



## 102ND GENERAL ASSEMBLY

### State of Illinois

### 2021 and 2022

### SB2118

Introduced 2/26/2021, by Sen. Robert Peters

#### SYNOPSIS AS INTRODUCED:

110 ILCS 1020/0.02 new  
110 ILCS 1020/1 from Ch. 144, par. 1951  
110 ILCS 1020/1.5 new  
110 ILCS 1020/1.10 new  
110 ILCS 1020/1.15 new

Amends the Private College Campus Police Act. Provides that private colleges and universities and private campus police departments are bound by the Act. Provides that counties and municipalities with private campus police departments in their jurisdictions must include sworn officers of private campus police departments in civilian complaint, investigation, and review mechanisms or designate an officer in charge of complaints, investigations, and reviews. Requires the municipality or county in which the private campus police department is located or operates to pass an ordinance articulating the boundaries in which the private campus police department may act. Sets forth what the ordinance must define. Requires the private college or university to indemnify both the governmental entity and its residents and citizens. Provides that if a private campus police department enters into a settlement agreement on behalf of itself, its law enforcement officers, or other employees or independent contractors, the settlement terms shall make any evidence available to the public. Provides that a private college or university and its private campus police department must adhere to the Illinois Police Training Act and are subject to the Illinois Law Enforcement Training Standards Board. Requires community information meetings. Effective immediately.

LRB102 15963 CMG 21333 b

FISCAL NOTE ACT  
MAY APPLY

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

1 AN ACT concerning education.

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

4 Section 5. The Private College Campus Police Act is  
5 amended by adding Sections 0.02, 1.5, 1.10, and 1.15 and by  
6 changing Section 1 as follows:

7 (110 ILCS 1020/0.02 new)

8 Sec. 0.02. Definitions. In this Act:

9 "Defined campus boundaries" means (i) any building or  
10 property owned or controlled by an institution within the same  
11 reasonably contiguous geographic area and used by the  
12 institution in direct support of, or in a manner related to,  
13 the institution's educational purposes, including residence  
14 halls, and (ii) any building or property that is within or  
15 reasonably contiguous to the area identified in clause (i)  
16 that is owned by the institution but controlled by another  
17 person, is frequently used by students, and supports  
18 institutional purposes, such as a food or other retail vendor.  
19 "Defined campus boundaries" shall be interpreted in a manner  
20 consistent with the federal Jeanne Clery Disclosure of Campus  
21 Security Policy and Campus Crime Statistics Act and its  
22 implementation regulations.

23 "Extended patrol boundary" means any area outside of an

1 institution's defined campus boundaries not covered by the  
2 federal Jeanne Clery Disclosure of Campus Security Policy and  
3 Campus Crime Statistics Act where a private campus police  
4 department actively patrols.

5 "Institution", "private college", or "private university"  
6 means any college or university (i) that is not owned or  
7 controlled by the State or any political subdivision thereof,  
8 (ii) that provides a program of education in residence leading  
9 to a baccalaureate degree or provides a program of education  
10 in residence for which a baccalaureate degree is a  
11 prerequisite, leading to an academic or professional degree,  
12 and (iii) that is accredited by the Higher Learning Commission  
13 or another nationally recognized accrediting agency.

14 "Patrol" means active monitoring via personnel, in  
15 cooperation with federal, State, or local law enforcement  
16 agencies, pursuing suspects originating outside of formal  
17 campus borders, conducting law enforcement operations outside  
18 of formal campus borders, or conducting investigations with  
19 persons or evaluating evidence in areas that directly involve  
20 an institution's students, staff, other personnel, or property  
21 occurring outside of formal campus borders.

22 "Private campus police department" means any department of  
23 a private college or private university whose governing board  
24 has opted to enable its security personnel to have the same  
25 powers and authority as a local law enforcement agency under  
26 Section 1 of this Act.

1 (110 ILCS 1020/1) (from Ch. 144, par. 1951)

2 Sec. 1. The Board of Trustees of a private college or  
3 private university, may appoint persons to be members of a  
4 campus police department. The Board shall assign duties,  
5 including the enforcement of college or university  
6 regulations, and prescribe the oath of office. With respect to  
7 any such campus police department established for police  
8 protection, the members of such campus police department shall  
9 be persons who have successfully completed the Minimum  
10 Standards Basic Law Enforcement Training Course offered at a  
11 police training school established under the Illinois Police  
12 Training Act, as such Act may be now or hereafter amended. All  
13 members of such campus police departments must also  
14 successfully complete the Firearms Training for Peace Officers  
15 established under the Peace Officer and Probation Officer  
16 Firearm Training Act. Members of the campus police department  
17 shall have the powers of municipal peace officers and county  
18 sheriffs, including the power to make arrests under the  
19 circumstances prescribed in Section 107-2 of the Code of  
20 Criminal Procedure of 1963, as amended, for violations of  
21 state statutes or municipal or county ordinances, including  
22 the ability to regulate and control traffic on the public way  
23 contiguous to the college or university property, for the  
24 protection of students, employees, visitors and their  
25 property, and the property branches, and interests of the

1 college or university, in the county where the college or  
2 university is located. Campus police shall have no authority  
3 to serve civil process.

4 Members of the campus police department at a private  
5 college or private university shall not be eligible to  
6 participate in any State, county or municipal retirement fund  
7 and shall not be reimbursed for training with state funds. The  
8 ~~the~~ uniforms, vehicles, and badges of such officers shall be  
9 distinctive from those of the local law enforcement agency  
10 where the main campus is located.

11 The Board of Trustees shall provide liability insurance  
12 coverage for each member of the campus police department  
13 without cost to the member, which insures the member against  
14 any liability which arises out of or in the course of the  
15 member's employment for no less than \$250,000 of coverage,  
16 unless such indemnification is provided by a program of  
17 self-insurance.

18 ~~For the purposes of this Section, "private college" or~~  
19 ~~"private university" means: (1) any college or university~~  
20 ~~which is not owned or controlled by the State or any political~~  
21 ~~subdivision thereof, and (2) which provides a program of~~  
22 ~~education in residence leading to a baccalaureate degree, or~~  
23 ~~which provides a program of education in residence, for which~~  
24 ~~the baccalaureate degree is a prerequisite, leading to an~~  
25 ~~academic or professional degree, and (3) which is accredited~~  
26 ~~by the North Central Association or other nationally~~

1 ~~recognized accrediting agency.~~

2 (Source: P.A. 98-725, eff. 1-1-15.)

3 (110 ILCS 1020/1.5 new)

4 Sec. 1.5. Construction. Sections 1.10 and 1.15 of this Act  
5 do not decrease the powers or authority granted under Section  
6 1 of this Act and shall be construed as an extension of Section  
7 1 of this Act.

8 (110 ILCS 1020/1.10 new)

9 Sec. 1.10. Requirements.

10 (a) Institutions and private campus police departments are  
11 bound by this Act.

12 (b) Counties and municipalities with private campus police  
13 departments in their jurisdictions must include sworn officers  
14 of private campus police departments in civilian complaint,  
15 investigation, and review mechanisms or designate an officer  
16 in charge of complaints, investigations, and reviews.

17 (c) The municipality or county in which the private campus  
18 police department is located or operates must pass an  
19 ordinance articulating the boundaries in which the private  
20 campus police department may act. The ordinance must define  
21 the campus borders, the extended patrol borders, and the  
22 policing powers of the private campus police department.

23 (d) The institution must indemnify both the governmental  
24 entity and its residents and citizens. This indemnification

1 does not abrogate the rights of the institution to pursue  
2 criminal or civil charges.

3 (e) If a private campus police department enters into a  
4 settlement agreement on behalf of itself, its law enforcement  
5 officers, or other employees or independent contractors, the  
6 settlement terms shall make any evidence, including, but not  
7 limited to, video, emails, and body camera footage, or  
8 otherwise discoverable information under the Freedom of  
9 Information Act available to the public.

10 (f) To use the powers conferred under Section 1 of this  
11 Act, an institution and its private campus police department  
12 must adhere to the Illinois Police Training Act and are  
13 subject to the Illinois Law Enforcement Training Standards  
14 Board.

15 (110 ILCS 1020/1.15 new)

16 Sec. 1.15. Community information meetings.

17 (a) A private campus police department shall conduct  
18 community information meetings for the campus and the public  
19 at the beginning of each educational instructional period.  
20 These meetings must be free and open to the public and must be  
21 held at a public meeting facility, such as a public school  
22 auditorium or gym. The meetings must cover and explain all of  
23 the following topics:

24 (1) An explanation of this Act and how it authorizes  
25 the private campus police department to exercise policing

1 powers over non-affiliated citizens and residents both on  
2 and off campus.

3 (2) All the local ordinances that authorize the  
4 private campus police department, its operational  
5 jurisdiction, and its specific policing powers as written  
6 into the ordinance, including its defined campus and  
7 extended patrol boundaries.

8 (3) The conditions and circumstances in which the  
9 private campus police department interacts with the public  
10 or the non-campus population.

11 (4) How to file complaints with the private campus  
12 police department and the private college or private  
13 university and with local elected officials who can  
14 directly address complaints about the private campus  
15 police department.

16 (5) A question and answer period.

17 The meetings shall be presented by either locally elected  
18 representatives of the areas patrolled by the private campus  
19 police department or representatives from local community  
20 groups located or served within the patrol area.

21 (b) Notices of meetings under this Section shall be  
22 delivered electronically or by regular mail and must be  
23 provided, at a minimum, to:

24 (1) the Attorney General;

25 (2) the legislative offices of the members of the  
26 General Assembly who represent the districts covered by



1       the private campus police department;  
2           (3) county and municipal officials, as appropriate,  
3       which may include aldermen, the city attorney, the county  
4       State's Attorney, and civilian oversight bodies, such as  
5       the Civilian Office of Policy Accountability and the  
6       Chicago Police Board;  
7           (4) media contacts to which the institution regularly  
8       sends news and public service announcements regarding  
9       university or college news; and  
10       (5) the public through the electronic mailing lists  
11       that the institution uses to send notices to the public.  
12       (c) Meetings under this Section shall be considered public  
13       meetings and are subject to the Open Meetings Act.

14       Section 99. Effective date. This Act takes effect upon  
15       becoming law.