



Rep. Denyse Wang Stoneback

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LRB102 20639 RLC 36295 a

1 AMENDMENT TO HOUSE BILL 4623

2 AMENDMENT NO. _____. Amend House Bill 4623 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Expansion and Support of NIBIN and Other Ballistic Technology
6 Partnerships Funding Program Act.

7 Section 3. Purposes; intent.

8 (a) The General Assembly finds that:

9 (1) The reduction of firearms-related crime is an
10 urgent necessity in the State of Illinois.

11 (2) The Bureau of Alcohol, Tobacco, Firearms and
12 Explosives (ATF) has created the National Integrated
13 Ballistic Information Network (NIBIN) program as a
14 partnership with state and local law enforcement agencies.

15 (3) Use of ballistic imaging and comparison equipment
16 allows state and local police agencies and forensic

1 laboratories to conduct an initial comparison of thousands
2 of pieces of crime firearm evidence in seconds, and this
3 capability alerts firearms examiners to potential links
4 between crimes not otherwise known to be related.

5 (4) NIBIN is a vital component in the investigation
6 and reduction of firearm crimes, and has resulted in the
7 apprehension of armed violent criminals, the interruption
8 of interstate illegal firearm trafficking networks, and
9 the successful prosecutions of offenders.

10 (5) The NIBIN program enables agencies to pool their
11 evidence and to work together more effectively against
12 criminals operating in multiple jurisdictions.

13 (6) NIBIN partner agencies not able to make maximum
14 use of the program have given lack of available funding as
15 a reason.

16 (7) Public Act 102-237 requires any law enforcement
17 agency to submit the evidence for NIBIN processing
18 whenever it recovers any fired cartridge case at a crime
19 scene or has reason to believe that the recovered fired
20 cartridge case is related to or associated with the
21 commission of a crime or the unlawful discharge of a
22 firearm, and whenever a law enforcement agency seizes or
23 recovers a crime firearm deemed suitable to be entered
24 into the NIBIN and upon receipt at the laboratory with
25 NIBIN access, the evidence and test fires shall be entered
26 into the NIBIN system within 2 business days, or as soon as

1 practicable.

2 (8) The enactment of this Act will increase the number
3 of NIBIN entries that are made by law enforcement, and the
4 urgency with which entries must be made.

5 (9) Maximum benefits of the NIBIN program can be
6 achieved through the timely and consistent processing of
7 crime firearm test fires and ballistic evidence by the law
8 enforcement agencies, and the sharing of NIBIN equipment,
9 facilities, and intelligence can help bring about this
10 result.

11 (10) Other ballistic technologies can feed into the
12 national database and may be less expensive and more
13 cost-effective for law enforcement agencies to adopt.

14 (11) Traditional ballistic analysis has limitations,
15 and advancements in forensic ballistics are needed to
16 allow law enforcement to more accurately and quickly
17 identify and trace crime guns.

18 (b) It is the intent of the General Assembly to create a
19 grant program to bring support to existing NIBIN centers,
20 expand the NIBIN program, explore the best and most
21 cost-effective ballistic technologies, expand use of forensic
22 ballistic technologies in general, improve upon current
23 ballistic technology, and encourage sharing of crime gun
24 intelligence and ballistic information among law enforcement
25 agencies in Illinois.

1 Section 5. Definitions. In this Act:

2 "Crime firearm" means any firearm used in crime or
3 suspected to have been used in a crime, including any firearm:

4 (1) unlawfully possessed;

5 (2) used for any unlawful purpose;

6 (3) recovered from the scene of a crime;

7 (4) reasonably believed to have been used or
8 associated with the commission of a crime; or

9 (5) acquired by a law enforcement agency as an
10 abandoned or discarded firearm.

11 "Law enforcement agency" means an agency of this State or
12 unit of local government which is vested by law or ordinance
13 with the duty to maintain public order and to enforce criminal
14 laws or ordinances or with managing custody of detained
15 persons.

16 "NIBIN" means the National Integrated Ballistics
17 Information Network.

18 "Sharing partner agency" means any State or local law
19 enforcement agency that engages in partnerships with at least
20 5 other State or local law enforcement agencies, or both, to
21 offer and make available its NIBIN or other ballistic
22 facilities or equipment, or both, for processing of crime
23 firearm test fires and ballistic evidence.

24 Section 10. Grants for sharing partner agencies. Subject
25 to appropriation, the State Comptroller shall direct and the

1 State Treasurer shall transfer \$5,000,000 from the General
2 Revenue Fund to the Illinois Criminal Justice Information
3 Authority to establish a grant program for sharing partner
4 agencies in Illinois. The Illinois Criminal Justice
5 Information Authority shall award:

6 (1) support grants between \$50,000 to \$150,000, for the
7 support of existing NIBIN or other ballistic facilities, or
8 crime gun intelligence centers, that are shared with at least
9 5 other law enforcement agencies. These grants may be used for
10 contract operator support, equipment for safe test firing of
11 crime firearms, ammunition for test firing, maintenance fees,
12 any warranty which may cover system upgrades, maintenance, and
13 repairs; and

14 (2) expansion grants between \$100,000 to \$500,000 to law
15 enforcement agencies to assist them with the establishment of
16 NIBIN or other ballistic technology centers that can be shared
17 among law enforcement agencies. These grants may be used for
18 costs associated with:

19 (A) the relocation or transfer of equipment, or both,
20 to a space where NIBIN facilities can be shared among
21 multiple law enforcement agencies;

22 (B) the construction or renovation, or both, of a
23 building to house NIBIN or other ballistic technology
24 equipment to be shared among multiple law enforcement
25 agencies; or

26 (C) the establishment of ballistic technology centers

1 to analyze and study advancements in ballistic imaging
2 technology to be used as an additional resource for law
3 enforcement that will directly support, reinforce, and
4 enhance traditional ballistics analysis and tracing
5 efforts, including, but not limited to, equipment or
6 machinery and the hiring of forensic experts, consultants,
7 or personnel, or both consultants and personnel, to assist
8 with the establishment of the center and the study and
9 analysis of advancement in forensic ballistic technology.

10 Section 15. Administration and restrictions. The grant
11 program shall be administered by the Illinois Criminal Justice
12 Information Authority and the grant funds shall only be used
13 for the purposes provided for in this Act.

14 Section 20. Education and training. Education and training
15 associated with NIBIN and other ballistic technology centers
16 in Illinois shall be included in the program.

17 Section 25. Grant application and participation. The
18 Illinois Criminal Justice Information Authority shall
19 establish the objectives and provide direction for the
20 program's grant application process, by which qualified law
21 enforcement agencies may apply to receive funds. Law
22 enforcement agencies participating in the grant program must
23 make their NIBIN or other ballistic technology facilities

1 available to at least 5 other law enforcement agencies at no
2 cost for a minimum of 40 hours per week. All grants under this
3 program must be awarded on or before June 30, 2023. Law
4 enforcement agencies that have been awarded grant funds under
5 the program must use the funds within 2 years after receipt. If
6 the law enforcement agency does not use the grant funds within
7 that period, the law enforcement agency must return any
8 unspent grant funds to the State treasury.

9 Section 30. Data collection. The grant recipients shall
10 collect data and furnish it to the Illinois Criminal Justice
11 Information Authority, which shall prepare an annual report to
12 the General Assembly regarding the use and impact of the grant
13 program, including, but not limited to:

14 (1) the number of grant recipients;

15 (2) NIBIN entries of ballistic evidence and test fires at
16 each grant recipient NIBIN center;

17 (3) NIBIN leads generated by each grant recipient's NIBIN
18 center;

19 (4) the number of agencies that have submitted evidence to
20 the NIBIN grant recipient's center; and

21 (5) each type of ballistic technology used, the leads
22 generated, the impact of the specific ballistic technology,
23 and its potential for development and expansion.

24 Data collection must be comprehensive and follow the
25 guidelines and best practices provided by the federal Bureau

1 of Alcohol, Tobacco, Firearms and Explosives (ATF) and the
2 National Crime Firearm Intelligence Governing Board.

3 Section 35. Repealer. This Act is repealed January 1,
4 2024.

5 Section 90. The Illinois Criminal Justice Information Act
6 is amended by changing Section 7 as follows:

7 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

8 Sec. 7. Powers and duties. The Authority shall have the
9 following powers, duties, and responsibilities:

10 (a) To develop and operate comprehensive information
11 systems for the improvement and coordination of all
12 aspects of law enforcement, prosecution, and corrections;

13 (b) To define, develop, evaluate, and correlate State
14 and local programs and projects associated with the
15 improvement of law enforcement and the administration of
16 criminal justice;

17 (c) To act as a central repository and clearing house
18 for federal, state, and local research studies, plans,
19 projects, proposals, and other information relating to all
20 aspects of criminal justice system improvement and to
21 encourage educational programs for citizen support of
22 State and local efforts to make such improvements;

23 (d) To undertake research studies to aid in

1 accomplishing its purposes;

2 (e) To monitor the operation of existing criminal
3 justice information systems in order to protect the
4 constitutional rights and privacy of individuals about
5 whom criminal history record information has been
6 collected;

7 (f) To provide an effective administrative forum for
8 the protection of the rights of individuals concerning
9 criminal history record information;

10 (g) To issue regulations, guidelines, and procedures
11 which ensure the privacy and security of criminal history
12 record information consistent with State and federal laws;

13 (h) To act as the sole administrative appeal body in
14 the State of Illinois to conduct hearings and make final
15 determinations concerning individual challenges to the
16 completeness and accuracy of criminal history record
17 information;

18 (i) To act as the sole, official, criminal justice
19 body in the State of Illinois to conduct annual and
20 periodic audits of the procedures, policies, and practices
21 of the State central repositories for criminal history
22 record information to verify compliance with federal and
23 state laws and regulations governing such information;

24 (j) To advise the Authority's Statistical Analysis
25 Center;

26 (k) To apply for, receive, establish priorities for,

1 allocate, disburse, and spend grants of funds that are
2 made available by and received on or after January 1, 1983
3 from private sources or from the United States pursuant to
4 the federal Crime Control Act of 1973, as amended, and
5 similar federal legislation, and to enter into agreements
6 with the United States government to further the purposes
7 of this Act, or as may be required as a condition of
8 obtaining federal funds;

9 (l) To receive, expend, and account for such funds of
10 the State of Illinois as may be made available to further
11 the purposes of this Act;

12 (m) To enter into contracts and to cooperate with
13 units of general local government or combinations of such
14 units, State agencies, and criminal justice system
15 agencies of other states for the purpose of carrying out
16 the duties of the Authority imposed by this Act or by the
17 federal Crime Control Act of 1973, as amended;

18 (n) To enter into contracts and cooperate with units
19 of general local government outside of Illinois, other
20 states' agencies, and private organizations outside of
21 Illinois to provide computer software or design that has
22 been developed for the Illinois criminal justice system,
23 or to participate in the cooperative development or design
24 of new software or systems to be used by the Illinois
25 criminal justice system;

26 (o) To establish general policies concerning criminal

1 justice information systems and to promulgate such rules,
2 regulations, and procedures as are necessary to the
3 operation of the Authority and to the uniform
4 consideration of appeals and audits;

5 (p) To advise and to make recommendations to the
6 Governor and the General Assembly on policies relating to
7 criminal justice information systems;

8 (q) To direct all other agencies under the
9 jurisdiction of the Governor to provide whatever
10 assistance and information the Authority may lawfully
11 require to carry out its functions;

12 (r) To exercise any other powers that are reasonable
13 and necessary to fulfill the responsibilities of the
14 Authority under this Act and to comply with the
15 requirements of applicable federal law or regulation;

16 (s) To exercise the rights, powers, and duties which
17 have been vested in the Authority by the Illinois Uniform
18 Conviction Information Act;

19 (t) (Blank);

20 (u) To exercise the rights, powers, and duties vested
21 in the Authority by the Illinois Public Safety Agency
22 Network Act;

23 (v) To provide technical assistance in the form of
24 training to local governmental entities within Illinois
25 requesting such assistance for the purposes of procuring
26 grants for gang intervention and gang prevention programs

1 or other criminal justice programs from the United States
2 Department of Justice;

3 (w) To conduct strategic planning and provide
4 technical assistance to implement comprehensive trauma
5 recovery services for violent crime victims in underserved
6 communities with high levels of violent crime, with the
7 goal of providing a safe, community-based, culturally
8 competent environment in which to access services
9 necessary to facilitate recovery from the effects of
10 chronic and repeat exposure to trauma. Services may
11 include, but are not limited to, behavioral health
12 treatment, financial recovery, family support and
13 relocation assistance, and support in navigating the legal
14 system; ~~and~~

15 (x) To coordinate statewide violence prevention
16 efforts and assist in the implementation of trauma
17 recovery centers and analyze trauma recovery services. The
18 Authority shall develop, publish, and facilitate the
19 implementation of a 4-year statewide violence prevention
20 plan, which shall incorporate public health, public
21 safety, victim services, and trauma recovery centers and
22 services; and -

23 (y) To administer the Expansion and Support of NIBIN
24 and Other Ballistic Technology Partnerships Funding
25 Program Act.

26 The requirement for reporting to the General Assembly

1 shall be satisfied by filing copies of the report as required
2 by Section 3.1 of the General Assembly Organization Act, and
3 filing such additional copies with the State Government Report
4 Distribution Center for the General Assembly as is required
5 under paragraph (t) of Section 7 of the State Library Act.

6 (Source: P.A. 99-938, eff. 1-1-18; 100-373, eff. 1-1-18;
7 100-575, eff. 1-8-18; 100-621, eff. 7-20-18; 100-1148, eff.
8 12-10-18.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.".