



Sen. Elgie R. Sims, Jr.

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10200HB3512sam001

LRB102 14806 RLC 30298 a

1 AMENDMENT TO HOUSE BILL 3512

2 AMENDMENT NO. _____. Amend House Bill 3512 by replacing
3 everything after the enacting clause with the following:

4 "Section 3. The Freedom of Information Act is amended by
5 changing Section 7 as follows:

6 (5 ILCS 140/7) (from Ch. 116, par. 207)

7 Sec. 7. Exemptions.

8 (1) When a request is made to inspect or copy a public
9 record that contains information that is exempt from
10 disclosure under this Section, but also contains information
11 that is not exempt from disclosure, the public body may elect
12 to redact the information that is exempt. The public body
13 shall make the remaining information available for inspection
14 and copying. Subject to this requirement, the following shall
15 be exempt from inspection and copying:

16 (a) Information specifically prohibited from

1 disclosure by federal or State law or rules and
2 regulations implementing federal or State law.

3 (b) Private information, unless disclosure is required
4 by another provision of this Act, a State or federal law or
5 a court order.

6 (b-5) Files, documents, and other data or databases
7 maintained by one or more law enforcement agencies and
8 specifically designed to provide information to one or
9 more law enforcement agencies regarding the physical or
10 mental status of one or more individual subjects.

11 (c) Personal information contained within public
12 records, the disclosure of which would constitute a
13 clearly unwarranted invasion of personal privacy, unless
14 the disclosure is consented to in writing by the
15 individual subjects of the information. "Unwarranted
16 invasion of personal privacy" means the disclosure of
17 information that is highly personal or objectionable to a
18 reasonable person and in which the subject's right to
19 privacy outweighs any legitimate public interest in
20 obtaining the information. The disclosure of information
21 that bears on the public duties of public employees and
22 officials shall not be considered an invasion of personal
23 privacy.

24 (d) Records in the possession of any public body
25 created in the course of administrative enforcement
26 proceedings, and any law enforcement or correctional

1 agency for law enforcement purposes, but only to the
2 extent that disclosure would:

3 (i) interfere with pending or actually and
4 reasonably contemplated law enforcement proceedings
5 conducted by any law enforcement or correctional
6 agency that is the recipient of the request;

7 (ii) interfere with active administrative
8 enforcement proceedings conducted by the public body
9 that is the recipient of the request;

10 (iii) create a substantial likelihood that a
11 person will be deprived of a fair trial or an impartial
12 hearing;

13 (iv) unavoidably disclose the identity of a
14 confidential source, confidential information
15 furnished only by the confidential source, or persons
16 who file complaints with or provide information to
17 administrative, investigative, law enforcement, or
18 penal agencies; except that the identities of
19 witnesses to traffic accidents, traffic accident
20 reports, and rescue reports shall be provided by
21 agencies of local government, except when disclosure
22 would interfere with an active criminal investigation
23 conducted by the agency that is the recipient of the
24 request;

25 (v) disclose unique or specialized investigative
26 techniques other than those generally used and known

1 or disclose internal documents of correctional
2 agencies related to detection, observation or
3 investigation of incidents of crime or misconduct, and
4 disclosure would result in demonstrable harm to the
5 agency or public body that is the recipient of the
6 request;

7 (vi) endanger the life or physical safety of law
8 enforcement personnel or any other person; or

9 (vii) obstruct an ongoing criminal investigation
10 by the agency that is the recipient of the request.

11 (d-5) A law enforcement record created for law
12 enforcement purposes and contained in a shared electronic
13 record management system if the law enforcement agency
14 that is the recipient of the request did not create the
15 record, did not participate in or have a role in any of the
16 events which are the subject of the record, and only has
17 access to the record through the shared electronic record
18 management system.

19 (d-6) Records contained in the Officer Professional
20 Conduct Database under Section 9.2 ~~9.4~~ of the Illinois
21 Police Training Act, except to the extent authorized under
22 that Section. This includes the documents supplied to
23 Illinois Law Enforcement Training Standards Board from the
24 Illinois State Police and Illinois State Police Merit
25 Board.

26 (e) Records that relate to or affect the security of

1 correctional institutions and detention facilities.

2 (e-5) Records requested by persons committed to the
3 Department of Corrections, Department of Human Services
4 Division of Mental Health, or a county jail if those
5 materials are available in the library of the correctional
6 institution or facility or jail where the inmate is
7 confined.

8 (e-6) Records requested by persons committed to the
9 Department of Corrections, Department of Human Services
10 Division of Mental Health, or a county jail if those
11 materials include records from staff members' personnel
12 files, staff rosters, or other staffing assignment
13 information.

14 (e-7) Records requested by persons committed to the
15 Department of Corrections or Department of Human Services
16 Division of Mental Health if those materials are available
17 through an administrative request to the Department of
18 Corrections or Department of Human Services Division of
19 Mental Health.

20 (e-8) Records requested by a person committed to the
21 Department of Corrections, Department of Human Services
22 Division of Mental Health, or a county jail, the
23 disclosure of which would result in the risk of harm to any
24 person or the risk of an escape from a jail or correctional
25 institution or facility.

26 (e-9) Records requested by a person in a county jail

1 or committed to the Department of Corrections or
2 Department of Human Services Division of Mental Health,
3 containing personal information pertaining to the person's
4 victim or the victim's family, including, but not limited
5 to, a victim's home address, home telephone number, work
6 or school address, work telephone number, social security
7 number, or any other identifying information, except as
8 may be relevant to a requester's current or potential case
9 or claim.

10 (e-10) Law enforcement records of other persons
11 requested by a person committed to the Department of
12 Corrections, Department of Human Services Division of
13 Mental Health, or a county jail, including, but not
14 limited to, arrest and booking records, mug shots, and
15 crime scene photographs, except as these records may be
16 relevant to the requester's current or potential case or
17 claim.

18 (f) Preliminary drafts, notes, recommendations,
19 memoranda and other records in which opinions are
20 expressed, or policies or actions are formulated, except
21 that a specific record or relevant portion of a record
22 shall not be exempt when the record is publicly cited and
23 identified by the head of the public body. The exemption
24 provided in this paragraph (f) extends to all those
25 records of officers and agencies of the General Assembly
26 that pertain to the preparation of legislative documents.

1 (g) Trade secrets and commercial or financial
2 information obtained from a person or business where the
3 trade secrets or commercial or financial information are
4 furnished under a claim that they are proprietary,
5 privileged, or confidential, and that disclosure of the
6 trade secrets or commercial or financial information would
7 cause competitive harm to the person or business, and only
8 insofar as the claim directly applies to the records
9 requested.

10 The information included under this exemption includes
11 all trade secrets and commercial or financial information
12 obtained by a public body, including a public pension
13 fund, from a private equity fund or a privately held
14 company within the investment portfolio of a private
15 equity fund as a result of either investing or evaluating
16 a potential investment of public funds in a private equity
17 fund. The exemption contained in this item does not apply
18 to the aggregate financial performance information of a
19 private equity fund, nor to the identity of the fund's
20 managers or general partners. The exemption contained in
21 this item does not apply to the identity of a privately
22 held company within the investment portfolio of a private
23 equity fund, unless the disclosure of the identity of a
24 privately held company may cause competitive harm.

25 Nothing contained in this paragraph (g) shall be
26 construed to prevent a person or business from consenting

1 to disclosure.

2 (h) Proposals and bids for any contract, grant, or
3 agreement, including information which if it were
4 disclosed would frustrate procurement or give an advantage
5 to any person proposing to enter into a contractor
6 agreement with the body, until an award or final selection
7 is made. Information prepared by or for the body in
8 preparation of a bid solicitation shall be exempt until an
9 award or final selection is made.

10 (i) Valuable formulae, computer geographic systems,
11 designs, drawings and research data obtained or produced
12 by any public body when disclosure could reasonably be
13 expected to produce private gain or public loss. The
14 exemption for "computer geographic systems" provided in
15 this paragraph (i) does not extend to requests made by
16 news media as defined in Section 2 of this Act when the
17 requested information is not otherwise exempt and the only
18 purpose of the request is to access and disseminate
19 information regarding the health, safety, welfare, or
20 legal rights of the general public.

21 (j) The following information pertaining to
22 educational matters:

23 (i) test questions, scoring keys and other
24 examination data used to administer an academic
25 examination;

26 (ii) information received by a primary or

1 secondary school, college, or university under its
2 procedures for the evaluation of faculty members by
3 their academic peers;

4 (iii) information concerning a school or
5 university's adjudication of student disciplinary
6 cases, but only to the extent that disclosure would
7 unavoidably reveal the identity of the student; and

8 (iv) course materials or research materials used
9 by faculty members.

10 (k) Architects' plans, engineers' technical
11 submissions, and other construction related technical
12 documents for projects not constructed or developed in
13 whole or in part with public funds and the same for
14 projects constructed or developed with public funds,
15 including, but not limited to, power generating and
16 distribution stations and other transmission and
17 distribution facilities, water treatment facilities,
18 airport facilities, sport stadiums, convention centers,
19 and all government owned, operated, or occupied buildings,
20 but only to the extent that disclosure would compromise
21 security.

22 (l) Minutes of meetings of public bodies closed to the
23 public as provided in the Open Meetings Act until the
24 public body makes the minutes available to the public
25 under Section 2.06 of the Open Meetings Act.

26 (m) Communications between a public body and an

1 attorney or auditor representing the public body that
2 would not be subject to discovery in litigation, and
3 materials prepared or compiled by or for a public body in
4 anticipation of a criminal, civil, or administrative
5 proceeding upon the request of an attorney advising the
6 public body, and materials prepared or compiled with
7 respect to internal audits of public bodies.

8 (n) Records relating to a public body's adjudication
9 of employee grievances or disciplinary cases; however,
10 this exemption shall not extend to the final outcome of
11 cases in which discipline is imposed.

12 (o) Administrative or technical information associated
13 with automated data processing operations, including, but
14 not limited to, software, operating protocols, computer
15 program abstracts, file layouts, source listings, object
16 modules, load modules, user guides, documentation
17 pertaining to all logical and physical design of
18 computerized systems, employee manuals, and any other
19 information that, if disclosed, would jeopardize the
20 security of the system or its data or the security of
21 materials exempt under this Section.

22 (p) Records relating to collective negotiating matters
23 between public bodies and their employees or
24 representatives, except that any final contract or
25 agreement shall be subject to inspection and copying.

26 (q) Test questions, scoring keys, and other

1 examination data used to determine the qualifications of
2 an applicant for a license or employment.

3 (r) The records, documents, and information relating
4 to real estate purchase negotiations until those
5 negotiations have been completed or otherwise terminated.
6 With regard to a parcel involved in a pending or actually
7 and reasonably contemplated eminent domain proceeding
8 under the Eminent Domain Act, records, documents, and
9 information relating to that parcel shall be exempt except
10 as may be allowed under discovery rules adopted by the
11 Illinois Supreme Court. The records, documents, and
12 information relating to a real estate sale shall be exempt
13 until a sale is consummated.

14 (s) Any and all proprietary information and records
15 related to the operation of an intergovernmental risk
16 management association or self-insurance pool or jointly
17 self-administered health and accident cooperative or pool.
18 Insurance or self insurance (including any
19 intergovernmental risk management association or self
20 insurance pool) claims, loss or risk management
21 information, records, data, advice or communications.

22 (t) Information contained in or related to
23 examination, operating, or condition reports prepared by,
24 on behalf of, or for the use of a public body responsible
25 for the regulation or supervision of financial
26 institutions, insurance companies, or pharmacy benefit

1 managers, unless disclosure is otherwise required by State
2 law.

3 (u) Information that would disclose or might lead to
4 the disclosure of secret or confidential information,
5 codes, algorithms, programs, or private keys intended to
6 be used to create electronic signatures under the Uniform
7 Electronic Transactions Act.

8 (v) Vulnerability assessments, security measures, and
9 response policies or plans that are designed to identify,
10 prevent, or respond to potential attacks upon a
11 community's population or systems, facilities, or
12 installations, the destruction or contamination of which
13 would constitute a clear and present danger to the health
14 or safety of the community, but only to the extent that
15 disclosure could reasonably be expected to jeopardize the
16 effectiveness of the measures or the safety of the
17 personnel who implement them or the public. Information
18 exempt under this item may include such things as details
19 pertaining to the mobilization or deployment of personnel
20 or equipment, to the operation of communication systems or
21 protocols, or to tactical operations.

22 (w) (Blank).

23 (x) Maps and other records regarding the location or
24 security of generation, transmission, distribution,
25 storage, gathering, treatment, or switching facilities
26 owned by a utility, by a power generator, or by the

1 Illinois Power Agency.

2 (y) Information contained in or related to proposals,
3 bids, or negotiations related to electric power
4 procurement under Section 1-75 of the Illinois Power
5 Agency Act and Section 16-111.5 of the Public Utilities
6 Act that is determined to be confidential and proprietary
7 by the Illinois Power Agency or by the Illinois Commerce
8 Commission.

9 (z) Information about students exempted from
10 disclosure under Sections 10-20.38 or 34-18.29 of the
11 School Code, and information about undergraduate students
12 enrolled at an institution of higher education exempted
13 from disclosure under Section 25 of the Illinois Credit
14 Card Marketing Act of 2009.

15 (aa) Information the disclosure of which is exempted
16 under the Viatical Settlements Act of 2009.

17 (bb) Records and information provided to a mortality
18 review team and records maintained by a mortality review
19 team appointed under the Department of Juvenile Justice
20 Mortality Review Team Act.

21 (cc) Information regarding interments, entombments, or
22 inurnments of human remains that are submitted to the
23 Cemetery Oversight Database under the Cemetery Care Act or
24 the Cemetery Oversight Act, whichever is applicable.

25 (dd) Correspondence and records (i) that may not be
26 disclosed under Section 11-9 of the Illinois Public Aid

1 Code or (ii) that pertain to appeals under Section 11-8 of
2 the Illinois Public Aid Code.

3 (ee) The names, addresses, or other personal
4 information of persons who are minors and are also
5 participants and registrants in programs of park
6 districts, forest preserve districts, conservation
7 districts, recreation agencies, and special recreation
8 associations.

9 (ff) The names, addresses, or other personal
10 information of participants and registrants in programs of
11 park districts, forest preserve districts, conservation
12 districts, recreation agencies, and special recreation
13 associations where such programs are targeted primarily to
14 minors.

15 (gg) Confidential information described in Section
16 1-100 of the Illinois Independent Tax Tribunal Act of
17 2012.

18 (hh) The report submitted to the State Board of
19 Education by the School Security and Standards Task Force
20 under item (8) of subsection (d) of Section 2-3.160 of the
21 School Code and any information contained in that report.

22 (ii) Records requested by persons committed to or
23 detained by the Department of Human Services under the
24 Sexually Violent Persons Commitment Act or committed to
25 the Department of Corrections under the Sexually Dangerous
26 Persons Act if those materials: (i) are available in the

1 library of the facility where the individual is confined;
2 (ii) include records from staff members' personnel files,
3 staff rosters, or other staffing assignment information;
4 or (iii) are available through an administrative request
5 to the Department of Human Services or the Department of
6 Corrections.

7 (jj) Confidential information described in Section
8 5-535 of the Civil Administrative Code of Illinois.

9 (kk) The public body's credit card numbers, debit card
10 numbers, bank account numbers, Federal Employer
11 Identification Number, security code numbers, passwords,
12 and similar account information, the disclosure of which
13 could result in identity theft or impression or defrauding
14 of a governmental entity or a person.

15 (ll) Records concerning the work of the threat
16 assessment team of a school district.

17 (1.5) Any information exempt from disclosure under the
18 Judicial Privacy Act shall be redacted from public records
19 prior to disclosure under this Act.

20 (2) A public record that is not in the possession of a
21 public body but is in the possession of a party with whom the
22 agency has contracted to perform a governmental function on
23 behalf of the public body, and that directly relates to the
24 governmental function and is not otherwise exempt under this
25 Act, shall be considered a public record of the public body,
26 for purposes of this Act.

1 (3) This Section does not authorize withholding of
2 information or limit the availability of records to the
3 public, except as stated in this Section or otherwise provided
4 in this Act.

5 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
6 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
7 6-25-21; 102-558, eff. 8-20-21; revised 10-4-21.)

8 Section 5. The Illinois State Police Act is amended by
9 changing Sections 9, 12.6, and 46 as follows:

10 (20 ILCS 2610/9) (from Ch. 121, par. 307.9)

11 (Text of Section before amendment by P.A. 101-652)

12 Sec. 9. Appointment; qualifications.

13 (a) Except as otherwise provided in this Section, the
14 appointment of Department of State Police officers shall be
15 made from those applicants who have been certified by the
16 Board as being qualified for appointment. All persons so
17 appointed shall, at the time of their appointment, be not less
18 than 21 years of age, or 20 years of age and have successfully
19 completed an associate's degree or 60 credit hours at an
20 accredited college or university. Any person appointed
21 subsequent to successful completion of an associate's degree
22 or 60 credit hours at an accredited college or university
23 shall not have power of arrest, nor shall he or she be
24 permitted to carry firearms, until he or she reaches 21 years

1 of age. In addition, all persons so certified for appointment
2 shall be of sound mind and body, be of good moral character, be
3 citizens of the United States, have no criminal records,
4 possess such prerequisites of training, education, and
5 experience as the Board may from time to time prescribe so long
6 as persons who have an associate's degree or 60 credit hours at
7 an accredited college or university are not disqualified, and
8 shall be required to pass successfully such mental and
9 physical tests and examinations as may be prescribed by the
10 Board. All persons who meet one of the following requirements
11 are deemed to have met the collegiate educational
12 requirements:

13 (i) have been honorably discharged and who have been
14 awarded a Southwest Asia Service Medal, Kosovo Campaign
15 Medal, Korean Defense Service Medal, Afghanistan Campaign
16 Medal, Iraq Campaign Medal, or Global War on Terrorism
17 Expeditionary Medal by the United States Armed Forces;

18 (ii) are active members of the Illinois National Guard
19 or a reserve component of the United States Armed Forces
20 and who have been awarded a Southwest Asia Service Medal,
21 Kosovo Campaign Medal, Korean Defense Service Medal,
22 Afghanistan Campaign Medal, Iraq Campaign Medal, or Global
23 War on Terrorism Expeditionary Medal as a result of
24 honorable service during deployment on active duty;

25 (iii) have been honorably discharged who served in a
26 combat mission by proof of hostile fire pay or imminent

1 danger pay during deployment on active duty; or

2 (iv) have at least 3 years of full active and
3 continuous military duty and received an honorable
4 discharge before hiring.

5 Preference shall be given in such appointments to persons
6 who have honorably served in the military or naval services of
7 the United States. All appointees shall serve a probationary
8 period of 12 months from the date of appointment and during
9 that period may be discharged at the will of the Director.
10 However, the Director may in his or her sole discretion extend
11 the probationary period of an officer up to an additional 6
12 months when to do so is deemed in the best interest of the
13 Department. Nothing in this subsection (a) limits the Board's
14 ability to prescribe education prerequisites or requirements
15 to certify Department of State Police officers for promotion
16 as provided in Section 10 of this Act.

17 (b) Notwithstanding the other provisions of this Act,
18 after July 1, 1977 and before July 1, 1980, the Director of
19 State Police may appoint and promote not more than 20 persons
20 having special qualifications as special agents as he or she
21 deems necessary to carry out the Department's objectives. Any
22 such appointment or promotion shall be ratified by the Board.

23 (c) During the 90 days following the effective date of
24 this amendatory Act of 1995, the Director of State Police may
25 appoint up to 25 persons as State Police officers. These
26 appointments shall be made in accordance with the requirements

1 of this subsection (c) and any additional criteria that may be
2 established by the Director, but are not subject to any other
3 requirements of this Act. The Director may specify the initial
4 rank for each person appointed under this subsection.

5 All appointments under this subsection (c) shall be made
6 from personnel certified by the Board. A person certified by
7 the Board and appointed by the Director under this subsection
8 must have been employed by the Illinois Commerce Commission on
9 November 30, 1994 in a job title subject to the Personnel Code
10 and in a position for which the person was eligible to earn
11 "eligible creditable service" as a "noncovered employee", as
12 those terms are defined in Article 14 of the Illinois Pension
13 Code.

14 Persons appointed under this subsection (c) shall
15 thereafter be subject to the same requirements and procedures
16 as other State police officers. A person appointed under this
17 subsection must serve a probationary period of 12 months from
18 the date of appointment, during which he or she may be
19 discharged at the will of the Director.

20 This subsection (c) does not affect or limit the
21 Director's authority to appoint other State Police officers
22 under subsection (a) of this Section.

23 (Source: P.A. 100-11, eff. 7-1-17; 101-374, eff. 1-1-20.)

24 (Text of Section after amendment by P.A. 101-652)

25 Sec. 9. Appointment; qualifications.

1 (a) Except as otherwise provided in this Section, the
2 appointment of Department of State Police officers shall be
3 made from those applicants who have been certified by the
4 Board as being qualified for appointment. All persons so
5 appointed shall, at the time of their appointment, be not less
6 than 21 years of age, or 20 years of age and have successfully
7 completed an associate's degree or 60 credit hours at an
8 accredited college or university. Any person appointed
9 subsequent to successful completion of an associate's degree
10 or 60 credit hours at an accredited college or university
11 shall not have power of arrest, nor shall he or she be
12 permitted to carry firearms, until he or she reaches 21 years
13 of age. In addition, all persons so certified for appointment
14 shall be of sound mind and body, be of good moral character, be
15 citizens of the United States, have no criminal records,
16 possess such prerequisites of training, education, and
17 experience as the Board may from time to time prescribe so long
18 as persons who have an associate's degree or 60 credit hours at
19 an accredited college or university are not disqualified, and
20 shall be required to pass successfully such mental and
21 physical tests and examinations as may be prescribed by the
22 Board. All persons who meet one of the following requirements
23 are deemed to have met the collegiate educational
24 requirements:

25 (i) have been honorably discharged and who have been
26 awarded a Southwest Asia Service Medal, Kosovo Campaign

1 Medal, Korean Defense Service Medal, Afghanistan Campaign
2 Medal, Iraq Campaign Medal, or Global War on Terrorism
3 Expeditionary Medal by the United States Armed Forces;

4 (ii) are active members of the Illinois National Guard
5 or a reserve component of the United States Armed Forces
6 and who have been awarded a Southwest Asia Service Medal,
7 Kosovo Campaign Medal, Korean Defense Service Medal,
8 Afghanistan Campaign Medal, Iraq Campaign Medal, or Global
9 War on Terrorism Expeditionary Medal as a result of
10 honorable service during deployment on active duty;

11 (iii) have been honorably discharged who served in a
12 combat mission by proof of hostile fire pay or imminent
13 danger pay during deployment on active duty; or

14 (iv) have at least 3 years of full active and
15 continuous military duty and received an honorable
16 discharge before hiring.

17 Preference shall be given in such appointments to persons
18 who have honorably served in the military or naval services of
19 the United States. All appointees shall serve a probationary
20 period of 12 months from the date of appointment and during
21 that period may be discharged at the will of the Director.
22 However, the Director may in his or her sole discretion extend
23 the probationary period of an officer up to an additional 6
24 months when to do so is deemed in the best interest of the
25 Department. Nothing in this subsection (a) limits the Board's
26 ability to prescribe education prerequisites or requirements

1 to certify Department of State Police officers for promotion
2 as provided in Section 10 of this Act.

3 (b) Notwithstanding the other provisions of this Act,
4 after July 1, 1977 and before July 1, 1980, the Director of
5 State Police may appoint and promote not more than 20 persons
6 having special qualifications as special agents as he or she
7 deems necessary to carry out the Department's objectives. Any
8 such appointment or promotion shall be ratified by the Board.

9 (c) During the 90 days following the effective date of
10 this amendatory Act of 1995, the Director of State Police may
11 appoint up to 25 persons as State Police officers. These
12 appointments shall be made in accordance with the requirements
13 of this subsection (c) and any additional criteria that may be
14 established by the Director, but are not subject to any other
15 requirements of this Act. The Director may specify the initial
16 rank for each person appointed under this subsection.

17 All appointments under this subsection (c) shall be made
18 from personnel certified by the Board. A person certified by
19 the Board and appointed by the Director under this subsection
20 must have been employed by the Illinois Commerce Commission on
21 November 30, 1994 in a job title subject to the Personnel Code
22 and in a position for which the person was eligible to earn
23 "eligible creditable service" as a "noncovered employee", as
24 those terms are defined in Article 14 of the Illinois Pension
25 Code.

26 Persons appointed under this subsection (c) shall

1 thereafter be subject to the same requirements and procedures
2 as other State police officers. A person appointed under this
3 subsection must serve a probationary period of 12 months from
4 the date of appointment, during which he or she may be
5 discharged at the will of the Director.

6 This subsection (c) does not affect or limit the
7 Director's authority to appoint other State Police officers
8 under subsection (a) of this Section.

9 (d) During the 180 days following the effective date of
10 this amendatory Act of the 101st General Assembly, the
11 Director of the Illinois State Police may appoint current
12 Illinois State Police Employees serving in law enforcement
13 officer positions previously within Central Management
14 Services as State Police Officers. These appointments shall be
15 made in accordance with the requirements of this subsection
16 (d) and any institutional criteria that may be established by
17 the Director, but are not subject to any other requirements of
18 this Act. All appointments under this subsection (d) shall be
19 made from personnel certified by the Board. A person certified
20 by the Board and appointed by the Director under this
21 subsection must have been employed by the a state agency,
22 board, or commission on January 1, 2021, in a job title subject
23 to the Personnel Code and in a position for which the person
24 was eligible to earn "eligible creditable service" as a
25 "noncovered employee", as those terms are defined in Article
26 14 of the Illinois Pension Code. Persons appointed under this

1 subsection (d) shall thereafter be subject to the same
2 requirements, and subject to the same contractual benefits and
3 obligations, as other State police officers. This subsection
4 (d) does not affect or limit the Director's authority to
5 appoint other State Police officers under subsection (a) of
6 this Section.

7 (e) The Merit Board shall review Illinois State Police
8 Cadet applicants. The Illinois State Police may provide
9 background check and investigation material to the Board for
10 their review 10 pursuant to this section. The Board shall
11 approve and ensure that no cadet applicant is certified unless
12 the applicant is a person of good character and has not been
13 convicted of, or entered a plea of guilty to, a felony offense,
14 any of the misdemeanors in Section or if committed in any other
15 state would be an offense similar to 11-1.50, 11-6, 11-6.5,
16 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12- 3.2,
17 12-3.4, 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3,
18 28-3, 29-1, any misdemeanor in violation of any section of
19 Part E of Title III of the Criminal Code of 1961 or the
20 Criminal Code of 2012, 32-4a, or 32-7 of the Criminal Code of
21 1961 or the Criminal Code of 2012, or subsection (a) of Section
22 17-32 of the Criminal Code of 1961 or the Criminal Code of
23 2012, to Section 5 or 5.2 of the Cannabis Control Act, or any
24 felony or misdemeanor in violation of federal law or the law of
25 any state that is the equivalent of any of the offenses
26 specified therein. The Officer Misconduct Database, provided

1 in Section 9.2 of the Illinois Police Training Act, shall be
2 searched as part of this process. For purposes of this Section
3 "convicted of, or entered a plea of guilty" regardless of
4 whether the adjudication of guilt or sentence is withheld or
5 not entered thereon. This includes sentences of supervision,
6 conditional discharge, or first offender probation, or any
7 similar disposition provided for by law.

8 (f) The Board shall by rule establish an application fee
9 waiver program for any person who meets one or more of the
10 following criteria:

11 (1) his or her available personal income is 200% or
12 less of the current poverty level; or

13 (2) he or she is, in the discretion of the Board,
14 unable to proceed in an action with payment of application
15 fee and payment of that fee would result in substantial
16 hardship to the person or the person's family.

17 (Source: P.A. 100-11, eff. 7-1-17; 101-374, eff. 1-1-20;
18 101-652, eff. 1-1-22.)

19 (20 ILCS 2610/12.6)

20 (This Section may contain text from a Public Act with a
21 delayed effective date)

22 Sec. 12.6. Automatic termination of Illinois State Police
23 officers. The Board shall terminate a state police officer
24 convicted of a felony offense under the laws of this State or
25 any other state which if committed in this State would be

1 punishable as a felony. The Board must also terminate Illinois
2 State Police officers who were convicted of, or entered a plea
3 of guilty to, on or after the effective date of this amendatory
4 Act of the 101st General Assembly, any misdemeanor specified
5 in this Section or if committed in any other state would be an
6 offense similar to Section 11-1.50, 11-6, 11-6.5, 11-6.6,
7 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4,
8 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1,
9 any misdemeanor in violation of any section of Part E of Title
10 III of the Criminal Code of 1961 or the Criminal Code of 2012,
11 32-4a, or 32-7 of the Criminal Code of 1961 or the Criminal
12 Code of 2012, or subsection (a) of Section 17-32 of the
13 Criminal Code of 1961 or the Criminal Code of 2012, to Section
14 5 or 5.2 of the Cannabis Control Act, or any felony or
15 misdemeanor in violation of federal law or the law of any state
16 that is the equivalent of any of the offenses specified
17 therein. The Illinois State Police Merit Board shall report
18 terminations under this Section to the Officer Misconduct
19 Database, provided in Section 9.2 of the Illinois Police
20 Training Act. For purposes of this section "convicted of, or
21 entered a plea of guilty" regardless of whether the
22 adjudication of guilt or sentence is withheld or not entered
23 thereon. This includes sentences of supervision, conditional
24 discharge, or first offender probation, or any similar
25 disposition provided for by law.

26 (Source: P.A. 101-652, eff. 1-1-22.)

1 (20 ILCS 2610/46)

2 (This Section may contain text from a Public Act with a
3 delayed effective date)

4 Sec. 46. Officer Professional Conduct Database; reporting,
5 transparency.

6 (a) The Illinois State Police Merit Board shall be
7 responsible for reporting all required information contained
8 in the Officer Misconduct Database, provided in Section 9.2 of
9 the Illinois Police Training Act.

10 (b) Before the Illinois State Police Merit Board certifies
11 any Illinois State Police Cadet the Board shall conduct a
12 search of all Illinois State Police Cadet applicants in the
13 Officer Professional Conduct Database.

14 (c) The database, documents, materials, or other
15 information in the possession or control of the Board that are
16 obtained by or disclosed to the Board pursuant to this
17 subsection shall be confidential by law and privileged, shall
18 not be subject to subpoena, and shall not be subject to
19 discovery or admissible in evidence in any private civil
20 action. However, the Board is authorized to use such
21 documents, materials, or other information in furtherance of
22 any regulatory or legal action brought as part of the Board's
23 official duties. Unless otherwise required by law, the Board
24 shall not disclose the database or make such documents,
25 materials, or other information public without the prior

1 written consent of the law enforcement ~~governmental~~ agency and
2 the law enforcement officer. The Board nor any person who
3 received documents, materials or other information shared
4 pursuant to this subsection shall be required to testify in
5 any private civil action concerning the database or any
6 confidential documents, materials, or information subject to
7 this subsection.

8 Nothing in this Section shall exempt a law enforcement
9 agency from which the Board has obtained data, documents,
10 materials, or other information or that has disclosed data,
11 documents, materials, or other information to the Board from
12 disclosing public records in accordance with the Freedom of
13 Information Act.

14 ~~Nothing in this Section shall exempt a governmental agency~~
15 ~~from disclosing public records in accordance with the Freedom~~
16 ~~of Information Act.~~

17 (Source: P.A. 101-652, eff. 1-1-22.)

18 Section 10. The Illinois Police Training Act is amended by
19 changing Sections 1, 2, 3, 3.1, 6, 6.1, 6.3, 6.7, 7, 8.1, 8.2,
20 8.3, 8.4, 9.2, 10.1, 10.2, 10.6, 10.11, 10.12, 10.13, 10.16,
21 10.19, 10.20, and 10.22 and by reenacting Section 6.2 as
22 follows:

23 (50 ILCS 705/1) (from Ch. 85, par. 501)

24 Sec. 1. It is hereby declared as a matter of legislative

1 determination that in order to promote and protect citizen
2 health, safety and welfare, it is necessary and in the public
3 interest to provide for the creation of the Illinois Law
4 Enforcement Training Standards Board for the purpose of
5 encouraging and aiding municipalities, counties, park
6 districts, State controlled universities, colleges, and public
7 community colleges, and other local governmental agencies of
8 this State, and participating State agencies in their efforts
9 to raise the level of law enforcement by upgrading and
10 maintaining a high level of training and standards for law
11 enforcement executives and officers, county corrections
12 officers, sheriffs, and law enforcement support personnel
13 under this Act. It is declared to be the responsibility of the
14 board to ensure the required participation of the pertinent
15 local governmental units in the programs established under
16 this Act, ~~to encourage the voluntary participation of other~~
17 ~~local governmental units and participating State agencies,~~ to
18 set standards, develop and provide quality training and
19 education, and to aid in the establishment of adequate
20 training facilities.

21 (Source: P.A. 99-408, eff. 1-1-16.)

22 (50 ILCS 705/2) (from Ch. 85, par. 502)

23 (Text of Section before amendment by P.A. 101-652)

24 Sec. 2. Definitions. As used in this Act, unless the
25 context otherwise requires:

1 "Board" means the Illinois Law Enforcement Training
2 Standards Board.

3 "Local governmental agency" means any local governmental
4 unit or municipal corporation in this State. It does not
5 include the State of Illinois or any office, officer,
6 department, division, bureau, board, commission, or agency of
7 the State, except that it does include a State-controlled
8 university, college or public community college.

9 "Police training school" means any school located within
10 the State of Illinois whether privately or publicly owned
11 which offers a course in police or county corrections training
12 and has been approved by the Board.

13 "Probationary police officer" means a recruit law
14 enforcement officer required to successfully complete initial
15 minimum basic training requirements at a police training
16 school to be eligible for permanent full-time employment as a
17 local law enforcement officer.

18 "Probationary part-time police officer" means a recruit
19 part-time law enforcement officer required to successfully
20 complete initial minimum part-time training requirements to be
21 eligible for employment on a part-time basis as a local law
22 enforcement officer.

23 "Permanent police officer" means a law enforcement officer
24 who has completed his or her probationary period and is
25 permanently employed on a full-time basis as a local law
26 enforcement officer by a participating local governmental unit

1 or as a security officer or campus policeman permanently
2 employed by a participating State-controlled university,
3 college, or public community college.

4 "Part-time police officer" means a law enforcement officer
5 who has completed his or her probationary period and is
6 employed on a part-time basis as a law enforcement officer by a
7 participating unit of local government or as a campus
8 policeman by a participating State-controlled university,
9 college, or public community college.

10 "Law enforcement officer" means (i) any police officer of
11 a local governmental agency who is primarily responsible for
12 prevention or detection of crime and the enforcement of the
13 criminal code, traffic, or highway laws of this State or any
14 political subdivision of this State or (ii) any member of a
15 police force appointed and maintained as provided in Section 2
16 of the Railroad Police Act.

17 "Recruit" means any full-time or part-time law enforcement
18 officer or full-time county corrections officer who is
19 enrolled in an approved training course.

20 "Probationary county corrections officer" means a recruit
21 county corrections officer required to successfully complete
22 initial minimum basic training requirements at a police
23 training school to be eligible for permanent employment on a
24 full-time basis as a county corrections officer.

25 "Permanent county corrections officer" means a county
26 corrections officer who has completed his probationary period

1 and is permanently employed on a full-time basis as a county
2 corrections officer by a participating local governmental
3 unit.

4 "County corrections officer" means any sworn officer of
5 the sheriff who is primarily responsible for the control and
6 custody of offenders, detainees or inmates.

7 "Probationary court security officer" means a recruit
8 court security officer required to successfully complete
9 initial minimum basic training requirements at a designated
10 training school to be eligible for employment as a court
11 security officer.

12 "Permanent court security officer" means a court security
13 officer who has completed his or her probationary period and
14 is employed as a court security officer by a participating
15 local governmental unit.

16 "Court security officer" has the meaning ascribed to it in
17 Section 3-6012.1 of the Counties Code.

18 (Source: P.A. 94-846, eff. 1-1-07.)

19 (Text of Section after amendment by P.A. 101-652)

20 Sec. 2. Definitions. As used in this Act, unless the
21 context otherwise requires:

22 "Board" means the Illinois Law Enforcement Training
23 Standards Board.

24 "Full-time law enforcement officer" means a law
25 enforcement officer who has completed the officer's

1 probationary period and is employed on a full-time basis as a
2 law enforcement officer by a local government agency, State
3 government agency, or as a campus police officer by a
4 ~~participating State-controlled~~ university, college, or ~~public~~
5 community college.

6 "Law Enforcement agency" means any entity with statutory
7 police powers and the ability to employ individuals authorized
8 to make arrests. It does not include the Illinois State Police
9 as defined in the State Police Act. A law enforcement agency
10 may include any university, college, or community college.

11 ~~"Governmental agency" means any local governmental agency~~
12 ~~and any State governmental agency.~~

13 "Local law enforcement ~~governmental~~ agency" means any law
14 enforcement ~~local governmental~~ unit of government or municipal
15 corporation in this State. It does not include the State of
16 Illinois or any office, officer, department, division, bureau,
17 board, commission, or agency of the State, except that it does
18 include a State-controlled university, college or public
19 community college.

20 "State law enforcement ~~governmental~~ agency" means any law
21 enforcement agency ~~governmental unit~~ of this State. This
22 includes any office, officer, department, division, bureau,
23 board, commission, or agency of the State. It does not include
24 the Illinois State Police as defined in the State Police Act.

25 "Panel" means the Certification Review Panel.

26 "Basic ~~Police~~ training school" means any school located

1 within the State of Illinois whether privately or publicly
2 owned which offers a course in basic law enforcement ~~police~~ or
3 county corrections training and has been approved by the
4 Board.

5 "Probationary police officer" means a recruit law
6 enforcement officer required to successfully complete initial
7 minimum basic training requirements at a basic ~~police~~ training
8 school to be eligible for permanent full-time employment as a
9 local law enforcement officer.

10 "Probationary part-time police officer" means a recruit
11 part-time law enforcement officer required to successfully
12 complete initial minimum part-time training requirements to be
13 eligible for employment on a part-time basis as a local law
14 enforcement officer.

15 "Permanent law enforcement officer" means a law
16 enforcement officer who has completed the officer's
17 probationary period and is permanently employed on a full-time
18 basis as a local law enforcement officer, ~~by a participating~~
19 ~~local governmental unit or~~ as a security officer, ~~or campus~~
20 police officer permanently employed by a law enforcement
21 agency ~~participating State-controlled university, college, or~~
22 ~~public community college.~~

23 "Part-time law enforcement officer" means a law
24 enforcement officer who has completed the officer's
25 probationary period and is employed on a part-time basis as a
26 law enforcement officer ~~by a participating unit of local~~

1 ~~government~~ or as a campus police officer by a law enforcement
2 agency participating State-controlled university, college, or
3 public community college.

4 "Law enforcement officer" means (i) any police officer of
5 a law enforcement local governmental agency who is primarily
6 responsible for prevention or detection of crime and the
7 enforcement of the criminal code, traffic, or highway laws of
8 this State or any political subdivision of this State or (ii)
9 any member of a police force appointed and maintained as
10 provided in Section 2 of the Railroad Police Act.

11 "Recruit" means any full-time or part-time law enforcement
12 officer or full-time county corrections officer who is
13 enrolled in an approved training course.

14 "Review Committee" means the committee at the Board for
15 certification disciplinary cases in which the Panel, a law
16 enforcement officer, or a law enforcement agency may file for
17 reconsideration of a decertification decision made by the
18 Board.

19 "Probationary county corrections officer" means a recruit
20 county corrections officer required to successfully complete
21 initial minimum basic training requirements at a basic police
22 training school to be eligible for permanent employment on a
23 full-time basis as a county corrections officer.

24 "Permanent county corrections officer" means a county
25 corrections officer who has completed the officer's
26 probationary period and is permanently employed on a full-time

1 basis as a county corrections officer by a participating law
2 enforcement agency ~~local governmental unit~~.

3 "County corrections officer" means any sworn officer of
4 the sheriff who is primarily responsible for the control and
5 custody of offenders, detainees or inmates.

6 "Probationary court security officer" means a recruit
7 court security officer required to successfully complete
8 initial minimum basic training requirements at a designated
9 training school to be eligible for employment as a court
10 security officer.

11 "Permanent court security officer" means a court security
12 officer who has completed the officer's probationary period
13 and is employed as a court security officer by a participating
14 law enforcement agency ~~local governmental unit~~.

15 "Court security officer" has the meaning ascribed to it in
16 Section 3-6012.1 of the Counties Code.

17 (Source: P.A. 101-652, eff. 1-1-22.)

18 (50 ILCS 705/3) (from Ch. 85, par. 503)

19 Sec. 3. Board; composition; appointments; tenure;
20 vacancies. ~~Board — composition — appointments — tenure —~~
21 ~~vacancies.~~

22 (a) The Board shall be composed of 18 members selected as
23 follows: The Attorney General of the State of Illinois, the
24 Director of the Illinois State Police, the Director of
25 Corrections, the Superintendent of the Chicago Police

1 Department, the Sheriff of Cook County, the Clerk of the
2 Circuit Court of Cook County, who shall serve as ex officio
3 members, and the following to be appointed by the Governor: 2
4 mayors or village presidents of Illinois municipalities, 2
5 Illinois county sheriffs from counties other than Cook County,
6 2 managers of Illinois municipalities, 2 chiefs of municipal
7 police departments in Illinois having no Superintendent of the
8 Police Department on the Board, 2 citizens of Illinois who
9 shall be members of an organized enforcement officers'
10 association, one active member of a statewide association
11 representing sheriffs, and one active member of a statewide
12 association representing municipal police chiefs. The
13 appointments of the Governor shall be made on the first Monday
14 of August in 1965 with 3 of the appointments to be for a period
15 of one year, 3 for 2 years, and 3 for 3 years. Their successors
16 shall be appointed in like manner for terms to expire the first
17 Monday of August each 3 years thereafter. All members shall
18 serve until their respective successors are appointed and
19 qualify. Vacancies shall be filled by the Governor for the
20 unexpired terms. Any ex officio member may appoint a designee
21 to the Board who shall have the same powers and immunities
22 otherwise conferred to the member of the Board, including the
23 power to vote and be counted toward quorum, so long as the
24 member is not in attendance.

25 (a-5) Within the Board is created a Review Committee. The
26 Review Committee shall review disciplinary cases in which the

1 Panel, the law enforcement officer, or the law enforcement
2 agency file for reconsideration of a decertification decision
3 made by the Board. The Review Committee shall be composed of 9
4 annually rotating members from the Board appointed by the
5 Board Chairman. One member of the Review Committee shall be
6 designated by the Board Chairman as the Chair. The Review
7 Committee shall sit in 3 member panels composed of one member
8 representing law enforcement management, one member
9 representing members of law enforcement, and one member who is
10 not a current or former member of law enforcement.

11 (b) When a Board member may have an actual, perceived, or
12 potential conflict of interest or appearance of bias that
13 could prevent the Board member from making a fair and
14 impartial decision regarding decertification:

15 (1) The Board member shall recuse himself or herself.

16 (2) If the Board member fails to recuse himself or
17 herself, then the Board may, by a simple majority of the
18 remaining members, vote to recuse the Board member. Board
19 members who are found to have voted on a matter in which
20 they should have recused themselves may be removed from
21 the Board by the Governor.

22 A conflict of interest or appearance of bias may include,
23 but is not limited to, matters where one of the following is a
24 party to a decision on a decertification or formal complaint:
25 someone with whom the member has an employment relationship;
26 any of the following relatives: spouse, parents, children,

1 adopted children, legal wards, stepchildren, step parents,
2 step siblings, half siblings, siblings, parents-in-law,
3 siblings-in-law, children-in-law, aunts, uncles, nieces, and
4 nephews; a friend; or a member of a professional organization,
5 association, or a union in which the member now actively
6 serves.

7 (c) A vacancy in members does not prevent a quorum of the
8 remaining sitting members from exercising all rights and
9 performing all duties of the Board.

10 (d) An individual serving on the Board shall not also
11 serve on the Panel.

12 (Source: P.A. 101-652, eff. 1-1-22; 102-538, eff. 8-20-21;
13 revised 10-13-21.)

14 (50 ILCS 705/3.1)

15 (This Section may contain text from a Public Act with a
16 delayed effective date)

17 Sec. 3.1. Illinois Law Enforcement Certification Review
18 Panel.

19 (a) There is hereby created the Illinois Law Enforcement
20 Certification Review Panel. The Panel shall be composed of the
21 following members, to be appointed in accordance with this
22 Section no later than 30 days after the effective date of this
23 amendatory Act of the 101st General Assembly. An individual
24 serving on the Panel shall not also serve on the Board.

25 (1) The Governor shall appoint 4 ~~3~~ members as

1 prescribed in this paragraph (1): one person who shall be
2 an active member from a statewide association representing
3 State's Attorneys; and 3 ~~2~~ persons who shall be Illinois
4 residents who are from communities with disproportionately
5 high instances of interaction with law enforcement, as
6 indicated by a high need, underserved community with high
7 rates of gun violence, unemployment, child poverty, and
8 commitments to Illinois Department of Corrections, but who
9 are not themselves law enforcement officers. The initial
10 appointments of the Governor shall be for a period of 3
11 years. Their successors shall be appointed in like manner
12 for terms to expire the first Monday of June each 3 years
13 thereafter. All members shall serve until their respective
14 successors are appointed and qualify. Vacancies shall be
15 filled by the Governor for the unexpired terms. Terms
16 shall run regardless of whether the position is vacant.

17 (2) The Attorney General shall appoint 9 ~~8~~ members as
18 prescribed in this paragraph (2). The membership shall
19 have racial, ethnic, gender, and geographic diversity and
20 include the following: two persons who shall be active
21 members of statewide organization representing more than
22 20,000 active and retired law enforcement officers; one
23 person who shall be an active member of a statewide
24 organization representing more than 3,000 active and
25 retired law enforcement officials; one person who shall be
26 an active member of a statewide association representing a

1 minimum of 75 sheriffs; one person who shall be an active
2 member of a statewide association representing at least
3 200 municipal police chiefs; two persons who shall be
4 active members of a minority law enforcement association;
5 one person who shall be a representative of the victims'
6 advocacy community but shall not be a member of law
7 enforcement; and one person who shall be a resident of
8 Illinois and shall not be an employee of the Office of the
9 Illinois Attorney General. The members shall serve for a
10 3-year term and until their respective successors are
11 appointed and qualify. The members' successors shall be
12 appointed in like manner for terms to expire the first
13 Monday of June each 3 years thereafter. Any vacancy of
14 these positions shall be filled by the Attorney General
15 for the unexpired term. The term shall run regardless of
16 whether the position is vacant.

17 (b) The Panel shall annually elect by a simple majority
18 vote one of its members as chairperson and one of its members
19 as vice-chairperson. The vice-chairperson shall serve in the
20 place of the chairperson at any meeting of the Panel in which
21 the chairperson is not present. If both the chairperson and
22 the vice-chairperson are absent at any meeting, the members
23 present shall elect by a simple majority vote another member
24 to serve as a temporary chairperson for the limited purpose of
25 that meeting. No member shall be elected more than twice in
26 succession to the same office. Each member shall serve until

1 that member's successor has been elected and qualified.

2 (c) The Board shall provide administrative assistance to
3 the Panel.

4 (d) The members of the Panel shall serve without
5 compensation but shall be entitled to reimbursement for their
6 actual and necessary expenses in attending meetings and in the
7 performance of their duties hereunder.

8 (e) Members of the Panel will receive initial and annual
9 training that is adequate in quality, quantity, scope, and
10 type, and will cover, at minimum the following topics:

11 (1) constitutional and other relevant law on
12 police-community encounters, including the law on the use
13 of force and stops, searches, and arrests;

14 (2) police tactics;

15 (3) investigations of police conduct;

16 (4) impartial policing;

17 (5) policing individuals in crisis;

18 (6) Illinois police policies, procedures, and
19 disciplinary rules;

20 (7) procedural justice; and

21 (8) community outreach.

22 The Board shall determine the content and extent of the
23 training within the scope provided for by this subsection.

24 (f) The State shall indemnify and hold harmless members of
25 the Panel for all of their acts, omissions, decisions, or
26 other conduct arising out of the scope of their service on the

1 Panel, except those involving willful or wanton misconduct.
2 The method of providing indemnification shall be as provided
3 in the State Employee Indemnification Act.

4 (g) When a Panel member may have an actual, perceived, or
5 potential conflict of interest or appearance of bias that
6 could prevent the Panel member from making a fair and
7 impartial decision on a complaint or formal complaint:

8 (1) The Panel member shall self-recuse ~~himself or~~
9 ~~herself~~.

10 (2) If the Panel member fails to self-recuse ~~himself~~
11 ~~or herself~~, then the remaining members of the Panel may,
12 by a simple majority, vote to recuse the Panel member. Any
13 Panel member who is found to have voted on a matter in
14 which they should have self-recused ~~themselves~~ may be
15 removed from the Panel by the State official who initially
16 appointed the Panel member. A conflict of interest or
17 appearance of bias may include, but is not limited to,
18 matters where one of the following is a party to a
19 certification decision for formal complaint: someone with
20 whom the member has an employment relationship; any of the
21 following relatives: spouse, parents, children, adopted
22 children, legal wards, stepchildren, stepparents, step
23 siblings, half siblings, siblings, parents-in-law,
24 siblings-in-law, children-in-law, aunts, uncles, nieces,
25 and nephews; a friend; or a member of a professional
26 organization or ~~an~~ association ~~, or a union~~ in which the

1 member now actively serves.

2 (h) A vacancy in membership does not impair the ability of
3 a quorum to exercise all rights and perform all duties of the
4 Panel.

5 (i) Notwithstanding any provision of law to the contrary,
6 the changes made to this Section by this amendatory Act of the
7 102nd General Assembly and Public Act 101-652 take effect July
8 1, 2022.

9 (Source: P.A. 101-652, eff. 1-1-22.)

10 (50 ILCS 705/6) (from Ch. 85, par. 506)

11 (Text of Section before amendment by P.A. 101-652)

12 Sec. 6. Powers and duties of the Board; selection and
13 certification of schools. The Board shall select and certify
14 schools within the State of Illinois for the purpose of
15 providing basic training for probationary police officers,
16 probationary county corrections officers, and court security
17 officers and of providing advanced or in-service training for
18 permanent police officers or permanent county corrections
19 officers, which schools may be either publicly or privately
20 owned and operated. In addition, the Board has the following
21 power and duties:

22 a. To require local governmental units to furnish such
23 reports and information as the Board deems necessary to
24 fully implement this Act.

25 b. To establish appropriate mandatory minimum

1 standards relating to the training of probationary local
2 law enforcement officers or probationary county
3 corrections officers, and in-service training of permanent
4 police officers.

5 c. To provide appropriate certification to those
6 probationary officers who successfully complete the
7 prescribed minimum standard basic training course.

8 d. To review and approve annual training curriculum
9 for county sheriffs.

10 e. To review and approve applicants to ensure that no
11 applicant is admitted to a certified academy unless the
12 applicant is a person of good character and has not been
13 convicted of, or entered a plea of guilty to, a felony
14 offense, any of the misdemeanors in Sections 11-1.50,
15 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1,
16 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7
17 of the Criminal Code of 1961 or the Criminal Code of 2012,
18 subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the
19 Criminal Code of 1961 or the Criminal Code of 2012, or
20 subsection (a) of Section 17-32 of the Criminal Code of
21 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
22 the Cannabis Control Act, or a crime involving moral
23 turpitude under the laws of this State or any other state
24 which if committed in this State would be punishable as a
25 felony or a crime of moral turpitude. The Board may
26 appoint investigators who shall enforce the duties

1 conferred upon the Board by this Act.

2 (Source: P.A. 101-187, eff. 1-1-20.)

3 (Text of Section after amendment by P.A. 101-652, Article
4 10, Section 10-143 but before amendment by P.A. 101-652,
5 Article 25, Section 25-40)

6 Sec. 6. Powers and duties of the Board; selection and
7 certification of schools. The Board shall select and certify
8 schools within the State of Illinois for the purpose of
9 providing basic training for probationary police officers,
10 probationary county corrections officers, and court security
11 officers and of providing advanced or in-service training for
12 permanent police officers or permanent county corrections
13 officers, which schools may be either publicly or privately
14 owned and operated. In addition, the Board has the following
15 power and duties:

16 a. To require local governmental units to furnish such
17 reports and information as the Board deems necessary to
18 fully implement this Act.

19 b. To establish appropriate mandatory minimum
20 standards relating to the training of probationary local
21 law enforcement officers or probationary county
22 corrections officers, and in-service training of permanent
23 police officers.

24 c. To provide appropriate certification to those
25 probationary officers who successfully complete the

1 prescribed minimum standard basic training course.

2 d. To review and approve annual training curriculum
3 for county sheriffs.

4 e. To review and approve applicants to ensure that no
5 applicant is admitted to a certified academy unless the
6 applicant is a person of good character and has not been
7 convicted of, or entered a plea of guilty to, a felony
8 offense, any of the misdemeanors in Sections 11-1.50,
9 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1,
10 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7
11 of the Criminal Code of 1961 or the Criminal Code of 2012,
12 subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the
13 Criminal Code of 1961 or the Criminal Code of 2012, or
14 subsection (a) of Section 17-32 of the Criminal Code of
15 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
16 the Cannabis Control Act, or a crime involving moral
17 turpitude under the laws of this State or any other state
18 which if committed in this State would be punishable as a
19 felony or a crime of moral turpitude. The Board may
20 appoint investigators who shall enforce the duties
21 conferred upon the Board by this Act.

22 f. To establish statewide standards for minimum
23 standards regarding regular mental health screenings for
24 probationary and permanent police officers, ensuring that
25 counseling sessions and screenings remain confidential.

26 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,

1 Section 10-143, eff. 7-1-21.)

2 (Text of Section after amendment by P.A. 101-652, Article
3 25, Section 25-40)

4 Sec. 6. Powers and duties of the Board; selection and
5 certification of schools. The Board shall select and certify
6 schools within the State of Illinois for the purpose of
7 providing basic training for probationary law enforcement
8 officers, probationary county corrections officers, and court
9 security officers and of providing advanced or in-service
10 training for permanent law enforcement officers or permanent
11 county corrections officers, which schools may be either
12 publicly or privately owned and operated. In addition, the
13 Board has the following power and duties:

14 a. To require law enforcement agencies ~~local~~
15 ~~governmental units,~~ to furnish such reports and
16 information as the Board deems necessary to fully
17 implement this Act.

18 b. To establish appropriate mandatory minimum
19 standards relating to the training of probationary local
20 law enforcement officers or probationary county
21 corrections officers, and in-service training of permanent
22 law enforcement officers.

23 c. To provide appropriate certification to those
24 probationary officers who successfully complete the
25 prescribed minimum standard basic training course.

1 d. To review and approve annual training curriculum
2 for county sheriffs.

3 e. To review and approve applicants to ensure that no
4 applicant is admitted to a certified academy unless the
5 applicant is a person of good character and has not been
6 convicted of, found guilty of, ~~or~~ entered a plea of guilty
7 to, or entered a plea of nolo contendere to a felony
8 offense, any of the misdemeanors in Sections 11-1.50,
9 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1,
10 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2,
11 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
12 violation of any Section of Part E of Title III of the
13 Criminal Code of 1961 or the Criminal Code of 2012, or
14 subsection (a) of Section 17-32 of the Criminal Code of
15 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
16 the Cannabis Control Act, or a crime involving moral
17 turpitude under the laws of this State or any other state
18 which if committed in this State would be punishable as a
19 felony or a crime of moral turpitude, or any felony or
20 misdemeanor in violation of federal law or the law of any
21 state that is the equivalent of any of the offenses
22 specified therein. The Board may appoint investigators who
23 shall enforce the duties conferred upon the Board by this
24 Act.

25 For purposes of this paragraph e, a person is
26 considered to have been convicted of, found guilty of, or

1 entered a plea of guilty to, plea of nolo contendere to
2 regardless of whether the adjudication of guilt or
3 sentence is withheld or not entered thereon. This includes
4 sentences of supervision, conditional discharge, or first
5 offender probation, or any similar disposition provided
6 for by law.

7 f. To establish statewide standards for minimum
8 standards regarding regular mental health screenings for
9 probationary and permanent police officers, ensuring that
10 counseling sessions and screenings remain confidential.

11 ~~f. For purposes of this paragraph (e), a person is~~
12 ~~considered to have been "convicted of, found guilty of, or~~
13 ~~entered a plea of guilty to, plea of nolo contendere to"~~
14 ~~regardless of whether the adjudication of guilt or~~
15 ~~sentence is withheld or not entered thereon. This includes~~
16 ~~sentences of supervision, conditional discharge, or first~~
17 ~~offender probation, or any similar disposition provided~~
18 ~~for by law.~~

19 g. To review and ensure all law enforcement officers
20 remain in compliance with this Act, and any administrative
21 rules adopted under this Act.

22 h. To suspend any certificate for a definite period,
23 limit or restrict any certificate, or revoke any
24 certificate.

25 i. The Board and the Panel shall have power to secure
26 by its subpoena and bring before it any person or entity in

1 this State and to take testimony either orally or by
2 deposition or both with the same fees and mileage and in
3 the same manner as prescribed by law in judicial
4 proceedings in civil cases in circuit courts of this
5 State. The Board and the Panel shall also have the power to
6 subpoena the production of documents, papers, files,
7 books, documents, and records, whether in physical or
8 electronic form, in support of the charges and for
9 defense, and in connection with a hearing or
10 investigation.

11 j. The Executive Director, the administrative law
12 judge designated by the Executive Director, and each
13 member of the Board and the Panel shall have the power to
14 administer oaths to witnesses at any hearing that the
15 Board is authorized to conduct under this Act and any
16 other oaths required or authorized to be administered by
17 the Board under this Act.

18 k. In case of the neglect or refusal of any person to
19 obey a subpoena issued by the Board and the Panel, any
20 circuit court, upon application of the Board and the
21 Panel, through the Illinois Attorney General, may order
22 such person to appear before the Board and the Panel give
23 testimony or produce evidence, and any failure to obey
24 such order is punishable by the court as a contempt
25 thereof. This order may be served by personal delivery, by
26 email, or by mail to the address of record or email address

1 of record.

2 1. The Board shall have the power to administer state
3 certification examinations. Any and all records related to
4 these examinations, including, but not limited to, test
5 questions, test formats, digital files, answer responses,
6 answer keys, and scoring information shall be exempt from
7 disclosure.

8 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,
9 Section 10-143, eff. 7-1-21; 101-652, Article 25, Section
10 25-40, eff. 1-1-22; revised 4-26-21.)

11 (50 ILCS 705/6.1)

12 Sec. 6.1. Automatic decertification of full-time and
13 part-time law enforcement officers.

14 (a) The Board must review law enforcement officer conduct
15 and records to ensure that no law enforcement officer is
16 certified or provided a valid waiver if that law enforcement
17 officer has been convicted of, found guilty of, entered a plea
18 of guilty to, or entered a plea of nolo contendere to, a felony
19 offense under the laws of this State or any other state which
20 if committed in this State would be punishable as a felony. The
21 Board must also ensure that no law enforcement officer is
22 certified or provided a valid waiver if that law enforcement
23 officer has been convicted of, found guilty of, or entered a
24 plea of guilty to, on or after January 1, 2022 (the effective
25 date of Public Act 101-652) ~~this amendatory Act of the 101st~~

1 ~~General Assembly~~ of any misdemeanor specified in this Section
2 or if committed in any other state would be an offense similar
3 to Section 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B,
4 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1,
5 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any
6 misdemeanor in violation of any Section of Part E of Title III
7 of the Criminal Code of 1961 or the Criminal Code of 2012, or
8 subsection (a) of Section 17-32 of the Criminal Code of 1961 or
9 the Criminal Code of 2012, or to Section 5 or 5.2 of the
10 Cannabis Control Act, or any felony or misdemeanor in
11 violation of federal law or the law of any state that is the
12 equivalent of any of the offenses specified therein. The Board
13 must appoint investigators to enforce the duties conferred
14 upon the Board by this Act.

15 (a-1) For purposes of this Section, a person is "convicted
16 of, or entered a plea of guilty to, plea of nolo contendere to,
17 found guilty of" regardless of whether the adjudication of
18 guilt or sentence is withheld or not entered thereon. This
19 includes sentences of supervision, conditional discharge, or
20 first offender probation, or any similar disposition provided
21 for by law.

22 (b) It is the responsibility of the sheriff or the chief
23 executive officer of every law enforcement ~~governmental~~ agency
24 or department within this State to report to the Board any
25 arrest, conviction, finding of guilt, plea of guilty, or plea
26 of nolo contendere to, of any officer for an offense

1 identified in this Section, regardless of whether the
2 adjudication of guilt or sentence is withheld or not entered
3 thereon, this includes sentences of supervision, conditional
4 discharge, or first offender probation.

5 (c) It is the duty and responsibility of every full-time
6 and part-time law enforcement officer in this State to report
7 to the Board within 14 days, and the officer's sheriff or chief
8 executive officer, of the officer's arrest, conviction, found
9 guilty of, or plea of guilty for an offense identified in this
10 Section. Any full-time or part-time law enforcement officer
11 who knowingly makes, submits, causes to be submitted, or files
12 a false or untruthful report to the Board must have the
13 officer's certificate or waiver immediately decertified or
14 revoked.

15 (d) Any person, or a local or State agency, or the Board is
16 immune from liability for submitting, disclosing, or releasing
17 information of arrests, convictions, or pleas of guilty in
18 this Section as long as the information is submitted,
19 disclosed, or released in good faith and without malice. The
20 Board has qualified immunity for the release of the
21 information.

22 (e) Any full-time or part-time law enforcement officer
23 with a certificate or waiver issued by the Board who is
24 convicted of, found guilty of, or entered a plea of guilty to,
25 or entered a plea of nolo contendere to any offense described
26 in this Section immediately becomes decertified or no longer

1 has a valid waiver. The decertification and invalidity of
2 waivers occurs as a matter of law. Failure of a convicted
3 person to report to the Board the officer's conviction as
4 described in this Section or any continued law enforcement
5 practice after receiving a conviction is a Class 4 felony.

6 For purposes of this Section, a person is considered to
7 have been "convicted of, found guilty of, or entered a plea of
8 guilty to, plea of nolo contendere to" regardless of whether
9 the adjudication of guilt or sentence is withheld or not
10 entered thereon, including sentences of supervision,
11 conditional discharge, first offender probation, or any
12 similar disposition as provided for by law.

13 (f) The Board's investigators shall be law enforcement
14 officers as defined in Section 2 of this Act. The Board shall
15 not waive the training requirement unless the investigator has
16 had a minimum of 5 years experience as a sworn officer of a
17 local, State, or federal law enforcement agency. An
18 investigator shall not have been terminated for good cause,
19 decertified, had his or her law enforcement license or
20 certificate revoked in this or any other jurisdiction, or been
21 convicted of any of the conduct listed in subsection (a). Any
22 complaint filed against the Board's investigators shall be
23 investigated by the Illinois State Police.

24 (g) The Board must request and receive information and
25 assistance from any federal, state, ~~or~~ local, or private
26 enforcement ~~governmental~~ agency as part of the authorized

1 criminal background investigation. The Illinois State Police
2 must process, retain, and additionally provide and disseminate
3 information to the Board concerning criminal charges, arrests,
4 convictions, and their disposition, that have been filed
5 against a basic academy applicant, law enforcement applicant,
6 or law enforcement officer whose fingerprint identification
7 cards are on file or maintained by the Illinois State Police.
8 The Federal Bureau of Investigation must provide the Board any
9 criminal history record information contained in its files
10 pertaining to law enforcement officers or any applicant to a
11 Board certified basic law enforcement academy as described in
12 this Act based on fingerprint identification. The Board must
13 make payment of fees to the Illinois State Police for each
14 fingerprint card submission in conformance with the
15 requirements of paragraph 22 of Section 55a of the Civil
16 Administrative Code of Illinois.

17 (g-5) Notwithstanding any provision of law to the
18 contrary, the changes to this Section made by this amendatory
19 Act of the 102nd General Assembly and Public Act 101-652 shall
20 apply prospectively only from July 1, 2022.

21 ~~(h) (Blank).~~

22 ~~(i) (Blank).~~

23 ~~(j) (Blank).~~

24 ~~(k) (Blank).~~

25 ~~(l) (Blank).~~

26 ~~(m) (Blank).~~

1 ~~(n) (Blank).~~

2 ~~(o) (Blank).~~

3 ~~(p) (Blank).~~

4 ~~(q) (Blank).~~

5 ~~(r) (Blank).~~

6 (Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22;
7 102-538, eff. 8-20-21; revised 10-13-21.)

8 (50 ILCS 705/6.2)

9 (Section scheduled to be repealed on January 1, 2022)

10 Sec. 6.2. Officer professional conduct database. In order
11 to ensure the continuing effectiveness of this Section, it is
12 set forth in full and reenacted by this amendatory Act of the
13 102nd General Assembly. This reenactment is intended as a
14 continuation of this Section. This reenactment is not intended
15 to supersede any amendment to this Section that may be made by
16 any other Public Act of the 102nd General Assembly.

17 (a) All law enforcement agencies shall notify the Board of
18 any final determination of willful violation of department or
19 agency policy, official misconduct, or violation of law when:

20 (1) the officer is discharged or dismissed as a result
21 of the violation; or

22 (2) the officer resigns during the course of an
23 investigation and after the officer has been served notice
24 that he or she is under investigation that is based on the
25 commission of any felony or sex offense.

1 The agency shall report to the Board within 30 days of a
2 final decision of discharge or dismissal and final exhaustion
3 of any appeal, or resignation, and shall provide information
4 regarding the nature of the violation.

5 (b) Upon receiving notification from a law enforcement
6 agency, the Board must notify the law enforcement officer of
7 the report and his or her right to provide a statement
8 regarding the reported violation.

9 (c) The Board shall maintain a database readily available
10 to any chief administrative officer, or his or her designee,
11 of a law enforcement agency or any State's Attorney that shall
12 show each reported instance, including the name of the
13 officer, the nature of the violation, reason for the final
14 decision of discharge or dismissal, and any statement provided
15 by the officer.

16 (Source: P.A. 101-652, eff. 7-1-21. Repealed by P.A. 101-652,
17 Article 25, Section 25-45, eff. 1-1-22.)

18 (50 ILCS 705/6.3)

19 (This Section may contain text from a Public Act with a
20 delayed effective date)

21 Sec. 6.3. Discretionary decertification of full-time and
22 part-time law enforcement officers.

23 (a) Definitions. For purposes of this Section 6.3:

24 "Duty to intervene" means an obligation to intervene to
25 prevent harm from occurring that arises when: an officer is

1 present, and has reason to know (1) that excessive force is
2 being used or that any constitutional violation has been
3 committed by a law enforcement official; and (2) the officer
4 has a realistic opportunity to intervene. This duty applies
5 equally to supervisory and nonsupervisory officers. If aid is
6 required, the officer shall not, when reasonable to administer
7 aid, knowingly and willingly refuse to render aid as defined
8 by State or federal law. An officer does not violate this duty
9 if the failure to render aid is due to circumstances such as
10 lack of appropriate specialized training, lack of resources or
11 equipment, or if it is unsafe or impracticable to render aid.

12 "Excessive use of force" means using force in violation of
13 State or federal law.

14 "False statement" means (1) any knowingly false statement
15 provided on a form or report, (2) that the writer does not
16 believe to be true, and (3) that the writer includes to mislead
17 a public servant in performing the public servant's official
18 functions.

19 "Perjury" means that as defined under Sections 32-2 and
20 32-3 of the Criminal Code of 2012.

21 "Tampers with or fabricates evidence" means if a law
22 enforcement officer (1) has reason to believe that an official
23 proceeding is pending or may be instituted, and (2) alters,
24 destroys, conceals, or removes any record, document, data,
25 video or thing to impair its validity or availability in the
26 proceeding.

1 (b) Decertification conduct. The Board has the authority
2 to decertify a full-time or a part-time law enforcement
3 officer upon a determination by the Board that the law
4 enforcement officer has:

5 (1) committed an act that would constitute a felony or
6 misdemeanor which could serve as basis for automatic
7 decertification, whether or not the law enforcement
8 officer was criminally prosecuted, and whether or not the
9 law enforcement officer's employment was terminated;

10 (2) exercised excessive use of force;

11 (3) failed to comply with the officer's duty to
12 intervene, including through acts or omissions;

13 (4) tampered with a dash camera or body-worn camera or
14 data recorded by a dash camera or body-worn camera or
15 directed another to tamper with or turn off a dash camera
16 or body-worn camera or data recorded by a dash camera or
17 body-worn camera for the purpose of concealing, destroying
18 or altering potential evidence;

19 (5) engaged in the following conduct relating to the
20 reporting, investigation, or prosecution of a crime:
21 committed perjury, made a false statement, or knowingly
22 tampered with or fabricated evidence; and

23 (6) engaged in any unprofessional, unethical,
24 deceptive, or deleterious conduct or practice harmful to
25 the public; such conduct or practice need not have
26 resulted in actual injury to any person. As used in this

1 paragraph, the term "unprofessional conduct" shall include
2 any departure from, or failure to conform to, the minimal
3 standards of acceptable and prevailing practice of an
4 officer.

5 (b-5) The Board has the authority to decertify a full-time
6 or part-time law enforcement officer notwithstanding whether a
7 law enforcement agency takes disciplinary action against a law
8 enforcement officer for the same underlying conduct as
9 outlined in subsection (b).

10 (c) Notice of Alleged Violation.

11 (1) The following individuals and agencies shall
12 notify the Board within 7 days of becoming aware of any
13 violation described in subsection (b):

14 (A) A law enforcement ~~governmental~~ agency as
15 defined in Section 2 or any law enforcement officer of
16 this State. For this subsection (c), law enforcement
17 ~~governmental~~ agency includes, but is not limited to, a
18 civilian review board, an inspector general, and legal
19 counsel for a law enforcement ~~government~~ agency.

20 (B) The Executive Director of the Board;

21 (C) A State's Attorney's Office of this State.

22 "Becoming aware" does not include confidential
23 communications between agency lawyers and agencies
24 regarding legal advice. For purposes of this subsection,
25 "law enforcement ~~governmental~~ agency" does not include the
26 Illinois Attorney General when providing legal

1 representation to a law enforcement officer under the
2 State Employee Indemnification Act.

3 (2) Any person may also notify the Board of any
4 conduct the person believes a law enforcement officer has
5 committed as described in subsection (b). Such
6 notifications may be made confidentially. Notwithstanding
7 any other provision in state law or any collective
8 bargaining agreement, the Board shall accept notice and
9 investigate any allegations from individuals who remain
10 confidential.

11 (3) Upon written request, the Board shall disclose to
12 the individual or entity who filed a notice of violation
13 the status of the Board's review.

14 (d) Form. The notice of violation reported under
15 subsection (c) shall be on a form prescribed by the Board in
16 its rules. The form shall be publicly available by paper and
17 electronic means. The form shall include fields for the
18 following information, at a minimum:

19 (1) the full name, address, and telephone number of
20 the person submitting the notice;

21 (2) if submitted under subsection (c)(1), the agency
22 name and title of the person submitting the notice;

23 (3) the full name, badge number, employing
24 ~~governmental~~ agency, and physical description of the
25 officer, if known;

26 (4) the full name or names, address or addresses,

1 telephone number or numbers, and physical description or
2 descriptions of any witnesses, if known;

3 (5) a concise statement of facts that describe the
4 alleged violation and any copies of supporting evidence
5 including but not limited to any photographic, video, or
6 audio recordings of the incident;

7 (6) whether the person submitting the notice has
8 notified any other agency; and

9 (7) an option for an individual, who submits directly
10 to the Board, to consent to have the individual's identity
11 disclosed. The identity of any individual providing
12 information or reporting any possible or alleged violation
13 to the Board shall be kept confidential and may not be
14 disclosed without the consent of that individual, unless
15 the individual consents to disclosure of the individual's
16 name or disclosure of the individual's identity is
17 otherwise required by law. The confidentiality granted by
18 this subsection does not preclude the disclosure of the
19 identity of a person in any capacity other than as the
20 source of an allegation.

21 ~~(a) The identity of any individual providing~~
22 ~~information or reporting any possible or alleged~~
23 ~~violation to the Board shall be kept confidential and~~
24 ~~may not be disclosed without the consent of that~~
25 ~~individual, unless the individual consents to~~
26 ~~disclosure of the individual's name or disclosure of~~

1 ~~the individual's identity is otherwise required by~~
2 ~~law. The confidentiality granted by this subsection~~
3 ~~does not preclude the disclosure of the identity of a~~
4 ~~person in any capacity other than as the source of an~~
5 ~~allegation.~~

6 Nothing in this subsection (d) shall preclude the Board
7 from receiving, investigating, or acting upon allegations made
8 confidentially or in a format different from the form provided
9 for in this subsection.

10 (e) Preliminary review.

11 (1) The Board shall complete a preliminary review of
12 the allegations to determine whether there is sufficient
13 information to warrant a further investigation of any
14 violations of the Act. Upon initiating a preliminary
15 review of the allegations, the Board shall notify the head
16 of the law enforcement ~~governmental~~ agency that employs
17 the law enforcement officer who is the subject of the
18 allegations. At the request of the Board, the law
19 enforcement ~~governmental~~ agency must submit any copies of
20 investigative findings, evidence, or documentation to the
21 Board in accordance with rules adopted by the Board to
22 facilitate the Board's preliminary review. The Board may
23 correspond with the law enforcement ~~governmental~~ agency,
24 official records clerks or any investigative agencies in
25 conducting its preliminary review.

26 (2) During the preliminary review, the Board will take

1 all reasonable steps to discover any and all objective
2 verifiable evidence relevant to the alleged violation
3 through the identification, retention, review, and
4 analysis of all currently available evidence, including,
5 but not limited to: all time-sensitive evidence, audio and
6 video evidence, physical evidence, arrest reports,
7 photographic evidence, GPS records, computer data, lab
8 reports, medical documents, and witness interviews. All
9 reasonable steps will be taken to preserve relevant
10 evidence identified during the preliminary investigation.

11 (3) If after a preliminary review of the alleged
12 violation or violations, the Board believes there is
13 sufficient information to warrant further investigation of
14 any violations of this Act, the alleged violation or
15 violations shall be assigned for investigation in
16 accordance with subsection (f).

17 (4) If after a review of the allegations, the Board
18 believes there is insufficient information supporting the
19 allegations to warrant further investigation, it may close
20 a notice. Notification of the Board's decision to close a
21 notice shall be sent to all relevant individuals,
22 agencies, and any entities that received notice of the
23 violation under subsection (c) within 30 days of the
24 notice being closed, except in cases where the notice is
25 submitted anonymously if the complainant is unknown.

26 (5) Except when the Board has received notice under

1 subparagraph (A) of paragraph (1) of subsection (c), no
2 later than 30 days after receiving notice, the Board shall
3 report any notice of violation it receives to the relevant
4 law enforcement ~~governmental~~ agency, unless reporting the
5 notice would jeopardize any subsequent investigation. The
6 Board shall also record any notice of violation it
7 receives to the Officer Professional Conduct Database in
8 accordance with Section 9.2. The Board shall report to the
9 appropriate State's Attorney any alleged violations that
10 contain allegations, claims, or factual assertions that,
11 if true, would constitute a violation of Illinois law. The
12 Board shall inform the law enforcement officer via
13 certified mail that it has received a notice of violation
14 against the law enforcement officer.

15 If the Board determines that due to the circumstances
16 and the nature of the allegation that it would not be
17 prudent to notify the law enforcement officer and the
18 officer's law enforcement ~~governmental~~ agency unless and
19 until the filing of a Formal Complaint, the Board shall
20 document in the file the reason or reasons a notification
21 was not made.

22 (6) If the law enforcement officer is involved in a
23 criminal proceeding on the same subject as the notice of
24 violation ~~has been initiated against the law enforcement~~
25 ~~officer~~, the Board is responsible for maintaining a
26 current status report including court dates, hearings,

1 pleas, adjudication status and sentencing. A State's
2 Attorney's Office must notify ~~is responsible for notifying~~
3 the Board of any criminal charges filed against a law
4 enforcement officer, and must provide updates of
5 significant developments to the Board in a timely manner
6 but no later than 30 days after such developments.

7 (f) Investigations; requirements. Investigations are to be
8 assigned after a preliminary review, unless the investigations
9 were closed under paragraph (4) of subsection (e), as follows
10 in paragraphs (1), (2), and (3) of this subsection (f).

11 (1) A law enforcement ~~governmental~~ agency that submits
12 a notice of violation to the Board under subparagraph (A)
13 of paragraph (1) of subsection (c) shall be responsible
14 for conducting an investigation of the underlying
15 allegations except when: (i) the law enforcement
16 ~~governmental~~ agency refers the notice to another law
17 enforcement ~~governmental~~ agency or the Board for
18 investigation and such other agency or the Board agrees to
19 conduct the investigation; (ii) an external, independent,
20 or civilian oversight agency conducts the investigation in
21 accordance with local ordinance or other applicable law;
22 or (iii) the Board has determined that it will conduct the
23 investigation based upon the facts and circumstances of
24 the alleged violation, including but not limited to,
25 investigations regarding the Chief or Sheriff of a law
26 enforcement ~~governmental~~ agency, familial conflict of

1 interests, complaints involving a substantial portion of a
2 law enforcement ~~governmental~~ agency, or complaints
3 involving a policy of a law enforcement ~~governmental~~
4 agency. Any agency or entity conducting an investigation
5 under this paragraph (1) shall submit quarterly reports to
6 the Board regarding the progress of the investigation. The
7 quarterly report shall be reviewed by the individual or
8 individuals at the Board who conducted the preliminary
9 review, if available.

10 Any agency or entity conducting an investigation under
11 this paragraph (1) shall, within 7 days of completing an
12 investigation, deliver an Investigative Summary Report and
13 copies of any administrative evidence to the Board. If the
14 Board finds an investigation conducted under this
15 paragraph (1) is incomplete, unsatisfactory, or deficient
16 in any way, the Board may direct the investigating entity
17 or agency to take any additional investigative steps
18 deemed necessary to thoroughly and satisfactorily complete
19 the investigation, or the Board may take any steps
20 necessary to complete the investigation. The investigating
21 entity or agency or, when necessary, the Board will then
22 amend and re-submit the Investigative Summary Report to
23 the Board for approval.

24 The Board shall submit a report to the investigating
25 entity disclosing the name, address, and telephone numbers
26 of persons who have knowledge of facts which are the

1 subject of the investigation and identifying the subject
2 matter of their knowledge.

3 (2) The Board shall investigate and complete an
4 Investigative Summary Report when a State's Attorney's
5 Office submits a notice of violation to the Board under
6 (c) (1) (C).

7 (3) When a person submits a notice to the Board under
8 paragraph (2) of subsection (c), The Board shall assign
9 the investigation to the law enforcement ~~governmental~~
10 agency that employs the law enforcement officer, except
11 when: (i) the law enforcement ~~governmental~~ agency requests
12 to refer the notice to another law enforcement
13 ~~governmental~~ agency or the Board for investigation and
14 such other agency or the Board agrees to conduct the
15 investigation; (ii) an external, independent, or civilian
16 oversight agency conducts the investigation in accordance
17 with local ordinance or other applicable law; or (iii) the
18 Board has determined that it will conduct the
19 investigation based upon the facts and circumstances of
20 the alleged violation, including but not limited to,
21 investigations regarding the Chief or Sheriff of a law
22 enforcement ~~governmental~~ agency, familial conflict of
23 interests, complaints involving a substantial portion of a
24 law enforcement ~~governmental~~ agency, or complaints
25 involving a policy of a law enforcement ~~governmental~~
26 agency.

1 The investigating entity or agency shall submit
2 quarterly reports to the Board regarding the progress of
3 the investigation in a form to be determined by the Board.
4 The quarterly report shall be reviewed by the individual
5 at the Board who conducted the preliminary review, if
6 available.

7 The investigating entity or agency shall, within 7 days of
8 completing an investigation, deliver an Investigative
9 Summary Report and copies of any evidence to the Board. If
10 the Board finds an investigation conducted under this
11 subsection (f)(3) is incomplete, unsatisfactory, or
12 deficient in any way, the Board may direct the
13 investigating entity to take any additional investigative
14 steps deemed necessary to thoroughly and satisfactorily
15 complete the investigation, or the Board may take any
16 steps necessary to complete the investigation. The
17 investigating entity or agency or, when necessary, the
18 Board will then amend and re-submit ~~the~~ the Investigative
19 Summary Report to the Board for approval. The
20 investigating entity shall cooperate with and assist the
21 Board, as necessary, in any subsequent investigation.

22 (4) Concurrent Investigations. The Board may, at any
23 point, initiate a concurrent investigation under this
24 section. The original investigating entity shall timely
25 communicate, coordinate, and cooperate with the Board to
26 the fullest extent. The Board shall promulgate rules that

1 shall address, at a minimum, the sharing of information
2 and investigative means such as subpoenas and interviewing
3 witnesses.

4 (5) Investigative Summary Report. An Investigative
5 Summary Report shall contain, at a minimum, the
6 allegations and elements within each allegation followed
7 by the testimonial, documentary, or physical evidence that
8 is relevant to each such allegation or element listed and
9 discussed in association with it. All persons who have
10 been interviewed and listed in the Investigative Summary
11 Report will be identified as a complainant, witness,
12 person with specialized knowledge, or law enforcement
13 employee.

14 (6) Each law enforcement ~~governmental~~ agency shall
15 adopt a written policy regarding the investigation of
16 conduct under subsection (a) that involves a law
17 enforcement officer employed by that law enforcement
18 ~~governmental~~ agency. The written policy adopted must
19 include the following, at a minimum:

20 (a) Each law enforcement officer shall immediately
21 report any conduct under subsection (b) to the
22 appropriate supervising officer.

23 (b) The written policy under this Section shall be
24 available for inspection and copying under the Freedom
25 of Information Act, and not subject to any exemption
26 of that Act.

1 (7) Nothing in this Act shall prohibit a law
2 enforcement ~~governmental~~ agency from conducting an
3 investigation for the purpose of internal discipline.
4 However, any such investigation shall be conducted in a
5 manner that avoids interference with, and preserves the
6 integrity of, any separate investigation by the Board
7 being conducted.

8 (g) Formal complaints. Upon receipt of an Investigative
9 Summary Report, the Board shall review the Report and any
10 relevant evidence obtained and determine whether there is
11 reasonable basis to believe that the law enforcement officer
12 committed any conduct that would be deemed a violation of this
13 Act. If after reviewing the Report and any other relevant
14 evidence obtained, the Board determines that a reasonable
15 basis does exist, the Board shall file a formal complaint with
16 the Certification Review Panel.

17 (h) Formal Complaint Hearing.

18 (1) Upon issuance of a formal complaint, the Panel
19 shall set the matter for an initial hearing in front of an
20 administrative law judge. At least 30 days before the date
21 set for an initial hearing, the Panel must, in writing,
22 notify the law enforcement officer subject to the
23 complaint of the following:

24 (i) the allegations against the law enforcement
25 officer, the time and place for the hearing, and
26 whether the law enforcement officer's certification

1 has been temporarily suspended under Section 8.3;

2 (ii) the right to file a written answer to the
3 complaint with the Panel within 30 days after service
4 of the notice;

5 (iii) if the law enforcement officer fails to
6 comply with the notice of the default order in
7 paragraph (2), the Panel shall enter a default order
8 against the law enforcement officer along with a
9 finding that the allegations in the complaint are
10 deemed admitted, and that the law enforcement
11 officer's certification may be revoked as a result;
12 and

13 (iv) the law enforcement officer may request an
14 informal conference to surrender the officer's
15 certification.

16 (2) The Board shall send the law enforcement officer
17 notice of the default order. The notice shall state that
18 the officer has 30 days to notify the Board in writing of
19 their desire to have the order vacated and to appear
20 before the Board. If the law enforcement officer does not
21 notify the Board within 30 days, the Board may set the
22 matter for hearing. If the matter is set for hearing, the
23 Board shall send the law enforcement officer the notice of
24 the date, time and location of the hearing. If the law
25 enforcement officer or counsel for the officer does
26 appear, at the Board's discretion, the hearing may proceed

1 or may be continued to a date and time agreed upon by all
2 parties. If on the date of the hearing, neither the law
3 enforcement officer nor counsel for the officer appears,
4 the Board may proceed with the hearing for default in
5 their absence.

6 (3) If the law enforcement officer fails to comply
7 with paragraph (2), all of the allegations contained in
8 the complaint shall be deemed admitted and the law
9 enforcement officer shall be decertified if, by a majority
10 vote of the panel, the conduct charged in the complaint is
11 found to constitute sufficient grounds for decertification
12 under this Act. Notice of the decertification decision may
13 be served by personal delivery, by mail, or, at the
14 discretion of the Board, by electronic means as adopted by
15 rule to the address or email address specified by the law
16 enforcement officer in the officer's last communication
17 with the Board. Notice shall also be provided to the law
18 enforcement officer's employing law enforcement
19 ~~governmental~~ agency.

20 (4) The Board, at the request of the law enforcement
21 officer subject to the Formal Complaint, may suspend a
22 hearing on a Formal Complaint for no more than one year if
23 a concurrent criminal matter is pending. If the law
24 enforcement officer requests to have the hearing
25 suspended, the law enforcement officer's certification
26 shall be deemed inactive until the law enforcement

1 officer's Formal Complaint hearing concludes. The Board or
2 the law enforcement officer may request to have the
3 hearing suspended for up to 6 additional months for good
4 cause. This request may be renewed. For purposes of this
5 paragraph (4), "good cause" means an incident or
6 occurrence that is beyond the control of the requester and
7 that prevents the hearing from occurring, or holding the
8 hearing would impose an undue hardship or prejudice on the
9 requester.

10 (5) Surrender of certification or waiver. Upon the
11 Board's issuance of a complaint, and prior to hearing on
12 the matter, a law enforcement officer may choose to
13 surrender the officer's certification or waiver by
14 notifying the Board in writing of the officer's decision
15 to do so. Upon receipt of such notification from the law
16 enforcement officer, the Board shall immediately decertify
17 the officer, or revoke any waiver previously granted. In
18 the case of a surrender of certification or waiver, the
19 Board's proceeding shall terminate.

20 (6) Appointment of administrative law judges. The
21 Board shall retain any attorney licensed to practice law
22 in the State of Illinois to serve as an administrative law
23 judge in any action involving ~~initiated against~~ a law
24 enforcement officer under this Act. The administrative law
25 judge shall be retained to a term of no greater than 4
26 years. If more than one judge is retained, the terms shall

1 be staggered. The administrative law judge has full
2 authority to conduct the hearings.

3 Administrative law judges will receive initial and
4 annual training that is adequate in quality, quantity,
5 scope, and type, and will cover, at minimum the following
6 topics:

7 (i) constitutional and other relevant law on
8 police-community encounters, including the law on the
9 use of force and stops, searches, and arrests;

10 (ii) police tactics;

11 (iii) investigations of police conduct;

12 (iv) impartial policing;

13 (v) policing individuals in crisis;

14 (vi) Illinois police policies, procedures, and
15 disciplinary rules;

16 (vii) procedural justice; and

17 (viii) community outreach.

18 The Board shall determine the content and extent of
19 the training within the scope provided for by this
20 subsection.

21 (7) Hearing. At the hearing, the administrative law
22 judge will hear the allegations alleged in the complaint.
23 The law enforcement officer, the counsel of the officer's
24 choosing, and the Board, or the officer's counsel, shall
25 be afforded the opportunity to present any pertinent
26 statements, testimony, evidence, and arguments. The law

1 enforcement officer shall be afforded the opportunity to
2 request that the Board compel the attendance of witnesses
3 and production of related documents. After the conclusion
4 of the hearing, the administrative law judge shall report
5 any ~~his or her~~ findings of fact, conclusions of law, and
6 recommended disposition to the Panel. If the law
7 enforcement officer objects to any procedural or
8 substantive legal portion of the report, the officer may
9 do so by written brief filed with the Panel within 14 days
10 after receipt of the report. The Panel may grant
11 reasonable extensions for good cause shown or when
12 mutually agreed upon by the parties.

13 No later than 28 days before the hearing, a party
14 shall disclose the following:

15 (i) The name and, if known, the address and
16 telephone number of each individual likely to have
17 information relevant to the hearing that the
18 disclosing party may use to support its claims or
19 defenses. This includes, but is not limited to, any
20 name that has previously been held as confidential by
21 the Board.

22 (ii) A copy of any documents and videos that are in
23 the possession, custody, or control of the party, and
24 that the disclosing party may use to support its
25 claims or defenses.

26 (8) Certification Review Meeting. Upon receipt of the

1 administrative law judge's findings of fact, conclusions
2 of law, and recommended disposition, and any submitted
3 objections from the law enforcement officer, the Panel
4 shall call for a certification review meeting.

5 In such a meeting, the Panel may adjourn into a closed
6 conference for the purposes of deliberating on the
7 evidence presented during the hearing. In closed
8 conference, the Panel shall consider the hearing officer's
9 findings of fact, conclusions of law, and recommended
10 disposition and may deliberate on all evidence and
11 testimony received and may consider the weight and
12 credibility to be given to the evidence received. No new
13 or additional evidence may be presented to the Panel.
14 After concluding its deliberations, the Panel shall
15 convene in open session for its consideration of the
16 matter. If a simple majority of the Panel finds that no
17 allegations in the complaint supporting one or more
18 charges of misconduct are proven by clear and convincing
19 evidence, then the Panel shall recommend to the Board that
20 the complaint be dismissed. If a simple majority of the
21 Panel finds that the allegations in the complaint
22 supporting one or more charges of misconduct are proven by
23 clear and convincing evidence, then the Panel shall
24 recommend to the Board to decertify the officer. The Panel
25 shall prepare a summary report as soon as practicable
26 after the completion of the meeting including the

1 following: ~~In doing so, the Panel may adopt, in whole or in~~
2 ~~part,~~ the hearing officer's findings of fact, conclusions
3 of law, ~~and~~ recommended disposition, and the Panel's
4 order.

5 (9) Final action by the Board. After receiving the
6 Panel's recommendations and any objections by the law
7 enforcement officer, and after due consideration of the
8 Panel's recommendations, the Board, by majority vote,
9 shall issue a final decision to decertify the law
10 enforcement officer or take no action in regard to the law
11 enforcement officer. No new or additional evidence may be
12 presented to the Board. If the Board makes a final
13 decision contrary to the recommendations of the Panel, the
14 Board shall set forth in its final written decision the
15 specific written reasons for not following the Panel's
16 recommendations. A copy of the Board's final decision
17 shall be served upon the law enforcement officer by the
18 Board, either personally or as provided in this Act for
19 the service of a notice of hearing. A copy of the Board's
20 final decision also shall be delivered to the last
21 employing law enforcement ~~governmental~~ agency, the
22 complainant, and the Panel.

23 (10) Reconsideration of the Board's Decision. Within
24 30 days after service of the Board's final decision, the
25 Panel or the law enforcement officer may file a written
26 motion for reconsideration with the Review Committee

1 ~~Board~~. The motion for reconsideration shall specify the
2 particular grounds for reconsideration. The non-moving
3 party may respond to the motion for reconsideration. The
4 Review Committee shall only address the issues raised by
5 the parties.

6 The Review Committee ~~Board~~ may deny the motion for
7 reconsideration, or it may grant the motion in whole or in
8 part and issue a new final decision in the matter. The
9 Review Committee ~~Board~~ must notify the law enforcement
10 officer and their last employing law enforcement agency
11 within 14 days of a denial and state the reasons for
12 denial.

13 (i) This Section applies to conduct by a full-time or
14 part-time law enforcement officer in violation of subsection
15 (b) that occurred before, on, or after the effective date of
16 this amendatory Act of the 102nd General Assembly.

17 (j) Notwithstanding any provision of law to the contrary,
18 the changes made to this Section by this amendatory Act of the
19 102nd General Assembly and Public Act 101-652 take effect July
20 1, 2022.

21 (Source: P.A. 101-652, eff. 1-1-22.)

22 (50 ILCS 705/6.7)

23 (This Section may contain text from a Public Act with a
24 delayed effective date)

25 Sec. 6.7. Certification and decertification procedures

1 under Act exclusive. Notwithstanding any other law, the
2 certification and decertification procedures, including the
3 conduct of any investigation or hearing, under this Act are
4 the sole and exclusive procedures for certification as law
5 enforcement officers in Illinois and are not subject to
6 collective bargaining under the Illinois Public Labor
7 Relations Act or appealable except as set forth herein. The
8 provisions of any collective bargaining agreement adopted by a
9 law enforcement ~~governmental~~ agency and covering the law
10 enforcement officer or officers under investigation shall be
11 inapplicable to any investigation or hearing conducted under
12 this Act.

13 An individual has no property interest in law enforcement
14 certification ~~employment or otherwise resulting from law~~
15 ~~enforcement officer certification~~ at the time of initial
16 certification or at any time thereafter, including, but not
17 limited to, after decertification or after the officer's
18 certification has been deemed inactive. Nothing in this Act
19 shall be construed to create a requirement that a law
20 enforcement ~~governmental~~ agency shall continue to employ a law
21 enforcement officer who has been decertified.

22 (Source: P.A. 101-652, eff. 1-1-22.)

23 (50 ILCS 705/7) (from Ch. 85, par. 507)

24 (Text of Section before amendment by P.A. 101-652)

25 Sec. 7. Rules and standards for schools. The Board shall

1 adopt rules and minimum standards for such schools which shall
2 include, but not be limited to, the following:

3 a. The curriculum for probationary police officers
4 which shall be offered by all certified schools shall
5 include, but not be limited to, courses of procedural
6 justice, arrest and use and control tactics, search and
7 seizure, including temporary questioning, civil rights,
8 human rights, human relations, cultural competency,
9 including implicit bias and racial and ethnic sensitivity,
10 criminal law, law of criminal procedure, constitutional
11 and proper use of law enforcement authority, vehicle and
12 traffic law including uniform and non-discriminatory
13 enforcement of the Illinois Vehicle Code, traffic control
14 and accident investigation, techniques of obtaining
15 physical evidence, court testimonies, statements, reports,
16 firearms training, training in the use of electronic
17 control devices, including the psychological and
18 physiological effects of the use of those devices on
19 humans, first-aid (including cardiopulmonary
20 resuscitation), training in the administration of opioid
21 antagonists as defined in paragraph (1) of subsection (e)
22 of Section 5-23 of the Substance Use Disorder Act,
23 handling of juvenile offenders, recognition of mental
24 conditions and crises, including, but not limited to, the
25 disease of addiction, which require immediate assistance
26 and response and methods to safeguard and provide

1 assistance to a person in need of mental treatment,
2 recognition of abuse, neglect, financial exploitation, and
3 self-neglect of adults with disabilities and older adults,
4 as defined in Section 2 of the Adult Protective Services
5 Act, crimes against the elderly, law of evidence, the
6 hazards of high-speed police vehicle chases with an
7 emphasis on alternatives to the high-speed chase, and
8 physical training. The curriculum shall include specific
9 training in techniques for immediate response to and
10 investigation of cases of domestic violence and of sexual
11 assault of adults and children, including cultural
12 perceptions and common myths of sexual assault and sexual
13 abuse as well as interview techniques that are age
14 sensitive and are trauma informed, victim centered, and
15 victim sensitive. The curriculum shall include training in
16 techniques designed to promote effective communication at
17 the initial contact with crime victims and ways to
18 comprehensively explain to victims and witnesses their
19 rights under the Rights of Crime Victims and Witnesses Act
20 and the Crime Victims Compensation Act. The curriculum
21 shall also include training in effective recognition of
22 and responses to stress, trauma, and post-traumatic stress
23 experienced by police officers that is consistent with
24 Section 25 of the Illinois Mental Health First Aid
25 Training Act in a peer setting, including recognizing
26 signs and symptoms of work-related cumulative stress,

1 issues that may lead to suicide, and solutions for
2 intervention with peer support resources. The curriculum
3 shall include a block of instruction addressing the
4 mandatory reporting requirements under the Abused and
5 Neglected Child Reporting Act. The curriculum shall also
6 include a block of instruction aimed at identifying and
7 interacting with persons with autism and other
8 developmental or physical disabilities, reducing barriers
9 to reporting crimes against persons with autism, and
10 addressing the unique challenges presented by cases
11 involving victims or witnesses with autism and other
12 developmental disabilities. The curriculum shall include
13 training in the detection and investigation of all forms
14 of human trafficking. The curriculum shall also include
15 instruction in trauma-informed responses designed to
16 ensure the physical safety and well-being of a child of an
17 arrested parent or immediate family member; this
18 instruction must include, but is not limited to: (1)
19 understanding the trauma experienced by the child while
20 maintaining the integrity of the arrest and safety of
21 officers, suspects, and other involved individuals; (2)
22 de-escalation tactics that would include the use of force
23 when reasonably necessary; and (3) inquiring whether a
24 child will require supervision and care. The curriculum
25 for permanent police officers shall include, but not be
26 limited to: (1) refresher and in-service training in any

1 of the courses listed above in this subparagraph, (2)
2 advanced courses in any of the subjects listed above in
3 this subparagraph, (3) training for supervisory personnel,
4 and (4) specialized training in subjects and fields to be
5 selected by the board. The training in the use of
6 electronic control devices shall be conducted for
7 probationary police officers, including University police
8 officers.

9 b. Minimum courses of study, attendance requirements
10 and equipment requirements.

11 c. Minimum requirements for instructors.

12 d. Minimum basic training requirements, which a
13 probationary police officer must satisfactorily complete
14 before being eligible for permanent employment as a local
15 law enforcement officer for a participating local
16 governmental agency. Those requirements shall include
17 training in first aid (including cardiopulmonary
18 resuscitation).

19 e. Minimum basic training requirements, which a
20 probationary county corrections officer must
21 satisfactorily complete before being eligible for
22 permanent employment as a county corrections officer for a
23 participating local governmental agency.

24 f. Minimum basic training requirements which a
25 probationary court security officer must satisfactorily
26 complete before being eligible for permanent employment as

1 a court security officer for a participating local
2 governmental agency. The Board shall establish those
3 training requirements which it considers appropriate for
4 court security officers and shall certify schools to
5 conduct that training.

6 A person hired to serve as a court security officer
7 must obtain from the Board a certificate (i) attesting to
8 his or her successful completion of the training course;
9 (ii) attesting to his or her satisfactory completion of a
10 training program of similar content and number of hours
11 that has been found acceptable by the Board under the
12 provisions of this Act; or (iii) attesting to the Board's
13 determination that the training course is unnecessary
14 because of the person's extensive prior law enforcement
15 experience.

16 Individuals who currently serve as court security
17 officers shall be deemed qualified to continue to serve in
18 that capacity so long as they are certified as provided by
19 this Act within 24 months of June 1, 1997 (the effective
20 date of Public Act 89-685). Failure to be so certified,
21 absent a waiver from the Board, shall cause the officer to
22 forfeit his or her position.

23 All individuals hired as court security officers on or
24 after June 1, 1997 (the effective date of Public Act
25 89-685) shall be certified within 12 months of the date of
26 their hire, unless a waiver has been obtained by the

1 Board, or they shall forfeit their positions.

2 The Sheriff's Merit Commission, if one exists, or the
3 Sheriff's Office if there is no Sheriff's Merit
4 Commission, shall maintain a list of all individuals who
5 have filed applications to become court security officers
6 and who meet the eligibility requirements established
7 under this Act. Either the Sheriff's Merit Commission, or
8 the Sheriff's Office if no Sheriff's Merit Commission
9 exists, shall establish a schedule of reasonable intervals
10 for verification of the applicants' qualifications under
11 this Act and as established by the Board.

12 g. Minimum in-service training requirements, which a
13 police officer must satisfactorily complete every 3 years.
14 Those requirements shall include constitutional and proper
15 use of law enforcement authority, procedural justice,
16 civil rights, human rights, mental health awareness and
17 response, officer wellness, reporting child abuse and
18 neglect, and cultural competency.

19 h. Minimum in-service training requirements, which a
20 police officer must satisfactorily complete at least
21 annually. Those requirements shall include law updates and
22 use of force training which shall include scenario based
23 training, or similar training approved by the Board.

24 (Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18;
25 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff.
26 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215,

1 eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19;
2 101-564, eff. 1-1-20; revised 9-10-19.)

3 (Text of Section after amendment by P.A. 101-652, Article
4 10, Section 10-143 but before amendment by P.A. 101-652,
5 Article 25, Section 25-40)

6 Sec. 7. Rules and standards for schools. The Board shall
7 adopt rules and minimum standards for such schools which shall
8 include, but not be limited to, the following:

9 a. The curriculum for probationary police officers
10 which shall be offered by all certified schools shall
11 include, but not be limited to, courses of procedural
12 justice, arrest and use and control tactics, search and
13 seizure, including temporary questioning, civil rights,
14 human rights, human relations, cultural competency,
15 including implicit bias and racial and ethnic sensitivity,
16 criminal law, law of criminal procedure, constitutional
17 and proper use of law enforcement authority, crisis
18 intervention training, vehicle and traffic law including
19 uniform and non-discriminatory enforcement of the Illinois
20 Vehicle Code, traffic control and accident investigation,
21 techniques of obtaining physical evidence, court
22 testimonies, statements, reports, firearms training,
23 training in the use of electronic control devices,
24 including the psychological and physiological effects of
25 the use of those devices on humans, first-aid (including

1 cardiopulmonary resuscitation), training in the
2 administration of opioid antagonists as defined in
3 paragraph (1) of subsection (e) of Section 5-23 of the
4 Substance Use Disorder Act, handling of juvenile
5 offenders, recognition of mental conditions and crises,
6 including, but not limited to, the disease of addiction,
7 which require immediate assistance and response and
8 methods to safeguard and provide assistance to a person in
9 need of mental treatment, recognition of abuse, neglect,
10 financial exploitation, and self-neglect of adults with
11 disabilities and older adults, as defined in Section 2 of
12 the Adult Protective Services Act, crimes against the
13 elderly, law of evidence, the hazards of high-speed police
14 vehicle chases with an emphasis on alternatives to the
15 high-speed chase, and physical training. The curriculum
16 shall include specific training in techniques for
17 immediate response to and investigation of cases of
18 domestic violence and of sexual assault of adults and
19 children, including cultural perceptions and common myths
20 of sexual assault and sexual abuse as well as interview
21 techniques that are age sensitive and are trauma informed,
22 victim centered, and victim sensitive. The curriculum
23 shall include training in techniques designed to promote
24 effective communication at the initial contact with crime
25 victims and ways to comprehensively explain to victims and
26 witnesses their rights under the Rights of Crime Victims

1 and Witnesses Act and the Crime Victims Compensation Act.
2 The curriculum shall also include training in effective
3 recognition of and responses to stress, trauma, and
4 post-traumatic stress experienced by police officers that
5 is consistent with Section 25 of the Illinois Mental
6 Health First Aid Training Act in a peer setting, including
7 recognizing signs and symptoms of work-related cumulative
8 stress, issues that may lead to suicide, and solutions for
9 intervention with peer support resources. The curriculum
10 shall include a block of instruction addressing the
11 mandatory reporting requirements under the Abused and
12 Neglected Child Reporting Act. The curriculum shall also
13 include a block of instruction aimed at identifying and
14 interacting with persons with autism and other
15 developmental or physical disabilities, reducing barriers
16 to reporting crimes against persons with autism, and
17 addressing the unique challenges presented by cases
18 involving victims or witnesses with autism and other
19 developmental disabilities. The curriculum shall include
20 training in the detection and investigation of all forms
21 of human trafficking. The curriculum shall also include
22 instruction in trauma-informed responses designed to
23 ensure the physical safety and well-being of a child of an
24 arrested parent or immediate family member; this
25 instruction must include, but is not limited to: (1)
26 understanding the trauma experienced by the child while

1 maintaining the integrity of the arrest and safety of
2 officers, suspects, and other involved individuals; (2)
3 de-escalation tactics that would include the use of force
4 when reasonably necessary; and (3) inquiring whether a
5 child will require supervision and care. The curriculum
6 for probationary police officers shall include: (1) at
7 least 12 hours of hands-on, scenario-based role-playing;
8 (2) at least 6 hours of instruction on use of force
9 techniques, including the use of de-escalation techniques
10 to prevent or reduce the need for force whenever safe and
11 feasible; (3) specific training on officer safety
12 techniques, including cover, concealment, and time; and
13 (4) at least 6 hours of training focused on high-risk
14 traffic stops. The curriculum for permanent police
15 officers shall include, but not be limited to: (1)
16 refresher and in-service training in any of the courses
17 listed above in this subparagraph, (2) advanced courses in
18 any of the subjects listed above in this subparagraph, (3)
19 training for supervisory personnel, and (4) specialized
20 training in subjects and fields to be selected by the
21 board. The training in the use of electronic control
22 devices shall be conducted for probationary police
23 officers, including University police officers.

24 b. Minimum courses of study, attendance requirements
25 and equipment requirements.

26 c. Minimum requirements for instructors.

1 d. Minimum basic training requirements, which a
2 probationary police officer must satisfactorily complete
3 before being eligible for permanent employment as a local
4 law enforcement officer for a participating local
5 governmental agency. Those requirements shall include
6 training in first aid (including cardiopulmonary
7 resuscitation).

8 e. Minimum basic training requirements, which a
9 probationary county corrections officer must
10 satisfactorily complete before being eligible for
11 permanent employment as a county corrections officer for a
12 participating local governmental agency.

13 f. Minimum basic training requirements which a
14 probationary court security officer must satisfactorily
15 complete before being eligible for permanent employment as
16 a court security officer for a participating local
17 governmental agency. The Board shall establish those
18 training requirements which it considers appropriate for
19 court security officers and shall certify schools to
20 conduct that training.

21 A person hired to serve as a court security officer
22 must obtain from the Board a certificate (i) attesting to
23 his or her successful completion of the training course;
24 (ii) attesting to his or her satisfactory completion of a
25 training program of similar content and number of hours
26 that has been found acceptable by the Board under the

1 provisions of this Act; or (iii) attesting to the Board's
2 determination that the training course is unnecessary
3 because of the person's extensive prior law enforcement
4 experience.

5 Individuals who currently serve as court security
6 officers shall be deemed qualified to continue to serve in
7 that capacity so long as they are certified as provided by
8 this Act within 24 months of June 1, 1997 (the effective
9 date of Public Act 89-685). Failure to be so certified,
10 absent a waiver from the Board, shall cause the officer to
11 forfeit his or her position.

12 All individuals hired as court security officers on or
13 after June 1, 1997 (the effective date of Public Act
14 89-685) shall be certified within 12 months of the date of
15 their hire, unless a waiver has been obtained by the
16 Board, or they shall forfeit their positions.

17 The Sheriff's Merit Commission, if one exists, or the
18 Sheriff's Office if there is no Sheriff's Merit
19 Commission, shall maintain a list of all individuals who
20 have filed applications to become court security officers
21 and who meet the eligibility requirements established
22 under this Act. Either the Sheriff's Merit Commission, or
23 the Sheriff's Office if no Sheriff's Merit Commission
24 exists, shall establish a schedule of reasonable intervals
25 for verification of the applicants' qualifications under
26 this Act and as established by the Board.

1 g. Minimum in-service training requirements, which a
2 police officer must satisfactorily complete every 3 years.
3 Those requirements shall include constitutional and proper
4 use of law enforcement authority, procedural justice,
5 civil rights, human rights, reporting child abuse and
6 neglect, and cultural competency, including implicit bias
7 and racial and ethnic sensitivity.

8 h. Minimum in-service training requirements, which a
9 police officer must satisfactorily complete at least
10 annually. Those requirements shall include law updates,
11 emergency medical response training and certification,
12 crisis intervention training, and officer wellness and
13 mental health.

14 i. Minimum in-service training requirements as set
15 forth in Section 10.6.

16 (Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18;
17 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff.
18 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215,
19 eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19;
20 101-564, eff. 1-1-20; P.A. 101-652, Article 10, Section
21 10-143, eff. 7-1-21.)

22 (Text of Section after amendment by P.A. 101-652, Article
23 25, Section 25-40)

24 Sec. 7. Rules and standards for schools. The Board shall
25 adopt rules and minimum standards for such schools which shall

1 include, but not be limited to, the following:

2 a. The curriculum for probationary law enforcement
3 officers which shall be offered by all certified schools
4 shall include, but not be limited to, courses of
5 procedural justice, arrest and use and control tactics,
6 search and seizure, including temporary questioning, civil
7 rights, human rights, human relations, cultural
8 competency, including implicit bias and racial and ethnic
9 sensitivity, criminal law, law of criminal procedure,
10 constitutional and proper use of law enforcement
11 authority, crisis intervention training, vehicle and
12 traffic law including uniform and non-discriminatory
13 enforcement of the Illinois Vehicle Code, traffic control
14 and accident investigation, techniques of obtaining
15 physical evidence, court testimonies, statements, reports,
16 firearms training, training in the use of electronic
17 control devices, including the psychological and
18 physiological effects of the use of those devices on
19 humans, first-aid (including cardiopulmonary
20 resuscitation), training in the administration of opioid
21 antagonists as defined in paragraph (1) of subsection (e)
22 of Section 5-23 of the Substance Use Disorder Act,
23 handling of juvenile offenders, recognition of mental
24 conditions and crises, including, but not limited to, the
25 disease of addiction, which require immediate assistance
26 and response and methods to safeguard and provide

1 assistance to a person in need of mental treatment,
2 recognition of abuse, neglect, financial exploitation, and
3 self-neglect of adults with disabilities and older adults,
4 as defined in Section 2 of the Adult Protective Services
5 Act, crimes against the elderly, law of evidence, the
6 hazards of high-speed police vehicle chases with an
7 emphasis on alternatives to the high-speed chase, and
8 physical training. The curriculum shall include specific
9 training in techniques for immediate response to and
10 investigation of cases of domestic violence and of sexual
11 assault of adults and children, including cultural
12 perceptions and common myths of sexual assault and sexual
13 abuse as well as interview techniques that are age
14 sensitive and are trauma informed, victim centered, and
15 victim sensitive. The curriculum shall include training in
16 techniques designed to promote effective communication at
17 the initial contact with crime victims and ways to
18 comprehensively explain to victims and witnesses their
19 rights under the Rights of Crime Victims and Witnesses Act
20 and the Crime Victims Compensation Act. The curriculum
21 shall also include training in effective recognition of
22 and responses to stress, trauma, and post-traumatic stress
23 experienced by law enforcement officers that is consistent
24 with Section 25 of the Illinois Mental Health First Aid
25 Training Act in a peer setting, including recognizing
26 signs and symptoms of work-related cumulative stress,

1 issues that may lead to suicide, and solutions for
2 intervention with peer support resources. The curriculum
3 shall include a block of instruction addressing the
4 mandatory reporting requirements under the Abused and
5 Neglected Child Reporting Act. The curriculum shall also
6 include a block of instruction aimed at identifying and
7 interacting with persons with autism and other
8 developmental or physical disabilities, reducing barriers
9 to reporting crimes against persons with autism, and
10 addressing the unique challenges presented by cases
11 involving victims or witnesses with autism and other
12 developmental disabilities. The curriculum shall include
13 training in the detection and investigation of all forms
14 of human trafficking. The curriculum shall also include
15 instruction in trauma-informed responses designed to
16 ensure the physical safety and well-being of a child of an
17 arrested parent or immediate family member; this
18 instruction must include, but is not limited to: (1)
19 understanding the trauma experienced by the child while
20 maintaining the integrity of the arrest and safety of
21 officers, suspects, and other involved individuals; (2)
22 de-escalation tactics that would include the use of force
23 when reasonably necessary; and (3) inquiring whether a
24 child will require supervision and care. The curriculum
25 for probationary law enforcement ~~police~~ officers shall
26 include: (1) at least 12 hours of hands-on, scenario-based

1 role-playing; (2) at least 6 hours of instruction on use
2 of force techniques, including the use of de-escalation
3 techniques to prevent or reduce the need for force
4 whenever safe and feasible; (3) specific training on
5 officer safety techniques, including cover, concealment,
6 and time; and (4) at least 6 hours of training focused on
7 high-risk traffic stops. The curriculum for permanent law
8 enforcement officers shall include, but not be limited to:
9 (1) refresher and in-service training in any of the
10 courses listed above in this subparagraph, (2) advanced
11 courses in any of the subjects listed above in this
12 subparagraph, (3) training for supervisory personnel, and
13 (4) specialized training in subjects and fields to be
14 selected by the board. The training in the use of
15 electronic control devices shall be conducted for
16 probationary law enforcement officers, including
17 University police officers.

18 b. Minimum courses of study, attendance requirements
19 and equipment requirements.

20 c. Minimum requirements for instructors.

21 d. Minimum basic training requirements, which a
22 probationary law enforcement officer must satisfactorily
23 complete before being eligible for permanent employment as
24 a local law enforcement officer for a participating local
25 governmental or State ~~state~~ governmental agency. Those
26 requirements shall include training in first aid

1 (including cardiopulmonary resuscitation).

2 e. Minimum basic training requirements, which a
3 probationary county corrections officer must
4 satisfactorily complete before being eligible for
5 permanent employment as a county corrections officer for a
6 participating local governmental agency.

7 f. Minimum basic training requirements which a
8 probationary court security officer must satisfactorily
9 complete before being eligible for permanent employment as
10 a court security officer for a participating local
11 governmental agency. The Board shall establish those
12 training requirements which it considers appropriate for
13 court security officers and shall certify schools to
14 conduct that training.

15 A person hired to serve as a court security officer
16 must obtain from the Board a certificate (i) attesting to
17 the officer's successful completion of the training
18 course; (ii) attesting to the officer's satisfactory
19 completion of a training program of similar content and
20 number of hours that has been found acceptable by the
21 Board under the provisions of this Act; or (iii) attesting
22 to the Board's determination that the training course is
23 unnecessary because of the person's extensive prior law
24 enforcement experience.

25 Individuals who currently serve as court security
26 officers shall be deemed qualified to continue to serve in

1 that capacity so long as they are certified as provided by
2 this Act within 24 months of June 1, 1997 (the effective
3 date of Public Act 89-685). Failure to be so certified,
4 absent a waiver from the Board, shall cause the officer to
5 forfeit his or her position.

6 All individuals hired as court security officers on or
7 after June 1, 1997 (the effective date of Public Act
8 89-685) shall be certified within 12 months of the date of
9 their hire, unless a waiver has been obtained by the
10 Board, or they shall forfeit their positions.

11 The Sheriff's Merit Commission, if one exists, or the
12 Sheriff's Office if there is no Sheriff's Merit
13 Commission, shall maintain a list of all individuals who
14 have filed applications to become court security officers
15 and who meet the eligibility requirements established
16 under this Act. Either the Sheriff's Merit Commission, or
17 the Sheriff's Office if no Sheriff's Merit Commission
18 exists, shall establish a schedule of reasonable intervals
19 for verification of the applicants' qualifications under
20 this Act and as established by the Board.

21 g. Minimum in-service training requirements, which a
22 law enforcement officer must satisfactorily complete every
23 3 years. Those requirements shall include constitutional
24 and proper use of law enforcement authority, procedural
25 justice, civil rights, human rights, reporting child abuse
26 and neglect, and cultural competency, including implicit

1 bias and racial and ethnic sensitivity.

2 h. Minimum in-service training requirements, which a
3 law enforcement officer must satisfactorily complete at
4 least annually. Those requirements shall include law
5 updates, emergency medical response training and
6 certification, crisis intervention training, and officer
7 wellness and mental health.

8 i. Minimum in-service training requirements as set
9 forth in Section 10.6.

10 Notwithstanding any provision of law to the contrary, the
11 changes made to this Section by this amendatory Act of the
12 102nd General Assembly, Public Act 101-652, and Public Act
13 102-28 take effect July 1, 2022.

14 (Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18;
15 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff.
16 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215,
17 eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19;
18 101-564, eff. 1-1-20; P.A. 101-652, Article 10, Section
19 10-143, eff. 7-1-21; 101-652, Article 25, Section 25-40, eff.
20 1-1-22; revised 4-26-21.)

21 (50 ILCS 705/8.1) (from Ch. 85, par. 508.1)

22 (Text of Section before amendment by P.A. 101-652)

23 Sec. 8.1. Full-time police and county corrections
24 officers.

25 (a) After January 1, 1976, no person shall receive a

1 permanent appointment as a law enforcement officer as defined
2 in this Act nor shall any person receive, after the effective
3 date of this amendatory Act of 1984, a permanent appointment
4 as a county corrections officer unless that person has been
5 awarded, within 6 months of his or her initial full-time
6 employment, a certificate attesting to his or her successful
7 completion of the Minimum Standards Basic Law Enforcement and
8 County Correctional Training Course as prescribed by the
9 Board; or has been awarded a certificate attesting to his or
10 her satisfactory completion of a training program of similar
11 content and number of hours and which course has been found
12 acceptable by the Board under the provisions of this Act; or by
13 reason of extensive prior law enforcement or county
14 corrections experience the basic training requirement is
15 determined by the Board to be illogical and unreasonable.

16 If such training is required and not completed within the
17 applicable 6 months, then the officer must forfeit his or her
18 position, or the employing agency must obtain a waiver from
19 the Board extending the period for compliance. Such waiver
20 shall be issued only for good and justifiable reasons, and in
21 no case shall extend more than 90 days beyond the initial 6
22 months. Any hiring agency that fails to train a law
23 enforcement officer within this period shall be prohibited
24 from employing this individual in a law enforcement capacity
25 for one year from the date training was to be completed. If an
26 agency again fails to train the individual a second time, the

1 agency shall be permanently barred from employing this
2 individual in a law enforcement capacity.

3 (b) No provision of this Section shall be construed to
4 mean that a law enforcement officer employed by a local
5 governmental agency at the time of the effective date of this
6 amendatory Act, either as a probationary police officer or as
7 a permanent police officer, shall require certification under
8 the provisions of this Section. No provision of this Section
9 shall be construed to mean that a county corrections officer
10 employed by a local governmental agency at the time of the
11 effective date of this amendatory Act of 1984, either as a
12 probationary county corrections or as a permanent county
13 corrections officer, shall require certification under the
14 provisions of this Section. No provision of this Section shall
15 be construed to apply to certification of elected county
16 sheriffs.

17 (c) This Section does not apply to part-time police
18 officers or probationary part-time police officers.

19 (Source: P.A. 101-187, eff. 1-1-20.)

20 (Text of Section after amendment by P.A. 101-652)

21 Sec. 8.1. Full-time law enforcement and county corrections
22 officers.

23 (a) No person shall receive a permanent appointment as a
24 law enforcement officer or a permanent appointment as a county
25 corrections officer unless that person has been awarded,

1 within 6 months of the officer's initial full-time employment,
2 a certificate attesting to the officer's successful completion
3 of the Minimum Standards Basic Law Enforcement or County
4 Correctional Training Course as prescribed by the Board; or
5 has been awarded a certificate attesting to the officer's
6 satisfactory completion of a training program of similar
7 content and number of hours and which course has been found
8 acceptable by the Board under the provisions of this Act; or a
9 training waiver by reason of extensive prior law enforcement
10 or county corrections experience the basic training
11 requirement is determined by the Board to be illogical and
12 unreasonable.

13 If such training is required and not completed within the
14 applicable 6 months, then the officer must forfeit the
15 officer's position, or the employing agency must obtain a
16 waiver from the Board extending the period for compliance.
17 Such waiver shall be issued only for good and justifiable
18 reasons, and in no case shall extend more than 90 days beyond
19 the initial 6 months. Any hiring agency that fails to train a
20 law enforcement officer within this period shall be prohibited
21 from employing this individual in a law enforcement capacity
22 for one year from the date training was to be completed. If an
23 agency again fails to train the individual a second time, the
24 agency shall be permanently barred from employing this
25 individual in a law enforcement capacity.

26 An individual who is not certified by the Board or whose

1 certified status is inactive shall not function as a law
2 enforcement officer, be assigned the duties of a law
3 enforcement officer by an employing agency, or be authorized
4 to carry firearms under the authority of the employer, except
5 as otherwise authorized to carry a firearm under State or
6 federal law. Sheriffs who are elected as of the effective date
7 of this Amendatory Act of the 101st General Assembly, are
8 exempt from the requirement of certified status. Failure to be
9 certified in accordance with this Act shall cause the officer
10 to forfeit the officer's position.

11 An employing agency may not grant a person status as a law
12 enforcement officer unless the person has been granted an
13 active law enforcement officer certification by the Board.

14 (b) Inactive status. A person who has an inactive law
15 enforcement officer certification has no law enforcement
16 authority.

17 (1) A law enforcement officer's certification becomes
18 inactive upon termination, resignation, retirement, or
19 separation from the officer's employing law enforcement
20 ~~governmental~~ agency for any reason. The Board shall
21 re-activate a certification upon written application from
22 the law enforcement officer's law enforcement ~~governmental~~
23 agency that shows the law enforcement officer: (i) has
24 accepted a full-time law enforcement position with that
25 law enforcement ~~governmental~~ agency, (ii) is not the
26 subject of a decertification proceeding, and (iii) meets

1 all other criteria for re-activation required by the
2 Board. The Board may also establish special training
3 requirements to be completed as a condition for
4 re-activation.

5 The Board shall review a notice for reactivation from
6 a law enforcement agency and provide a response within 30
7 days. The Board may extend this review. A law enforcement
8 officer shall be allowed to be employed as a full-time law
9 enforcement officer while the law enforcement officer
10 reactivation waiver is under review.

11 A law enforcement officer who is refused reactivation
12 or an employing agency of a ~~A~~ law enforcement officer who
13 is refused reactivation under this Section may request a
14 hearing in accordance with the hearing procedures as
15 outlined in subsection (h) of Section 6.3 of this Act.

16 The Board may refuse to re-activate the certification
17 of a law enforcement officer who was involuntarily
18 terminated for good cause by an employing ~~his or her~~
19 ~~governmental~~ agency for conduct subject to decertification
20 under this Act or resigned or retired after receiving
21 notice of a law enforcement ~~governmental~~ agency's
22 investigation.

23 (2) A law enforcement agency may place an officer who
24 is currently certified ~~can place his or her certificate~~ on
25 inactive status by sending a written request to the Board.
26 A law enforcement officer whose certificate has been

1 placed on inactive status shall not function as a law
2 enforcement officer until the officer has completed any
3 requirements for reactivating the certificate as required
4 by the Board. A request for inactive status in this
5 subsection shall be in writing, accompanied by verifying
6 documentation, and shall be submitted to the Board with a
7 copy to the chief administrator of the law enforcement
8 officer's current or new employing ~~governmental~~ agency.

9 (3) Certification that has become inactive under
10 paragraph (2) of this subsection (b), shall be reactivated
11 by written notice from the law enforcement officer's
12 agency upon a showing that the law enforcement officer is:
13 (i) employed in a full-time law enforcement position with
14 the same law enforcement ~~governmental~~ agency (ii) not the
15 subject of a decertification proceeding, and (iii) meets
16 all other criteria for re-activation required by the
17 Board.

18 (4) Notwithstanding paragraph (3) of this subsection
19 (b), a law enforcement officer whose certification has
20 become inactive under paragraph (2) may have the officer's
21 employing ~~governmental~~ agency submit a request for a
22 waiver of training requirements to the Board in writing
23 and accompanied by any verifying documentation.. A grant
24 of a waiver is within the discretion of the Board. Within 7
25 days of receiving a request for a waiver under this
26 section, the Board shall notify the law enforcement

1 officer and the chief administrator of the law enforcement
2 officer's employing ~~governmental~~ agency, whether the
3 request has been granted, denied, or if the Board will
4 take additional time for information. A law enforcement
5 agency, whose request for a waiver under this subsection
6 is denied, is entitled to request a review of the denial by
7 the Board. The law enforcement agency must request a
8 review within 20 days of the waiver being denied. The
9 burden of proof shall be on the law enforcement agency to
10 show why the law enforcement officer is entitled to a
11 waiver of the legislatively required training and
12 eligibility requirements. ~~A law enforcement officer whose~~
13 ~~request for a waiver under this subsection is denied is~~
14 ~~entitled to appeal the denial to the Board within 20 days~~
15 ~~of the waiver being denied.~~

16 (c) No provision of this Section shall be construed to
17 mean that a county corrections officer employed by a
18 governmental agency at the time of the effective date of this
19 amendatory Act, either as a probationary county corrections or
20 as a permanent county corrections officer, shall require
21 certification under the provisions of this Section. No
22 provision of this Section shall be construed to apply to
23 certification of elected county sheriffs.

24 (d) Within 14 days, a law enforcement officer shall report
25 to the Board: (1) any name change; (2) any change in
26 employment; or (3) the filing of any criminal indictment or

1 charges against the officer alleging that the officer
2 committed any offense as enumerated in Section 6.1 of this
3 Act.

4 (e) All law enforcement officers must report the
5 completion of the training requirements required in this Act
6 in compliance with Section 8.4 of this Act.

7 (e-1) Each employing law enforcement ~~governmental~~ agency
8 shall allow and provide an opportunity for a law enforcement
9 officer to complete the mandated requirements in this Act. All
10 mandated training shall be provided for at no cost to the
11 employees. Employees shall be paid for all time spent
12 attending mandated training.

13 (e-2) Each agency, academy, or training provider shall
14 maintain proof of a law enforcement officer's completion of
15 legislatively required training in a format designated by the
16 Board. The report of training shall be submitted to the Board
17 within 30 days following completion of the training. A copy of
18 the report shall be submitted to the law enforcement officer.
19 Upon receipt of a properly completed report of training, the
20 Board will make the appropriate entry into the training
21 records of the law enforcement officer.

22 (f) This Section does not apply to part-time law
23 enforcement officers or probationary part-time law enforcement
24 officers.

25 (g) Notwithstanding any provision of law to the contrary,
26 the changes made to this Section by this amendatory Act of the

1 102nd General Assembly, Public Act 101-652, and Public Act
2 102-28 take effect July 1, 2022.

3 (Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22.)

4 (50 ILCS 705/8.2)

5 (Text of Section before amendment by P.A. 101-652)

6 Sec. 8.2. Part-time police officers.

7 (a) A person hired to serve as a part-time police officer
8 must obtain from the Board a certificate (i) attesting to his
9 or her successful completion of the part-time police training
10 course; (ii) attesting to his or her satisfactory completion
11 of a training program of similar content and number of hours
12 that has been found acceptable by the Board under the
13 provisions of this Act; or (iii) attesting to the Board's
14 determination that the part-time police training course is
15 unnecessary because of the person's extensive prior law
16 enforcement experience. A person hired on or after the
17 effective date of this amendatory Act of the 92nd General
18 Assembly must obtain this certificate within 18 months after
19 the initial date of hire as a probationary part-time police
20 officer in the State of Illinois. The probationary part-time
21 police officer must be enrolled and accepted into a
22 Board-approved course within 6 months after active employment
23 by any department in the State. A person hired on or after
24 January 1, 1996 and before the effective date of this
25 amendatory Act of the 92nd General Assembly must obtain this

1 certificate within 18 months after the date of hire. A person
2 hired before January 1, 1996 must obtain this certificate
3 within 24 months after the effective date of this amendatory
4 Act of 1995.

5 The employing agency may seek a waiver from the Board
6 extending the period for compliance. A waiver shall be issued
7 only for good and justifiable reasons, and the probationary
8 part-time police officer may not practice as a part-time
9 police officer during the waiver period. If training is
10 required and not completed within the applicable time period,
11 as extended by any waiver that may be granted, then the officer
12 must forfeit his or her position.

13 (b) (Blank).

14 (c) The part-time police training course referred to in
15 this Section shall be of similar content and the same number of
16 hours as the courses for full-time officers and shall be
17 provided by Mobile Team In-Service Training Units under the
18 Intergovernmental Law Enforcement Officer's In-Service
19 Training Act or by another approved program or facility in a
20 manner prescribed by the Board.

21 (d) For the purposes of this Section, the Board shall
22 adopt rules defining what constitutes employment on a
23 part-time basis.

24 (Source: P.A. 92-533, eff. 3-14-02.)

25 (Text of Section after amendment by P.A. 101-652)

1 Sec. 8.2. Part-time law enforcement officers.

2 (a) A person hired to serve as a part-time law enforcement
3 officer must obtain from the Board a certificate (i) attesting
4 to the officer's successful completion of the part-time police
5 training course; (ii) attesting to the officer's satisfactory
6 completion of a training program of similar content and number
7 of hours that has been found acceptable by the Board under the
8 provisions of this Act; or (iii) a training waiver attesting
9 to the Board's determination that the part-time police
10 training course is unnecessary because of the person's
11 extensive prior law enforcement experience. A person hired on
12 or after the effective date of this amendatory Act of the 92nd
13 General Assembly must obtain this certificate within 18 months
14 after the initial date of hire as a probationary part-time law
15 enforcement officer in the State of Illinois. The probationary
16 part-time law enforcement officer must be enrolled and
17 accepted into a Board-approved course within 6 months after
18 active employment by any department in the State. A person
19 hired on or after January 1, 1996 and before the effective date
20 of this amendatory Act of the 92nd General Assembly must
21 obtain this certificate within 18 months after the date of
22 hire. A person hired before January 1, 1996 must obtain this
23 certificate within 24 months after the effective date of this
24 amendatory Act of 1995.

25 The employing agency may seek an extension waiver from the
26 Board extending the period for compliance. An extension waiver

1 shall be issued only for good and justifiable reasons, and the
2 probationary part-time law enforcement officer may not
3 practice as a part-time law enforcement officer during the
4 extension waiver period. If training is required and not
5 completed within the applicable time period, as extended by
6 any waiver that may be granted, then the officer must forfeit
7 the officer's position.

8 An individual who is not certified by the Board or whose
9 certified status is inactive shall not function as a law
10 enforcement officer, be assigned the duties of a law
11 enforcement officer by an agency, or be authorized to carry
12 firearms under the authority of the employer, except that
13 sheriffs who are elected are exempt from the requirement of
14 certified status. Failure to be in accordance with this Act
15 shall cause the officer to forfeit the officer's position.

16 (a-5) A part-time probationary law enforcement officer
17 shall be allowed to complete six months of a part-time police
18 training course and function as a law enforcement officer as
19 permitted by this subsection with a waiver from the Board,
20 provided the part-time law enforcement officer is still
21 enrolled in the training course. If the part-time probationary
22 law enforcement officer withdraws from the course for any
23 reason or does not complete the course within the applicable
24 time period, as extended by any waiver that may be granted,
25 then the officer must forfeit the officer's position. A
26 probationary law enforcement officer must function under the

1 following rules:

2 (1) A law enforcement ~~governmental~~ agency may not
3 grant a person status as a law enforcement officer unless
4 the person has been granted an active law enforcement
5 officer certification by the Board.

6 (2) A part-time probationary law enforcement officer
7 shall not be used as a permanent replacement for a
8 full-time law enforcement.

9 (3) A part-time probationary law enforcement officer
10 shall be directly supervised at all times by a Board
11 certified law enforcement officer. Direct supervision
12 requires oversight and control with the supervisor having
13 final decision-making authority as to the actions of the
14 recruit during duty hours.

15 (b) Inactive status. A person who has an inactive law
16 enforcement officer certification has no law enforcement
17 authority.

18 (1) A law enforcement officer's certification becomes
19 inactive upon termination, resignation, retirement, or
20 separation from the employing ~~governmental~~ agency for any
21 reason. The Board shall re-activate a certification upon
22 written application from the law enforcement officer's
23 employing ~~governmental~~ agency that shows the law
24 enforcement officer: (i) has accepted a part-time law
25 enforcement position with that a law enforcement
26 ~~governmental~~ agency, (ii) is not the subject of a

1 decertification proceeding, and (iii) meets all other
2 criteria for re-activation required by the Board.

3 The Board may refuse to re-activate the certification
4 of a law enforcement officer who was involuntarily
5 terminated for good cause by the officer's employing
6 ~~governmental~~ agency for conduct subject to decertification
7 under this Act or resigned or retired after receiving
8 notice of a law enforcement ~~governmental~~ agency's
9 investigation.

10 (2) A law enforcement agency may place an officer who
11 is currently certified ~~can place his or her certificate~~ on
12 inactive status by sending a written request to the Board.
13 A law enforcement officer whose certificate has been
14 placed on inactive status shall not function as a law
15 enforcement officer until the officer has completed any
16 requirements for reactivating the certificate as required
17 by the Board. A request for inactive status in this
18 subsection shall be in writing, accompanied by verifying
19 documentation, and shall be submitted to the Board by the
20 law enforcement officer's employing ~~governmental~~ agency.

21 (3) Certification that has become inactive under
22 paragraph (2) of this subsection (b), shall be reactivated
23 by written notice from the law enforcement officer's law
24 enforcement agency upon a showing that the law enforcement
25 officer is: (i) employed in a part-time ~~full-time~~ law
26 enforcement position with the same law enforcement

1 ~~governmental~~ agency, (ii) not the subject of a
2 decertification proceeding, and (iii) meets all other
3 criteria for re-activation required by the Board. The
4 Board may also establish special training requirements to
5 be completed as a condition for re-activation.

6 The Board shall review a notice for reactivation from
7 a law enforcement agency and provide a response within 30
8 days. The Board may extend this review. A law enforcement
9 officer shall be allowed to be employed as a part-time law
10 enforcement officer while the law enforcement officer
11 reactivation waiver is under review.

12 A law enforcement officer who is refused reactivation
13 or an employing agency of a ~~A~~ law enforcement officer who
14 is refused reactivation under this Section may request a
15 hearing in accordance with the hearing procedures as
16 outlined in subsection (h) of Section 6.3 of this Act.

17 (4) Notwithstanding paragraph (3) of this Section, a
18 law enforcement officer whose certification has become
19 inactive under paragraph (2) may have the officer's
20 employing ~~governmental~~ agency submit a request for a
21 waiver of training requirements to the Board in writing
22 and accompanied by any verifying documentation. A grant of
23 a waiver is within the discretion of the Board. Within 7
24 days of receiving a request for a waiver under this
25 section, the Board shall notify the law enforcement
26 officer and the chief administrator of the law enforcement

1 officer's employing ~~governmental~~ agency, whether the
2 request has been granted, denied, or if the Board will
3 take additional time for information. A law enforcement
4 agency or law enforcement officer, whose request for a
5 waiver under this subsection is denied, is entitled to
6 request a review of the denial by the Board. The law
7 enforcement agency must request a review within 20 days
8 after the waiver being denied. The burden of proof shall
9 be on the law enforcement agency to show why the law
10 enforcement officer is entitled to a waiver of the
11 legislatively required training and eligibility
12 requirements. ~~A law enforcement officer whose request for~~
13 ~~a waiver under this subsection is denied is entitled to~~
14 ~~appeal the denial to the Board within 20 days of the waiver~~
15 ~~being denied.~~

16 (c) The part-time police training course referred to in
17 this Section shall be of similar content and the same number of
18 hours as the courses for full-time officers and shall be
19 provided by Mobile Team In-Service Training Units under the
20 Intergovernmental Law Enforcement Officer's In-Service
21 Training Act or by another approved program or facility in a
22 manner prescribed by the Board.

23 (d) Within 14 days, a law enforcement officer shall report
24 to the Board: (1) any name change; (2) any change in
25 employment; or (3) the filing of any criminal indictment or
26 charges against the officer alleging that the officer

1 committed any offense as enumerated in Section 6.1 of this
2 Act.

3 (e) All law enforcement officers must report the
4 completion of the training requirements required in this Act
5 in compliance with Section 8.4 of this Act.

6 (e-1) Each employing agency shall allow and provide an
7 opportunity for a law enforcement officer to complete the
8 requirements in this Act. All mandated training shall be
9 provided for at no cost to the employees. Employees shall be
10 paid for all time spent attending mandated training.

11 (e-2) Each agency, academy, or training provider shall
12 maintain proof of a law enforcement officer's completion of
13 legislatively required training in a format designated by the
14 Board. The report of training shall be submitted to the Board
15 within 30 days following completion of the training. A copy of
16 the report shall be submitted to the law enforcement officer.
17 Upon receipt of a properly completed report of training, the
18 Board will make the appropriate entry into the training
19 records of the law enforcement officer.

20 (f) For the purposes of this Section, the Board shall
21 adopt rules defining what constitutes employment on a
22 part-time basis.

23 (g) Notwithstanding any provision of law to the contrary,
24 the changes made to this Section by this amendatory Act of the
25 102nd General Assembly and Public Act 101-652 take effect July
26 1, 2022.

1 (Source: P.A. 101-652, eff. 1-1-22.)

2 (50 ILCS 705/8.3)

3 (This Section may contain text from a Public Act with a
4 delayed effective date)

5 Sec. 8.3. Emergency order of suspension.

6 (a) The Board, upon being notified that a law enforcement
7 officer has been arrested or indicted on any felony charge or
8 charges, may immediately suspend the law enforcement officer's
9 certification for a term specified by the Board to begin no
10 sooner than the date of the violation. The Board shall also
11 notify the chief administrator of any law enforcement
12 ~~governmental~~ agency currently employing the officer. The Board
13 shall have authority to dissolve an emergency order of
14 suspension at any time for any reason.

15 (a-5) The Board may consider the following factors in
16 determining the term of a suspension:

17 (1) the seriousness of the conduct resulting in the
18 arrest;

19 (2) whether the offense contains an element of actual
20 or threatened bodily injury or coerce against another
21 person;

22 (3) the law enforcement officer's previous arrests;

23 (4) the law enforcement officer's previous
24 certification suspensions;

25 (5) actual or potential harm to public safety; and

1 (6) rebuttal evidence regarding mitigating factors.

2 (b) Notice of the immediate suspension shall be served on
3 the law enforcement officer, the employing ~~governmental~~
4 agency, the chief executive of the employing agency
5 ~~municipality~~, and state the reason for suspension within seven
6 days.

7 (c) Upon service of the notice, the law enforcement
8 officer's employing agency officer shall have 30 days to
9 request to be heard by the Panel. The hearing, if requested by
10 the officer licensee, shall follow the hearing procedures as
11 outlined in subsection (h) of Section 6.3 of this Act. In the
12 hearing, the written communication and any other evidence
13 obtained therewith may be introduced as evidence against the
14 law enforcement officer; provided however, the law enforcement
15 officer, or their counsel, shall have the opportunity to
16 discredit, impeach and submit evidence rebutting such evidence
17 to explain why the officer's certification should not be
18 suspended or why the suspension should be shortened. The law
19 enforcement officer may also present any rebuttal evidence of
20 mitigating factors.

21 ~~(d) At the meeting, the law enforcement officer may~~
22 ~~present evidence, witnesses and argument as to why the~~
23 ~~officer's certification should not be suspended.~~ The Panel
24 shall review the recommendation from the administrative law
25 judge regarding the suspension, and if the Panel finds that
26 the proof is evident or the presumption great that the officer

1 has committed the offense charged, the Panel can sustain or
2 reduce the length of the suspension. If the Panel does not find
3 that the proof is evident or the presumption great that the
4 officer has committed the offense charged, the Panel can
5 reverse the suspension.

6 If the law enforcement officer does not request to be
7 heard or does not appear, the Panel may hold the hearing in the
8 officer's absence. The law enforcement officer and the
9 employing ~~governmental~~ agency shall be notified of the
10 decision of the Panel within 7 days. The law enforcement
11 officer may request to suspend the hearing until after the
12 officer's criminal trial has occurred, however the suspension
13 will remain intact until the hearing.

14 (e) Findings and conclusions made in hearing for an
15 emergency suspension shall not be binding on any party in any
16 subsequent proceeding under this Act.

17 (f) A Panel member acting in good faith, and not in a
18 willful and wanton manner, in accordance with this Section,
19 shall not, as a result of such actions, be subject to criminal
20 prosecution or civil damages, including but not limited to
21 lost wages.

22 (g) Notwithstanding any provision of law to the contrary,
23 the changes made to this Section by this amendatory Act of the
24 102nd General Assembly and Public Act 101-652 take effect July
25 1, 2022.

26 (Source: P.A. 101-652, eff. 1-1-22.)

1 (50 ILCS 705/8.4)

2 (This Section may contain text from a Public Act with a
3 delayed effective date)

4 Sec. 8.4. Law enforcement compliance verification.

5 (a)(1) Unless on inactive status under subsection (b) of
6 Section 8.1 or subsection (b) of Section 8.2, every law
7 enforcement officer subject to this Act shall submit a
8 verification form that confirms compliance with this Act. The
9 verification shall apply to the 3 calendar years preceding the
10 date of verification. Law enforcement officers shall submit
11 the officer's first report by January 30 during the initial
12 three-year reporting period, as determined on the basis of the
13 law enforcement officer's last name under paragraph (2) of
14 this subsection then every third year of the officer's
15 applicable three-year report period as determined by the
16 Board. At the conclusion of each law enforcement officer's
17 applicable reporting period, the chief administrative officer
18 of the officer's law enforcement ~~governmental~~ agency is to
19 determine the compliance of each officer under this Section.
20 An officer may verify their successful completion of training
21 requirements with their law enforcement ~~governmental~~ agency.
22 Each law enforcement officer is responsible for reporting and
23 demonstrating compliance to the officer's chief administrative
24 officer.

25 (2) The applicable three-year reporting period shall begin

1 on January 30, 2023 for law enforcement officers whose last
2 names being with the letters A through G, on January 30, 2024
3 for law enforcement officers whose last names being with the
4 letters H through O, and January 30, 2025 for law enforcement
5 officers whose last names being with the letters P through Z.

6 (3) The compliance verification form shall be in a form
7 and manner prescribed by the Board and, at a minimum, include
8 the following: (i) verification that the law enforcement
9 officer has completed the mandatory training programs in the
10 preceding 3 years; (ii) the law enforcement officer's current
11 employment information, including but not limited to, the
12 termination of any previous law enforcement or security
13 employment in the relevant time period; and (iii) a statement
14 verifying that the officer has not committed misconduct under
15 Section 6.1.

16 (b) (1) On October 1 of each year, the Board shall send
17 notice to all certified law enforcement officers, unless
18 exempted in (a), of the upcoming deadline to submit the
19 compliance verification form. No later than March 1 of each
20 year, the Board shall send notice to all certified law
21 enforcement officers who have failed to submit the compliance
22 verification form, as well as the officer's law enforcement
23 ~~governmental~~ agencies. The Board shall not send a notice of
24 noncompliance to law enforcement officers whom the Board
25 knows, based on the status of the law enforcement officer's
26 certification status, are inactive or retired. The Board may

1 accept compliance verification forms until April 1 of the year
2 in which a law enforcement officer is required to submit the
3 form.

4 (2) No earlier than April 1 of the year in which a law
5 enforcement officer is required to submit a verification form,
6 the Board may determine a law enforcement officer's
7 certification to be inactive if the law enforcement officer
8 failed to either: (1) submit a compliance verification in
9 accordance with this Section; or (2) report an exemption from
10 the requirements of this Section. The Board shall then send
11 notice, by mail or email, to any such law enforcement officer
12 and the officer's law enforcement ~~governmental~~ agency that the
13 officer's certificate will be deemed inactive on the date
14 specified in the notice, which shall be no sooner than 21 days
15 from the date of the notice, because of the officer's failure
16 to comply or report compliance, or failure to report an
17 exemption. The Board shall deem inactive the certificate of
18 such law enforcement officers on the date specified in the
19 notice unless the Board determines before that date that the
20 law enforcement officer has complied. A determination that a
21 certificate is inactive under this section is not a
22 disciplinary sanction.

23 (3) A law enforcement officer who was on ~~voluntary~~
24 inactive status shall, upon return to active status, be
25 required to complete the deferred training programs within 1
26 year.

1 (4) The Board may waive the reporting requirements, as
2 required in this section, if the law enforcement officer or
3 the officer's law enforcement ~~governmental~~ agency demonstrates
4 the existence of mitigating circumstances justifying the law
5 enforcement officer's failure to obtain the training
6 requirements due to failure of the officer's law enforcement
7 ~~governmental~~ agency or the Board to offer the training
8 requirement during the officer's required compliance
9 verification period. If the Board finds that the law
10 enforcement officer can meet the training requirements with
11 extended time, the Board may allow the law enforcement officer
12 a maximum of six additional months to complete the
13 requirements.

14 (5) A request for a training waiver under this subsection
15 due to the mitigating circumstance shall be in writing,
16 accompanied by verifying documentation, and shall be submitted
17 to the Board not less than 30 days before the end of the law
18 enforcement officer's required compliance verification period.

19 (6) A law enforcement officer whose request for waiver
20 under this subsection is denied, is entitled to a request for a
21 review by the Board. The law enforcement officer or the
22 officer's law enforcement agency must request a review within
23 20 days after the waiver being denied. The burden of proof
24 shall be on the law enforcement officer to show why the officer
25 is entitled to a waiver. A law enforcement officer whose
26 ~~request for waiver under this subsection is denied, is~~

1 ~~entitled to a request for a review by the Board. The law~~
2 ~~enforcement officer or the officer's governmental agency must~~
3 ~~request a review within 20 days of the waiver being denied. The~~
4 ~~burden of proof shall be on the law enforcement officer to show~~
5 ~~why the officer is entitled to a waiver.~~

6 (c) Recordkeeping and audits.

7 (1) For four years after the end of each reporting
8 period, each certified law enforcement officer shall
9 maintain sufficient documentation necessary to corroborate
10 compliance with the mandatory training requirements under
11 this Act.

12 (2) Notwithstanding any other provision in state law,
13 for four years after the end of each reporting period,
14 each law enforcement ~~governmental~~ agency shall maintain
15 sufficient documentation necessary to corroborate
16 compliance with the mandatory training requirements under
17 this Act of each officer it employs or employed within the
18 relevant time period.

19 (3) The Board may audit compliance verification forms
20 submitted to determine the accuracy of the submissions.
21 The audit may include but is not limited to, training
22 verification and a law enforcement officer background
23 check.

24 (d) Audits that reveal an inaccurate verification.

25 (1) If an audit conducted under paragraph (3) of
26 subsection (c) of this Section reveals inaccurate

1 information, the Board shall provide the law enforcement
2 officer and employing law enforcement ~~governmental~~ agency
3 with written notice containing: (i) the results of the
4 audit, specifying each alleged inaccuracy; (ii) a summary
5 of the basis of that determination; and (iii) a deadline,
6 which shall be at least 30 days from the date of the
7 notice, for the law enforcement officer to file a written
8 response if the law enforcement officer objects to any of
9 the contents of the notice.

10 (2) After considering any response from the law
11 enforcement officer, if the Board determines that the law
12 enforcement officer filed an inaccurate verification, the
13 law enforcement officer shall be given 60 days in which to
14 file an amended verification form, together with all
15 documentation specified in paragraph (e)(1), demonstrating
16 full compliance with the applicable requirements.

17 (3) If the results of the audit suggest that the law
18 enforcement officer willfully filed a false verification
19 form, the Board shall submit a formal complaint to the
20 Panel for decertification. An officer who has been
21 decertified for willfully filing a false verification form
22 shall not be eligible for reactivation under subsection
23 (e).

24 (e) Reactivation. A law enforcement officer who has been
25 deemed inactive due to noncompliance with the reporting
26 requirements under paragraph (a)(1) may request to have the

1 Board re-activate his or her certification upon submitting a
2 compliance verification form that shows full compliance for
3 the period in which the law enforcement officer was deemed
4 inactive due to noncompliance. The Board shall make a
5 determination regarding a submission under this subsection
6 active no later than 7 days after the Board determines full
7 compliance or continued noncompliance.

8 A law enforcement officer whose request for reactivation
9 under this subsection (e) is denied is entitled to request a
10 review by the Board. The law enforcement officer or the
11 officer's law enforcement agency must request a review within
12 20 days after reactivation being denied. The burden of proof
13 shall be on the law enforcement officer or law enforcement
14 agency to show that the officer is in full compliance.

15 (f) Notwithstanding any provision of law to the contrary,
16 the changes made to this Section by this amendatory Act of the
17 102nd General Assembly and Public Act 101-652 take effect July
18 1, 2022.

19 (Source: P.A. 101-652, eff. 1-1-22.)

20 (50 ILCS 705/9.2)

21 (This Section may contain text from a Public Act with a
22 delayed effective date)

23 Sec. 9.2. Officer professional conduct database;
24 transparency.

25 (a) All law enforcement ~~governmental~~ agencies and the

1 Illinois State Police shall notify the Board of any final
2 determination of a willful violation of department, agency, or
3 the Illinois State Police policy, official misconduct, or
4 violation of law within 10 days when:

5 (1) the determination leads to a suspension of at
6 least 10 days;

7 (2) any infraction that would trigger an official or
8 formal investigation under a law enforcement ~~governmental~~
9 agency or the Illinois State Police policy;

10 (3) there is an allegation of misconduct or regarding
11 truthfulness as to a material fact, bias, or integrity; or

12 (4) the officer resigns or retires during the course
13 of an investigation and the officer has been served notice
14 that the officer is under investigation.

15 Agencies and the Illinois State Police may report to the
16 Board any conduct they deem appropriate to disseminate to
17 another law enforcement ~~governmental~~ agency regarding a law
18 enforcement officer.

19 The agency or the Illinois State Police shall report to
20 the Board within 10 days of a final determination and final
21 exhaustion of any administrative appeal, or the law
22 enforcement officer's resignation or retirement, and shall
23 provide information regarding the nature of the violation.
24 This notification shall not necessarily trigger certification
25 review.

26 A law enforcement ~~governmental~~ agency and the Illinois

1 State Police shall be immune from liability for a disclosure
2 made as described in this subsection, unless the disclosure
3 would constitute intentional misrepresentation or gross
4 negligence.

5 (b) Within 14 days after receiving notification ~~Upon~~
6 ~~receiving notification~~ from a law enforcement ~~governmental~~
7 agency or the Illinois State Police, the Board must notify the
8 law enforcement officer of the report and the officer's right
9 to provide a statement regarding the reported violation. The
10 law enforcement officer shall have 14 days from receiving
11 notice to provide a written objection contesting information
12 included in the agency's report. The objection must be filed
13 with the Board on a form prescribed by the Board and a copy
14 must be served on the law enforcement agency. The objection
15 shall remain in the database with the reported violation.

16 (c) The Board shall maintain a database readily available
17 to any chief administrative officer, or the officer's
18 designee, of a law enforcement ~~governmental~~ agency and the
19 Illinois State Police that shall show for each law enforcement
20 officer: (i) dates of certification, decertification, and
21 inactive status; (ii) each sustained instance of departmental
22 misconduct that lead to a suspension at least 10 days or any
23 infraction that would trigger an official or formal
24 investigation under the law enforcement ~~governmental~~ agency
25 policy, any allegation of misconduct regarding truthfulness as
26 to a material fact, bias, or integrity, or any other reported

1 violation, the nature of the violation, the reason for the
2 final decision of discharge or dismissal, and any statement
3 provided by the officer; (iii) date of separation from
4 employment from any local or state law enforcement
5 ~~governmental~~ agency; (iv) the reason for separation from
6 employment, including, but not limited to: whether the
7 separation was based on misconduct or occurred while the law
8 enforcement ~~local or State governmental~~ agency was conducting
9 an investigation of the certified individual for a violation
10 of an employing agency's rules, policy or procedure or other
11 misconduct or improper action.

12 (1) This database shall also be accessible to the
13 State's Attorney of any county in this State and the
14 Attorney General for the purpose of complying with
15 obligations under Brady v. Maryland (373 U.S. 83) or
16 Giglio v. United States (405 U.S. 150). This database
17 shall also be accessible to the chief administrative
18 officer of any law enforcement ~~governmental~~ agency for the
19 purposes of hiring law enforcement officers. This database
20 shall not be accessible to anyone not listed in this
21 subsection.

22 (2) Before a law enforcement ~~governmental~~ agency may
23 appoint a law enforcement officer or a person seeking a
24 certification as a law enforcement officer in this State,
25 the chief administrative officer or designee must check
26 the Officer Professional Conduct Database, contact each

1 person's previous law enforcement employers, and document
2 the contact. This documentation must be available for
3 review by the Board for a minimum of five years after the
4 law enforcement officer's termination, retirement,
5 resignation or separation with that agency.

6 (3) The database, documents, materials, or other
7 information in the possession or control of the Board that
8 are obtained by or disclosed to the Board under this
9 subsection shall be confidential by law and privileged,
10 shall not be subject to subpoena, and shall not be subject
11 to discovery or admissible in evidence in any private
12 civil action when sought from the Board. However, the
13 Board is authorized to use such documents, materials, or
14 other information in furtherance of any regulatory or
15 legal action brought as part of the Board's official
16 duties. ~~The Unless otherwise required by law, the Board~~
17 shall not disclose the database or make such documents,
18 materials, or other information it has obtained or that
19 has been disclosed to it to the public ~~without the prior~~
20 ~~written consent of the governmental agency and the law~~
21 ~~enforcement officer~~. Neither the Board nor any person who
22 received documents, materials or other information shared
23 under this subsection shall be required to testify in any
24 private civil action concerning the database or any
25 confidential documents, materials, or information subject
26 to this subsection.

1 ~~Nothing in this Section shall exempt a governmental agency~~
2 ~~from disclosing public records in accordance with the Freedom~~
3 ~~of Information Act.~~

4 (d) The Board shall maintain a searchable database of law
5 enforcement officers accessible to the public that shall
6 include: (i) the law enforcement officer's employing ~~local or~~
7 ~~state governmental~~ agency; (ii) the date of the officer's
8 initial certification and the officer's current certification
9 status; and (iii) any sustained complaint of misconduct that
10 resulted in decertification and the date thereof; provided,
11 however, that information shall not be included in the
12 database that would allow the public to ascertain the home
13 address of an officer or another person; provided further,
14 that information regarding an officer's or another person's
15 family member shall not be included in the database. The Board
16 shall make the database publicly available on its website.

17 (e) The Board shall maintain a searchable database of all
18 completed investigations against law enforcement officers
19 related to decertification. The database shall identify each
20 law enforcement officer by a confidential and anonymous number
21 and include: (i) the law enforcement officer's employing ~~local~~
22 ~~or state governmental~~ agency; (ii) the date of the incident
23 referenced in the complaint; (iii) the location of the
24 incident; (iv) the race and ethnicity of each officer involved
25 in the incident; (v) the age, gender, race and ethnicity of
26 each person involved in the incident, if known; (vi) whether a

1 person in the complaint, including a law enforcement officer,
2 was injured, received emergency medical care, was hospitalized
3 or died as a result of the incident; (vii) the law enforcement
4 ~~governmental~~ agency or other entity assigned to conduct an
5 investigation of the incident; (viii) when the investigation
6 was completed; (ix) whether the complaint was sustained; and
7 (x) the type of misconduct investigated; provided, however,
8 that the Board shall redact or withhold such information as
9 necessary to prevent the disclosure of the identity of an
10 officer. The Board shall make the database publicly available
11 on its website.

12 (e-1) An investigation is complete when the investigation
13 has either been terminated or the decertification action,
14 including the administrative review process, has been
15 completed, whichever is later.

16 (e-2) At any time, a law enforcement officer shall have
17 access to the law enforcement officer's own records on file
18 with the Board, as it pertains to the databases in this
19 Section.

20 (f) Annual report. The Board shall submit an annual report
21 to the Governor, Attorney General, President and Minority
22 Leader of the Senate, and the Speaker and Minority Leader of
23 the House of Representatives ~~beginning~~ on or before March 1,
24 2023, and every year thereafter indicating:

25 (1) the number of complaints received in the preceding
26 calendar year, including but not limited to the race,

1 gender, and type of discretionary decertification
2 complaints received;

3 (2) the number of investigations initiated in the
4 preceding calendar year since the date of the last report;

5 (3) the number of investigations concluded in the
6 preceding calendar year;

7 (4) the number of investigations pending as of the
8 last reporting date of the preceding calendar year;

9 (5) the number of hearings held in the preceding
10 calendar year; and

11 (6) the number of officers decertified in the
12 preceding calendar year.

13 The annual report shall be publicly available on the
14 website of the Board.

15 (g) Nothing in this Section shall exempt a law enforcement
16 agency from which the Board has obtained data, documents,
17 materials, or other information or that has disclosed data,
18 documents, materials, or other information to the Board from
19 disclosing public records in accordance with the Freedom of
20 Information Act.

21 (h) Notwithstanding any provision of law to the contrary,
22 the changes made to this Section by this amendatory Act of the
23 102nd General Assembly and Public Act 101-652 take effect July
24 1, 2022.

25 (Source: P.A. 101-652, eff. 1-1-22.)

1 (50 ILCS 705/10.1) (from Ch. 85, par. 510.1)

2 (Text of Section before amendment by P.A. 101-652)

3 Sec. 10.1. Additional training programs. The Board shall
4 initiate, administer, and conduct training programs for
5 permanent police officers and permanent county corrections
6 officers in addition to the basic recruit training program.
7 The Board may initiate, administer, and conduct training
8 programs for part-time police officers in addition to the
9 basic part-time police training course. The training for
10 permanent and part-time police officers and permanent county
11 corrections officers may be given in any schools selected by
12 the Board. Such training may include all or any part of the
13 subjects enumerated in Section 7 of this Act.

14 The corporate authorities of all participating local
15 governmental agencies may elect to participate in the advanced
16 training for permanent and part-time police officers and
17 permanent county corrections officers but nonparticipation in
18 this program shall not in any way affect the mandatory
19 responsibility of governmental units to participate in the
20 basic recruit training programs for probationary full-time and
21 part-time police and permanent county corrections officers.
22 The failure of any permanent or part-time police officer or
23 permanent county corrections officer to successfully complete
24 any course authorized under this Section shall not affect the
25 officer's status as a member of the police department or
26 county sheriff's office of any local governmental agency.

1 The Board may initiate, administer, and conduct training
2 programs for clerks of circuit courts. Those training
3 programs, at the Board's discretion, may be the same or
4 variations of training programs for law enforcement officers.

5 The Board shall initiate, administer, and conduct a
6 training program regarding the set up and operation of
7 portable scales for all municipal and county police officers,
8 technicians, and employees who set up and operate portable
9 scales. This training program must include classroom and field
10 training.

11 (Source: P.A. 90-271, eff. 7-30-97, 91-129, eff. 7-16-99.)

12 (Text of Section after amendment by P.A. 101-652)

13 Sec. 10.1. Additional training programs. The Board shall
14 initiate, administer, and conduct training programs for
15 permanent law enforcement officers and permanent county
16 corrections officers in addition to the basic recruit training
17 program. The Board may initiate, administer, and conduct
18 training programs for part-time law enforcement officers in
19 addition to the basic part-time law enforcement training
20 course. The training for permanent and part-time law
21 enforcement officers and permanent county corrections officers
22 may be given in any schools selected by the Board. Such
23 training may include all or any part of the subjects
24 enumerated in Sections 7 and 7.4 ~~Section 7~~ of this Act.

25 The corporate authorities of all participating local

1 governmental agencies may elect to participate in the advanced
2 training for permanent and part-time law enforcement officers
3 and permanent county corrections officers but nonparticipation
4 in this program shall not in any way affect the mandatory
5 responsibility of governmental units to participate in the
6 basic recruit training programs for probationary full-time and
7 part-time law enforcement and permanent county corrections
8 officers. The failure of any permanent or part-time law
9 enforcement officer or permanent county corrections officer to
10 successfully complete any course authorized under this Section
11 shall not affect the officer's status as a member of the police
12 department or county sheriff's office of any local
13 governmental agency.

14 The Board may initiate, administer, and conduct training
15 programs for clerks of circuit courts. Those training
16 programs, at the Board's discretion, may be the same or
17 variations of training programs for law enforcement officers.

18 The Board shall initiate, administer, and conduct a
19 training program regarding the set up and operation of
20 portable scales for all municipal and county police officers,
21 technicians, and employees who set up and operate portable
22 scales. This training program must include classroom and field
23 training.

24 (Source: P.A. 101-652, eff. 1-1-22.)

1 (Text of Section before amendment by P.A. 101-652)

2 Sec. 10.2. Criminal background investigations.

3 (a) On and after March 14, 2002 (the effective date of
4 Public Act 92-533), an applicant for employment as a peace
5 officer, or for annual certification as a retired law
6 enforcement officer qualified under federal law to carry a
7 concealed weapon, shall authorize an investigation to
8 determine if the applicant has been convicted of, or entered a
9 plea of guilty to, any criminal offense that disqualifies the
10 person as a peace officer.

11 (b) No law enforcement agency may knowingly employ a
12 person, or certify a retired law enforcement officer qualified
13 under federal law to carry a concealed weapon, unless (i) a
14 criminal background investigation of that person has been
15 completed and (ii) that investigation reveals no convictions
16 of or pleas of guilty to offenses specified in subsection (a)
17 of Section 6.1 of this Act.

18 (Source: P.A. 101-187, eff. 1-1-20; 102-558, eff. 8-20-21.)

19 (Text of Section after amendment by P.A. 101-652)

20 Sec. 10.2. Criminal background investigations.

21 (a) On and after March 14, 2002 (the effective date of
22 Public Act 92-533), an applicant for employment as a peace
23 officer, or for annual certification as a retired law
24 enforcement officer qualified under federal law to carry a
25 concealed weapon, shall authorize an investigation to

1 determine if the applicant has been convicted of any criminal
2 offense that disqualifies the person as a peace officer.

3 (b) No law enforcement ~~governmental~~ agency may knowingly
4 employ a person, or certify a retired law enforcement officer
5 qualified under federal law to carry a concealed weapon,
6 unless (i) a criminal background investigation of that person
7 has been completed and (ii) that investigation reveals no
8 convictions of or pleas of guilty to offenses specified in
9 subsection (a) of Section 6.1 of this Act.

10 (Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22;
11 102-558, eff. 8-20-21.)

12 (50 ILCS 705/10.6)

13 (This Section may contain text from a Public Act with a
14 delayed effective date)

15 Sec. 10.6. Mandatory training to be completed every 3
16 years.

17 (a) The Board shall adopt rules and minimum standards for
18 in-service training requirements as set forth in this Section.
19 The training shall provide officers with knowledge of policies
20 and laws regulating the use of force; equip officers with
21 tactics and skills, including de-escalation techniques, to
22 prevent or reduce the need to use force or, when force must be
23 used, to use force that is objectively reasonable, necessary,
24 and proportional under the totality of the circumstances; and
25 ensure appropriate supervision and accountability. The

1 training shall consist of at least 30 hours of training every 3
2 years and shall include:

3 (1) At least 12 hours of hands-on, scenario-based
4 role-playing.

5 (2) At least 6 hours of instruction on use of force
6 techniques, including the use of de-escalation techniques
7 to prevent or reduce the need for force whenever safe and
8 feasible.

9 (3) Specific training on the law concerning stops,
10 searches, and the use of force under the Fourth Amendment
11 to the United States Constitution.

12 (4) Specific training on officer safety techniques,
13 including cover, concealment, and time.

14 (5) At least 6 hours of training focused on high-risk
15 traffic stops.

16 (b) Notwithstanding any provision of law to the contrary,
17 the changes made to this Section by this amendatory Act of the
18 102nd General Assembly, Public Act 101-652, and Public Act
19 102-28 take effect July 1, 2022.

20 (Source: P.A. 101-652, eff. 7-1-21.)

21 (50 ILCS 705/10.11)

22 (Text of Section before amendment by P.A. 101-652)

23 Sec. 10.11. Training; death and homicide investigation.
24 The Illinois Law Enforcement Training Standards Board shall
25 conduct or approve a training program in death and homicide

1 investigation for the training of law enforcement officers of
2 local government agencies. Only law enforcement officers who
3 successfully complete the training program may be assigned as
4 lead investigators in death and homicide investigations.
5 Satisfactory completion of the training program shall be
6 evidenced by a certificate issued to the law enforcement
7 officer by the Illinois Law Enforcement Training Standards
8 Board.

9 The Illinois Law Enforcement Training Standards Board
10 shall develop a process for waiver applications sent by a
11 local law enforcement agency administrator for those officers
12 whose prior training and experience as homicide investigators
13 may qualify them for a waiver. The Board may issue a waiver at
14 its discretion, based solely on the prior training and
15 experience of an officer as a homicide investigator. This
16 Section does not affect or impede the powers of the office of
17 the coroner to investigate all deaths as provided in Division
18 3-3 of the Counties Code and the Coroner Training Board Act.

19 (Source: P.A. 102-558, eff. 8-20-21.)

20 (Text of Section after amendment by P.A. 101-652)

21 Sec. 10.11. Training; death and homicide investigation.
22 The Illinois Law Enforcement Training Standards Board shall
23 conduct or approve a training program in death and homicide
24 investigation for the training of law enforcement officers of
25 local law enforcement ~~government~~ agencies. Only law

1 enforcement officers who successfully complete the training
2 program may be assigned as lead investigators in death and
3 homicide investigations. Satisfactory completion of the
4 training program shall be evidenced by a certificate issued to
5 the law enforcement officer by the Illinois Law Enforcement
6 Training Standards Board.

7 The Illinois Law Enforcement Training Standards Board
8 shall develop a process for waiver applications sent by a
9 local governmental agency administrator for those officers
10 whose prior training and experience as homicide investigators
11 may qualify them for a waiver. The Board may issue a waiver at
12 its discretion, based solely on the prior training and
13 experience of an officer as a homicide investigator. This
14 Section does not affect or impede the powers of the office of
15 the coroner to investigate all deaths as provided in Division
16 3-3 of the Counties Code and the Coroner Training Board Act.

17 (Source: P.A. 101-652, eff. 1-1-22; 102-558, eff. 8-20-21.)

18 (50 ILCS 705/10.12)

19 (Text of Section before amendment by P.A. 101-652)

20 Sec. 10.12. Police dog training standards. All police dogs
21 used by State and local law enforcement agencies for drug
22 enforcement purposes pursuant to the Cannabis Control Act, the
23 Illinois Controlled Substances Act, or the Methamphetamine
24 Control and Community Protection Act shall be trained by
25 programs that meet the minimum certification requirements set

1 by the Board.

2 (Source: P.A. 101-27, eff. 6-25-19.)

3 (Text of Section after amendment by P.A. 101-652)

4 Sec. 10.12. Police dog training standards. All police dogs
5 used by State and local law enforcement ~~governmental~~ agencies
6 for drug enforcement purposes pursuant to the Cannabis Control
7 Act, the Illinois Controlled Substances Act, or the
8 Methamphetamine Control and Community Protection Act shall be
9 trained by programs that meet the minimum certification
10 requirements set by the Board.

11 (Source: P.A. 101-27, eff. 6-25-19; 101-652, eff. 1-1-22.)

12 (50 ILCS 705/10.13)

13 (Text of Section before amendment by P.A. 101-652)

14 Sec. 10.13. Training; Post-Traumatic Stress Disorder
15 (PTSD). The Illinois Law Enforcement Training Standards Board
16 shall conduct or approve a training program in Post-Traumatic
17 Stress Disorder (PTSD) for law enforcement officers of local
18 government agencies. The purpose of that training shall be to
19 equip law enforcement officers of local government agencies to
20 identify the symptoms of PTSD and to respond appropriately to
21 individuals exhibiting those symptoms.

22 (Source: P.A. 97-1040, eff. 1-1-13.)

23 (Text of Section after amendment by P.A. 101-652)

1 Sec. 10.13. Training; Post-Traumatic Stress Disorder
2 (PTSD). The Illinois Law Enforcement Training Standards Board
3 shall conduct or approve a training program in Post-Traumatic
4 Stress Disorder (PTSD) for law enforcement officers of local
5 law enforcement ~~governmental~~ agencies. The purpose of that
6 training shall be to equip law enforcement officers of local
7 law enforcement ~~governmental~~ agencies to identify the symptoms
8 of PTSD and to respond appropriately to individuals exhibiting
9 those symptoms.

10 (Source: P.A. 101-652, eff. 1-1-22.)

11 (50 ILCS 705/10.16)

12 (Text of Section before amendment by P.A. 101-652)

13 Sec. 10.16. Veterans' awareness. The Illinois Law
14 Enforcement Training Standards Board may conduct or approve a
15 training program in veterans' awareness for law enforcement
16 officers of local government agencies. The program shall train
17 law enforcement officers to identify issues relating to
18 veterans and provide guidelines dictating how law enforcement
19 officers should respond to and address such issues. Each local
20 government agency is encouraged to designate an individual to
21 respond to veterans' issues.

22 (Source: P.A. 98-960, eff. 1-1-15.)

23 (Text of Section after amendment by P.A. 101-652)

24 Sec. 10.16. Veterans' awareness. The Illinois Law

1 Enforcement Training Standards Board may conduct or approve a
2 training program in veterans' awareness for law enforcement
3 officers of local government agencies. The program shall train
4 law enforcement officers to identify issues relating to
5 veterans and provide guidelines dictating how law enforcement
6 officers should respond to and address such issues. Each local
7 law enforcement ~~governmental~~ agency is encouraged to designate
8 an individual to respond to veterans' issues.

9 (Source: P.A. 101-652, eff. 1-1-22.)

10 (50 ILCS 705/10.19)

11 (Text of Section before amendment by P.A. 101-652)

12 Sec. 10.19. Training; administration of epinephrine.

13 (a) This Section, along with Section 40 of the State
14 Police Act, may be referred to as the Annie LeGere Law.

15 (b) For purposes of this Section, "epinephrine
16 auto-injector" means a single-use device used for the
17 automatic injection of a pre-measured dose of epinephrine into
18 the human body prescribed in the name of a local governmental
19 agency.

20 (c) The Board shall conduct or approve an optional
21 advanced training program for police officers to recognize and
22 respond to anaphylaxis, including the administration of an
23 epinephrine auto-injector. The training must include, but is
24 not limited to:

25 (1) how to recognize symptoms of an allergic reaction;

1 (2) how to respond to an emergency involving an
2 allergic reaction;

3 (3) how to administer an epinephrine auto-injector;

4 (4) how to respond to an individual with a known
5 allergy as well as an individual with a previously unknown
6 allergy;

7 (5) a test demonstrating competency of the knowledge
8 required to recognize anaphylaxis and administer an
9 epinephrine auto-injector; and

10 (6) other criteria as determined in rules adopted by
11 the Board.

12 (d) A local governmental agency may authorize a police
13 officer who has completed an optional advanced training
14 program under subsection (c) to carry, administer, or assist
15 with the administration of epinephrine auto-injectors provided
16 by the local governmental agency whenever he or she is
17 performing official duties.

18 (e) A local governmental agency that authorizes its
19 officers to carry and administer epinephrine auto-injectors
20 under subsection (d) must establish a policy to control the
21 acquisition, storage, transportation, administration, and
22 disposal of epinephrine auto-injectors and to provide
23 continued training in the administration of epinephrine
24 auto-injectors.

25 (f) A physician, physician's assistant with prescriptive
26 authority, or advanced practice registered nurse with

1 prescriptive authority may provide a standing protocol or
2 prescription for epinephrine auto-injectors in the name of a
3 local governmental agency to be maintained for use when
4 necessary.

5 (g) When a police officer administers an epinephrine
6 auto-injector in good faith, the police officer and local
7 governmental agency, and its employees and agents, including a
8 physician, physician's assistant with prescriptive authority,
9 or advanced practice registered nurse with prescriptive
10 authority who provides a standing order or prescription for an
11 epinephrine auto-injector, incur no civil or professional
12 liability, except for willful and wanton conduct, as a result
13 of any injury or death arising from the use of an epinephrine
14 auto-injector.

15 (Source: P.A. 99-711, eff. 1-1-17; 100-201, eff. 8-18-17;
16 100-648, eff. 7-31-18.)

17 (Text of Section after amendment by P.A. 101-652)

18 Sec. 10.19. Training; administration of epinephrine.

19 (a) This Section, along with Section 40 of the State
20 Police Act, may be referred to as the Annie LeGere Law.

21 (b) For purposes of this Section, "epinephrine
22 auto-injector" means a single-use device used for the
23 automatic injection of a pre-measured dose of epinephrine into
24 the human body prescribed in the name of a local law
25 enforcement ~~governmental~~ agency.

1 (c) The Board shall conduct or approve an optional
2 advanced training program for law enforcement officers to
3 recognize and respond to anaphylaxis, including the
4 administration of an epinephrine auto-injector. The training
5 must include, but is not limited to:

6 (1) how to recognize symptoms of an allergic reaction;

7 (2) how to respond to an emergency involving an
8 allergic reaction;

9 (3) how to administer an epinephrine auto-injector;

10 (4) how to respond to an individual with a known
11 allergy as well as an individual with a previously unknown
12 allergy;

13 (5) a test demonstrating competency of the knowledge
14 required to recognize anaphylaxis and administer an
15 epinephrine auto-injector; and

16 (6) other criteria as determined in rules adopted by
17 the Board.

18 (d) A local law enforcement ~~governmental~~ agency may
19 authorize a law enforcement officer who has completed an
20 optional advanced training program under subsection (c) to
21 carry, administer, or assist with the administration of
22 epinephrine auto-injectors provided by the local law
23 enforcement ~~governmental~~ agency whenever the officer is
24 performing official duties.

25 (e) A local law enforcement ~~governmental~~ agency that
26 authorizes its officers to carry and administer epinephrine

1 auto-injectors under subsection (d) must establish a policy to
2 control the acquisition, storage, transportation,
3 administration, and disposal of epinephrine auto-injectors and
4 to provide continued training in the administration of
5 epinephrine auto-injectors.

6 (f) A physician, physician's assistant with prescriptive
7 authority, or advanced practice registered nurse with
8 prescriptive authority may provide a standing protocol or
9 prescription for epinephrine auto-injectors in the name of a
10 local law enforcement ~~governmental~~ agency to be maintained for
11 use when necessary.

12 (g) When a law enforcement officer administers an
13 epinephrine auto-injector in good faith, the law enforcement
14 officer and local law enforcement ~~governmental~~ agency, and its
15 employees and agents, including a physician, physician's
16 assistant with prescriptive authority, or advanced practice
17 registered nurse with prescriptive authority who provides a
18 standing order or prescription for an epinephrine
19 auto-injector, incur no civil or professional liability,
20 except for willful and wanton conduct, or as a result of any
21 injury or death arising from the use of an epinephrine
22 auto-injector.

23 (Source: P.A. 100-201, eff. 8-18-17; 100-648, eff. 7-31-18;
24 101-652, eff. 1-1-22.)

1 (Text of Section before amendment by P.A. 101-652)

2 Sec. 10.20. Disposal of medications. The Board shall
3 develop rules and minimum standards for local governmental
4 agencies that authorize police officers to dispose of unused
5 medications under Section 18 of the Safe Pharmaceutical
6 Disposal Act.

7 (Source: P.A. 99-648, eff. 1-1-17; 100-201, eff. 8-18-17.)

8 (Text of Section after amendment by P.A. 101-652)

9 Sec. 10.20. Disposal of medications. The Board shall
10 develop rules and minimum standards for local law enforcement
11 ~~governmental~~ agencies that authorize law enforcement officers
12 to dispose of unused medications under Section 18 of the Safe
13 Pharmaceutical Disposal Act.

14 (Source: P.A. 100-201, eff. 8-18-17; 101-652, eff. 1-1-22.)

15 (50 ILCS 705/10.22)

16 (Text of Section before amendment by P.A. 101-652)

17 Sec. 10.22. School resource officers.

18 (a) The Board shall develop or approve a course for school
19 resource officers as defined in Section 10-20.68 of the School
20 Code.

21 (b) The school resource officer course shall be developed
22 within one year after January 1, 2019 (the effective date of
23 Public Act 100-984) and shall be created in consultation with
24 organizations demonstrating expertise and or experience in the

1 areas of youth and adolescent developmental issues,
2 educational administrative issues, prevention of child abuse
3 and exploitation, youth mental health treatment, and juvenile
4 advocacy.

5 (c) The Board shall develop a process allowing law
6 enforcement agencies to request a waiver of this training
7 requirement for any specific individual assigned as a school
8 resource officer. Applications for these waivers may be
9 submitted by a local law enforcement agency chief
10 administrator for any officer whose prior training and
11 experience may qualify for a waiver of the training
12 requirement of this subsection (c). The Board may issue a
13 waiver at its discretion, based solely on the prior training
14 and experience of an officer.

15 (d) Upon completion, the employing agency shall be issued
16 a certificate attesting to a specific officer's completion of
17 the school resource officer training. Additionally, a letter
18 of approval shall be issued to the employing agency for any
19 officer who is approved for a training waiver under this
20 subsection (d).

21 (Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19.)

22 (Text of Section after amendment by P.A. 101-652)

23 Sec. 10.22. School resource officers.

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25 resource officers as defined in Section 10-20.68 of the School

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3 within one year after January 1, 2019 (the effective date of
4 Public Act 100-984) and shall be created in consultation with
5 organizations demonstrating expertise and or experience in the
6 areas of youth and adolescent developmental issues,
7 educational administrative issues, prevention of child abuse
8 and exploitation, youth mental health treatment, and juvenile
9 advocacy.

10 (c) The Board shall develop a process allowing law
11 enforcement agencies to request a waiver of this training
12 requirement for any specific individual assigned as a school
13 resource officer. Applications for these waivers may be
14 submitted by a local law enforcement ~~governmental~~ agency chief
15 administrator for any officer whose prior training and
16 experience may qualify for a waiver of the training
17 requirement of this subsection (c). The Board may issue a
18 waiver at its discretion, based solely on the prior training
19 and experience of an officer.

20 (d) Upon completion, the employing agency shall be issued
21 a certificate attesting to a specific officer's completion of
22 the school resource officer training. Additionally, a letter
23 of approval shall be issued to the employing agency for any
24 officer who is approved for a training waiver under this
25 subsection (d).

26 (Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19;

1 101-652, eff. 1-1-22.)

2 Section 16. The Law Enforcement Officer-Worn Body Camera
3 Act is amended by changing Section 10-20 as follows:

4 (50 ILCS 706/10-20)

5 Sec. 10-20. Requirements.

6 (a) The Board shall develop basic guidelines for the use
7 of officer-worn body cameras by law enforcement agencies. The
8 guidelines developed by the Board shall be the basis for the
9 written policy which must be adopted by each law enforcement
10 agency which employs the use of officer-worn body cameras. The
11 written policy adopted by the law enforcement agency must
12 include, at a minimum, all of the following:

13 (1) Cameras must be equipped with pre-event recording,
14 capable of recording at least the 30 seconds prior to
15 camera activation, unless the officer-worn body camera was
16 purchased and acquired by the law enforcement agency prior
17 to July 1, 2015.

18 (2) Cameras must be capable of recording for a period
19 of 10 hours or more, unless the officer-worn body camera
20 was purchased and acquired by the law enforcement agency
21 prior to July 1, 2015.

22 (3) Cameras must be turned on at all times when the
23 officer is in uniform and is responding to calls for
24 service or engaged in any law enforcement-related

1 encounter or activity~~7~~ that occurs while the officer is on
2 duty.

3 (A) If exigent circumstances exist which prevent
4 the camera from being turned on, the camera must be
5 turned on as soon as practicable.

6 (B) Officer-worn body cameras may be turned off
7 when the officer is inside of a patrol car which is
8 equipped with a functioning in-car camera; however,
9 the officer must turn on the camera upon exiting the
10 patrol vehicle for law enforcement-related encounters.

11 (C) Officer-worn body cameras may be turned off
12 when the officer is inside a correctional facility or
13 courthouse which is equipped with a functioning camera
14 system.

15 (4) Cameras must be turned off when:

16 (A) the victim of a crime requests that the camera
17 be turned off, and unless impractical or impossible,
18 that request is made on the recording;

19 (B) a witness of a crime or a community member who
20 wishes to report a crime requests that the camera be
21 turned off, and unless impractical or impossible that
22 request is made on the recording;

23 (C) the officer is interacting with a confidential
24 informant used by the law enforcement agency; or

25 (D) an officer of the Department of Revenue enters
26 a Department of Revenue facility or conducts an

1 interview during which return information will be
2 discussed or visible.

3 However, an officer may continue to record or resume
4 recording a victim or a witness, if exigent circumstances
5 exist, or if the officer has reasonable articulable
6 suspicion that a victim or witness, or confidential
7 informant has committed or is in the process of committing
8 a crime. Under these circumstances, and unless impractical
9 or impossible, the officer must indicate on the recording
10 the reason for continuing to record despite the request of
11 the victim or witness.

12 (4.5) Cameras may be turned off when the officer is
13 engaged in community caretaking functions. However, the
14 camera must be turned on when the officer has reason to
15 believe that the person on whose behalf the officer is
16 performing a community caretaking function has committed
17 or is in the process of committing a crime. If exigent
18 circumstances exist which prevent the camera from being
19 turned on, the camera must be turned on as soon as
20 practicable.

21 (5) The officer must provide notice of recording to
22 any person if the person has a reasonable expectation of
23 privacy and proof of notice must be evident in the
24 recording. If exigent circumstances exist which prevent
25 the officer from providing notice, notice must be provided
26 as soon as practicable.

1 (6) (A) For the purposes of redaction, labeling, or
2 duplicating recordings, access to camera recordings shall
3 be restricted to only those personnel responsible for
4 those purposes. The recording officer or his or her
5 supervisor may not redact, label, duplicate or otherwise
6 alter the recording officer's camera recordings. Except as
7 otherwise provided in this Section, the recording officer
8 and his or her supervisor may access and review recordings
9 prior to completing incident reports or other
10 documentation, provided that the supervisor discloses that
11 fact in the report or documentation.

12 (i) A law enforcement officer shall not have
13 access to or review his or her body-worn camera
14 recordings or the body-worn camera recordings of
15 another officer prior to completing incident reports
16 or other documentation when the officer:

17 (a) has been involved in or is a witness to an
18 officer-involved shooting, use of deadly force
19 incident, or use of force incidents resulting in
20 great bodily harm;

21 (b) is ordered to write a report in response
22 to or during the investigation of a misconduct
23 complaint against the officer.

24 (ii) If the officer subject to subparagraph (i)
25 prepares a report, any report shall be prepared
26 without viewing body-worn camera recordings, and

1 subject to supervisor's approval, officers may file
2 amendatory reports after viewing body-worn camera
3 recordings. Supplemental reports under this provision
4 shall also contain documentation regarding access to
5 the video footage.

6 (B) The recording officer's assigned field
7 training officer may access and review recordings for
8 training purposes. Any detective or investigator
9 directly involved in the investigation of a matter may
10 access and review recordings which pertain to that
11 investigation but may not have access to delete or
12 alter such recordings.

13 (7) Recordings made on officer-worn cameras must be
14 retained by the law enforcement agency or by the camera
15 vendor used by the agency, on a recording medium for a
16 period of 90 days.

17 (A) Under no circumstances shall any recording,
18 except for a non-law enforcement related activity or
19 encounter, made with an officer-worn body camera be
20 altered, erased, or destroyed prior to the expiration
21 of the 90-day storage period. In the event any
22 recording made with an officer-worn body camera is
23 altered, erased, or destroyed prior to the expiration
24 of the 90-day storage period, the law enforcement
25 agency shall maintain, for a period of one year, a
26 written record including (i) the name of the

1 individual who made such alteration, erasure, or
2 destruction, and (ii) the reason for any such
3 alteration, erasure, or destruction.

4 (B) Following the 90-day storage period, any and
5 all recordings made with an officer-worn body camera
6 must be destroyed, unless any encounter captured on
7 the recording has been flagged. An encounter is deemed
8 to be flagged when:

9 (i) a formal or informal complaint has been
10 filed;

11 (ii) the officer discharged his or her firearm
12 or used force during the encounter;

13 (iii) death or great bodily harm occurred to
14 any person in the recording;

15 (iv) the encounter resulted in a detention or
16 an arrest, excluding traffic stops which resulted
17 in only a minor traffic offense or business
18 offense;

19 (v) the officer is the subject of an internal
20 investigation or otherwise being investigated for
21 possible misconduct;

22 (vi) the supervisor of the officer,
23 prosecutor, defendant, or court determines that
24 the encounter has evidentiary value in a criminal
25 prosecution; or

26 (vii) the recording officer requests that the

1 video be flagged for official purposes related to
2 his or her official duties.

3 (C) Under no circumstances shall any recording
4 made with an officer-worn body camera relating to a
5 flagged encounter be altered or destroyed prior to 2
6 years after the recording was flagged. If the flagged
7 recording was used in a criminal, civil, or
8 administrative proceeding, the recording shall not be
9 destroyed except upon a final disposition and order
10 from the court.

11 (D) Nothing in this Act prohibits law enforcement
12 agencies from labeling officer-worn body camera video
13 within the recording medium; provided that the
14 labeling does not alter the actual recording of the
15 incident captured on the officer-worn body camera. The
16 labels, titles, and tags shall not be construed as
17 altering the officer-worn body camera video in any
18 way.

19 (8) Following the 90-day storage period, recordings
20 may be retained if a supervisor at the law enforcement
21 agency designates the recording for training purposes. If
22 the recording is designated for training purposes, the
23 recordings may be viewed by officers, in the presence of a
24 supervisor or training instructor, for the purposes of
25 instruction, training, or ensuring compliance with agency
26 policies.

1 (9) Recordings shall not be used to discipline law
2 enforcement officers unless:

3 (A) a formal or informal complaint of misconduct
4 has been made;

5 (B) a use of force incident has occurred;

6 (C) the encounter on the recording could result in
7 a formal investigation under the Uniform Peace
8 Officers' Disciplinary Act; or

9 (D) as corroboration of other evidence of
10 misconduct.

11 Nothing in this paragraph (9) shall be construed to
12 limit or prohibit a law enforcement officer from being
13 subject to an action that does not amount to discipline.

14 (10) The law enforcement agency shall ensure proper
15 care and maintenance of officer-worn body cameras. Upon
16 becoming aware, officers must as soon as practical
17 document and notify the appropriate supervisor of any
18 technical difficulties, failures, or problems with the
19 officer-worn body camera or associated equipment. Upon
20 receiving notice, the appropriate supervisor shall make
21 every reasonable effort to correct and repair any of the
22 officer-worn body camera equipment.

23 (11) No officer may hinder or prohibit any person, not
24 a law enforcement officer, from recording a law
25 enforcement officer in the performance of his or her
26 duties in a public place or when the officer has no

1 reasonable expectation of privacy. The law enforcement
2 agency's written policy shall indicate the potential
3 criminal penalties, as well as any departmental
4 discipline, which may result from unlawful confiscation or
5 destruction of the recording medium of a person who is not
6 a law enforcement officer. However, an officer may take
7 reasonable action to maintain safety and control, secure
8 crime scenes and accident sites, protect the integrity and
9 confidentiality of investigations, and protect the public
10 safety and order.

11 (b) Recordings made with the use of an officer-worn body
12 camera are not subject to disclosure under the Freedom of
13 Information Act, except that:

14 (1) if the subject of the encounter has a reasonable
15 expectation of privacy, at the time of the recording, any
16 recording which is flagged, due to the filing of a
17 complaint, discharge of a firearm, use of force, arrest or
18 detention, or resulting death or bodily harm, shall be
19 disclosed in accordance with the Freedom of Information
20 Act if:

21 (A) the subject of the encounter captured on the
22 recording is a victim or witness; and

23 (B) the law enforcement agency obtains written
24 permission of the subject or the subject's legal
25 representative;

26 (2) except as provided in paragraph (1) of this

1 subsection (b), any recording which is flagged due to the
2 filing of a complaint, discharge of a firearm, use of
3 force, arrest or detention, or resulting death or bodily
4 harm shall be disclosed in accordance with the Freedom of
5 Information Act; and

6 (3) upon request, the law enforcement agency shall
7 disclose, in accordance with the Freedom of Information
8 Act, the recording to the subject of the encounter
9 captured on the recording or to the subject's attorney, or
10 the officer or his or her legal representative.

11 For the purposes of paragraph (1) of this subsection (b),
12 the subject of the encounter does not have a reasonable
13 expectation of privacy if the subject was arrested as a result
14 of the encounter. For purposes of subparagraph (A) of
15 paragraph (1) of this subsection (b), "witness" does not
16 include a person who is a victim or who was arrested as a
17 result of the encounter.

18 Only recordings or portions of recordings responsive to
19 the request shall be available for inspection or reproduction.
20 Any recording disclosed under the Freedom of Information Act
21 shall be redacted to remove identification of any person that
22 appears on the recording and is not the officer, a subject of
23 the encounter, or directly involved in the encounter. Nothing
24 in this subsection (b) shall require the disclosure of any
25 recording or portion of any recording which would be exempt
26 from disclosure under the Freedom of Information Act.

1 (c) Nothing in this Section shall limit access to a camera
2 recording for the purposes of complying with Supreme Court
3 rules or the rules of evidence.

4 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;
5 revised 7-30-21.)

6 Section 20. The Code of Criminal Procedure of 1963 is
7 amended by adding Section 103-3.5 as follows:

8 (725 ILCS 5/103-3.5 new)

9 Sec. 103-3.5. Right to communicate with attorney and
10 family; transfers; presumption of inadmissibility.

11 (a) Persons who are in police custody shall have the right
12 to communicate free of charge with an attorney of his or her
13 choice and members of his or her family as soon as possible
14 upon being taken into police custody, but no later than 3 hours
15 of arrival at the first place of detention. Persons in police
16 custody must be given access to use a telephone via a landline
17 or cellular phone to make 3 telephone calls.

18 (b) In accordance with Section 103-7, at every police
19 facility where a person is in police custody, a sign
20 containing at minimum, the following information in bold block
21 type must be posted in a conspicuous place:

22 (1) a short statement notifying persons who are in
23 police custody of their right to have access to a phone
24 within 3 hours of being taken into police custody; and

1 (2) that persons who are in police custody have the
2 right to make 3 phone calls within 3 hours of being taken
3 into custody, at no charge.

4 (c) In addition to the information listed in subsection
5 (b), if the place of detention is located in a jurisdiction
6 where the court has appointed the public defender or other
7 attorney to represent persons who are in police custody, the
8 telephone number to the public defender or other attorney's
9 office must also be displayed. The telephone call to the
10 public defender or other attorney must not be monitored,
11 eavesdropped upon, or recorded.

12 (d) If a person who is in police custody is transferred to
13 a new place of detention, that person's right to make 3
14 telephone calls under this Section within 3 hours of arrival
15 is renewed.

16 (e) Statements made by a person who is detained in police
17 custody in violation of this section are presumed inadmissible
18 in court as evidence. The presumption of inadmissibility may
19 be overcome by a preponderance of the evidence that the
20 statement was voluntarily given and is reliable, based on the
21 totality of the circumstances. As used in this subsection,
22 "totality of the circumstances" includes, but is not limited
23 to, evidence that law enforcement knowingly prevented or
24 delayed a person's right to communicate or failed to comply
25 with the requirements of this Section.

26 (f) The 3-hour requirement under this Section shall not

1 apply while the person in police custody is asleep,
2 unconscious, or otherwise incapacitated or an exigent
3 circumstance prevents the officers from timely complying with
4 this Section. If this occurs, it must be documented within the
5 police report detailing the exigent circumstance. Once the
6 exigent circumstance ends, the right to make 3 phone calls
7 within 3 hours resumes.

8 (g) In accordance with this Section, the following records
9 shall be maintained: (i) the number of phone calls the person
10 made while in custody; (ii) the time or times the person made
11 phone calls; and (iii) if the person did not make any phone
12 calls, a statement of the reason or reasons why no calls were
13 made.

14 (h) For purposes of this Section, "place of detention"
15 means a building or a police station that is a place of
16 operation for a municipal police department or county sheriff
17 department or other law enforcement agency, other than a
18 courthouse, that is owned or operated by a law enforcement
19 agency, or other building, such as a school or hospital, where
20 persons are held in detention in connection with criminal
21 charges against those persons.

22 (725 ILCS 5/103-3 rep.)

23 Section 25. The Code of Criminal Procedure of 1963 is
24 amended by repealing Section 103-3.

1 Section 30. The Pretrial Services Act is amended by adding
2 Section 1.5 as follows:

3 (725 ILCS 185/1.5 new)

4 Sec. 1.5. Framework facilitating the hiring and training
5 of new State-employed pretrial services personnel to serve
6 circuit courts or counties without existing pretrial services
7 agencies. Notwithstanding anything in this Act to the
8 contrary, the Supreme Court is encouraged to establish a
9 framework that facilitates the hiring and training of new
10 State-employed pretrial services personnel to serve circuit
11 courts or counties without existing pretrial services
12 agencies, as required by Section 1.

13 Section 35. The Unified Code of Corrections is amended by
14 changing Section 5-8-1 as follows:

15 (730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

16 Sec. 5-8-1. Natural life imprisonment; enhancements for
17 use of a firearm; mandatory supervised release terms.

18 (a) Except as otherwise provided in the statute defining
19 the offense or in Article 4.5 of Chapter V, a sentence of
20 imprisonment for a felony shall be a determinate sentence set
21 by the court under this Section, subject to Section 5-4.5-115
22 of this Code, according to the following limitations:

23 (1) for first degree murder,

1 (a) (blank),

2 (b) if a trier of fact finds beyond a reasonable
3 doubt that the murder was accompanied by exceptionally
4 brutal or heinous behavior indicative of wanton
5 cruelty or, except as set forth in subsection
6 (a) (1) (c) of this Section, that any of the aggravating
7 factors listed in subsection (b) or (b-5) of Section
8 9-1 of the Criminal Code of 1961 or the Criminal Code
9 of 2012 are present, the court may sentence the
10 defendant, subject to Section 5-4.5-105, to a term of
11 natural life imprisonment, or

12 (c) the court shall sentence the defendant to a
13 term of natural life imprisonment if the defendant, at
14 the time of the commission of the murder, had attained
15 the age of 18, and:

16 (i) has previously been convicted of first
17 degree murder under any state or federal law, or

18 (ii) is found guilty of murdering more than
19 one victim, or

20 (iii) is found guilty of murdering a peace
21 officer, fireman, or emergency management worker
22 when the peace officer, fireman, or emergency
23 management worker was killed in the course of
24 performing his official duties, or to prevent the
25 peace officer or fireman from performing his
26 official duties, or in retaliation for the peace

1 officer, fireman, or emergency management worker
2 from performing his official duties, and the
3 defendant knew or should have known that the
4 murdered individual was a peace officer, fireman,
5 or emergency management worker, or

6 (iv) is found guilty of murdering an employee
7 of an institution or facility of the Department of
8 Corrections, or any similar local correctional
9 agency, when the employee was killed in the course
10 of performing his official duties, or to prevent
11 the employee from performing his official duties,
12 or in retaliation for the employee performing his
13 official duties, or

14 (v) is found guilty of murdering an emergency
15 medical technician - ambulance, emergency medical
16 technician - intermediate, emergency medical
17 technician - paramedic, ambulance driver or other
18 medical assistance or first aid person while
19 employed by a municipality or other governmental
20 unit when the person was killed in the course of
21 performing official duties or to prevent the
22 person from performing official duties or in
23 retaliation for performing official duties and the
24 defendant knew or should have known that the
25 murdered individual was an emergency medical
26 technician - ambulance, emergency medical

1 technician - intermediate, emergency medical
2 technician - paramedic, ambulance driver, or other
3 medical assistant or first aid personnel, or

4 (vi) (blank), or

5 (vii) is found guilty of first degree murder
6 and the murder was committed by reason of any
7 person's activity as a community policing
8 volunteer or to prevent any person from engaging
9 in activity as a community policing volunteer. For
10 the purpose of this Section, "community policing
11 volunteer" has the meaning ascribed to it in
12 Section 2-3.5 of the Criminal Code of 2012.

13 For purposes of clause (v), "emergency medical
14 technician - ambulance", "emergency medical technician
15 - intermediate", "emergency medical technician -
16 paramedic", have the meanings ascribed to them in the
17 Emergency Medical Services (EMS) Systems Act.

18 (d) (i) if the person committed the offense while
19 armed with a firearm, 15 years shall be added to
20 the term of imprisonment imposed by the court;

21 (ii) if, during the commission of the offense, the
22 person personally discharged a firearm, 20 years shall
23 be added to the term of imprisonment imposed by the
24 court;

25 (iii) if, during the commission of the offense,
26 the person personally discharged a firearm that

1 proximately caused great bodily harm, permanent
2 disability, permanent disfigurement, or death to
3 another person, 25 years or up to a term of natural
4 life shall be added to the term of imprisonment
5 imposed by the court.

6 (2) (blank);

7 (2.5) for a person who has attained the age of 18 years
8 at the time of the commission of the offense and who is
9 convicted under the circumstances described in subdivision
10 (b)(1)(B) of Section 11-1.20 or paragraph (3) of
11 subsection (b) of Section 12-13, subdivision (d)(2) of
12 Section 11-1.30 or paragraph (2) of subsection (d) of
13 Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or
14 paragraph (1.2) of subsection (b) of Section 12-14.1,
15 subdivision (b)(2) of Section 11-1.40 or paragraph (2) of
16 subsection (b) of Section 12-14.1 of the Criminal Code of
17 1961 or the Criminal Code of 2012, the sentence shall be a
18 term of natural life imprisonment.

19 (b) (Blank).

20 (c) (Blank).

21 (d) Subject to earlier termination under Section 3-3-8,
22 the parole or mandatory supervised release term shall be
23 written as part of the sentencing order and shall be as
24 follows:

25 (1) for first degree murder or for the offenses of
26 predatory criminal sexual assault of a child, aggravated

1 criminal sexual assault, and criminal sexual assault if
2 committed on or before December 12, 2005, 3 years;

3 (1.5) except as provided in paragraph (7) of this
4 subsection (d), for a Class X felony except for the
5 offenses of predatory criminal sexual assault of a child,
6 aggravated criminal sexual assault, and criminal sexual
7 assault if committed on or after December 13, 2005 (the
8 effective date of Public Act 94-715) and except for the
9 offense of aggravated child pornography under Section
10 11-20.1B~~+~~, 11-20.3, or 11-20.1 with sentencing under
11 subsection (c-5) of Section 11-20.1 of the Criminal Code
12 of 1961 or the Criminal Code of 2012, if committed on or
13 after January 1, 2009, 18 months;

14 (2) except as provided in paragraph (7) of this
15 subsection (d), for a Class 1 felony or a Class 2 felony
16 except for the offense of criminal sexual assault if
17 committed on or after December 13, 2005 (the effective
18 date of Public Act 94-715) and except for the offenses of
19 manufacture and dissemination of child pornography under
20 clauses (a)(1) and (a)(2) of Section 11-20.1 of the
21 Criminal Code of 1961 or the Criminal Code of 2012, if
22 committed on or after January 1, 2009, 12 months;

23 (3) except as provided in paragraph (4), (6), or (7)
24 of this subsection (d), a mandatory supervised release
25 term shall not be imposed for a Class 3 felony or a Class 4
26 felony; unless:

1 (A) the Prisoner Review Board, based on a
2 validated risk and needs assessment, determines it is
3 necessary for an offender to serve a mandatory
4 supervised release term;

5 (B) if the Prisoner Review Board determines a
6 mandatory supervised release term is necessary
7 pursuant to subparagraph (A) of this paragraph (3),
8 the Prisoner Review Board shall specify the maximum
9 number of months of mandatory supervised release the
10 offender may serve, limited to a term of: (i) 12 months
11 for a Class 3 felony; and (ii) 12 months for a Class 4
12 felony;

13 (4) for defendants who commit the offense of predatory
14 criminal sexual assault of a child, aggravated criminal
15 sexual assault, or criminal sexual assault, on or after
16 December 13, 2005 (the effective date of Public Act
17 94-715) ~~this amendatory Act of the 94th General Assembly,~~
18 or who commit the offense of aggravated child pornography
19 under Section 11-20.1B, 11-20.3, or 11-20.1 with
20 sentencing under subsection (c-5) of Section 11-20.1 of
21 the Criminal Code of 1961 or the Criminal Code of 2012,
22 manufacture of child pornography, or dissemination of
23 child pornography after January 1, 2009, the term of
24 mandatory supervised release shall range from a minimum of
25 3 years to a maximum of the natural life of the defendant;

26 (5) if the victim is under 18 years of age, for a

1 second or subsequent offense of aggravated criminal sexual
2 abuse or felony criminal sexual abuse, 4 years, at least
3 the first 2 years of which the defendant shall serve in an
4 electronic monitoring or home detention program under
5 Article 8A of Chapter V of this Code;

6 (6) for a felony domestic battery, aggravated domestic
7 battery, stalking, aggravated stalking, and a felony
8 violation of an order of protection, 4 years;

9 (7) for any felony described in paragraph (a) (2) (ii),
10 (a) (2) (iii), (a) (2) (iv), (a) (2) (vi), (a) (2.1), (a) (2.3),
11 (a) (2.4), (a) (2.5), or (a) (2.6) of Article 5, Section
12 3-6-3 of the Unified Code of Corrections requiring an
13 inmate to serve a minimum of 85% of their court-imposed
14 sentence, except for the offenses of predatory criminal
15 sexual assault of a child, aggravated criminal sexual
16 assault, and criminal sexual assault if committed on or
17 after December 13, 2005 (the effective date of Public Act
18 94-715) and except for the offense of aggravated child
19 pornography under Section 11-20.1B~~7~~, 11-20.3, or 11-20.1
20 with sentencing under subsection (c-5) of Section 11-20.1
21 of the Criminal Code of 1961 or the Criminal Code of 2012,
22 if committed on or after January 1, 2009 and except as
23 provided in paragraph (4) or paragraph (6) of this
24 subsection (d), the term of mandatory supervised release
25 shall be as follows:

26 (A) Class X felony, 3 years;

1 (B) Class 1 or Class 2 felonies, 2 years;

2 (C) Class 3 or Class 4 felonies, 1 year.

3 (e) (Blank).

4 (f) (Blank).

5 (g) Notwithstanding any other provisions of this Act and
6 of Public Act 101-652: (i) the provisions of paragraph (3) of
7 subsection (d) are effective on July 1 ~~January 1~~, 2022 and
8 shall apply to all individuals convicted on or after the
9 effective date of paragraph (3) of subsection (d); and (ii)
10 the provisions of paragraphs (1.5) and (2) of subsection (d)
11 are effective on July 1, 2021 and shall apply to all
12 individuals convicted on or after the effective date of
13 paragraphs (1.5) and (2) of subsection (d).

14 (Source: P.A. 101-288, eff. 1-1-20; 101-652, eff. 7-1-21;
15 102-28, eff. 6-25-21; revised 8-2-21.)

16 Section 95. No acceleration or delay. Where this Act makes
17 changes in a statute that is represented in this Act by text
18 that is not yet or no longer in effect (for example, a Section
19 represented by multiple versions), the use of that text does
20 not accelerate or delay the taking effect of (i) the changes
21 made by this Act or (ii) provisions derived from any other
22 Public Act.

23 Section 97. Severability. The provisions of this Act are
24 severable under Section 1.31 of the Statute on Statutes.

1 Section 99. Effective date. This Act takes effect January
2 1, 2022.".