

SB0355



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB0355

Introduced 2/15/2005, by Sen. Carole Pankau

SYNOPSIS AS INTRODUCED:

70 ILCS 1205/8-23

Amends the Park District Code. Provides that a park district is required to do a criminal background investigation only on those applicants for employment with the district who are age 17 years or older (now, a criminal background investigation is required for all applicants).

LRB094 08515 MKM 38722 b

A BILL FOR

1 AN ACT concerning park districts.

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

4 Section 5. The Park District Code is amended by changing
5 Section 8-23 as follows:

6 (70 ILCS 1205/8-23)

7 Sec. 8-23. Criminal background investigations.

8 (a) An applicant, age 17 years or older, for employment
9 with a park district is required as a condition of employment
10 to authorize an investigation to determine if the applicant has
11 been convicted of any of the enumerated criminal or drug
12 offenses in subsection (c) of this Section or has been
13 convicted, within 7 years of the application for employment
14 with the park district, of any other felony under the laws of
15 this State or of any offense committed or attempted in any
16 other state or against the laws of the United States that, if
17 committed or attempted in this State, would have been
18 punishable as a felony under the laws of this State.
19 Authorization for the investigation shall be furnished by the
20 applicant to the park district. Upon receipt of this
21 authorization, the park district shall submit the applicant's
22 name, sex, race, date of birth, and social security number to
23 the Department of State Police on forms prescribed by the
24 Department of State Police. The Department of State Police
25 shall conduct a search of the Illinois criminal history records
26 database to ascertain if the applicant being considered for
27 employment has been convicted of committing or attempting to
28 commit any of the enumerated criminal or drug offenses in
29 subsection (c) of this Section or has been convicted of
30 committing or attempting to commit, within 7 years of the
31 application for employment with the park district, any other
32 felony under the laws of this State. The Department of State

1 Police shall charge the park district a fee for conducting the
2 investigation, which fee shall be deposited in the State Police
3 Services Fund and shall not exceed the cost of the inquiry. The
4 applicant shall not be charged a fee by the park district for
5 the investigation.

6 (b) If the search of the Illinois criminal history record
7 database indicates that the applicant has been convicted of
8 committing or attempting to commit any of the enumerated
9 criminal or drug offenses in subsection (c) or has been
10 convicted of committing or attempting to commit, within 7 years
11 of the application for employment with the park district, any
12 other felony under the laws of this State, the Department of
13 State Police and the Federal Bureau of Investigation shall
14 furnish, pursuant to a fingerprint based background check,
15 records of convictions, until expunged, to the president of the
16 park district. Any information concerning the record of
17 convictions obtained by the president shall be confidential and
18 may only be transmitted to those persons who are necessary to
19 the decision on whether to hire the applicant for employment. A
20 copy of the record of convictions obtained from the Department
21 of State Police shall be provided to the applicant for
22 employment. Any person who releases any confidential
23 information concerning any criminal convictions of an
24 applicant for employment shall be guilty of a Class A
25 misdemeanor, unless the release of such information is
26 authorized by this Section.

27 (c) No park district shall knowingly employ a person who
28 has been convicted for committing attempted first degree murder
29 or for committing or attempting to commit first degree murder,
30 a Class X felony, or any one or more of the following offenses:
31 (i) those defined in Sections 11-6, 11-9, 11-14, 11-15,
32 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20,
33 11-20.1, 11-21, 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the
34 Criminal Code of 1961; (ii) those defined in the Cannabis
35 Control Act, except those defined in Sections 4(a), 4(b), and
36 5(a) of that Act; (iii) those defined in the Illinois

1 Controlled Substances Act; and (iv) any offense committed or
2 attempted in any other state or against the laws of the United
3 States, which, if committed or attempted in this State, would
4 have been punishable as one or more of the foregoing offenses.
5 Further, no park district shall knowingly employ a person who
6 has been found to be the perpetrator of sexual or physical
7 abuse of any minor under 18 years of age pursuant to
8 proceedings under Article II of the Juvenile Court Act of 1987.
9 No park district shall knowingly employ a person for whom a
10 criminal background investigation has not been initiated.
11 (Source: P.A. 93-418, eff. 1-1-04.)