

1 AMENDMENT TO HOUSE BILL 1032

2 AMENDMENT NO. _____. Amend House Bill 1032 by replacing
3 everything after the enacting clause with the following:

4 "Section 3. The Secretary of State Act is amended by
5 adding Section 20 as follows:

6 (15 ILCS 305/20 new)

7 Sec. 20. Security guard shields. The Secretary may
8 issue shields or other distinctive identification to his or
9 her security guards, wherever located in the State, if the
10 Secretary determines that a shield or distinctive
11 identification is needed by the security guard to carry out
12 his or her responsibilities.

13 Section 5. The Department of Agriculture Law of the
14 Civil Administrative Code of Illinois is amended by changing
15 Section 205-435 as follows:

16 (20 ILCS 205/205-435)

17 Sec. 205-435. Badges. The Director must authorize to
18 each Inspector of the Department and to any other employee of
19 the Department exercising the powers of a peace officer a
20 distinct badge that, on its face, (i) clearly states that the

1 badge is authorized by the Department and (ii) contains a
 2 unique identifying number. No other badge shall be
 3 authorized by the Department. Nothing in this Section
 4 prohibits the Director from issuing shields or other
 5 distinctive identification to employees performing security
 6 or regulatory duties who are not peace officers if the
 7 Director determines that a shield or distinctive
 8 identification is needed by the employee to carry out his or
 9 her responsibilities.

10 (Source: P.A. 91-883, eff. 1-1-01.)

11 Section 10. The Department of Natural Resources Act is
 12 amended by changing Section 1-30 as follows:

13 (20 ILCS 801/1-30)

14 Sec. 1-30. Badges. The Director must authorize to each
 15 Conservation Police Officer and to any other employee of the
 16 Department exercising the powers of a peace officer a
 17 distinct badge that, on its face, (i) clearly states that the
 18 badge is authorized by the Department and (ii) contains a
 19 unique identifying number. No other badge shall be authorized
 20 by the Department. Nothing in this Section prohibits the
 21 Director from issuing shields or other distinctive
 22 identification to employees not exercising the powers of a
 23 peace officer if the Director determines that a shield or
 24 distinctive identification is needed by the employee to carry
 25 out his or her responsibilities.

26 (Source: P.A. 91-883, eff. 1-1-01.)

27 Section 15. The Department of Human Services Act is
 28 amended by changing Section 1-30 as follows:

29 (20 ILCS 1305/1-30)

30 Sec. 1-30. Badges. The Secretary must authorize to each

1 employee of the Department exercising the powers of a peace
2 officer a distinct badge that, on its face, (i) clearly
3 states that the badge is authorized by the Department and
4 (ii) contains a unique identifying number. No other badge
5 shall be authorized by the Department. Nothing in this
6 Section prohibits the Secretary from issuing shields or other
7 distinctive identification to employees not exercising the
8 powers of a peace officer if the Secretary determines that a
9 shield or distinctive identification is needed by the
10 employee to carry out his or her responsibilities.

11 (Source: P.A. 91-883, eff. 1-1-01.)

12 Section 20. The Peace Officer Fire Investigation Act is
13 amended by changing Section 1 as follows:

14 (20 ILCS 2910/1) (from Ch. 127 1/2, par. 501)

15 Sec. 1. Peace Officer Status.

16 (a) Any person who is a sworn member of any organized
17 and paid fire department of a political subdivision of this
18 State and is authorized to investigate fires or explosions
19 for such political subdivision, or who is employed by the
20 Office of the State Fire Marshal to determine the cause,
21 origin and circumstances of such fires or explosions that are
22 suspected to be arson or arson-related crimes, may be
23 classified as a peace officer by the political subdivision or
24 agency employing such person. A person so classified shall
25 possess the same powers of arrest, search and seizure and the
26 securing and service of warrants as sheriffs of counties, and
27 police officers within the jurisdiction of their political
28 subdivision. While in the actual investigation and matters
29 incident thereto, such person may carry weapons as may be
30 necessary, but only if that person has satisfactorily
31 completed (1) a training program offered or approved by the
32 Illinois Law Enforcement Training Standards Board which

1 substantially conforms to standards promulgated pursuant to
2 the Illinois Police Training Act and "An Act in relation to
3 firearms training for peace officers", approved August 29,
4 1975, as amended; or in the case of employees of the Office
5 of the State Fire Marshal, a training course approved by the
6 Department of State Police which also substantially conforms
7 to standards promulgated pursuant to "An Act in relation to
8 firearms training for peace officers", approved August 29,
9 1975, as amended; and (2) a course in fire and arson
10 investigation approved by the Office of the State Fire
11 Marshal pursuant to the Illinois Fire Protection Training
12 Act. Such training need not include exposure to vehicle and
13 traffic law, traffic control and accident investigation, or
14 first aid, but shall include training in the law relating to
15 the rights of persons suspected of involvement in criminal
16 activities.

17 Any person granted the powers enumerated in this Section
18 may exercise such powers only during the actual investigation
19 of the cause, origin and circumstances of such fires or
20 explosions that are suspected to be arson or arson-related
21 crimes.

22 (b) The State Fire Marshal must authorize to each
23 employee of the Office of the State Fire Marshal who is
24 exercising the powers of a peace officer a distinct badge
25 that, on its face, (i) clearly states that the badge is
26 authorized by the Office of the State Fire Marshal and (ii)
27 contains a unique identifying number. No other badge shall
28 be authorized by the Office of the State Fire Marshal, except
29 that a badge, different from the badge issued to peace
30 officers, may be authorized by the Office of the State Fire
31 Marshal for the use of fire prevention inspectors employed by
32 that Office. Nothing in this subsection prohibits the State
33 Fire Marshal from issuing shields or other distinctive
34 identification to employees not exercising the powers of a

1 peace officer if the State Fire Marshal determines that a
2 shield or distinctive identification is needed by the
3 employee to carry out his or her responsibilities.

4 (Source: P.A. 91-883, eff. 1-1-01; 92-339, eff. 8-10-01.)

5 Section 25. The University of Illinois Act is amended by
6 changing Section 7 as follows:

7 (110 ILCS 305/7) (from Ch. 144, par. 28)

8 Sec. 7. Powers of trustees.

9 (a) The trustees shall have power to provide for the
10 requisite buildings, apparatus, and conveniences; to fix the
11 rates for tuition; to appoint such professors and
12 instructors, and to establish and provide for the management
13 of such model farms, model art, and other departments and
14 professorships, as may be required to teach, in the most
15 thorough manner, such branches of learning as are related to
16 agriculture and the mechanic arts, and military tactics,
17 without excluding other scientific and classical studies. The
18 trustees shall, upon the written request of an employee
19 withhold from the compensation of that employee any dues,
20 payments or contributions payable by such employee to any
21 labor organization as defined in the Illinois Educational
22 Labor Relations Act. Under such arrangement, an amount shall
23 be withheld from each regular payroll period which is equal
24 to the pro rata share of the annual dues plus any payments or
25 contributions, and the trustees shall transmit such
26 withholdings to the specified labor organization within 10
27 working days from the time of the withholding. They may
28 accept the endowments and voluntary professorships or
29 departments in the University, from any person or persons or
30 corporations who may offer the same, and, at any regular
31 meeting of the board, may prescribe rules and regulations in
32 relation to such endowments and declare on what general

1 principles they may be admitted: Provided, that such special
2 voluntary endowments or professorships shall not be
3 incompatible with the true design and scope of the act of
4 congress, or of this Act: Provided, that no student shall at
5 any time be allowed to remain in or about the University in
6 idleness, or without full mental or industrial occupation:
7 And provided further, that the trustees, in the exercise of
8 any of the powers conferred by this Act, shall not create any
9 liability or indebtedness in excess of the funds in the hands
10 of the treasurer of the University at the time of creating
11 such liability or indebtedness, and which may be specially
12 and properly applied to the payment of the same. Any lease to
13 the trustees of lands, buildings or facilities which will
14 support scientific research and development in such areas as
15 high technology, super computing, microelectronics,
16 biotechnology, robotics, physics and engineering shall be for
17 a term not to exceed 18 years, and may grant to the trustees
18 the option to purchase the lands, buildings or facilities.
19 The lease shall recite that it is subject to termination and
20 cancellation in any year for which the General Assembly fails
21 to make an appropriation to pay the rent payable under the
22 terms of the lease.

23 Leases for the purposes described herein exceeding 5
24 years shall have the approval of the Illinois Board of Higher
25 Education.

26 The Board of Trustees may, directly or in cooperation
27 with other institutions of higher education, acquire by
28 purchase or lease or otherwise, and construct, enlarge,
29 improve, equip, complete, operate, control and manage medical
30 research and high technology parks, together with the
31 necessary lands, buildings, facilities, equipment and
32 personal property therefor, to encourage and facilitate (a)
33 the location and development of business and industry in the
34 State of Illinois, and (b) the increased application and

1 development of technology and (c) the improvement and
2 development of the State's economy. The Board of Trustees may
3 lease to nonprofit corporations all or any part of the land,
4 buildings, facilities, equipment or other property included
5 in a medical research and high technology park upon such
6 terms and conditions as the University of Illinois may deem
7 advisable and enter into any contract or agreement with such
8 nonprofit corporations as may be necessary or suitable for
9 the construction, financing, operation and maintenance and
10 management of any such park; and may lease to any person,
11 firm, partnership or corporation, either public or private,
12 any part or all of the land, building, facilities, equipment
13 or other property of such park for such purposes and upon
14 such rentals, terms and conditions as the University may deem
15 advisable; and may finance all or part of the cost of any
16 such park, including the purchase, lease, construction,
17 reconstruction, improvement, remodeling, addition to, and
18 extension and maintenance of all or part of such high
19 technology park, and all equipment and furnishings, by
20 legislative appropriations, government grants, contracts,
21 private gifts, loans, receipts from the operation of such
22 high technology park, rentals and similar receipts; and may
23 make its other facilities and services available to tenants
24 or other occupants of any such park at rates which are
25 reasonable and appropriate.

26 The Trustees shall have power (a) to purchase real
27 property and easements, and (b) to acquire real property and
28 easements in the manner provided by law for the exercise of
29 the right of eminent domain, and in the event negotiations
30 for the acquisition of real property or easements for making
31 any improvement which the Trustees are authorized to make
32 shall have proven unsuccessful and the Trustees shall have by
33 resolution adopted a schedule or plan of operation for the
34 execution of the project and therein made a finding that it

1 is necessary to take such property or easements immediately
2 or at some specified later date in order to comply with the
3 schedule, the Trustees may acquire such property or easements
4 in the same manner provided in Sections 7-103 through 7-112
5 of the Code of Civil Procedure.

6 The Board of Trustees also shall have power to agree with
7 the State's Attorney of the county in which any properties of
8 the Board are located to pay for services rendered by the
9 various taxing districts for the years 1944 through 1949 and
10 to pay annually for services rendered thereafter by such
11 district such sums as may be determined by the Board upon
12 properties used solely for income producing purposes, title
13 to which is held by said Board of Trustees, upon properties
14 leased to members of the staff of the University of Illinois,
15 title to which is held in trust for said Board of Trustees
16 and upon properties leased to for-profit entities the title
17 to which properties is held by the Board of Trustees. A
18 certified copy of any such agreement made with the State's
19 Attorney shall be filed with the County Clerk and such sums
20 shall be distributed to the respective taxing districts by
21 the County Collector in such proportions that each taxing
22 district will receive therefrom such proportion as the tax
23 rate of such taxing district bears to the total tax rate that
24 would be levied against such properties if they were not
25 exempt from taxation under the Property Tax Code.

26 The Board of Trustees of the University of Illinois,
27 subject to the applicable civil service law, may appoint
28 persons to be members of the University of Illinois Police
29 Department. Members of the Police Department shall be peace
30 officers and as such have all powers possessed by policemen
31 in cities, and sheriffs, including the power to make arrests
32 on view or warrants of violations of state statutes and city
33 or county ordinances, except that they may exercise such
34 powers only in counties wherein the University and any of its

1 branches or properties are located when such is required for
2 the protection of university properties and interests, and
3 its students and personnel, and otherwise, within such
4 counties, when requested by appropriate state or local law
5 enforcement officials; provided, however, that such officer
6 shall have no power to serve and execute civil processes.

7 The Board of Trustees must authorize to each member of
8 the University of Illinois Police Department and to any other
9 employee of the University of Illinois exercising the powers
10 of a peace officer a distinct badge that, on its face, (i)
11 clearly states that the badge is authorized by the University
12 of Illinois and (ii) contains a unique identifying number. No
13 other badge shall be authorized by the University of
14 Illinois. Nothing in this paragraph prohibits the Board of
15 Trustees from issuing shields or other distinctive
16 identification to employees not exercising the powers of a
17 peace officer if the Board of Trustees determines that a
18 shield or distinctive identification is needed by the
19 employee to carry out his or her responsibilities.

20 The Board of Trustees may own, operate, or govern, by or
21 through the College of Medicine at Peoria, a managed care
22 community network established under subsection (b) of Section
23 5-11 of the Illinois Public Aid Code.

24 The powers of the trustees as herein designated are
25 subject to the provisions of "An Act creating a Board of
26 Higher Education, defining its powers and duties, making an
27 appropriation therefor, and repealing an Act herein named",
28 approved August 22, 1961, as amended.

29 The Board of Trustees shall have the authority to adopt
30 all administrative rules which may be necessary for the
31 effective administration, enforcement and regulation of all
32 matters for which the Board has jurisdiction or
33 responsibility.

34 (b) To assist in the provision of buildings and

1 facilities beneficial to, useful for, or supportive of
2 University purposes, the Board of Trustees of the University
3 of Illinois may exercise the following powers with regard to
4 the area located on or adjacent to the University of Illinois
5 at Chicago campus and bounded as follows: on the West by
6 Morgan Street; on the North by Roosevelt Road; on the East by
7 Union Street; and on the South by 16th Street, in the City of
8 Chicago:

9 (1) Acquire any interests in land, buildings, or
10 facilities by purchase, including installments payable
11 over a period allowed by law, by lease over a term of
12 such duration as the Board of Trustees shall determine,
13 or by exercise of the power of eminent domain;

14 (2) Sub-lease or contract to purchase through
15 installments all or any portion of buildings or
16 facilities for such duration and on such terms as the
17 Board of Trustees shall determine, including a term that
18 exceeds 5 years, provided that each such lease or
19 purchase contract shall be and shall recite that it is
20 subject to termination and cancellation in any year for
21 which the General Assembly fails to make an appropriation
22 to pay the rent or purchase installments payable under
23 the terms of such lease or purchase contract; and

24 (3) Sell property without compliance with the State
25 Property Control Act and retain proceeds in the
26 University Treasury in a special, separate development
27 fund account which the Auditor General shall examine to
28 assure compliance with this Act.

29 Any buildings or facilities to be developed on the land shall
30 be buildings or facilities that, in the determination of the
31 Board of Trustees, in whole or in part: (i) are for use by
32 the University; or (ii) otherwise advance the interests of
33 the University, including, by way of example, residential
34 facilities for University staff and students and commercial

1 facilities which provide services needed by the University
2 community. Revenues from the development fund account may be
3 withdrawn by the University for the purpose of demolition and
4 the processes associated with demolition; routine land and
5 property acquisition; extension of utilities; streetscape
6 work; landscape work; surface and structure parking;
7 sidewalks, recreational paths, and street construction; and
8 lease and lease purchase arrangements and the professional
9 services associated with the planning and development of the
10 area. Moneys from the development fund account used for any
11 other purpose must be deposited into and appropriated from
12 the General Revenue Fund. Buildings or facilities leased to
13 an entity or person other than the University shall not be
14 subject to any limitations applicable to a State supported
15 college or university under any law. All development on the
16 land and all use of any buildings or facilities shall be
17 subject to the control and approval of the Board of Trustees.
18 (Source: P.A. 91-883, eff. 1-1-01; 92-370, eff. 8-15-01.)

19 Section 30. The Illinois Vehicle Code is amended by
20 changing Section 13-107 as follows:

21 (625 ILCS 5/13-107) (from Ch. 95 1/2, par. 13-107)

22 Sec. 13-107. Investigation of complaints against official
23 testing stations. The Department shall, upon its own motion,
24 or upon charges made in writing verified under oath,
25 investigate complaints that an official testing station is
26 willfully falsifying records or tests, either for the purpose
27 of selling parts or services not actually required, or for
28 the purpose of issuing a certificate of safety for a vehicle
29 designed to carry 15 or fewer passengers operated by a
30 contract carrier transporting employees in the course of
31 their employment on a highway of this State, second division
32 vehicle, or medical transport vehicle that is not in safe

1 mechanical condition as determined by the standards of this
2 Chapter in violation of the provisions of this Chapter or of
3 the rules and regulations issued by the Department.

4 The Secretary of Transportation, for the purpose of more
5 effectively carrying out the provisions of Chapter 13, may
6 appoint such a number of inspectors as he may deem necessary.
7 Such inspectors shall inspect and investigate applicants for
8 official testing station permits and investigate and report
9 violations. With respect to enforcement of the provisions of
10 this Chapter 13, such inspectors shall have and may exercise
11 throughout the State all the powers of police officers.

12 The Secretary must authorize to each inspector and to any
13 other employee of the Department exercising the powers of a
14 peace officer a distinct badge that, on its face, (i) clearly
15 states that the badge is authorized by the Department and
16 (ii) contains a unique identifying number. No other badge
17 shall be authorized by the Department. Nothing in this
18 Section prohibits the Secretary from issuing shields or other
19 distinctive identification to employees not exercising the
20 powers of a peace officer if the Secretary determines that a
21 shield or distinctive identification is needed by the
22 employee to carry out his or her responsibilities.

23 (Source: P.A. 91-883, eff. 1-1-01; 92-108, eff. 1-1-02.)

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."