

1 AN ACT in relation to police officers.

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

4 Section 5. The Illinois Police Training Act is amended
5 by changing Section 6.1 as follows:

6 (50 ILCS 705/6.1)

7 Sec. 6.1. Decertification of full-time and part-time
8 police officers.

9 (a) The Board must review police officer conduct and
10 records to ensure that no police officer is certified or
11 provided a valid waiver if that police officer has been:

12 (1) convicted of a felony offense under the laws of
13 this State or any other state which if committed in this
14 State would be punishable as a felony;

15 ~~(2) The Board must also ensure that no police~~
16 ~~officer is certified or provided a valid waiver if that~~
17 ~~police officer has been~~ convicted on or after the
18 effective date of this amendatory Act of 1999 of any
19 misdemeanor specified in this Section or if committed in
20 any other state would be an offense similar to Section
21 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1,
22 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7
23 of the Criminal Code of 1961 or to Section 5 or 5.2 of
24 the Cannabis Control Act; or

25 (3) the subject of an administrative determination,
26 conducted pursuant to the rules and regulations of the
27 law enforcement agency or department employing the police
28 officer, of knowingly committing perjury in a criminal or
29 quasicriminal proceeding. For the purposes of this
30 subsection, "perjury" shall have the meaning as set forth
31 in Section 32-2 of the Criminal Code of 1961.

1 The Board must appoint investigators to enforce the
2 duties conferred upon the Board by this Act.

3 (b) It is the responsibility of the sheriff or the chief
4 executive officer of every local law enforcement agency or
5 department within this State to report to the Board any
6 arrest, administrative determination of perjury, or
7 conviction of any officer for an offense identified in this
8 Section.

9 (c) It is the duty and responsibility of every full-time
10 and part-time police officer in this State to report to the
11 Board within 30 days, and the officer's sheriff or chief
12 executive officer, of his or her arrest, administrative
13 determination of perjury, or conviction for an offense
14 identified in this Section. Any full-time or part-time police
15 officer who knowingly makes, submits, causes to be submitted,
16 or files a false or untruthful report to the Board must have
17 his or her certificate or waiver immediately decertified or
18 revoked.

19 (d) Any person, or a local or State agency, or the Board
20 is immune from liability for submitting, disclosing, or
21 releasing information of arrests, administrative
22 determinations of perjury, or convictions in this Section as
23 long as the information is submitted, disclosed, or released
24 in good faith and without malice. The Board has qualified
25 immunity for the release of the information.

26 (e) Any full-time or part-time police officer with a
27 certificate or waiver issued by the Board who is convicted of
28 any offense described in this Section or is subject to an
29 administrative determination of perjury immediately becomes
30 decertified or no longer has a valid waiver. The
31 decertification and invalidity of waivers occurs as a matter
32 of law. Failure of a convicted person to report to the Board
33 his or her conviction as described in this Section or any
34 continued law enforcement practice after receiving a

1 conviction is a Class 4 felony.

2 (f) The Board's investigators are peace officers and
3 have all the powers possessed by policemen in cities and by
4 sheriff's, provided that the investigators may exercise those
5 powers anywhere in the State, only after contact and
6 cooperation with the appropriate local law enforcement
7 authorities.

8 (g) The Board must request and receive information and
9 assistance from any federal, state, or local governmental
10 agency as part of the authorized criminal background
11 investigation. The Department of State Police must process,
12 retain, and additionally provide and disseminate information
13 to the Board concerning criminal charges, arrests,
14 convictions, and their disposition, that have been filed
15 before, on, or after the effective date of this amendatory
16 Act of the 91st General Assembly against a basic academy
17 applicant, law enforcement applicant, or law enforcement
18 officer whose fingerprint identification cards are on file or
19 maintained by the Department of State Police. The Federal
20 Bureau of Investigation must provide the Board any criminal
21 history record information contained in its files pertaining
22 to law enforcement officers or any applicant to a Board
23 certified basic law enforcement academy as described in this
24 Act based on fingerprint identification. The Board must make
25 payment of fees to the Department of State Police for each
26 fingerprint card submission in conformance with the
27 requirements of paragraph 22 of Section 55a of the Civil
28 Administrative Code of Illinois.

29 (Source: P.A. 91-495, eff. 1-1-00.)