

# HB2382



## 101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2382

by Rep. Deanne M. Mazzochi - Margo McDermed

### SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-40

was 20 ILCS 2605/55a-4

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the amendatory Act shall constitute an irrevocable continuing appropriation of all amounts necessary for the implementation the Department of State Police's Division of Forensic Services and the irrevocable and continuing authority for the Department and the State Treasurer to make the necessary transfers for that purpose. Effective immediately.

LRB101 10453 SLF 55559 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Department of State Police Law of the Civil  
5 Administrative Code of Illinois is amended by changing Section  
6 2605-40 as follows:

7 (20 ILCS 2605/2605-40) (was 20 ILCS 2605/55a-4)

8 Sec. 2605-40. Division of Forensic Services. The Division  
9 of Forensic Services shall exercise the following functions:

10 (1) Exercise the rights, powers, and duties vested by  
11 law in the Department by the Criminal Identification Act.

12 (2) Exercise the rights, powers, and duties vested by  
13 law in the Department by Section 2605-300 of this Law.

14 (3) Provide assistance to local law enforcement  
15 agencies through training, management, and consultant  
16 services.

17 (4) (Blank).

18 (5) Exercise other duties that may be assigned by the  
19 Director in order to fulfill the responsibilities and  
20 achieve the purposes of the Department.

21 (6) Establish and operate a forensic science  
22 laboratory system, including a forensic toxicological  
23 laboratory service, for the purpose of testing specimens

1 submitted by coroners and other law enforcement officers in  
2 their efforts to determine whether alcohol, drugs, or  
3 poisonous or other toxic substances have been involved in  
4 deaths, accidents, or illness. Forensic toxicological  
5 laboratories shall be established in Springfield, Chicago,  
6 and elsewhere in the State as needed.

7 (6.5) Establish administrative rules in order to set  
8 forth standardized requirements for the disclosure of  
9 toxicology results and other relevant documents related to  
10 a toxicological analysis. These administrative rules are  
11 to be adopted to produce uniform and sufficient information  
12 to allow a proper, well-informed determination of the  
13 admissibility of toxicology evidence and to ensure that  
14 this evidence is presented competently. These  
15 administrative rules are designed to provide a minimum  
16 standard for compliance of toxicology evidence and is not  
17 intended to limit the production and discovery of material  
18 information. These administrative rules shall be submitted  
19 by the Department of State Police into the rulemaking  
20 process under the Illinois Administrative Procedure Act on  
21 or before June 30, 2017.

22 (7) Subject to specific appropriations made for these  
23 purposes, establish and coordinate a system for providing  
24 accurate and expedited forensic science and other  
25 investigative and laboratory services to local law  
26 enforcement agencies and local State's Attorneys in aid of

1 the investigation and trial of capital cases.

2 (8) This amendatory Act of the 101st General Assembly  
3 shall constitute an irrevocable continuing appropriation  
4 of all amounts necessary for the implementation of the  
5 provisions of this Section and the irrevocable and  
6 continuing authority for the Department and the State  
7 Treasurer to make the necessary transfers for that purpose.

8 (Source: P.A. 99-801, eff. 1-1-17.)

9 Section 99. Effective date. This Act takes effect upon  
10 becoming law.