



Sen. John J. Cullerton

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09300SB2201sam001

LRB093 17125 RLC 48569 a

1 AMENDMENT TO SENATE BILL 2201

2 AMENDMENT NO. _____. Amend Senate Bill 2201 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Illinois Laboratory Advisory Committee Act.

6 Section 5. Illinois Laboratory Advisory Committee;
7 creation.

8 (a) There is created the Illinois Laboratory Advisory
9 Committee (hereinafter referred to as the Committee).

10 (b) The Committee shall consist of 15 members appointed as
11 follows:

12 (1) one member who is a scientist from the Department
13 of Agriculture, appointed by the Director of Agriculture;

14 (2) one member who is a scientist from the Department
15 of Natural Resources, appointed by the Director of Natural
16 Resources;

17 (3) one member who is a scientist from the Department
18 of Public Health, appointed by the Director of Public
19 Health;

20 (4) one member who is a scientist from the Department
21 of State Police, appointed by the Director of State Police;

22 (5) one member who is a scientist from the
23 Environmental Protection Agency, appointed by the Director
24 of the Environmental Protection Agency;

1 (6) one member who is a scientist from the Illinois
2 Emergency Management Agency, appointed by the Director of
3 the Illinois Emergency Management Agency;

4 (7) one member who is a scientist from the Department
5 of Transportation, appointed by the Secretary of
6 Transportation;

7 (8) one member who is a licensed attorney, with
8 expertise in scientific evidence, appointed by the Cook
9 County Public Defender;

10 (9) one member who is a licensed attorney, with
11 expertise in scientific evidence, appointed by the Cook
12 County State's Attorney;

13 (10) one member who is a licensed attorney, with
14 expertise in scientific evidence, appointed by the State
15 Appellate Defender;

16 (11) one member who is a licensed attorney, with
17 expertise in scientific evidence, appointed by the
18 Director of the Office of the State's Attorneys Appellate
19 Prosecutor;

20 (12) one member who is a licensed attorney, with
21 expertise in scientific evidence, appointed by the
22 Attorney General;

23 (13) one member who is an academic scientist with an
24 advanced degree in life, physical, or medical sciences
25 appointed by the Attorney General;

26 (14) one member who is a scientist employed by the
27 DuPage County Sheriff's Crime Laboratory appointed by the
28 DuPage County Sheriff's Crime Laboratory Director; and

29 (15) one member who is an academic forensic scientist
30 with an advanced degree in the life, physical,
31 criminalistic, or medical sciences appointed by the
32 president of the University of Illinois.

33 (c) The Committee Chairperson may appoint one ex officio
34 member representing private laboratories, and one ex officio

1 member who is a scientist representing the Northern Illinois
2 Police Crime Laboratory. The president of the University of
3 Illinois may appoint one ex officio member to the Committee
4 representing social scientists.

5 (d) Appointments to the Committee shall be made within 90
6 days after the effective date of this Act with the first
7 meeting of the Committee being held no later than 180 days
8 following the effective date of this Act. The members of the
9 Committee shall choose a chairperson from among its members.
10 The chairperson shall serve a 2-year term and shall be
11 responsible for convening meetings, setting agendas, and
12 finalizing reports.

13 (e) For the purpose of ensuring continuity on the
14 Committee, each member of the Committee shall serve a 4-year
15 term except 5 members, chosen at random, who shall serve an
16 initial term of 2 years, after which they shall be eligible for
17 reappointment for a term of 4 years. Members shall serve at the
18 discretion of their appointing authorities.

19 (f) Vacancies on the Committee shall be filled in
20 accordance with subsections (b) and (e). A member of the
21 Committee appointed to fill a vacancy shall serve for the
22 unexpired term of the member whom he or she is succeeding.

23 (g) The Committee shall not be compensated. Travel costs
24 associated with the Committee shall be reimbursed subject to
25 the availability of State or the appointing agency's funds.
26 Funds received from public or private sources shall be governed
27 by all applicable laws to ensure ethics compliance. There is
28 established the Illinois Laboratory Advisory Committee Act
29 Fund in the State treasury into which funds received from
30 public or private sources shall be deposited for use by the
31 Committee.

32 (h) The Committee and individual members of the Committee
33 are immune from any liability, whether civil or criminal, for
34 the good faith performance of the duties of the Committee as

1 specified in this Section.

2 (i) No member of the Committee shall be disqualified from
3 holding public office or employment, nor shall he or she
4 forfeit any such office or employment, by reason of appointment
5 under this Act, and members may not be required to take and
6 file oaths of office before serving on the Committee.

7 (j) Responsibilities of the Committee. The Committee
8 shall:

9 (1) establish the rules and procedures concerning the
10 conduct of Committee meetings and other affairs not
11 inconsistent with law;

12 (2) make recommendations regarding improving policy
13 and procedures to ensure counsel for the defense and
14 prosecution are receiving all evidence, reports, and
15 analytical documentation relevant to disclosure;

16 (3) make recommendations regarding accreditation and
17 quality assurance as it applies to laboratory testing that
18 will be in compliance with recognized International
19 Organization for Standardization and applicable
20 professional standards;

21 (4) make recommendations regarding training procedures
22 to ensure training is conducted consistent with recognized
23 scientific procedures;

24 (5) make recommendations regarding staffing and
25 funding needs to ensure resources to obtain accurate,
26 timely, and complete analysis of all samples submitted for
27 testing;

28 (6) make recommendations regarding private
29 laboratories conducting scientific testing, including
30 forensic testing, to ensure quality assurance and
31 accreditation standards are in concert with the
32 governmental laboratories within the State;

33 (7) make recommendations to ensure consistency among
34 judicial orders and rulings as it relates to evidence and

1 discovery;

2 (8) examine ways to make more efficient use of the
3 State laboratories, including facilities, personnel, and
4 equipment;

5 (9) examine ways to reduce laboratory backlogs;

6 (10) review and comment on the proposed construction,
7 expansion, or renovation of State laboratory facilities
8 exceeding \$250,000 and generally plan for future
9 laboratory needs;

10 (11) conduct such other activities as may be necessary
11 to provide for the safe and efficient operation of State
12 laboratories;

13 (12) make recommendations on other laboratory issues
14 not listed in this Section as the Committee deems
15 appropriate;

16 (13) examine ways to enhance Illinois Homeland
17 Security through coordination of laboratory services with
18 the Illinois Terrorism Task Force;

19 (14) continue to ensure that analysts are provided all
20 necessary tools and information needed to draw all relevant
21 scientific conclusions, and consider methods to guarantee
22 that observations and conclusions are not inadvertently
23 influenced by extraneous information; and

24 (15) make annual recommendations in a report filed with
25 the Governor, General Assembly, and Illinois Supreme Court
26 to facilitate any of the responsibilities of the Committee.
27 Reports shall be furnished to all members of the Committee.

28 Section 105. The State Finance Act is amended by adding
29 Section 5.625 as follows:

30 (30 ILCS 105/5.625 new)

31 Sec. 5.625. The Illinois Laboratory Advisory Committee Act
32 Fund.".