

1 AN ACT in relation to criminal law.

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

4 Section 5. The Illinois Criminal Justice Information  
5 Act is amended by changing Section 7 as follows:

6 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

7 Sec. 7. Powers and Duties. The Authority shall have the  
8 following powers, duties and responsibilities:

9 (a) To develop and operate comprehensive  
10 information systems for the improvement and coordination  
11 of all aspects of law enforcement, prosecution and  
12 corrections;

13 (b) To define, develop, evaluate and correlate  
14 State and local programs and projects associated with the  
15 improvement of law enforcement and the administration of  
16 criminal justice;

17 (c) To act as a central repository and clearing  
18 house for federal, state and local research studies,  
19 plans, projects, proposals and other information relating  
20 to all aspects of criminal justice system improvement and  
21 to encourage educational programs for citizen support of  
22 State and local efforts to make such improvements;

23 (d) To undertake research studies to aid in  
24 accomplishing its purposes;

25 (e) To monitor the operation of existing criminal  
26 justice information systems in order to protect the  
27 constitutional rights and privacy of individuals about  
28 whom criminal history record information has been  
29 collected;

30 (f) To provide an effective administrative forum  
31 for the protection of the rights of individuals

1 concerning criminal history record information;

2 (g) To issue regulations, guidelines and procedures  
3 which ensure the privacy and security of criminal history  
4 record information consistent with State and federal  
5 laws;

6 (h) To act as the sole administrative appeal body  
7 in the State of Illinois to conduct hearings and make  
8 final determinations concerning individual challenges to  
9 the completeness and accuracy of criminal history record  
10 information;

11 (i) To act as the sole, official, criminal justice  
12 body in the State of Illinois to conduct annual and  
13 periodic audits of the procedures, policies, and  
14 practices of the State central repositories for criminal  
15 history record information to verify compliance with  
16 federal and state laws and regulations governing such  
17 information;

18 (j) To advise the Authority's Statistical Analysis  
19 Center;

20 (k) To apply for, receive, establish priorities  
21 for, allocate, disburse and spend grants of funds that  
22 are made available by and received on or after January 1,  
23 1983 from private sources or from the United States  
24 pursuant to the federal Crime Control Act of 1973, as  
25 amended, and similar federal legislation, and to enter  
26 into agreements with the United States government to  
27 further the purposes of this Act, or as may be required  
28 as a condition of obtaining federal funds;

29 (l) To receive, expend and account for such funds  
30 of the State of Illinois as may be made available to  
31 further the purposes of this Act;

32 (m) To enter into contracts and to cooperate with  
33 units of general local government or combinations of such  
34 units, State agencies, and criminal justice system

1 agencies of other states for the purpose of carrying out  
2 the duties of the Authority imposed by this Act or by the  
3 federal Crime Control Act of 1973, as amended;

4 (n) To enter into contracts and cooperate with  
5 units of general local government outside of Illinois,  
6 other states' agencies, and private organizations outside  
7 of Illinois to provide computer software or design that  
8 has been developed for the Illinois criminal justice  
9 system, or to participate in the cooperative development  
10 or design of new software or systems to be used by the  
11 Illinois criminal justice system. Revenues received as a  
12 result of such arrangements shall be deposited in the  
13 Criminal Justice Information Systems Trust Fund.

14 (o) To establish general policies concerning  
15 criminal justice information systems and to promulgate  
16 such rules, regulations and procedures as are necessary  
17 to the operation of the Authority and to the uniform  
18 consideration of appeals and audits;

19 (p) To advise and to make recommendations to the  
20 Governor and the General Assembly on policies relating to  
21 criminal justice information systems;

22 (q) To direct all other agencies under the  
23 jurisdiction of the Governor to provide whatever  
24 assistance and information the Authority may lawfully  
25 require to carry out its functions;

26 (r) To exercise any other powers that are  
27 reasonable and necessary to fulfill the responsibilities  
28 of the Authority under this Act and to comply with the  
29 requirements of applicable federal law or regulation;

30 (s) To exercise the rights, powers and duties which  
31 have been vested in the Authority by the "Illinois  
32 Uniform Conviction Information Act", enacted by the 85th  
33 General Assembly, as hereafter amended; and

34 (t) To exercise the rights, powers and duties which

1 have been vested in the Authority by the Illinois Motor  
2 Vehicle Theft Prevention Act; and-

3 (u) To establish a publicly accessible database  
4 containing data collected from each circuit judge and  
5 associate judge assigned to try first degree murder  
6 cases. The database shall contain data about first  
7 degree murder cases including details about the trials,  
8 backgrounds of the defendants, and the bases for the  
9 sentences imposed. Each circuit judge and associate  
10 judge assigned to try first degree murder cases shall  
11 submit to the Administrative Office of the Illinois  
12 Courts a form containing information about each first  
13 degree murder trial, the background of the defendant, and  
14 the basis for the sentence imposed. Each form collected  
15 by the Administrative Office of the Illinois Courts from  
16 an individual case is not a public record but the  
17 collective data obtained from the forms is a public  
18 record; provided that the collective data does not  
19 identify an individual court, defendant, or specific  
20 case.

21 The requirement for reporting to the General Assembly  
22 shall be satisfied by filing copies of the report with the  
23 Speaker, the Minority Leader and the Clerk of the House of  
24 Representatives and the President, the Minority Leader and  
25 the Secretary of the Senate and the Legislative Research  
26 Unit, as required by Section 3.1 of "An Act to revise the law  
27 in relation to the General Assembly", approved February 25,  
28 1874, as amended, and filing such additional copies with the  
29 State Government Report Distribution Center for the General  
30 Assembly as is required under paragraph (t) of Section 7 of  
31 the State Library Act.

32 (Source: P.A. 85-922; 86-1408.)