



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB5858

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

50 ILCS 705/6
50 ILCS 705/9

from Ch. 85, par. 506
from Ch. 85, par. 509

Amends the Illinois Police Training Act. Provides that the Illinois Law Enforcement Training Standards Board shall select and certify schools within the State for the purpose of providing advanced or in-service training for arson investigators of a full-time fire department or fire protection district. Makes conforming changes. Effective immediately.

LRB100 19843 SLF 35119 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Police Training Act is amended by
5 changing Sections 6 and 9 as follows:

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

7 Sec. 6. Powers and duties of the Board; selection and
8 certification of schools. The Board shall select and certify
9 schools within the State of Illinois for the purpose of
10 providing basic training for probationary police officers,
11 probationary county corrections officers, and court security
12 officers and of providing advanced or in-service training for
13 permanent police officers, ~~or~~ permanent county corrections
14 officers, or arson investigators of a full-time fire department
15 or fire protection district, which schools may be either
16 publicly or privately owned and operated. In addition, the
17 Board has the following power and duties:

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

21 b. To establish appropriate mandatory minimum
22 standards relating to the training of probationary local
23 law enforcement officers or probationary county

1 corrections officers, and in-service training of permanent
2 police officers or arson investigators of a full-time fire
3 department or fire protection district.

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

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

9 e. To review and approve applicants to ensure that no
10 applicant is admitted to a certified academy unless the
11 applicant is a person of good character and has not been
12 convicted of a felony offense, any of the misdemeanors in
13 Sections 11-1.50, 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2,
14 12-15, 16-1, 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7,
15 32-4a, or 32-7 of the Criminal Code of 1961 or the Criminal
16 Code of 2012, subdivision (a)(1) or (a)(2)(C) of Section
17 11-14.3 of the Criminal Code of 1961 or the Criminal Code
18 of 2012, or subsection (a) of Section 17-32 of the Criminal
19 Code of 1961 or the Criminal Code of 2012, or Section 5 or
20 5.2 of the Cannabis Control Act, or a crime involving moral
21 turpitude under the laws of this State or any other state
22 which if committed in this State would be punishable as a
23 felony or a crime of moral turpitude. The Board may appoint
24 investigators who shall enforce the duties conferred upon
25 the Board by this Act.

26 (Source: P.A. 99-352, eff. 1-1-16.)

1 (50 ILCS 705/9) (from Ch. 85, par. 509)

2 Sec. 9. A special fund is hereby established in the State
3 Treasury to be known as the Traffic and Criminal Conviction
4 Surcharge Fund and shall be financed as provided in Section 9.1
5 of this Act and Section 5-9-1 of the Unified Code of
6 Corrections, unless the fines, costs, or additional amounts
7 imposed are subject to disbursement by the circuit clerk under
8 Section 27.5 of the Clerks of Courts Act. Moneys in this Fund
9 shall be expended as follows:

10 (1) a portion of the total amount deposited in the Fund
11 may be used, as appropriated by the General Assembly, for
12 the ordinary and contingent expenses of the Illinois Law
13 Enforcement Training Standards Board;

14 (2) a portion of the total amount deposited in the Fund
15 shall be appropriated for the reimbursement of local
16 governmental agencies participating in training programs
17 certified by the Board, in an amount equaling 1/2 of the
18 total sum paid by such agencies during the State's previous
19 fiscal year for mandated training for probationary police
20 officers or probationary county corrections officers and
21 for optional advanced and specialized law enforcement
22 training, ~~or~~ county corrections training, or training for
23 arson investigators of a full-time fire department or fire
24 protection district; these reimbursements may include the
25 costs for tuition at training schools, the salaries of

1 trainees while in schools, and the necessary travel and
2 room and board expenses for each trainee; if the
3 appropriations under this paragraph (2) are not sufficient
4 to fully reimburse the participating local governmental
5 agencies, the available funds shall be apportioned among
6 such agencies, with priority first given to repayment of
7 the costs of mandatory training given to law enforcement
8 officer or county corrections officer recruits, then to
9 repayment of costs of advanced or specialized training for
10 permanent police officers or permanent county corrections
11 officers;

12 (3) a portion of the total amount deposited in the Fund
13 may be used to fund the Intergovernmental Law Enforcement
14 Officer's In-Service Training Act, veto overridden October
15 29, 1981, as now or hereafter amended, at a rate and method
16 to be determined by the board;

17 (4) a portion of the Fund also may be used by the
18 Illinois Department of State Police for expenses incurred
19 in the training of employees from any State, county or
20 municipal agency whose function includes enforcement of
21 criminal or traffic law;

22 (5) a portion of the Fund may be used by the Board to
23 fund grant-in-aid programs and services for the training of
24 employees from any county or municipal agency whose
25 functions include corrections or the enforcement of
26 criminal or traffic law;

1 (6) for fiscal years 2013 through 2017 only, a portion
2 of the Fund also may be used by the Department of State
3 Police to finance any of its lawful purposes or functions;
4 and

5 (7) a portion of the Fund may be used by the Board,
6 subject to appropriation, to administer grants to local law
7 enforcement agencies for the purpose of purchasing
8 bulletproof vests under the Law Enforcement Officer
9 Bulletproof Vest Act.

10 All payments from the Traffic and Criminal Conviction
11 Surcharge Fund shall be made each year from moneys appropriated
12 for the purposes specified in this Section. No more than 50% of
13 any appropriation under this Act shall be spent in any city
14 having a population of more than 500,000. The State Comptroller
15 and the State Treasurer shall from time to time, at the
16 direction of the Governor, transfer from the Traffic and
17 Criminal Conviction Surcharge Fund to the General Revenue Fund
18 in the State Treasury such amounts as the Governor determines
19 are in excess of the amounts required to meet the obligations
20 of the Traffic and Criminal Conviction Surcharge Fund.

21 (Source: P.A. 98-24, eff. 6-19-13; 98-674, eff. 6-30-14;
22 98-743, eff. 1-1-15; 99-78, eff. 7-20-15; 99-523, eff.
23 6-30-16.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.