



**93RD GENERAL ASSEMBLY**  
**State of Illinois**  
**2003 and 2004**

Introduced 2/6/2004, by Lawrence M. Walsh

**SYNOPSIS AS INTRODUCED:**

20 ILCS 2630/3

from Ch. 38, par. 206-3

Provides that certain information furnished by the Department of State Police to the commanding officer of a military installation and sought pursuant to a federally mandated security or criminal history check shall include all conviction and non-conviction criminal history record databases held by the Federal Bureau of Investigation, now and hereafter filed. Effective immediately.

LRB093 18071 MKM 43758 b

1 AN ACT concerning criminal identification.

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

4 Section 5. The Criminal Identification Act is amended by  
5 changing Section 3 as follows:

6 (20 ILCS 2630/3) (from Ch. 38, par. 206-3)

7 Sec. 3. Information to be furnished peace officers and  
8 commanding officers of certain military installations in  
9 Illinois.

10 (A) The Department shall file or cause to be filed all  
11 plates, photographs, outline pictures, measurements,  
12 descriptions and information which shall be received by it by  
13 virtue of its office and shall make a complete and systematic  
14 record and index of the same, providing thereby a method of  
15 convenient reference and comparison. The Department shall  
16 furnish, upon application, all information pertaining to the  
17 identification of any person or persons, a plate, photograph,  
18 outline picture, description, measurements, or any data of  
19 which there is a record in its office. Such information shall  
20 be furnished to peace officers of the United States, of other  
21 states or territories, of the Insular possessions of the United  
22 States, of foreign countries duly authorized to receive the  
23 same, to all peace officers of the State of Illinois, to  
24 investigators of the Illinois Law Enforcement Training  
25 Standards Board and, conviction information only, to units of  
26 local government, school districts and private organizations,  
27 under the provisions of Section 2605-10, 2605-15, 2605-75,  
28 2605-100, 2605-105, 2605-110, 2605-115, 2605-120, 2605-130,  
29 2605-140, 2605-190, 2605-200, 2605-205, 2605-210, 2605-215,  
30 2605-250, 2605-275, 2605-300, 2605-305, 2605-315, 2605-325,  
31 2605-335, 2605-340, 2605-350, 2605-355, 2605-360, 2605-365,  
32 2605-375, 2605-390, 2605-400, 2605-405, 2605-420, 2605-430,

1 2605-435, 2605-500, 2605-525, or 2605-550 of the Department of  
2 State Police Law (20 ILCS 2605/2605-10, 2605/2605-15,  
3 2605/2605-75, 2605/2605-100, 2605/2605-105, 2605/2605-110,  
4 2605/2605-115, 2605/2605-120, 2605/2605-130, 2605/2605-140,  
5 2605/2605-190, 2605/2605-200, 2605/2605-205, 2605/2605-210,  
6 2605/2605-215, 2605/2605-250, 2605/2605-275, 2605/2605-300,  
7 2605/2605-305, 2605/2605-315, 2605/2605-325, 2605/2605-335,  
8 2605/2605-340, 2605/2605-350, 2605/2605-355, 2605/2605-360,  
9 2605/2605-365, 2605/2605-375, 2605/2605-390, 2605/2605-400,  
10 2605/2605-405, 2605/2605-420, 2605/2605-430, 2605/2605-435,  
11 2605/2605-500, 2605/2605-525, or 2605/2605-550). Applications  
12 shall be in writing and accompanied by a certificate, signed by  
13 the peace officer or chief administrative officer or his  
14 designee making such application, to the effect that the  
15 information applied for is necessary in the interest of and  
16 will be used solely in the due administration of the criminal  
17 laws or for the purpose of evaluating the qualifications and  
18 character of employees, prospective employees, volunteers, or  
19 prospective volunteers of units of local government, school  
20 districts, and private organizations.

21 For the purposes of this subsection, "chief administrative  
22 officer" is defined as follows:

23 a) The city manager of a city or, if a city does not  
24 employ a city manager, the mayor of the city.

25 b) The manager of a village or, if a village does not  
26 employ a manager, the president of the village.

27 c) The chairman or president of a county board or, if a  
28 county has adopted the county executive form of government,  
29 the chief executive officer of the county.

30 d) The president of the school board of a school  
31 district.

32 e) The supervisor of a township.

33 f) The official granted general administrative control  
34 of a special district, an authority, or organization of  
35 government establishment by law which may issue  
36 obligations and which either may levy a property tax or may

1           expend funds of the district, authority, or organization  
2           independently of any parent unit of government.

3           g)     The     executive     officer     granted     general  
4           administrative control of a private organization defined  
5           in Section 2605-335 of the Department of State Police Law  
6           (20 ILCS 2605/2605-335).

7           (B) Upon written application and payment of fees authorized  
8           by this subsection, State agencies and units of local  
9           government, not including school districts, are authorized to  
10          submit fingerprints of employees, prospective employees and  
11          license applicants to the Department for the purpose of  
12          obtaining conviction information maintained by the Department  
13          and the Federal Bureau of Investigation about such persons. The  
14          Department shall submit such fingerprints to the Federal Bureau  
15          of Investigation on behalf of such agencies and units of local  
16          government. The Department shall charge an application fee,  
17          based on actual costs, for the dissemination of conviction  
18          information pursuant to this subsection. The Department is  
19          empowered to establish this fee and shall prescribe the form  
20          and manner for requesting and furnishing conviction  
21          information pursuant to this subsection.

22          (C) Upon payment of fees authorized by this subsection, the  
23          Department shall furnish to the commanding officer of a  
24          military installation in Illinois having an arms storage  
25          facility, upon written request of such commanding officer or  
26          his designee, and in the form and manner prescribed by the  
27          Department, all criminal history record information pertaining  
28          to any individual seeking access to such a storage facility,  
29          where such information is sought pursuant to a  
30          federally-mandated security or criminal history check. This  
31          information shall include all conviction and non-conviction  
32          criminal history record databases held by the Federal Bureau of  
33          Investigation, now and hereafter filed.

34          The Department shall establish and charge a fee, not to  
35          exceed actual costs, for providing information pursuant to this  
36          subsection.

1 (Source: P.A. 91-176, eff. 7-16-99; 91-239, eff. 1-1-00; 92-16,  
2 eff. 6-28-01.)

3 Section 99. Effective date. This Act takes effect upon  
4 becoming law.