



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB0298

Introduced 2/19/2021, by Sen. Jason A. Barickman

SYNOPSIS AS INTRODUCED:

20 ILCS 2630/5

from Ch. 38, par. 206-5

Amends the Criminal Identification Act. Provides that law enforcement records of persons arrested for violations of the Cannabis Regulation and Tax Act or for violations of the Cannabis Control Act involving the manufacture, delivery, or possession with intent to deliver, or manufacture, cannabis and for cannabis possession may only be provided by the Illinois State Police and shall not be provided to any person lawfully entitled to obtain those records by any other law enforcement agency or county sheriff. Effective January 1, 2022.

LRB102 15931 CPF 21301 b

1 AN ACT concerning State government.

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

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

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

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

1 Department for minors arrested for an offense prior to their
2 17th birthday, or minors arrested for a non-felony offense, if
3 committed by an adult, prior to their 18th birthday, shall not
4 be forwarded to the Federal Bureau of Investigation unless
5 those records relate to an arrest in which a minor was charged
6 as an adult under any of the transfer provisions of the
7 Juvenile Court Act of 1987. Law enforcement records of persons
8 arrested for violations of the Cannabis Regulation and Tax Act
9 or for violations of the Cannabis Control Act involving the
10 manufacture, delivery, or possession with intent to deliver,
11 or manufacture, cannabis and for cannabis possession may only
12 be provided by the Illinois State Police and shall not be
13 provided to any person lawfully entitled to obtain those
14 records by any other law enforcement agency or county sheriff.
15 (Source: P.A. 98-528, eff. 1-1-15.)

16 Section 99. Effective date. This Act takes effect January
17 1, 2022.