



Rep. Tony McCombie

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10200SB1486ham001

LRB102 11264 KTG 37828 a

1 AMENDMENT TO SENATE BILL 1486

2 AMENDMENT NO. _____. Amend Senate Bill 1486 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Children and Family Services Act is
5 amended by adding Section 21.6 as follows:

6 (20 ILCS 505/21.6 new)

7 Sec. 21.6. Front-line staff members; personal protection
8 spray devices.

9 (a) As used in this Section:

10 "Front-line staff member" or "staff member" means an
11 individual who engages with families in their home settings.

12 "Personal protection spray device" means a commercially
13 available dispensing device designed and intended for use in
14 self-defense which is comprised of non-lethal Oleoresin
15 Capsicum and is specifically approved by the Department in
16 consultation with the Illinois State Police.

1 (b) A front-line staff member is authorized to carry and
2 use personal protection spray devices for self-defense
3 purposes while investigating a report of child abuse or
4 neglect if the front-line staff member has been trained on the
5 proper use of such personal protection spray devices by the
6 Illinois State Police. By January 1, 2023, the Department and
7 the Illinois State Police shall (i) identify a list of
8 approved personal protection spray devices and (ii) jointly
9 develop and approve a training curriculum and program for
10 front-line staff members on the proper use of such personal
11 protection spray devices for self-defense purposes. The
12 Department shall provide funding for the training program.

13 (c) Personal protection spray device use. A personal
14 protection spray device may only be used if a front-line staff
15 member:

16 (1) reasonably believes that use is necessary to
17 protect the staff member from an imminent physical assault
18 posed by another person;

19 (2) uses the device to incapacitate a person
20 attempting a physical assault in order to avoid imminent
21 physical harm and to facilitate escape from danger when
22 there is no other alternative available to the staff
23 member;

24 (3) uses a device approved by the Department in
25 consultation with the Illinois State Police;

26 (4) except in exigent circumstances, has issued a

1 verbal warning to persons in close proximity to the spray
2 area in accordance with the training jointly developed by
3 the Department and the Illinois State Police;

4 (5) does not intentionally spray any person other than
5 a person attempting to physically assault the front-line
6 staff member; and

7 (6) has successfully completed training on how to use
8 the approved devices, de-escalation techniques,
9 pre-contact cues, and situation awareness.

10 A front-line staff member's use of personal protection
11 spray devices during the performance of his or her
12 professional duties in any manner other than as expressly
13 authorized under this Section shall be prohibited by
14 Department policy. Whenever a front-line staff member
15 discharges a personal protection spray device, the front-line
16 staff member shall complete an incident report.

17 (d) Duty to seek medical care for bystanders. Following
18 the discharge of a personal protection spray device that
19 results in exposure, the front-line staff member shall notify
20 his or her supervisor and, if appropriate, call 9-1-1 for
21 emergency response or responders as soon as reasonably
22 practical and when safe to do so.

23 (e) Reporting. Beginning January 1, 2024, and every
24 January 1 thereafter, the Department shall post on its website
25 a report containing the following information for the
26 preceding calendar year: (i) the number of front-line staff

1 members trained to carry personal protection spray devices;
2 (ii) the number of front-line staff members reporting personal
3 protection spray devices and the make or model of the devices;
4 and (iii) the number of reported uses of personal protection
5 spray devices by service region.

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