



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2778

Introduced 1/17/2024, by Sen. Linda Holmes

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-6008.5 new

55 ILCS 5/3-7008

55 ILCS 5/3-8010

from Ch. 34, par. 3-7008

from Ch. 34, par. 3-8010

Amends the Counties Code. Provides that a deputy sheriff applicant who is a veteran and who was discharged honorably or generally under honorable conditions no later than 6 months before applying may request examination to occur before the next scheduled examination date and, if requested, shall be examined no later than 2 weeks following receipt of the application. Provides that, once the applicant passes the examination and all other requirements to be on an eligibility list, the applicant shall be immediately placed on the eligibility list. Provides that nothing in the provisions waives eligibility for the applicant to receive military preference points during the application process or employment.

LRB103 36824 AWJ 66935 b

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing
5 Sections 3-7008 and 3-8010 and by adding Section 3-6008.5 as
6 follows:

7 (55 ILCS 5/3-6008.5 new)

8 Sec. 3-6008.5. Veteran testing. An applicant who is a
9 veteran, as that term is defined in 38 U.S.C. 101(2), who was
10 discharged honorably or generally under honorable conditions
11 no later than 6 months before applying may request examination
12 to occur before the next scheduled examination date and, if
13 requested, shall be examined no later than 2 weeks following
14 receipt of the application. Once the applicant passes the
15 examination and all other requirements to be on an eligibility
16 list, the applicant shall be immediately placed on the
17 eligibility list. Nothing in this Section waives eligibility
18 for the applicant to receive military preference points during
19 the application process or employment.

20 (55 ILCS 5/3-7008) (from Ch. 34, par. 3-7008)

21 Sec. 3-7008. Appointments. The appointment of deputy
22 sheriffs in the Police Department, full-time deputy sheriffs

1 not employed as county police officers or county corrections
2 officers and of employees in the Department of Corrections
3 shall be made from those applicants who have been certified by
4 the Board as being qualified for appointment. Certification
5 for appointment in one department shall not constitute
6 certification for appointment in another department.
7 Certification may be made at any point prior to appointment
8 and may be made in conjunction with the Sheriff's application
9 process. All persons so appointed shall, at the time of their
10 appointment, be not less than 21 years of age, or 20 years of
11 age and have successfully completed 2 years of law enforcement
12 studies at an accredited college or university. Any person
13 appointed subsequent to successful completion of 2 years of
14 such law enforcement studies shall not have power of arrest,
15 nor shall he or she be permitted to carry firearms, until he or
16 she reaches 21 years of age. Any person appointed shall be a
17 citizen of the United States, an individual who is legally
18 authorized to work in the United States under federal law and
19 is authorized under federal law to obtain, carry, or purchase
20 or otherwise possess a firearm, or an individual against whom
21 immigration action has been deferred by the U.S. Citizenship
22 and Immigration Services under the federal Deferred Action for
23 Childhood Arrivals (DACA) process and who is authorized under
24 federal law to obtain, carry, or purchase or otherwise possess
25 a firearm. In addition, all persons so appointed shall be not
26 more than the maximum age limit fixed by the Board from time to

1 time, be of sound mind and body, be of good moral character,
2 have not been convicted of a crime which the Board considers to
3 be detrimental to the applicant's ability to carry out his or
4 her duties, possess such prerequisites of training, education
5 and experience as the Board may from time to time prescribe,
6 and shall be required to pass successfully mental, physical,
7 psychiatric and other tests and examinations as may be
8 prescribed by the Board. Preference shall be given in such
9 appointments to persons who have honorably served in the
10 military or naval services of the United States. All
11 appointees shall serve a probationary period of 12 months and
12 during that period may be discharged at the will of the
13 Sheriff. However, civil service employees of the house of
14 correction who have certified status at the time of the
15 transfer of the house of correction to the County Department
16 of Corrections are not subject to this probationary period,
17 and they shall retain their job titles, such tenure privileges
18 as are now enjoyed and any subsequent title changes shall not
19 cause reduction in rank or elimination of positions.

20 An applicant who is a veteran, as that term is defined in
21 38 U.S.C. 101(2), who was discharged honorably or generally
22 under honorable conditions no later than 6 months before
23 applying may request examination to occur before the next
24 scheduled examination date and, if requested, shall be
25 examined no later than 2 weeks following receipt of the
26 application. Once the applicant passes the examination and all

1 other requirements to be on an eligibility list, the applicant
2 shall be immediately placed on the eligibility list. Nothing
3 in this paragraph waives eligibility for the applicant to
4 receive military preference points during the application
5 process or employment.

6 (Source: P.A. 103-357, eff. 1-1-24.)

7 (55 ILCS 5/3-8010) (from Ch. 34, par. 3-8010)

8 Sec. 3-8010. Certification of applicants. The appointment
9 of all personnel subject to the jurisdiction of the Merit
10 Commission shall be made by the sheriff from those applicants
11 who have been certified by the Commission as being qualified
12 for appointment. A Commission may, by its rules and
13 regulations, set forth the minimum requirements for
14 appointment to any position. In addition, the Commission's
15 review of any application may include examinations,
16 investigations or any other method consistent with recognized
17 merit principles, which in the judgment of the Commission is
18 reasonable and practical for any particular classification.
19 Different examining procedures may be set for the examinations
20 in different classifications but all examinations in the same
21 classification shall be uniform. However, the Merit Commission
22 may by regulation provide that applicants who have served with
23 another sheriff's office, a police department, or any other
24 law enforcement agency, or who are graduate law enforcement
25 interns as defined in the Law Enforcement Intern Training Act,

1 may be exempt from one or more of the minimum requirements for
2 appointment. Preference may be given in such appointments to
3 persons who have honorably served in the military or naval
4 services of the United States.

5 An applicant who is a veteran, as that term is defined in
6 38 U.S.C. 101(2), who was discharged honorably or generally
7 under honorable conditions no later than 6 months before
8 applying may request examination to occur before the next
9 scheduled examination date and, if requested, shall be
10 examined no later than 2 weeks following receipt of the
11 application. Once the applicant passes the examination and all
12 other requirements to be on an eligibility list, the applicant
13 shall be immediately placed on the eligibility list. Nothing
14 in this paragraph waives eligibility for the applicant to
15 receive military preference points during the application
16 process or employment.

17 The sheriff shall make appointments from those persons
18 certified by the Commission as qualified for appointment. If
19 the sheriff rejects any person so certified, the sheriff shall
20 notify the Commission in writing of such rejection.

21 The rules and regulations of a Commission shall provide
22 that all initial appointees shall serve a probationary period
23 of 12 months during which time they may be discharged at the
24 will of the sheriff.

25 (Source: P.A. 92-83, eff. 7-12-01.)