



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3586

Introduced 2/17/2023, by Rep. Tom Weber

SYNOPSIS AS INTRODUCED:

20 ILCS 2610/47 new
20 ILCS 2610/48 new
30 ILCS 105/5.990 new

Amends the Illinois State Police Act. Creates the Police K-9 Care Program within the Illinois State Police to provide a stable funding source for the veterinary care for retired police dogs. Provides that Illinois State Police shall contract with a nonprofit corporation organized under State law to administer and manage the Program and shall select the nonprofit corporation through a competitive grant award process. Provides that a handler or adopter of a retired police dog is eligible for a grant of up to \$1,500 in veterinary care reimbursement for the retired police dog. Provides that the Program will be funded through grants from the Police K-9 Care Fund, which shall be funded by gifts, appropriations, and a percentage of monetary forfeitures due to criminal activity. Limits the concurrent exercise of home rule powers relating to forfeitures. Provides requirements for the Program and the Fund. Requires the Illinois State Police to adopt rules necessary to implement the Police K-9 Care Program and the requirements of the Fund. Makes a conforming change in the State Finance Act. Some provisions take effect immediately and some provisions take effect one year after becoming law.

LRB103 30179 AWJ 56607 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 Illinois State Police Act is amended by
5 adding Section 47 and 48 as follows:

6 (20 ILCS 2610/47 new)

7 Sec. 47. Police K-9 Care Program.

8 (a) As used in this Section:

9 "Correctional agency" means a lawfully established State
10 or local public agency having primary responsibility for the
11 supervision, protection, care, custody, control, or
12 investigation of inmates at a correctional institution.

13 "Law enforcement agency" means a lawfully established
14 State or local public agency having primary responsibility for
15 the prevention and detection of crime or the enforcement of
16 penal, traffic, highway, regulatory, game, immigration,
17 postal, customs, or controlled substance laws.

18 "Retired police dog" means a dog that was previously in
19 the service of or employed by a law enforcement agency or a
20 correctional agency in this State for the principal purpose of
21 aiding in the detection of criminal activity, enforcement of
22 laws, or apprehension of offenders and that received
23 certification in obedience and apprehension work from a

1 certifying organization, such as the National Police Canine
2 Association or other certifying organization.

3 "Veterinarian" has the meaning given to that term in
4 Section 3 of the Veterinary Medicine and Surgery Practice Act
5 of 2004.

6 "Veterinary care" means the practice by a veterinarian of
7 veterinary medicine, as that term is defined in Section 3 of
8 the Veterinary Medicine and Surgery Practice Act of 2004.

9 "Veterinary care" includes annual wellness examinations,
10 vaccinations, internal and external parasite prevention
11 treatments, testing and treatment of illnesses and diseases,
12 medications, emergency care and surgeries, veterinary
13 oncology, or other specialty care, euthanasia, and cremation.

14 (b) The Police K-9 Care Program is created within the
15 Illinois State Police to provide a stable funding source for
16 the veterinary care for retired police dogs.

17 (c) The Illinois State Police shall contract with a
18 nonprofit corporation organized under State law to administer
19 and manage the Program and shall select the nonprofit
20 corporation through a competitive grant award process. The
21 selection criteria for the nonprofit corporation must include,
22 but is not limited to, the following:

23 (1) The corporation is dedicated to the protection or
24 care of retired and active police dogs.

25 (2) The corporation is exempt from taxation under
26 Section 501(c)(3) of the Internal Revenue Code.

1 (3) The corporation has maintained its tax-exempt
2 status for at least 5 years.

3 (4) The corporation has demonstrated that the
4 corporation will be able to effectively and efficiently
5 disseminate information and to assist handlers and
6 adopters of retired police dogs in complying with the
7 Police K-9 Care Program.

8 The contract with the corporation must include a provision
9 that the corporation is subject to review and audit by the
10 Auditor General, Illinois State Police, or an appropriate
11 State agency or department to ensure accurate accounting and
12 disbursement of State funds.

13 (d) The Program will be funded as provided in Section 48
14 through the Police K-9 Care Fund. The nonprofit corporation
15 contracted with under subsection (c) shall receive funds for
16 administration of the Program from the Fund as directed by the
17 Director of the Illinois State Police and as required by this
18 Section, including Illinois State Police rules adopted under
19 Section 48 to implement this Section. The nonprofit
20 corporation shall disburse the moneys it receives from the
21 Fund to the handler or the adopter of a retired police dog if
22 the dog served for 5 years or more as a police dog. In order to
23 be eligible for a disbursement under this subsection, the
24 handler or adopter must provide the following documentation to
25 the nonprofit corporation:

26 (1) Valid documentation from the law enforcement

1 agency or correctional agency from which the dog retired
2 that verifies that the dog was in the service of or
3 employed by that agency and (A) the dog served 5 years or
4 more with that agency, (B) documentation showing that the
5 dog served a total of 5 years or more with 2 or more law
6 enforcement agencies or correctional agencies; or (C)
7 notwithstanding the length of service requirements of
8 subparagraphs (A) and (B), the dog served 3 years or more
9 with one or more law enforcement agencies or correctional
10 agencies, was injured in the line of duty while serving
11 with a law enforcement agency or correctional agency, and
12 retired from the agency the dog was serving with at the
13 time of the injury due to such injury; and

14 (2) An invoice from a veterinarian for veterinary care
15 provided in this State to the retired police dog and
16 documentation for establishing payment of the invoice by
17 the handler or the adopter of the retired police dog.

18 Annual disbursements to a handler or an adopter to
19 reimburse him or her for the cost of the retired police dog's
20 veterinary care may not exceed \$1,500 per dog. A handler or an
21 adopter of a retired police dog may not accumulate unused
22 funds from a current year for use in a future year. A handler
23 or an adopter of a retired police dog who seeks reimbursement
24 for veterinary care may not receive reimbursement if funds
25 appropriated for the Police K-9 Care Program are depleted in
26 the year for which the reimbursement is sought.

1 (20 ILCS 2610/48 new)

2 Sec. 48. Police K-9 Care Fund; rules to implement the
3 Police K-9 Care Program and Fund procedures.

4 (a) As used in this Section:

5 "Law enforcement agency" means a lawfully established
6 State or local public agency having primary responsibility for
7 the prevention and detection of crime or the enforcement of
8 penal, traffic, highway, regulatory, game, immigration,
9 postal, customs, or controlled substance laws.

10 "Taxpayer" means any individual, corporation, partnership,
11 trust, or other entity subject to the Illinois income tax. For
12 the purposes of this Section, 2 individuals filing a joint
13 return shall be considered one taxpayer.

14 (b) The Police K-9 Care Fund, a special fund in the State
15 treasury, is hereby created. The Fund shall be used by the
16 Illinois State Police to provide for all costs associated with
17 the function of the Police K-9 Care Program under Section 47 to
18 help mitigate the costs of a retired police dog's health care
19 after retirement.

20 (c) Notwithstanding any other provision of law, the Police
21 K-9 Care Fund is not subject to sweeps, administrative
22 charge-backs, or any other fiscal or budgetary maneuver that
23 would in any way transfer any amounts from the Fund into any
24 other fund of the State.

25 (d) The Illinois State Police shall administer the Fund

1 and shall establish and implement fiscal controls and
2 accounting periods for the Police K-9 Care Program.

3 (e) The Fund may receive State appropriations, gifts,
4 grants, and federal funds and shall include earnings from the
5 investment of moneys in the Fund. The Director of the Illinois
6 State Police shall designate and require a percentage of law
7 enforcement monetary seizures forfeited to the State or law
8 enforcement agencies to be deposited into the Fund. The
9 Director shall notify all law enforcement agencies or State
10 agencies of the percentage required to be deposited into the
11 fund no later than June 30th of each year.

12 A home rule unit may not regulate forfeitures in a manner
13 inconsistent with this subsection. This subsection is a
14 limitation under subsection (i) of Section 6 of Article VII of
15 the Illinois Constitution on the concurrent exercise by home
16 rule units of powers and functions exercised by the State.

17 (f) The Department of Revenue shall award credits against
18 the tax imposed under subsections (a) and (b) of Section 201 of
19 the Illinois Income Tax Act to a taxpayer who makes a
20 contribution to the Fund equal to 75% of the total amount of
21 qualified contributions made by the taxpayer during a taxable
22 year, not to exceed a credit of \$10,000 per taxpayer. No credit
23 shall be taken under this subsection for any contribution for
24 which the taxpayer claims a federal income tax deduction.

25 (g) Of funds appropriated by the General Assembly into the
26 Fund, the nonprofit corporation administering the Police K-9

1 Care Program under subsection (c) of Section 47 may use up to
2 10% of those appropriated funds for its administrative
3 expenses, including salaries and benefits.

4 (h) The Director of the Illinois State Police must request
5 for the Illinois State Police budget an amount of State
6 appropriations for the Police K-9 Care Fund to fully fund the
7 expenses, disbursements, and administrative costs of the
8 Police K-9 Care Program not expected to be covered from law
9 enforcement seizures, donations, grants, gifts, endowments,
10 and transfers from other State funds.

11 (i) The Illinois State Police shall adopt rules necessary
12 to implement the Police K-9 Care Program under Section 47 and
13 the provisions of this Section.

14 Section 10. The State Finance Act is amended by adding
15 Section 5.990 as follows:

16 (30 ILCS 105/5.990 new)

17 Sec. 5.990. The Police K-9 Care Fund.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law, except that the provisions adding Section 47 to
20 the Illinois State Police Act take effect one year after
21 becoming law.