



Rep. Justin Slaughter

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10000HB5303ham001

LRB100 18947 AWJ 39071 a

1 AMENDMENT TO HOUSE BILL 5303

2 AMENDMENT NO. _____. Amend House Bill 5303 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing
5 Sections 3-7011 and 3-7012 and by adding Section 3-7018 as
6 follows:

7 (55 ILCS 5/3-7011) (from Ch. 34, par. 3-7011)

8 Sec. 3-7011. Disciplinary measures. Disciplinary measures
9 prescribed by the Board may be taken by the sheriff for the
10 punishment of infractions of the rules and regulations
11 promulgated by the Board. Such disciplinary measures may
12 include suspension of any deputy sheriff in the County Police
13 Department, any full-time deputy sheriff not employed as a
14 county police officer or county corrections officer and any
15 employee in the County Department of Corrections for a
16 reasonable period for all discipline less than termination, ~~not~~

1 ~~exceeding 30 days,~~ without complying with the provisions of
2 Section 3-7012 hereof.

3 (Source: P.A. 86-962.)

4 (55 ILCS 5/3-7012) (from Ch. 34, par. 3-7012)

5 Sec. 3-7012. Removal, ~~demotion or suspension.~~ Except as is
6 otherwise provided in this Division, no deputy sheriff in the
7 County Police Department, no full-time deputy sheriff not
8 employed as a county police officer or county corrections
9 officer and no employee in the County Department of Corrections
10 shall be removed, ~~demoted or suspended~~ except for cause, upon
11 written charges filed with the Board by the Sheriff and a
12 hearing before the Board, or a hearing officer designated by
13 the Board, thereon upon not less than 10 days' notice at a
14 place to be designated by the chairman thereof. At such
15 hearing, the accused deputy sheriff shall be afforded full
16 opportunity to be heard in his or her own defense and to
17 produce proof in his or her defense. The Board, or a hearing
18 officer designated by the Board, shall have the power to secure
19 by its subpoena both the attendance and testimony of witnesses
20 and the production of books and papers in support of the
21 charges and for the defense. The fees of witnesses for
22 attendance and travel shall be the same as the fees of
23 witnesses before the circuit courts of this State, and shall be
24 paid in the same manner as other expenses of the Board. Each
25 member of the Board, and hearing officers designated by the

1 Board, shall have the power to administer oaths or
2 affirmations. If the charges against an accused deputy sheriff
3 are established by a preponderance of evidence, the Board, or a
4 hearing officer designated by the Board, shall make a finding
5 of guilty and order either removal, ~~demotion, suspension for a~~
6 ~~period of not more than 180 days,~~ or such other disciplinary
7 punishment as may be prescribed by the rules and regulations of
8 the Board which, in the opinion of the members thereof, the
9 offense merits. The Board shall render its decision no later
10 than 90 days following the conclusion of any hearings conducted
11 under the provisions of this Section. Thereupon the sheriff
12 shall direct such removal or other punishment as ordered by the
13 Board and if the accused deputy sheriff refuses to abide by any
14 such disciplinary order, the sheriff shall remove him or her
15 forthwith.

16 In case of the neglect or refusal of any person to obey a
17 subpoena issued by the Board, or a hearing officer designated
18 by the Board, any circuit court or a judge thereof, upon
19 application of any member of the Board, or a hearing officer
20 designated by the Board, may order such person to appear before
21 the Board and give testimony or produce evidence, and any
22 failure to obey such order is punishable by the court as a
23 contempt thereof.

24 The provisions of the Administrative Review Law, and all
25 amendments and modifications thereof, and the rules adopted
26 pursuant thereto, shall apply to and govern all proceedings for

1 the judicial review of any order of the Board rendered pursuant
2 to the provisions of this Section.

3 (Source: P.A. 86-962.)

4 (55 ILCS 5/3-7018 new)

5 Sec. 3-7018. Collective bargaining. Nothing in this
6 Division shall be used to supplant or undermine existing
7 agreements or proscribe future agreements achieved by
8 collective bargaining, nor shall the provisions of this
9 Division diminish the rights and protections under the Illinois
10 Public Labor Relations Act.

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