



**94TH GENERAL ASSEMBLY**  
**State of Illinois**  
**2005 and 2006**  
**HB0989**

Introduced 2/3/2005, by Rep. Chapin Rose

**SYNOPSIS AS INTRODUCED:**

20 ILCS 2635/10.5 new  
55 ILCS 5/5-1005  
65 ILCS 5/11-42.15 new

from Ch. 34, par. 5-1005

Amends the Illinois Uniform Conviction Information Act. Provides that counties and municipalities may by county or municipal ordinance or resolution require the fingerprinting of applicants or licensees in specified occupations for the purpose of receiving criminal history record information by county or municipal officials. Amends the Counties Code and the Illinois Municipal Code to make conforming changes.

LRB094 06912 RLC 37024 b

FISCAL NOTE ACT  
MAY APPLY

1 AN ACT concerning criminal history record information.

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

4 Section 5. The Illinois Uniform Conviction Information Act  
5 is amended by adding Section 10.5 as follows:

6 (20 ILCS 2635/10.5 new)

7 Sec. 10.5. Criminal history record information; counties  
8 and municipalities access. Counties and municipalities may by  
9 county or municipal ordinance or resolution require the  
10 fingerprinting of applicants or licensees in specified  
11 occupations for the purpose of receiving criminal history  
12 record information by county or municipal officials.  
13 Fingerprint submissions under this Section are authorized to be  
14 submitted by a county or municipality to the Department of  
15 State Police for a check of State criminal history record  
16 information and, if necessary, to the Federal Bureau of  
17 Investigation for a national check. The Department of State  
18 Police shall serve as the sole source for receipt of  
19 fingerprint submissions and the responses to those submissions  
20 from the Federal Bureau of Investigation which shall be  
21 disseminated to the county or municipality. Appropriate fees  
22 for State and national criminal history records information  
23 checks shall be transmitted to the Department of State Police  
24 unless alternately arranged by the Department and the county or  
25 municipality requesting the records.

26 Section 10. The Counties Code is amended by changing  
27 Section 5-1005 as follows:

28 (55 ILCS 5/5-1005) (from Ch. 34, par. 5-1005)

29 Sec. 5-1005. Powers. Each county shall have power:

30 1. To purchase and hold the real and personal estate

1 necessary for the uses of the county, and to purchase and hold,  
2 for the benefit of the county, real estate sold by virtue of  
3 judicial proceedings in which the county is plaintiff.

4 2. To sell and convey or lease any real or personal estate  
5 owned by the county.

6 3. To make all contracts and do all other acts in relation  
7 to the property and concerns of the county necessary to the  
8 exercise of its corporate powers.

9 4. To take all necessary measures and institute proceedings  
10 to enforce all laws for the prevention of cruelty to animals.

11 5. To purchase and hold or lease real estate upon which may  
12 be erected and maintained buildings to be utilized for purposes  
13 of agricultural experiments and to purchase, hold and use  
14 personal property for the care and maintenance of such real  
15 estate in connection with such experimental purposes.

16 6. To cause to be erected, or otherwise provided, suitable  
17 buildings for, and maintain a county hospital and necessary  
18 branch hospitals and/or a county sheltered care home or county  
19 nursing home for the care of such sick, chronically ill or  
20 infirm persons as may by law be proper charges upon the county,  
21 or upon other governmental units, and to provide for the  
22 management of the same. The county board may establish rates to  
23 be paid by persons seeking care and treatment in such hospital  
24 or home in accordance with their financial ability to meet such  
25 charges, either personally or through a hospital plan or  
26 hospital insurance, and the rates to be paid by governmental  
27 units, including the State, for the care of sick, chronically  
28 ill or infirm persons admitted therein upon the request of such  
29 governmental units. Any hospital maintained by a county under  
30 this Section is authorized to provide any service and enter  
31 into any contract or other arrangement not prohibited for a  
32 hospital that is licensed under the Hospital Licensing Act,  
33 incorporated under the General Not-For-Profit Corporation Act,  
34 and exempt from taxation under paragraph (3) of subsection (c)  
35 of Section 501 of the Internal Revenue Code.

36 7. To contribute such sums of money toward erecting,

1 building, maintaining, and supporting any non-sectarian public  
2 hospital located within its limits as the county board of the  
3 county shall deem proper.

4 8. To purchase and hold real estate for the preservation of  
5 forests, prairies and other natural areas and to maintain and  
6 regulate the use thereof.

7 9. To purchase and hold real estate for the purpose of  
8 preserving historical spots in the county, to restore, maintain  
9 and regulate the use thereof and to donate any historical spot  
10 to the State.

11 10. To appropriate funds from the county treasury to be  
12 used in any manner to be determined by the board for the  
13 suppression, eradication and control of tuberculosis among  
14 domestic cattle in such county.

15 11. To take all necessary measures to prevent forest fires  
16 and encourage the maintenance and planting of trees and the  
17 preservation of forests.

18 12. To authorize the closing on Saturday mornings of all  
19 offices of all county officers at the county seat of each  
20 county, and to otherwise regulate and fix the days and the  
21 hours of opening and closing of such offices, except when the  
22 days and the hours of opening and closing of the office of any  
23 county officer are otherwise fixed by law; but the power herein  
24 conferred shall not apply to the office of State's Attorney and  
25 the offices of judges and clerks of courts and, in counties of  
26 500,000 or more population, the offices of county clerk.

27 13. To provide for the conservation, preservation and  
28 propagation of insectivorous birds through the expenditure of  
29 funds provided for such purpose.

30 14. To appropriate funds from the county treasury and  
31 expend the same for care and treatment of tuberculosis  
32 residents.

33 15. In counties having less than 1,000,000 inhabitants, to  
34 take all necessary or proper steps for the extermination of  
35 mosquitoes, flies or other insects within the county.

36 16. To install an adequate system of accounts and financial

1 records in the offices and divisions of the county, suitable to  
2 the needs of the office and in accordance with generally  
3 accepted principles of accounting for governmental bodies,  
4 which system may include such reports as the county board may  
5 determine.

6 17. To purchase and hold real estate for the construction  
7 and maintenance of motor vehicle parking facilities for persons  
8 using county buildings, but the purchase and use of such real  
9 estate shall not be for revenue producing purposes.

10 18. To acquire and hold title to real property located  
11 within the county, or partly within and partly outside the  
12 county by dedication, purchase, gift, legacy or lease, for park  
13 and recreational purposes and to charge reasonable fees for the  
14 use of or admission to any such park or recreational area and  
15 to provide police protection for such park or recreational  
16 area. Personnel employed to provide such police protection  
17 shall be conservators of the peace within such park or  
18 recreational area and shall have power to make arrests on view  
19 of the offense or upon warrants for violation of any of the  
20 ordinances governing such park or recreational area or for any  
21 breach of the peace in the same manner as the police in  
22 municipalities organized and existing under the general laws of  
23 the State. All such real property outside the county shall be  
24 contiguous to the county and within the boundaries of the State  
25 of Illinois.

26 19. To appropriate funds from the county treasury to be  
27 used to provide supportive social services designed to prevent  
28 the unnecessary institutionalization of elderly residents, or,  
29 for operation of, and equipment for, senior citizen centers  
30 providing social services to elderly residents.

31 20. To appropriate funds from the county treasury and loan  
32 such funds to a county water commission created under the  
33 "Water Commission Act", approved June 30, 1984, as now or  
34 hereafter amended, in such amounts and upon such terms as the  
35 county may determine or the county and the commission may  
36 agree. The county shall not under any circumstances be

1 obligated to make such loans. The county shall not be required  
2 to charge interest on any such loans.

3 21. To require the fingerprinting of applicants or  
4 licensees in specified occupations for the purpose of receiving  
5 criminal history record information by county officials in  
6 accordance with Section 10.5 of the Illinois Uniform Conviction  
7 Information Act.

8 All contracts for the purchase of coal under this Section  
9 shall be subject to the provisions of "An Act concerning the  
10 use of Illinois mined coal in certain plants and institutions",  
11 filed July 13, 1937, as amended.

12 (Source: P.A. 86-962; 86-1028.)

13 Section 15. The Illinois Municipal Code is amended by  
14 adding Section 11-42.15 as follows:

15 (65 ILCS 5/11-42.15 new)

16 Sec. 11-42.15. Criminal history record information;  
17 municipalities access. The corporate authorities of each  
18 municipality may require the fingerprinting of applicants or  
19 licensees in specified occupations for the purpose of receiving  
20 criminal history record information by municipal officials in  
21 accordance with Section 10.5 of the Illinois Uniform Conviction  
22 Information Act.