

SB3468



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3468

Introduced 2/14/2020, by Sen. Jason A. Barickman

SYNOPSIS AS INTRODUCED:

20 ILCS 2630/5

from Ch. 38, par. 206-5

Amends the Criminal Identification Act. Provides that law enforcement records of persons arrested for violations of the Cannabis Regulation and Tax Act or for violations of the Cannabis Control Act involving the manufacture, delivery, or possession with intent to deliver, or manufacture, cannabis and for cannabis possession may only be provided by the Illinois State Police and shall not be provided to any person lawfully entitled to obtain those records by any other law enforcement agency or county sheriff. Effective January 1, 2021.

LRB101 16370 CPF 65748 b

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 Criminal Identification Act is amended by
5 changing Section 5 as follows:

6 (20 ILCS 2630/5) (from Ch. 38, par. 206-5)

7 Sec. 5. Arrest reports. All policing bodies of this State
8 shall furnish to the Department, daily, in the form and detail
9 the Department requires, fingerprints, descriptions, and
10 ethnic and racial background data as provided in Section 4.5 of
11 this Act of all persons who are arrested on charges of
12 violating any penal statute of this State for offenses that are
13 classified as felonies and Class A or B misdemeanors and of all
14 minors of the age of 10 and over who have been arrested for an
15 offense which would be a felony if committed by an adult, and
16 may forward such fingerprints and descriptions for minors
17 arrested for Class A or B misdemeanors. Moving or nonmoving
18 traffic violations under the Illinois Vehicle Code shall not be
19 reported except for violations of Chapter 4, Section 11-204.1,
20 or Section 11-501 of that Code. In addition, conservation
21 offenses, as defined in the Supreme Court Rule 501(c), that are
22 classified as Class B misdemeanors shall not be reported. Those
23 law enforcement records maintained by the Department for minors

1 arrested for an offense prior to their 17th birthday, or minors
2 arrested for a non-felony offense, if committed by an adult,
3 prior to their 18th birthday, shall not be forwarded to the
4 Federal Bureau of Investigation unless those records relate to
5 an arrest in which a minor was charged as an adult under any of
6 the transfer provisions of the Juvenile Court Act of 1987. Law
7 enforcement records of persons arrested for violations of the
8 Cannabis Regulation and Tax Act or for violations of the
9 Cannabis Control Act involving the manufacture, delivery, or
10 possession with intent to deliver, or manufacture, cannabis and
11 for cannabis possession may only be provided by the Illinois
12 State Police and shall not be provided to any person lawfully
13 entitled to obtain those records by any other law enforcement
14 agency or county sheriff.

15 (Source: P.A. 98-528, eff. 1-1-15.)

16 Section 99. Effective date. This Act takes effect January
17 1, 2021.