

HB4472



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB4472

by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

70 ILCS 1505/16a-5

Amends the Chicago Park District Act. Makes a technical change in a Section concerning criminal background investigations.

LRB098 19050 JLK 54200 b

A BILL FOR

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 Chicago Park District Act is amended by
5 changing Section 16a-5 as follows:

6 (70 ILCS 1505/16a-5)

7 Sec. 16a-5. Criminal background investigations.

8 (a) An applicant for employment with the ~~the~~ Chicago Park
9 District is required as a condition of employment to authorize
10 an investigation to determine if the applicant has been
11 convicted of, or adjudicated a delinquent minor for, any of the
12 enumerated criminal or drug offenses in subsection (c) of this
13 Section or has been convicted, within 7 years of the
14 application for employment with the Chicago Park District, of
15 any other felony under the laws of this State or of any offense
16 committed or attempted in any other state or against the laws
17 of the United States that, if committed or attempted in this
18 State, would have been punishable as a felony under the laws of
19 this State. Authorization for the investigation shall be
20 furnished by the applicant to the Chicago Park District. Upon
21 receipt of this authorization, the Chicago Park District shall
22 submit the applicant's name, sex, race, date of birth, and
23 social security number to the Department of State Police on

1 forms prescribed by the Department of State Police. The
2 Department of State Police shall conduct a search of the
3 Illinois criminal history record information database to
4 ascertain if the applicant being considered for employment has
5 been convicted of, or adjudicated a delinquent minor for,
6 committing or attempting to commit any of the enumerated
7 criminal or drug offenses in subsection (c) of this Section or
8 has been convicted, of committing or attempting to commit
9 within 7 years of the application for employment with the
10 Chicago Park District, any other felony under the laws of this
11 State. The Department of State Police shall charge the Chicago
12 Park District a fee for conducting the investigation, which fee
13 shall be deposited in the State Police Services Fund and shall
14 not exceed the cost of the inquiry. The applicant shall not be
15 charged a fee by the Chicago Park District for the
16 investigation.

17 (b) If the search of the Illinois criminal history record
18 database indicates that the applicant has been convicted of, or
19 adjudicated a delinquent minor for, committing or attempting to
20 commit any of the enumerated criminal or drug offenses in
21 subsection (c) or has been convicted of committing or
22 attempting to commit, within 7 years of the application for
23 employment with the Chicago Park District, any other felony
24 under the laws of this State, the Department of State Police
25 and the Federal Bureau of Investigation shall furnish, pursuant
26 to a fingerprint based background check, records of convictions

1 or adjudications as a delinquent minor, until expunged, to the
2 General Superintendent and Chief Executive Officer of the
3 Chicago Park District. Any information concerning the record of
4 convictions or adjudications as a delinquent minor obtained by
5 the General Superintendent and Chief Executive Officer shall be
6 confidential and may only be transmitted to those persons who
7 are necessary to the decision on whether to hire the applicant
8 for employment. A copy of the record of convictions or
9 adjudications as a delinquent minor obtained from the
10 Department of State Police shall be provided to the applicant
11 for employment. Any person who releases any confidential
12 information concerning any criminal convictions or
13 adjudications as a delinquent minor of an applicant for
14 employment shall be guilty of a Class A misdemeanor, unless the
15 release of such information is authorized by this Section.

16 (c) The Chicago Park District may not knowingly employ a
17 person who has been convicted, or adjudicated a delinquent
18 minor, for committing attempted first degree murder or for
19 committing or attempting to commit first degree murder, a Class
20 X felony, or any one or more of the following offenses: (i)
21 those defined in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50,
22 11-1.60, 11-6, 11-9, 11-14, 11-14.3, 11-14.4, 11-15, 11-15.1,
23 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
24 11-20.1B, 11-20.3, 11-21, 11-30, 12-7.3, 12-7.4, 12-7.5,
25 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of
26 1961 or the Criminal Code of 2012; (ii) those defined in the

1 Cannabis Control Act, except those defined in Sections 4(a),
2 4(b), and 5(a) of that Act; (iii) those defined in the Illinois
3 Controlled Substances Act; (iv) those defined in the
4 Methamphetamine Control and Community Protection Act; and (v)
5 any offense committed or attempted in any other state or
6 against the laws of the United States, which, if committed or
7 attempted in this State, would have been punishable as one or
8 more of the foregoing offenses. Further, the Chicago Park
9 District may not knowingly employ a person who has been found
10 to be the perpetrator of sexual or physical abuse of any minor
11 under 18 years of age pursuant to proceedings under Article II
12 of the Juvenile Court Act of 1987. The Chicago Park District
13 may not knowingly employ a person for whom a criminal
14 background investigation has not been initiated.

15 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;
16 97-1150, eff. 1-25-13.)