



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2938

by Rep. William Davis

SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-40 was 20 ILCS 2605/55a-4
20 ILCS 2605/2605-580 rep.
110 ILCS 947/65.80 rep.
730 ILCS 5/3-14-1.5
730 ILCS 180/Act rep.

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that Forensic toxicological laboratories shall be established in the State as needed (rather than in Springfield, Chicago, and elsewhere in the State as needed). Repeals a Cyber Gang Unit pilot program created in the Lake County Metropolitan Enforcement Group and the Cook County Sheriff's Office. Repeals provision in the Higher Education Student Assistance Act concerning a forensic science grant program. Amends the Unified Code of Corrections. Provides that a parole agent or parole supervisor shall purchase an off-duty firearm at his or her own expense and shall register the firearm with any local law enforcement agencies that require registration (rather than the Department of State Police with any other local law enforcement agencies that require such registration). Repeals the Methamphetamine Manufacturer Registry Act. Effective immediately.

LRB101 08935 SLF 54025 b

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

3 (20 ILCS 2605/2605-580 rep.)

4 Section 10. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by repealing Section
6 2605-580.

7 (110 ILCS 947/65.80 rep.)

8 Section 15. The Higher Education Student Assistance Act is
9 amended by repealing Section 65.80.

10 Section 20. The Unified Code of Corrections is amended by
11 changing Section 3-14-1.5 as follows:

12 (730 ILCS 5/3-14-1.5)

13 Sec. 3-14-1.5. Parole agents and parole supervisors;
14 off-duty firearms. Subsections 24-1(a)(4) and 24-1(a)(10) and
15 Section 24-1.6 of the Criminal Code of 2012 do not apply to
16 parole agents and parole supervisors who meet the following
17 conditions:

18 (1) The parole agent or parole supervisor must receive
19 training in the use of firearms while off-duty conducted by the
20 Illinois Law Enforcement Training Standards Board and be
21 certified as having successfully completing such training by
22 the Board. The Board shall determine the amount of such

1 training and the course content for such training. The parole
2 agent or parole supervisor shall requalify for the firearms
3 training annually at a State range certified by the Illinois
4 Law Enforcement Training Standards Board. The expenses of such
5 retraining shall be paid by the parole agent or parole
6 supervisor and moneys for such requalification shall be
7 expended at the request of the Illinois Law Enforcement
8 Training Standards Board.

9 (2) The parole agent or parole supervisor shall purchase a
10 ~~such~~ firearm at his or her own expense and shall register the
11 firearm with ~~the Illinois Department of State Police and with~~
12 any ~~other~~ local law enforcement agencies that require ~~such~~
13 registration.

14 (3) The parole agent or parole supervisor may not carry any
15 Illinois Department of Corrections State issued firearm while
16 off-duty. A person who violates this paragraph (3) is subject
17 to disciplinary action by the Illinois Department of
18 Corrections.

19 (4) Parole agents and supervisors who are discharged from
20 employment of the Illinois Department of Corrections shall no
21 longer be considered law enforcement officials and all their
22 rights as law enforcement officials shall be revoked
23 permanently.

24 (Source: P.A. 96-230, eff. 1-1-10; 97-333, eff. 8-12-11;
25 97-1150, eff. 1-25-13.)

1 (730 ILCS 180/Act rep.)

2 Section 25. The Methamphetamine Manufacturer Registry Act
3 is repealed.

4 Section 99. Effective date. This Act takes effect upon
5 becoming law.