

HB4271



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4271

by Rep. Brad Halbreek

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-6013

from Ch. 34, par. 3-6013

Amends the Counties Code. Provides that the county authorities may (rather than shall) require that all auxiliary deputies be residents of the county served by them. Effective immediately.

LRB100 16751 AWJ 31891 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 Counties Code is amended by changing Section
5 3-6013 as follows:

6 (55 ILCS 5/3-6013) (from Ch. 34, par. 3-6013)

7 Sec. 3-6013. Duties, training and compensation of
8 auxiliary deputies. Auxiliary deputies shall not supplement
9 members of the regular county police department or regular
10 deputies in the performance of their assigned and normal
11 duties, except as provided herein. Auxiliary deputies may be
12 assigned and directed by the sheriff to perform the following
13 duties in the county:

14 To aid or direct traffic within the county, to aid in
15 control of natural or human made disasters, to aid in case of
16 civil disorder as assigned and directed by the sheriff,
17 provided, that in emergency cases which render it impractical
18 for members of the regular county police department or regular
19 deputies to perform their assigned and normal duties, the
20 sheriff is hereby authorized to assign and direct auxiliary
21 deputies to perform such regular and normal duties.
22 Identification symbols worn by such auxiliary deputies shall be
23 different and distinct from those used by members of the

1 regular county police department or regular deputies. Such
2 auxiliary deputies shall at all times during the performance of
3 their duties be subject to the direction and control of the
4 sheriff of the county. Such auxiliary deputies shall not carry
5 firearms, except with the permission of the sheriff, and only
6 while in uniform and in the performance of their assigned
7 duties.

8 Auxiliary deputies, prior to entering upon any of their
9 duties, shall receive a course of training in the use of
10 weapons and other police procedures as shall be appropriate in
11 the exercise of the powers conferred upon them under this
12 Division, which training and course of study shall be
13 determined and provided by the sheriff of each county utilizing
14 auxiliary deputies, provided that, before being permitted to
15 carry a firearm an auxiliary deputy must have the same course
16 of training as required of peace officers in Section 2 of the
17 Peace Officer and Probation Officer Firearm Training Act. The
18 county authorities may ~~shall~~ require that all auxiliary
19 deputies be residents of the county served by them. Prior to
20 the appointment of any auxiliary deputy his or her fingerprints
21 shall be taken and no person shall be appointed as such
22 auxiliary deputy if he or she has been convicted of a felony or
23 other crime involving moral turpitude.

24 Auxiliary deputies may receive such compensation as is set
25 by the County Board, with the advice and consent of the
26 Sheriff, not to exceed the lowest hourly pay of a full-time

1 sworn member of the regular county police or sheriff's
2 department and not be paid a salary, except as provided in
3 Section 3-6036, but may be reimbursed for actual expenses
4 incurred in performing their assigned duty. The County Board
5 must approve such actual expenses and arrange for payment.

6 Nothing in this Division shall preclude an auxiliary deputy
7 from holding a simultaneous appointment as an auxiliary police
8 officer pursuant to Section 3-6-5 of the Illinois Municipal
9 Code.

10 (Source: P.A. 97-379, eff. 8-15-11; 98-725, eff. 1-1-15.)

11 Section 99. Effective date. This Act takes effect upon
12 becoming law.