

# HB1985



## 97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB1985

by Rep. John D'Amico

### SYNOPSIS AS INTRODUCED:

50 ILCS 725/3.8

from Ch. 85, par. 2561

Amends the Uniform Peace Officers' Disciplinary Act. Requires that any sworn complaint against a peace officer that contains false information shall be presented to the appropriate State's Attorney for a determination of prosecution. Effective immediately.

LRB097 10548 KMW 50890 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Uniform Peace Officers' Disciplinary Act is  
5 amended by changing Section 3.8 as follows:

6 (50 ILCS 725/3.8) (from Ch. 85, par. 2561)

7 Sec. 3.8. Admissions; counsel; verified complaint.

8 (a) No officer shall be interrogated without first being  
9 advised in writing that admissions made in the course of the  
10 interrogation may be used as evidence of misconduct or as the  
11 basis for charges seeking suspension, removal, or discharge;  
12 and without first being advised in writing that he or she has  
13 the right to counsel of his or her choosing who may be present  
14 to advise him or her at any stage of any interrogation.

15 (b) Anyone filing a complaint against a sworn peace officer  
16 must have the complaint supported by a sworn affidavit. Any  
17 complaint, having been supported by a sworn affidavit, and  
18 having been found, in total or in part, to contain false  
19 information, shall be presented to the appropriate State's  
20 Attorney for a determination of prosecution.

21 (Source: P.A. 93-592, eff. 1-1-04.)

22 Section 99. Effective date. This Act takes effect upon

1 becoming law.