



Sen. John J. Cullerton

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LRB094 16076 DRH 56622 a

1 AMENDMENT TO SENATE BILL 2243

2 AMENDMENT NO. _____. Amend Senate Bill 2243 by replacing
3 everything after the enacting clause with the following:

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

1 law enforcement officer.

2 "Probationary part-time police officer" means a recruit
3 part-time law enforcement officer required to successfully
4 complete initial minimum part-time training requirements to be
5 eligible for employment on a part-time basis as a local law
6 enforcement officer.

7 "Permanent police officer" means a law enforcement officer
8 who has completed his or her probationary period and is
9 permanently employed on a full-time basis as a local law
10 enforcement officer by a participating local governmental unit
11 or as a security officer or campus policeman permanently
12 employed by a participating State-controlled university,
13 college, or public community college.

14 "Part-time police officer" means a law enforcement officer
15 who has completed his or her probationary period and is
16 employed on a part-time basis as a law enforcement officer by a
17 participating unit of local government or as a campus policeman
18 by a participating State-controlled university, college, or
19 public community college.

20 "Law enforcement officer" means (i) any police officer of a
21 local governmental agency who is primarily responsible for
22 prevention or detection of crime and the enforcement of the
23 criminal code, traffic, or highway laws of this State or any
24 political subdivision of this State or (ii) any member of a
25 police force appointed and maintained as provided in Section 2
26 of the Railroad Police Act.

27 "Recruit" means any full-time or part-time law enforcement
28 officer or full-time county corrections officer who is enrolled
29 in an approved training course.

30 "Probationary county corrections officer" means a recruit
31 county corrections officer required to successfully complete
32 initial minimum basic training requirements at a police
33 training school to be eligible for permanent employment on a
34 full-time basis as a county corrections officer.

1 "Permanent county corrections officer" means a county
2 corrections officer who has completed his probationary period
3 and is permanently employed on a full-time basis as a county
4 corrections officer by a participating local governmental
5 unit.

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

9 "Probationary court security officer" means a recruit
10 court security officer required to successfully complete
11 initial minimum basic training requirements at a designated
12 training school to be eligible for employment as a court
13 security officer.

14 "Permanent court security officer" means a court security
15 officer who has completed his or her probationary period and is
16 employed as a court security officer by a participating local
17 governmental unit.

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

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

21 Section 10. The Railroad Police Act is amended by changing
22 Section 2 as follows:

23 (610 ILCS 80/2) (from Ch. 114, par. 98)

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

29 In the policing of its properties any registered rail
30 carrier, as defined in Section 18c-7201 of the Illinois Vehicle
31 Code, railroad may provide for the appointment and maintenance
32 of such police force as it may find necessary and practicable

1 to aid and supplement the police forces of any municipality in
2 the protection of its property and the protection of the
3 persons and property of its passengers and employees, or
4 otherwise in furtherance of the purposes for which such
5 railroad was organized. While engaged in the conduct of their
6 employment, the members of such railroad police force have and
7 may exercise like police powers as those conferred upon any
8 peace officer employed by a law enforcement agency of this
9 State ~~the police of cities.~~

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

12 (1) Establish an internal policy that includes
13 procedures to ensure objective oversight in addressing
14 allegations of abuse of authority or other misconduct on
15 the part of its police officers.

16 (2) Adopt appropriate policies and guidelines for
17 employee investigations by police officers. These policies
18 and guidelines shall provide for initiating employee
19 investigations only under the following conditions:

20 (A) There is reason to believe criminal misconduct
21 has occurred.

22 (B) In response to an employee accident.

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

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

27 These policies and guidelines shall provide for the
28 right of an employee to request a representative to be
29 present during any interview concerning a non-criminal
30 matter.

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

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

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

4 (720 ILCS 5/2-13) (from Ch. 38, par. 2-13)

5 Sec. 2-13. "Peace officer". "Peace officer" means (i) any
6 person who by virtue of his office or public employment is
7 vested by law with a duty to maintain public order or to make
8 arrests for offenses, whether that duty extends to all offenses
9 or is limited to specific offenses, or (ii) any person who, by
10 statute, is granted and authorized to exercise powers similar
11 to those conferred upon any peace officer employed by a law
12 enforcement agency of this State.

13 For purposes of Sections concerning unlawful use of
14 weapons, for the purposes of assisting an Illinois peace
15 officer in an arrest, or when the commission of a felony under
16 Illinois law is directly observed by the person, then officers,
17 agents or employees of the federal government commissioned by
18 federal statute to make arrests for violations of federal
19 criminal laws shall be considered "peace officers" under this
20 Code, including, but not limited to all criminal investigators
21 of:

22 (1) The United States Department of Justice, The Federal
23 Bureau of Investigation, The Drug Enforcement Agency and The
24 Department of Immigration and Naturalization;

25 (2) The United States Department of the Treasury, The
26 Secret Service, The Bureau of Alcohol, Tobacco and Firearms and
27 The Customs Service;

28 (3) The United States Internal Revenue Service;

29 (4) The United States General Services Administration;

30 (5) The United States Postal Service; and

31 (6) all United States Marshals ~~Marshalls~~ or Deputy United
32 States Marshals ~~Marshalls~~ whose duties involve the enforcement

1 of federal criminal laws.

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

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

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

6 Sec. 107-4. Arrest by peace officer from other
7 jurisdiction.

8 (a) As used in this Section:

9 (1) "State" means any State of the United States and
10 the District of Columbia.

11 (2) "Peace Officer" means any peace officer or member
12 of any duly organized State, County, or Municipal peace
13 unit, any or police force of another State, or any police
14 force whose members, by statute, are granted and authorized
15 to exercise powers similar to those conferred upon any
16 peace officer employed by a law enforcement agency of this
17 State.

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

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

22 (a-3) Any peace officer employed by a law enforcement
23 agency of this State may conduct temporary questioning pursuant
24 to Section 107-14 of this Code and may make arrests in any
25 jurisdiction within this State if: (1) the officer is engaged
26 in the investigation of an offense that occurred in the
27 officer's primary jurisdiction and the temporary questioning
28 is conducted or the arrest is made pursuant to that
29 investigation; or (2) the officer, while on duty as a peace
30 officer, becomes personally aware of the immediate commission
31 of a felony or misdemeanor violation of the laws of this State;
32 or (3) the officer, while on duty as a peace officer, is

1 requested by an appropriate State or local law enforcement
2 official to render aid or assistance to the requesting law
3 enforcement agency that is outside the officer's primary
4 jurisdiction. While acting pursuant to this subsection, an
5 officer has the same authority as within his or her own
6 jurisdiction.

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

10 (b) Any peace officer of another State who enters this
11 State in fresh pursuit and continues within this State in fresh
12 pursuit of a person in order to arrest him on the ground that
13 he has committed an offense in the other State has the same
14 authority to arrest and hold the person in custody as peace
15 officers of this State have to arrest and hold a person in
16 custody on the ground that he has committed an offense in this
17 State.

18 (c) If an arrest is made in this State by a peace officer
19 of another State in accordance with the provisions of this
20 Section he shall without unnecessary delay take the person
21 arrested before the circuit court of the county in which the
22 arrest was made. Such court shall conduct a hearing for the
23 purpose of determining the lawfulness of the arrest. If the
24 court determines that the arrest was lawful it shall commit the
25 person arrested, to await for a reasonable time the issuance of
26 an extradition warrant by the Governor of this State, or admit
27 him to bail for such purpose. If the court determines that the
28 arrest was unlawful it shall discharge the person arrested.

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