



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB4623

Introduced 1/21/2022, by Rep. Denyse Wang Stoneback

SYNOPSIS AS INTRODUCED:

New Act
20 ILCS 3930/7

from Ch. 38, par. 210-7

Creates the Expansion and Support of NIBIN Partnerships Funding Program Act. Provides that subject to appropriation, the State Comptroller shall direct and the State Treasurer shall transfer from the General Revenue Fund \$5,000,000 to the Illinois Criminal Justice Information Authority to establish a grant program for sharing partner agencies in Illinois. Provides that the Authority shall award: (1) support grants between \$50,000 to \$150,000, for the support of existing NIBIN facilities that are shared with at least 5 other law enforcement agencies. Provides that these grants may be used for contract operator support, equipment for safe test firing of crime firearms, ammunition for test firing, maintenance fees, any warranty which may cover system upgrades, maintenance, and repairs; and (2) expansion grants between \$100,000 to \$500,000 to law enforcement agencies to assist them with the establishment of NIBIN centers that can be shared among law enforcement agencies. Provides that the grant program shall be administered by the Illinois Criminal Justice Information Authority. Provides that education and training associated with NIBIN centers in Illinois shall be included in the program. Provides that all grants under this program must be awarded on or before June 30, 2023. Provides that law enforcement agencies that have been awarded grant funds must use the funds within 2 years after receipt. Provides that if any unspent funds remain, the law enforcement agency must return the funds to the State treasury. Amends the Illinois Criminal Justice Information Act to make conforming changes. Effective immediately.

LRB102 20639 RLC 29513 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning law enforcement.

2 WHEREAS, The reduction of firearms-related crime is an
3 urgent necessity in the State of Illinois; and

4 WHEREAS, The Bureau of Alcohol, Tobacco, Firearms and
5 Explosives (ATF) has created the National Integrated Ballistic
6 Information Network (NIBIN) program as a partnership with
7 state and local law enforcement agencies; and

8 WHEREAS, Use of ballistic imaging and comparison equipment
9 allows state and local police agencies and forensic
10 laboratories to conduct an initial comparison of thousands of
11 pieces of crime firearm evidence in seconds, and this
12 capability alerts firearms examiners to potential links
13 between crimes not otherwise known to be related; and

14 WHEREAS, NIBIN is a vital component in the investigation
15 and reduction of firearm crimes, and has resulted in the
16 apprehension of armed violent criminals, the interruption of
17 interstate illegal firearm trafficking networks, and the
18 successful prosecutions of offenders; and

19 WHEREAS, The NIBIN program enables agencies to pool their
20 evidence and to work together more effectively against
21 criminals operating in multiple jurisdictions; and

1 WHEREAS, NIBIN partner agencies not able to make maximum
2 use of the program have given lack of available funding as a
3 reason; and

4 WHEREAS, Public Act 102-237 requires any law enforcement
5 agency to submit the evidence for NIBIN processing whenever it
6 recovers any fired cartridge case at a crime scene or has
7 reason to believe that the recovered fired cartridge case is
8 related to or associated with the commission of a crime or the
9 unlawful discharge of a firearm, and whenever a law
10 enforcement agency seizes or recovers a crime firearm deemed
11 suitable to be entered into the NIBIN and upon receipt at the
12 laboratory with NIBIN access, the evidence and test fires
13 shall be entered into the NIBIN system within 2 business days,
14 or as soon as practicable; and

15 WHEREAS, The enactment of this Act will increase the
16 number of NIBIN entries that are made by law enforcement, and
17 the urgency with which entries must be made; and

18 WHEREAS, Maximum benefits of the NIBIN program can be
19 achieved through the timely and consistent processing of crime
20 firearm test fires and ballistic evidence by the law
21 enforcement agencies, and the sharing of NIBIN equipment,
22 facilities, and intelligence can help bring about this result;
23 and

1 WHEREAS, It is the intent of the General Assembly to
2 create a grant program to bring support to existing NIBIN
3 centers, expand the NIBIN program, and encourage sharing of
4 NIBIN information among law enforcement agencies in Illinois;
5 therefore

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

8 Section 1. Short title. This Act may be cited as the
9 Expansion and Support of NIBIN Partnerships Funding Program
10 Act.

11 Section 5. Definitions. In this Act:

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

14 (1) unlawfully possessed;

15 (2) used for any unlawful purpose;

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

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

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

21 "Law enforcement agency" means an agency of this State or
22 unit of local government which is vested by law or ordinance

1 with the duty to maintain public order and to enforce criminal
2 laws or ordinances or with managing custody of detained
3 persons.

4 "NIBIN" means the National Integrated Ballistics
5 Information Network.

6 "Sharing partner agency" means any State or local law
7 enforcement agency that engages in partnerships with at least
8 5 other State or local law enforcement agencies, or both, to
9 offer and make available its NIBIN facilities or equipment, or
10 both, for processing of crime firearm test fires and ballistic
11 evidence to be entered into NIBIN.

12 Section 10. Grants for sharing partner agencies. Subject
13 to appropriation, the State Comptroller shall direct and the
14 State Treasurer shall transfer \$5,000,000 from the General
15 Revenue Fund to the Illinois Criminal Justice Information
16 Authority to establish a grant program for sharing partner
17 agencies in Illinois. The Illinois Criminal Justice
18 Information Authority shall award:

19 (1) support grants between \$50,000 to \$150,000, for the
20 support of existing NIBIN facilities that are shared with at
21 least 5 other law enforcement agencies. These grants may be
22 used for contract operator support, equipment for safe test
23 firing of crime firearms, ammunition for test firing,
24 maintenance fees, any warranty which may cover system
25 upgrades, maintenance, and repairs; and

1 (2) expansion grants between \$100,000 to \$500,000 to law
2 enforcement agencies to assist them with the establishment of
3 NIBIN centers that can be shared among law enforcement
4 agencies. These grants may be used for costs associated with:

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

8 (B) the construction or renovation, or both, of a
9 building to house NIBIN equipment to be shared among
10 multiple law enforcement agencies.

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

15 Section 20. Education and training. Education and training
16 associated with NIBIN centers in Illinois shall be included in
17 the program.

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

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

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

- 15 (1) the number of grant recipients;
- 16 (2) NIBIN entries of ballistic evidence and test fires at
17 each grant recipient NIBIN center;
- 18 (3) NIBIN leads generated by each grant recipient's NIBIN
19 center; and
- 20 (4) the number of agencies that have submitted evidence to
21 the NIBIN grant recipient's center.

22 Data collection must be comprehensive and follow the
23 guidelines and best practices provided by the federal Bureau
24 of Alcohol, Tobacco, Firearms and Explosives (ATF) and the
25 National Crime Firearm Intelligence Governing Board.

1 Section 35. Repealer. This Act is repealed December 31,
2 2023.

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

5 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

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

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

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

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

21 (d) To undertake research studies to aid in
22 accomplishing its purposes;

23 (e) To monitor the operation of existing criminal

1 justice information systems in order to protect the
2 constitutional rights and privacy of individuals about
3 whom criminal history record information has been
4 collected;

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

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

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

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

22 (j) To advise the Authority's Statistical Analysis
23 Center;

24 (k) To apply for, receive, establish priorities for,
25 allocate, disburse, and spend grants of funds that are
26 made available by and received on or after January 1, 1983

1 from private sources or from the United States pursuant to
2 the federal Crime Control Act of 1973, as amended, and
3 similar federal legislation, and to enter into agreements
4 with the United States government to further the purposes
5 of this Act, or as may be required as a condition of
6 obtaining federal funds;

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

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

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

24 (o) To establish general policies concerning criminal
25 justice information systems and to promulgate such rules,
26 regulations, and procedures as are necessary to the

1 operation of the Authority and to the uniform
2 consideration of appeals and audits;

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

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

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

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

17 (t) (Blank);

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

21 (v) To provide technical assistance in the form of
22 training to local governmental entities within Illinois
23 requesting such assistance for the purposes of procuring
24 grants for gang intervention and gang prevention programs
25 or other criminal justice programs from the United States
26 Department of Justice;

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

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

21 (y) To administer the Expansion and Support of NIBIN
22 Partnerships Funding Program Act.

23 The requirement for reporting to the General Assembly
24 shall be satisfied by filing copies of the report as required
25 by Section 3.1 of the General Assembly Organization Act, and
26 filing such additional copies with the State Government Report

1 Distribution Center for the General Assembly as is required
2 under paragraph (t) of Section 7 of the State Library Act.

3 (Source: P.A. 99-938, eff. 1-1-18; 100-373, eff. 1-1-18;
4 100-575, eff. 1-8-18; 100-621, eff. 7-20-18; 100-1148, eff.
5 12-10-18.)

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.