



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4480

Introduced 1/21/2022, by Rep. Deb Conroy, Robyn Gabel, Ann M. Williams, Anna Moeller, Margaret Croke, et al.

SYNOPSIS AS INTRODUCED:

50 ILCS 705/6 from Ch. 85, par. 506
55 ILCS 5/5-1069.3
65 ILCS 5/10-4-2.3
215 ILCS 5/356z.53 new

Amends the Illinois Police Training Act. Provides that the Illinois Law Enforcement Training Standards Board shall establish statewide standards for minimum standards regarding regular mandatory annual mental health wellness checks (rather than regular mental health screenings) for probationary and permanent police officers, ensuring that counseling sessions and wellness checks (rather than screenings) remain confidential. Provides that the regular mandatory annual mental health wellness checks for probationary and permanent police officers shall be provided through the law enforcement agency's health insurance carrier at no cost to the law enforcement agency that employs the officers. Amends the Counties Code, Illinois Municipal Code, and Illinois Insurance Code making conforming changes.

LRB102 24928 AWJ 34179 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Police Training Act is amended by
5 changing Section 6 as follows:

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

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

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

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

1 law enforcement officers.

2 c. To provide appropriate certification to those
3 probationary officers who successfully complete the
4 prescribed minimum standard basic training course.

5 d. To review and approve annual training curriculum
6 for county sheriffs.

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

1 the Board by this Act.

2 For purposes of this paragraph e, a person is
3 considered to have been convicted of, found guilty of, or
4 entered a plea of guilty to, plea of nolo contendere to
5 regardless of whether the adjudication of guilt or
6 sentence is withheld or not entered thereon. This includes
7 sentences of supervision, conditional discharge, or first
8 offender probation, or any similar disposition provided
9 for by law.

10 f. To establish statewide standards for minimum
11 standards regarding regular mandatory annual mental health
12 wellness checks ~~screenings~~ for probationary and permanent
13 police officers, ensuring that counseling sessions and
14 wellness checks ~~screenings~~ remain confidential. The
15 regular mandatory annual mental health wellness checks for
16 probationary and permanent police officers shall be
17 provided through the law enforcement agency's health
18 insurance carrier at no cost to the law enforcement agency
19 that employs the officers.

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

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

26 i. The Board and the Panel shall have power to secure

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

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

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

1 email, or by mail to the address of record or email address
2 of record.

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

9 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,
10 Section 10-143, eff. 7-1-21; 101-652, Article 25, Section
11 25-40, eff. 1-1-22; 102-687, eff. 12-17-21.)

12 Section 10. The Counties Code is amended by changing
13 Section 5-1069.3 as follows:

14 (55 ILCS 5/5-1069.3)

15 Sec. 5-1069.3. Required health benefits. If a county,
16 including a home rule county, is a self-insurer for purposes
17 of providing health insurance coverage for its employees, the
18 coverage shall include coverage for the post-mastectomy care
19 benefits required to be covered by a policy of accident and
20 health insurance under Section 356t and the coverage required
21 under Sections 356g, 356g.5, 356g.5-1, 356q, 356u, 356w, 356x,
22 356z.6, 356z.8, 356z.9, 356z.10, 356z.11, 356z.12, 356z.13,
23 356z.14, 356z.15, 356z.22, 356z.25, 356z.26, 356z.29,
24 356z.30a, 356z.32, 356z.33, 356z.36, 356z.40, 356z.41,

1 356z.45, 356z.46, 356z.47, 356z.48, 356z.51, and 356z.53 ~~and~~
2 ~~356z.43~~ of the Illinois Insurance Code. The coverage shall
3 comply with Sections 155.22a, 355b, 356z.19, and 370c of the
4 Illinois Insurance Code. The Department of Insurance shall
5 enforce the requirements of this Section. The requirement that
6 health benefits be covered as provided in this Section is an
7 exclusive power and function of the State and is a denial and
8 limitation under Article VII, Section 6, subsection (h) of the
9 Illinois Constitution. A home rule county to which this
10 Section applies must comply with every provision of this
11 Section.

12 Rulemaking authority to implement Public Act 95-1045, if
13 any, is conditioned on the rules being adopted in accordance
14 with all provisions of the Illinois Administrative Procedure
15 Act and all rules and procedures of the Joint Committee on
16 Administrative Rules; any purported rule not so adopted, for
17 whatever reason, is unauthorized.

18 (Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20;
19 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff.
20 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203,
21 eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22;
22 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; revised
23 10-26-21.)

24 Section 15. The Illinois Municipal Code is amended by
25 changing Section 10-4-2.3 as follows:

1 (65 ILCS 5/10-4-2.3)

2 Sec. 10-4-2.3. Required health benefits. If a
3 municipality, including a home rule municipality, is a
4 self-insurer for purposes of providing health insurance
5 coverage for its employees, the coverage shall include
6 coverage for the post-mastectomy care benefits required to be
7 covered by a policy of accident and health insurance under
8 Section 356t and the coverage required under Sections 356g,
9 356g.5, 356g.5-1, 356q, 356u, 356w, 356x, 356z.6, 356z.8,
10 356z.9, 356z.10, 356z.11, 356z.12, 356z.13, 356z.14, 356z.15,
11 356z.22, 356z.25, 356z.26, 356z.29, 356z.30a, 356z.32,
12 356z.33, 356z.36, 356z.40, 356z.41, 356z.45, 356z.46, 356z.47,
13 356z.48, 356z.51, and 356z.53 ~~and 356z.43~~ of the Illinois
14 Insurance Code. The coverage shall comply with Sections
15 155.22a, 355b, 356z.19, and 370c of the Illinois Insurance
16 Code. The Department of Insurance shall enforce the
17 requirements of this Section. The requirement that health
18 benefits be covered as provided in this is an exclusive power
19 and function of the State and is a denial and limitation under
20 Article VII, Section 6, subsection (h) of the Illinois
21 Constitution. A home rule municipality to which this Section
22 applies must comply with every provision of this Section.

23 Rulemaking authority to implement Public Act 95-1045, if
24 any, is conditioned on the rules being adopted in accordance
25 with all provisions of the Illinois Administrative Procedure

1 Act and all rules and procedures of the Joint Committee on
2 Administrative Rules; any purported rule not so adopted, for
3 whatever reason, is unauthorized.

4 (Source: P.A. 101-81, eff. 7-12-19; 101-281, eff. 1-1-20;
5 101-393, eff. 1-1-20; 101-461, eff. 1-1-20; 101-625, eff.
6 1-1-21; 102-30, eff. 1-1-22; 102-103, eff. 1-1-22; 102-203,
7 eff. 1-1-22; 102-306, eff. 1-1-22; 102-443, eff. 1-1-22;
8 102-642, eff. 1-1-22; 102-665, eff. 10-8-21; revised
9 10-26-21.)

10 Section 20. The Illinois Insurance Code is amended by
11 adding Section 356z.53 as follows:

12 (215 ILCS 5/356z.53 new)

13 Sec. 356z.53. Coverage for annual mental health wellness
14 checks for probationary and permanent police officers. A group
15 or individual policy of accident and health insurance (or a
16 managed care plan) that is amended, delivered, issued, or
17 renewed on or after January 1, 2023 shall provide coverage for
18 annual mental health wellness checks for probationary and
19 permanent police officers. A policy subject to this Section
20 shall not impose a deductible, coinsurance, copayment, or any
21 other cost-sharing requirement on the coverage provided and
22 provide the coverage at no additional cost to the law
23 enforcement agency that employs the officers.