

1 AN ACT concerning transportation.

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 by
5 changing Section 2 as follows:

6 (50 ILCS 705/2) (from Ch. 85, par. 502)

7 Sec. 2. Definitions. As used in this Act, unless the
8 context otherwise requires:

9 "Board" means the Illinois Law Enforcement Training
10 Standards Board.

11 "Local governmental agency" means any local governmental
12 unit or municipal corporation in this State. It does not
13 include the State of Illinois or any office, officer,
14 department, division, bureau, board, commission, or agency of
15 the State, except that it does include a State-controlled
16 university, college or public community college.

17 "Police training school" means any school located within
18 the State of Illinois whether privately or publicly owned which
19 offers a course in police or county corrections training and
20 has been approved by the Board.

21 "Probationary police officer" means a recruit law
22 enforcement officer required to successfully complete initial
23 minimum basic training requirements at a police training school
24 to be eligible for permanent full-time employment as a local
25 law enforcement officer.

26 "Probationary part-time police officer" means a recruit
27 part-time law enforcement officer required to successfully
28 complete initial minimum part-time training requirements to be
29 eligible for employment on a part-time basis as a local law
30 enforcement officer.

31 "Permanent police officer" means a law enforcement officer
32 who has completed his or her probationary period and is

1 permanently employed on a full-time basis as a local law
2 enforcement officer by a participating local governmental unit
3 or as a security officer or campus policeman permanently
4 employed by a participating State-controlled university,
5 college, or public community college.

6 "Part-time police officer" means a law enforcement officer
7 who has completed his or her probationary period and is
8 employed on a part-time basis as a law enforcement officer by a
9 participating unit of local government or as a campus policeman
10 by a participating State-controlled university, college, or
11 public community college.

12 "Law enforcement officer" means (i) any police officer of a
13 local governmental agency who is primarily responsible for
14 prevention or detection of crime and the enforcement of the
15 criminal code, traffic, or highway laws of this State or any
16 political subdivision of this State or (ii) any member of a
17 police force appointed and maintained as provided in Section 2
18 of the Railroad Police Act.

19 "Recruit" means any full-time or part-time law enforcement
20 officer or full-time county corrections officer who is enrolled
21 in an approved training course.

22 "Probationary county corrections officer" means a recruit
23 county corrections officer required to successfully complete
24 initial minimum basic training requirements at a police
25 training school to be eligible for permanent employment on a
26 full-time basis as a county corrections officer.

27 "Permanent county corrections officer" means a county
28 corrections officer who has completed his probationary period
29 and is permanently employed on a full-time basis as a county
30 corrections officer by a participating local governmental
31 unit.

32 "County corrections officer" means any sworn officer of the
33 sheriff who is primarily responsible for the control and
34 custody of offenders, detainees or inmates.

35 "Probationary court security officer" means a recruit
36 court security officer required to successfully complete

1 initial minimum basic training requirements at a designated
2 training school to be eligible for employment as a court
3 security officer.

4 "Permanent court security officer" means a court security
5 officer who has completed his or her probationary period and is
6 employed as a court security officer by a participating local
7 governmental unit.

8 "Court security officer" has the meaning ascribed to it in
9 Section 3-6012.1 of the Counties Code.

10 (Source: P.A. 90-271, eff. 7-30-97; 91-357, eff. 7-29-99.)

11 Section 10. The Railroad Police Act is amended by changing
12 Section 2 as follows:

13 (610 ILCS 80/2) (from Ch. 114, par. 98)

14 Sec. 2. Conductors of all railroad trains, and the captain
15 or master of any boat carrying passengers within the
16 jurisdiction of this state, is vested with police powers while
17 on duty on their respective trains and boats, and may wear an
18 appropriate badge indicative of such authority.

19 In the policing of its properties any registered rail
20 carrier, as defined in Section 18c-7201 of the Illinois Vehicle
21 Code, railroad may provide for the appointment and maintenance
22 of such police force as it may find necessary and practicable
23 to aid and supplement the police forces of any municipality in
24 the protection of its property and the protection of the
25 persons and property of its passengers and employees, or
26 otherwise in furtherance of the purposes for which such
27 railroad was organized. While engaged in the conduct of their
28 employment, the members of such railroad police force have and
29 may exercise like police powers as those conferred upon any
30 peace officer employed by a law enforcement agency of this
31 State ~~the police of cities.~~

32 Any registered rail carrier that appoints and maintains a
33 police force shall comply with the following requirements:

34 (1) Establish an internal policy that includes

1 procedures to ensure objective oversight in addressing
2 allegations of abuse of authority or other misconduct on
3 the part of its police officers.

4 (2) Adopt appropriate policies and guidelines for
5 employee investigations by police officers. These policies
6 and guidelines shall provide for initiating employee
7 investigations only under the following conditions:

8 (A) There is reason to believe criminal misconduct
9 has occurred.

10 (B) In response to an employee accident.

11 (C) There is reason to believe that the interview
12 of an employee could result in workplace violence.

13 (D) There is a legitimate concern for the personal
14 safety of one or more employees.

15 These policies and guidelines shall provide for the
16 right of an employee to request a representative to be
17 present during any interview concerning a non-criminal
18 matter.

19 (3) File copies of the policies and guidelines adopted
20 under paragraphs (1) and (2) with the Illinois Law
21 Enforcement Training Standards Board, which shall make
22 them available for public inspection.

23 (Source: Laws 1968, p. 198.)

24 Section 15. The Criminal Code of 1961 is amended by
25 changing Section 2-13 as follows:

26 (720 ILCS 5/2-13) (from Ch. 38, par. 2-13)

27 Sec. 2-13. "Peace officer". "Peace officer" means (i) any
28 person who by virtue of his office or public employment is
29 vested by law with a duty to maintain public order or to make
30 arrests for offenses, whether that duty extends to all offenses
31 or is limited to specific offenses, or (ii) any person who, by
32 statute, is granted and authorized to exercise powers similar
33 to those conferred upon any peace officer employed by a law
34 enforcement agency of this State.

1 For purposes of Sections concerning unlawful use of
2 weapons, for the purposes of assisting an Illinois peace
3 officer in an arrest, or when the commission of a felony under
4 Illinois law is directly observed by the person, then officers,
5 agents or employees of the federal government commissioned by
6 federal statute to make arrests for violations of federal
7 criminal laws shall be considered "peace officers" under this
8 Code, including, but not limited to all criminal investigators
9 of:

10 (1) The United States Department of Justice, The Federal
11 Bureau of Investigation, The Drug Enforcement Agency and The
12 Department of Immigration and Naturalization;

13 (2) The United States Department of the Treasury, The
14 Secret Service, The Bureau of Alcohol, Tobacco and Firearms and
15 The Customs Service;

16 (3) The United States Internal Revenue Service;

17 (4) The United States General Services Administration;

18 (5) The United States Postal Service; and

19 (6) all United States Marshals ~~Marshalls~~ or Deputy United
20 States Marshals ~~Marshalls~~ whose duties involve the enforcement
21 of federal criminal laws.

22 (Source: P.A. 88-677, eff. 12-15-94; revised 10-13-05.)

23 Section 20. The Code of Criminal Procedure of 1963 is
24 amended by changing Section 107-4 as follows:

25 (725 ILCS 5/107-4) (from Ch. 38, par. 107-4)

26 Sec. 107-4. Arrest by peace officer from other
27 jurisdiction.

28 (a) As used in this Section:

29 (1) "State" means any State of the United States and
30 the District of Columbia.

31 (2) "Peace Officer" means any peace officer or member
32 of any duly organized State, County, or Municipal peace
33 unit, any ~~or~~ police force of another State, or any police
34 force whose members, by statute, are granted and authorized

1 to exercise powers similar to those conferred upon any
2 peace officer employed by a law enforcement agency of this
3 State.

4 (3) "Fresh pursuit" means the immediate pursuit of a
5 person who is endeavoring to avoid arrest.

6 (4) "Law enforcement agency" means a municipal police
7 department or county sheriff's office of this State.

8 (a-3) Any peace officer employed by a law enforcement
9 agency of this State may conduct temporary questioning pursuant
10 to Section 107-14 of this Code and may make arrests in any
11 jurisdiction within this State if: (1) the officer is engaged
12 in the investigation of an offense that occurred in the
13 officer's primary jurisdiction and the temporary questioning
14 is conducted or the arrest is made pursuant to that
15 investigation; or (2) the officer, while on duty as a peace
16 officer, becomes personally aware of the immediate commission
17 of a felony or misdemeanor violation of the laws of this State;
18 or (3) the officer, while on duty as a peace officer, is
19 requested by an appropriate State or local law enforcement
20 official to render aid or assistance to the requesting law
21 enforcement agency that is outside the officer's primary
22 jurisdiction. While acting pursuant to this subsection, an
23 officer has the same authority as within his or her own
24 jurisdiction.

25 (a-7) The law enforcement agency of the county or
26 municipality in which any arrest is made under this Section
27 shall be immediately notified of the arrest.

28 (b) Any peace officer of another State who enters this
29 State in fresh pursuit and continues within this State in fresh
30 pursuit of a person in order to arrest him on the ground that
31 he has committed an offense in the other State has the same
32 authority to arrest and hold the person in custody as peace
33 officers of this State have to arrest and hold a person in
34 custody on the ground that he has committed an offense in this
35 State.

36 (c) If an arrest is made in this State by a peace officer

1 of another State in accordance with the provisions of this
2 Section he shall without unnecessary delay take the person
3 arrested before the circuit court of the county in which the
4 arrest was made. Such court shall conduct a hearing for the
5 purpose of determining the lawfulness of the arrest. If the
6 court determines that the arrest was lawful it shall commit the
7 person arrested, to await for a reasonable time the issuance of
8 an extradition warrant by the Governor of this State, or admit
9 him to bail for such purpose. If the court determines that the
10 arrest was unlawful it shall discharge the person arrested.

11 (Source: P.A. 93-232, eff. 1-1-04.)