

1 AN ACT concerning public safety.

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

4 Section 1. Short title. This Act may be cited as the  
5 Illinois Public Safety Act.

6 Section 5. Intention. It is the intention of the  
7 General Assembly to assure the residents of Illinois that  
8 public safety and quality of life issues are critical to the  
9 welfare of Illinois and will provide maximum protection and  
10 safety to the citizens and visitors of this State through a  
11 State monetary supplement for local public safety and  
12 community policing initiatives.

13 Section 10. Purpose. The purpose of this Act is to  
14 prevent, combat, and reduce crime and violence at the  
15 community level in Illinois; to improve and support the  
16 cooperative effort between police agencies, community  
17 organizations, educational institutions, faith-based  
18 organizations, community governments, and other governmental  
19 agencies. It is dedicated to enhancing the capacities of  
20 citizens, police, communities, and other agencies in building  
21 safer and healthier communities in Illinois.

22 Section 15. Definitions. As used in this Act:

23 (a) "Institute" means the Regional Institute for  
24 Community Policing (RICP) and its existing staff.

25 (b) "Advisory board" means the Illinois Public Safety  
26 Advisory Board, established within the authority of this Act  
27 and to be built upon the already existing Regional Institute  
28 for Community Policing Governing Board.

29 (c) "Trust Fund" means the Public Safety Program Trust

1 Fund.

2 Section 20. Public Safety Program Trust Fund. There is  
3 hereby established the Public Safety Program Trust Fund  
4 consisting of an insurance premium surcharge of \$1.30 on all  
5 property owner insurance policies, both commercial and  
6 residential, sold in Illinois and any other proceeds that  
7 accrue to this fund. Any other funds, gifts, or grants made  
8 available to the State for distribution to local units of  
9 government in accordance with the provisions of this Act also  
10 shall be made a part of this fund.

11 Section 25. Distribution. Subject to the other  
12 provisions of this Act, moneys in the Trust Fund shall be  
13 distributed as follows:

14 Governor's Emergency Disaster Relief Fund, 23%; and  
15 Regional Institute for Community Policing (RICP), 77%.

16 Section 30. Trust account. All moneys remaining in this  
17 fund on July 1, 2004, and deposited thereafter, including  
18 earnings from their investment, shall be deemed a trust  
19 account.

20 Section 35. Governor's Emergency Disaster Relief Fund.  
21 The Governor's Emergency Disaster Relief Fund is to be funded  
22 up to a maximum based on per capita figure of \$12 million.  
23 This fund shall be utilized to fill the gap between State  
24 declaration and presidential disaster declaration, for use at  
25 localities, cities, counties, and townships. This fund is not  
26 to reimburse individuals, but rather to reimburse local  
27 governmental entities up to 50% of their losses from a  
28 declared disaster.

29 Section 40. Application for funds. Each local unit of

1 government that meets the following requirements shall be  
2 eligible to apply for funds from the Public Safety Trust Fund  
3 Program:

4 (1) Requires police departments to demonstrate the  
5 principles of community policing through pro-active  
6 problem solving, building collaborative partnerships with  
7 the community and creating non-traditional ways of  
8 responding to crime and violence.

9 (2) Requires positive and productive relationships  
10 between elected officials and the law enforcement  
11 personnel they support.

12 (3) Requires police agencies to provide training  
13 through the Institute for officers from each department,  
14 on the subject of insurance fraud detection.

15 (4) Requires compliance with transmission of data  
16 and ideas to the statewide IMAGINE Database record  
17 system.

18 (5) Requires compliance with all provisions of law  
19 applicable to local police.

20 (6) Requires participation in the Illinois Law  
21 Enforcement Alarm System as proposed by the Illinois Law  
22 Enforcement Terrorism Task Force.

23 (7) Requires compliance with all reasonable rules  
24 and regulations, appropriate to the size and location of  
25 the local police department, required to facilitate the  
26 administration of the fund and further the purposes of  
27 this Act.

28 (8) Provided, however, that no local unit of  
29 government that meets the criteria of this Section shall  
30 be eligible to continue sharing in the distribution of  
31 funds from the Public Safety Trust Fund Program unless  
32 the local police department actually begins and continues  
33 to comply with the requirements of this Section;  
34 provided, further, that no local unit shall be eligible

1 to share in the distribution of funds from the Public  
2 Safety Trust Fund Program until the local police  
3 department has substantially complied with subsections  
4 (1) through (7) of this Section.

5 Section 45. The Illinois Public Safety Advisory Board.  
6 There is hereby created within the Institute an Illinois  
7 Public Safety Advisory Board, the foundation of which is the  
8 already existing 11 member Regional Institute for Community  
9 Policing Governing Board, which shall exercise its powers,  
10 duties, and responsibilities independently of the Institute  
11 and its Governing Board. In addition to members of the RICP  
12 Governing Board, the Board shall consist of the Director of  
13 the RICP, the Illinois Attorney General or designee, the  
14 Executive Director of the Illinois Chiefs of Police or  
15 designee, the Executive Director of the Illinois Sheriff's  
16 Association or designee, the Executive Director of the  
17 Illinois Municipal League or designee, the Illinois Insurance  
18 Association, and 2 members at-large who shall be appointed by  
19 the Director of the Regional Institute for Community  
20 Policing. Members at-large shall possess community policing  
21 expertise or successful community collaboration experience.  
22 The Advisory Board shall consist of 19 members.

23 The Advisory Board from time to time shall designate the  
24 Chair of the Advisory Board from the membership. All members  
25 of the Advisory Board appointed by the Advisory Board shall  
26 serve at the discretion of the Board for a term not to exceed  
27 4 years. The initial appointed members of the Advisory Board  
28 shall serve from June 1, 2003 until the third Monday in June  
29 2007 or until they are reappointed or their successors are  
30 appointed. The Advisory Board shall meet at least quarterly.

31 Section 50. Compensation. Members of the Advisory Board  
32 shall serve without compensation. All members shall be

1 reimbursed for reasonable expenses incurred in connection  
2 with their duties.

3 Section 55. Staff. The Director of the Institute shall  
4 employ such administrative, professional, clerical, and other  
5 personnel as may be required and may organize that staff as  
6 may be appropriate to effectuate the purposes of this Act.

7 Section 60. Advisory Board; powers and duties. The  
8 Advisory Board, as a whole, shall have the following powers,  
9 duties, and responsibilities:

10 (a) To provide guidance related to the creation of  
11 policies that define and focus responsibilities among the  
12 board, the management, and the staff. The policies should be  
13 reviewed annually.

14 (b) To make significant and strategic decisions  
15 concerning the Institute's vision, mission, and strategies.

16 (c) To oversee, not manage, the activities of the  
17 Institute to include management activities, financial  
18 activities, and quality activities.

19 (d) To provide resources, expertise, and support to the  
20 Institute.

21 (e) To establish ethical standards, values, and  
22 compliance.

23 (f) To elect officers of the Board: Chair, Vice-Chair,  
24 and Secretary.

25 (g) To establish such committees as necessary for the  
26 purpose of the Board.

27 (h) To attend regular quarterly meetings and special  
28 meetings of the Board.

29 Section 65. Institute; powers and duties. The Institute  
30 shall have the following powers, duties, and  
31 responsibilities:

1 (a) To apply for, solicit, receive, establish priorities  
2 for, allocate, disburse, contract for, and spend funds that  
3 are made available to the Institute from any source to  
4 effectuate the purposes of this Act.

5 (b) To make grants available to and to provide financial  
6 support for federal and State agencies, units of local  
7 government, corporations, and neighborhood, community, and  
8 business organizations to effectuate the purposes of this  
9 Act.

10 (c) To assess the scope of the problem of crime and  
11 community safety, including particular areas of the State  
12 where the problem is the greatest and to conduct impact  
13 analyses of State and local criminal justice policies,  
14 programs, plans, and methods for combating the problem.

15 (d) To develop and sponsor the implementation of  
16 statewide plans and strategies to combat crime and violence  
17 and to improve the administration of community safety laws  
18 and provide an effective forum for identification of critical  
19 problems associated with community crime and violence.

20 (e) To coordinate the development, adoption, and  
21 implementation of plans and strategies relating to  
22 interagency or intergovernmental cooperation with respect to  
23 community safety.

24 (f) To provide specific homeland security,  
25 anti-terrorism response training to individuals who serve as  
26 part of a specifically designated team responding to  
27 catastrophic events anywhere in Illinois.

28 (g) To evaluate grantee activities through the  
29 examination of short term goals and long term outcomes,  
30 designing measurable outputs resulting in the quantitative  
31 accountability of grant funding.

32 (h) To promulgate the rules or regulations necessary to  
33 ensure that appropriate agencies, units of government,  
34 private organizations, and combinations thereof are included

1 in the development and implementation of strategies or plans  
2 adopted pursuant to this Act and to promulgate rules or  
3 regulations as may otherwise be necessary to effectuate the  
4 purposes of this Act.

5 (i) To report biannually to the Governor, General  
6 Assembly, and, upon request, to members of the general public  
7 on the Institute's activities in the preceding years.

8 (j) To exercise any other powers that are reasonable,  
9 necessary, or convenient to fulfill its responsibilities, to  
10 carry out and to effectuate the objectives and purposes of  
11 the Institute and the provisions of this Act, and to comply  
12 with the requirements of applicable federal or State laws or  
13 regulations; provided, however, that such powers shall not  
14 include the power to subpoena or arrest.

15 Section 70. Trust Fund.

16 (a) A trust fund is created in the State Treasury known  
17 as the Illinois Public Safety Trust Fund, which shall be  
18 administered by the Director of the Institute with the advice  
19 and support of the Advisory Board. All interest earned from  
20 the investment or deposit of moneys accumulated in the Trust  
21 Fund shall be deposited into the Trust Fund.

22 (b) Money deposited in this Trust Fund shall not be  
23 considered general revenue of the State of Illinois.

24 (c) Money deposited in the Trust Fund shall be used only  
25 to enhance efforts to effectuate the purposes of this Act as  
26 determined by the Advisory Board and shall not be  
27 appropriated, loaned, or in any manner transferred to the  
28 General Revenue Fund of the State of Illinois or any elected  
29 official of the State of Illinois.

30 (d) Prior to April 1, 2004, and prior to April 1 of each  
31 year thereafter, each insurer engaged in writing property,  
32 homeowners, and renters insurance coverage under the Illinois  
33 Insurance Code, as a condition of its authority to transact

1 business in this State, must collect and pay into the Trust  
2 Fund an amount equal to \$1.30, or a lesser amount determined  
3 by the Advisory Board.

4 (e) Money in the Trust Fund shall be expended as  
5 follows:

6 (1) If so deemed by the Advisory Board, to pay the  
7 learning institution indirect costs to administer the  
8 Institute and the Advisory Board, but for this purpose in  
9 an amount not to exceed 10% in any one fiscal year of the  
10 amount collected pursuant to paragraph (d) of this  
11 Section in that same fiscal year.

12 (2) To achieve the purposes and objectives of this  
13 Act, which may include, but not be limited to, the  
14 following:

15 (A) To provide financial support to law  
16 enforcement, community organizations, local  
17 government bodies, prosecutors, and the judiciary  
18 for programs designed to reduce community crime and  
19 violence and to improve the administration of  
20 insurance fraud laws.

21 (B) To provide financial support for federal  
22 and State agencies, units of local government,  
23 corporations, and neighborhood, community, or  
24 business organizations for programs designed to  
25 reduce community crime and violence and to improve  
26 the administration of insurance fraud laws.

27 (C) To provide financial support to conduct  
28 programs designed to inform owners and renters of  
29 property about the financial and social costs of  
30 deteriorating or abandoned community areas and  
31 insurance fraud and to suggest to those owners  
32 methods for preventing community crime and violence.

33 (D) To provide financial support for plans and  
34 programs designed to achieve the purpose of this



1 Act.

2 (f) Insurers contributing to the Trust Fund have a  
3 property interest in the unexpended money in the Trust Fund,  
4 which property interest shall not be retroactively changed or  
5 extinguished by the General Assembly.

6 (g) In the event the Trust Fund were to be discontinued  
7 or the Institute were to be dissolved by act of the General  
8 Assembly or by operation of law, then, notwithstanding the  
9 provisions of any other law, any balance remaining therein  
10 shall be returned to the insurers writing private and  
11 business property, renters, and homeowners insurance in  
12 proportion to their financial contributions to the Trust Fund  
13 and any assets of the Institute shall be liquidated and  
14 returned in the same manner after deduction of administrative  
15 costs.