

1 AN ACT concerning law enforcement.

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

4 Section 5. The Illinois Municipal Code is amended by
5 changing Sections 3.1-15-25 and 3.1-30-5 as follows:

6 (65 ILCS 5/3.1-15-25) (from Ch. 24, par. 3.1-15-25)

7 Sec. 3.1-15-25. Conservators of the peace; service of
8 warrants.

9 (a) After receiving a certificate attesting to the
10 successful completion of a training course administered by the
11 Illinois Law Enforcement Training Standards Board, ~~the mayor,~~
12 ~~aldermen, president, trustees, marshal, deputy marshals, and~~
13 policemen in municipalities shall be conservators of the peace.
14 Conservators of the peace ~~Those persons and others authorized~~
15 ~~by ordinance~~ shall have power (i) to arrest or cause to be
16 arrested, with or without process, all persons who break the
17 peace or are found violating any municipal ordinance or any
18 criminal law of the State, (ii) to commit arrested persons for
19 examination, (iii) if necessary, to detain arrested persons in
20 custody over night or Sunday in any safe place or until they
21 can be brought before the proper court, and (iv) to exercise
22 all other powers as conservators of the peace prescribed by the
23 corporate authorities.

1 (b) All warrants for the violation of municipal ordinances
2 or the State criminal law, directed to any person, may be
3 served and executed within the limits of a municipality by any
4 policeman ~~or marshal~~ of the municipality. For that purpose,
5 policemen ~~and marshals~~ have all the common law and statutory
6 powers of sheriffs.

7 (Source: P.A. 90-540, eff. 12-1-97.)

8 (65 ILCS 5/3.1-30-5) (from Ch. 24, par. 3.1-30-5)

9 Sec. 3.1-30-5. Appointed officers in all municipalities.

10 (a) The mayor or president, as the case may be, by and with
11 the advice and consent of the city council or the board of
12 trustees, may appoint (1) a treasurer (if the treasurer is not
13 an elected position in the municipality), (2) a collector, (3)
14 a comptroller, (4) ~~a marshal,~~ (5) an attorney or a corporation
15 counsel, (5) ~~(6)~~ one or more purchasing agents and deputies,
16 (6) ~~(7)~~ the number of auxiliary police officers determined
17 necessary by the corporate authorities, (7) ~~(8)~~ police matrons,
18 (8) ~~(9)~~ a commissioner of public works, (9) ~~(10)~~ a budget
19 director or a budget officer, and (10) ~~(11)~~ other officers
20 necessary to carry into effect the powers conferred upon
21 municipalities.

22 (b) By ordinance or resolution to take effect at the end of
23 the current fiscal year, the corporate authorities, by a
24 two-thirds vote, may discontinue any appointed office and
25 devolve the duties of that office on any other municipal

1 officer. After discontinuance, no officer filling the office
2 before its discontinuance shall have any claim against the
3 municipality for salary alleged to accrue after the date of
4 discontinuance.

5 (c) Vacancies in all appointed municipal offices may be
6 filled in the same manner as appointments are made under
7 subsection (a). The city council or board of trustees of a
8 municipality, by ordinance not inconsistent with this Code, may
9 prescribe the duties, define the powers, and fix the term of
10 office of all appointed officers of the municipality; but the
11 term of office, except as otherwise expressly provided in this
12 Code, shall not exceed that of the mayor or president of the
13 municipality.

14 (d) An appointed officer of a municipality may resign from
15 his or her office. If an appointed officer resigns, he or she
16 shall continue in office until a successor has been chosen and
17 has qualified. If there is a failure to appoint a municipal
18 officer, or the person appointed fails to qualify, the person
19 filling the office shall continue in office until a successor
20 has been chosen and has qualified. If an appointed municipal
21 officer ceases to perform the duties of or to hold the office
22 by reason of death, permanent physical or mental disability,
23 conviction of a disqualifying crime, or dismissal from or
24 abandonment of office, the mayor or president of the
25 municipality may appoint a temporary successor to the officer.

26 (Source: P.A. 94-984, eff. 6-30-06.)