

HB5829



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5829

Introduced 11/10/2020, by Rep. Mary E. Flowers

SYNOPSIS AS INTRODUCED:

50 ILCS 205/25 new

Amends the Local Records Act. Provides that a Local Records Commission may not destroy public records concerning complaints alleging misconduct by law enforcement officers without prior permission from the Attorney General. Provides that the requirements of the Section may not be waived or modified by a collective bargaining agreement or any other agreement. Defines "law enforcement officer". Effective immediately.

LRB101 21808 AWJ 72762 b

FISCAL NOTE ACT
MAY APPLY

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 Local Records Act is amended by adding
5 Section 25 as follows:

6 (50 ILCS 205/25 new)

7 Sec. 25. Complaints of law enforcement misconduct.

8 (a) For purposes of this Section, "law enforcement officer"
9 includes State Police officers and police officers of a unit of
10 local government.

11 (b) A public record concerning complaints alleging
12 misconduct by law enforcement officers, including, but not
13 limited to, audio records, videos, notes, statements, findings
14 of facts, and decisions relating to alleged misconduct by law
15 enforcement officers, shall not be destroyed by the Local
16 Records Commission unless the Commission has requested and
17 received prior approval to destroy such public records from the
18 Attorney General.

19 (c) The requirements of this Section may not be waived or
20 modified by a collective bargaining agreement or any other
21 agreement.

22 Section 99. Effective date. This Act takes effect upon

1 becoming law.