corrections is amended by changing Section 5-8-1 as follows:

(730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

Sec. 5-8-1. Natural life imprisonment; enhancements for use of a firearm; mandatory supervised release terms.

(a) Except as otherwise provided in the statute defining the offense or in Article 4.5 of Chapter V, a sentence of imprisonment for a felony shall be a determinate sentence set by the court under this Section, subject to Section 5-4.5-115 of this Code, according to the following limitations:

(1) for first degree murder,

(a) (blank),

(b) if a trier of fact finds beyond a reasonable doubt that the murder was accompanied by exceptionally brutal or heinous behavior indicative of wanton cruelty or, except as set forth in subsection (a) (1) (c) of this Section, that any of the aggravating factors listed in subsection (b) or (b-5) of Section

9-1 of the Criminal Code of 1961 or the Criminal Code of 2012 are present, the court may sentence the defendant, subject to Section 5-4.5-105, to a term of natural life imprisonment, or

(c) the court shall sentence the defendant to a term of natural life imprisonment if the defendant, at the time of the commission of the murder, had attained the age of 18, and:

(i) has previously been convicted of first degree murder under any state or federal law, or

(ii) is found guilty of murdering more than one victim, or

(iii) is found guilty of murdering a peace officer, fireman, or emergency management worker when the peace officer, fireman, or emergency management worker was killed in the course of performing his official duties, or to prevent the peace officer or fireman from performing his official duties, or in retaliation for the peace officer, fireman, or emergency management worker from performing his official duties, and the defendant knew or should have known that the murdered individual was a peace officer, fireman, or emergency management worker, or

(iv) is found guilty of murdering an employee of an institution or facility of the Department of



Corrections, or any similar local correctional agency, when the employee was killed in the course of performing his official duties, or to prevent the employee from performing his official duties, or in retaliation for the employee performing his official duties, or

(v) is found guilty of murdering an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver or other medical assistance or first aid person while employed by a municipality or other governmental unit when the person was killed in the course of performing official duties or to prevent the person from performing official duties or in retaliation for performing official duties and the defendant knew or should have known that the murdered individual was an emergency medical technician - ambulance, emergency medical technician - intermediate, emergency medical technician - paramedic, ambulance driver, or other medical assistant or first aid personnel, or

(vi) (blank), or

(vii) is found guilty of first degree murder and the murder was committed by reason of any person's activity as a community policing

volunteer or to prevent any person from engaging in activity as a community policing volunteer. For the purpose of this Section, "community policing volunteer" has the meaning ascribed to it in Section 2-3.5 of the Criminal Code of 2012.

For purposes of clause (v), "emergency medical technician - ambulance", "emergency medical technician - intermediate", "emergency medical technician - paramedic", have the meanings ascribed to them in the Emergency Medical Services (EMS) Systems Act.

(d) (i) if the person committed the offense while armed with a firearm, 15 years shall be added to the term of imprisonment imposed by the court;

(ii) if, during the commission of the offense, the person personally discharged a firearm, 20 years shall be added to the term of imprisonment imposed by the court;

(iii) if, during the commission of the offense, the person personally discharged a firearm that proximately caused great bodily harm, permanent disability, permanent disfigurement, or death to another person, 25 years or up to a term of natural life shall be added to the term of imprisonment imposed by the court.

(2) (blank);

(2.5) for a person who has attained the age of 18 years

at the time of the commission of the offense and who is convicted under the circumstances described in subdivision (b)(1)(B) of Section 11-1.20 or paragraph (3) of subsection (b) of Section 12-13, subdivision (d)(2) of Section 11-1.30 or paragraph (2) of subsection (d) of Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or paragraph (1.2) of subsection (b) of Section 12-14.1, subdivision (b)(2) of Section 11-1.40 or paragraph (2) of subsection (b) of Section 12-14.1 of the Criminal Code of 1961 or the Criminal Code of 2012, the sentence shall be a term of natural life imprisonment.

(b) (Blank).

(c) (Blank).

(d) Subject to earlier termination under Section 3-3-8, the parole or mandatory supervised release term shall be written as part of the sentencing order and shall be as follows:

(1) for first degree murder or for the offenses of predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault if committed on or before December 12, 2005, 3 years;

(1.5) except as provided in paragraph (7) of this subsection (d), for a Class X felony except for the offenses of predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault if committed on or after December 13, 2005 (the

effective date of Public Act 94-715) and except for the offense of aggravated child pornography under Section 11-20.1B~~→~~, 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009, 18 months;

(2) except as provided in paragraph (7) of this subsection (d), for a Class 1 felony or a Class 2 felony except for the offense of criminal sexual assault if committed on or after December 13, 2005 (the effective date of Public Act 94-715) and except for the offenses of manufacture and dissemination of child pornography under clauses (a)(1) and (a)(2) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009, 12 months;

(3) except as provided in paragraph (4), (6), or (7) of this subsection (d), a mandatory supervised release term shall not be imposed for a Class 3 felony or a Class 4 felony; unless:

(A) the Prisoner Review Board, based on a validated risk and needs assessment, determines it is necessary for an offender to serve a mandatory supervised release term;

(B) if the Prisoner Review Board determines a mandatory supervised release term is necessary pursuant to subparagraph (A) of this paragraph (3),

the Prisoner Review Board shall specify the maximum number of months of mandatory supervised release the offender may serve, limited to a term of: (i) 12 months for a Class 3 felony; and (ii) 12 months for a Class 4 felony;

(4) for defendants who commit the offense of predatory criminal sexual assault of a child, aggravated criminal sexual assault, or criminal sexual assault, on or after December 13, 2005 (the effective date of Public Act 94-715) ~~this amendatory Act of the 94th General Assembly,~~ or who commit the offense of aggravated child pornography under Section 11-20.1B, 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, manufacture of child pornography, or dissemination of child pornography after January 1, 2009, the term of mandatory supervised release shall range from a minimum of 3 years to a maximum of the natural life of the defendant;

(5) if the victim is under 18 years of age, for a second or subsequent offense of aggravated criminal sexual abuse or felony criminal sexual abuse, 4 years, at least the first 2 years of which the defendant shall serve in an electronic monitoring or home detention program under Article 8A of Chapter V of this Code;

(6) for a felony domestic battery, aggravated domestic battery, stalking, aggravated stalking, and a felony

violation of an order of protection, 4 years;

(7) for any felony described in paragraph (a)(2)(ii), (a)(2)(iii), (a)(2)(iv), (a)(2)(vi), (a)(2.1), (a)(2.3), (a)(2.4), (a)(2.5), or (a)(2.6) of Article 5, Section 3-6-3 of the Unified Code of Corrections requiring an inmate to serve a minimum of 85% of their court-imposed sentence, except for the offenses of predatory criminal sexual assault of a child, aggravated criminal sexual assault, and criminal sexual assault if committed on or after December 13, 2005 (the effective date of Public Act 94-715) and except for the offense of aggravated child pornography under Section 11-20.1B~~-,~~ 11-20.3, or 11-20.1 with sentencing under subsection (c-5) of Section 11-20.1 of the Criminal Code of 1961 or the Criminal Code of 2012, if committed on or after January 1, 2009 and except as provided in paragraph (4) or paragraph (6) of this subsection (d), the term of mandatory supervised release shall be as follows:

- (A) Class X felony, 3 years;
- (B) Class 1 or Class 2 felonies, 2 years;
- (C) Class 3 or Class 4 felonies, 1 year.

(e) (Blank).

(f) (Blank).

(g) Notwithstanding any other provisions of this Act and of Public Act 101-652: (i) the provisions of paragraph (3) of subsection (d) are effective on July 1 ~~January 1~~, 2022 and

shall apply to all individuals convicted on or after the effective date of paragraph (3) of subsection (d); and (ii) the provisions of paragraphs (1.5) and (2) of subsection (d) are effective on July 1, 2021 and shall apply to all individuals convicted on or after the effective date of paragraphs (1.5) and (2) of subsection (d).

(Source: P.A. 101-288, eff. 1-1-20; 101-652, eff. 7-1-21; 102-28, eff. 6-25-21; revised 8-2-21.)

Section 95. No acceleration or delay. Where this Act makes changes in a statute that is represented in this Act by text that is not yet or no longer in effect (for example, a Section represented by multiple versions), the use of that text does not accelerate or delay the taking effect of (i) the changes made by this Act or (ii) provisions derived from any other Public Act.

Section 97. Severability. The provisions of this Act are severable under Section 1.31 of the Statute on Statutes.

Section 99. Effective date. This Act takes effect January 1, 2022.