



Rep. Kelly Burke

**Filed: 3/14/2014**

09800HB5688ham001

LRB098 17408 RLC 56953 a

1 AMENDMENT TO HOUSE BILL 5688

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5688 by replacing  
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the Law  
5 Enforcement Officer Bulletproof Vest Act.

6 Section 5. Definitions. As used in this Act:

7 "Armor vest" or "bulletproof vest" means body armor, no  
8 less than Type I, which has been tested through the voluntary  
9 compliance testing program operated by the National Law  
10 Enforcement and Corrections Technology Center of the National  
11 Institute of Justice, and found to meet or exceed the  
12 requirements of National Institute of Justice Standard  
13 0101.03, or any subsequent revision of that standard.

14 "Law enforcement agency" means an agency of this State or  
15 unit of local government which is vested by law or ordinance  
16 with the duty to maintain public order and to enforce criminal

1 laws or ordinances.

2 "Law enforcement officer" means any officer, agent, or  
3 employee of this State or a unit of local government authorized  
4 by law or by a government agency to engage in or supervise the  
5 prevention, detection, or investigation of any violation of  
6 criminal law, or authorized by law to supervise sentenced  
7 criminal offenders.

8 "Recruit" means any full-time or part-time law enforcement  
9 officer or full-time county corrections officer who is enrolled  
10 in an approved training course.

11 Section 10. Law enforcement agencies to provide  
12 bulletproof vests for officers.

13 (a) Each law enforcement agency within this State shall  
14 provide a bulletproof vest for every law enforcement officer of  
15 that agency who is employed as a new recruit by that agency on  
16 or after the effective date of this Act as part of the  
17 officer's initial equipment issue.

18 (b) All officer bulletproof vests shall be replaced before  
19 or at the expiration of the warranty period of the vest at the  
20 expense of the law enforcement agency.

21 (c) The State or unit of local government which has  
22 jurisdiction over the law enforcement agency shall apply to the  
23 United States Department of Justice under the Bulletproof Vest  
24 Partnership Grant Act of 1998 or a successor Act for matching  
25 grants of the purchase price of the bulletproof vests for the

1 officers of the law enforcement agency.

2 (d) If the law enforcement agency is a local law  
3 enforcement agency and not a State agency, the costs of  
4 purchasing the bulletproof vests shall be from State funds and  
5 from the funds of the unit of local government, including the  
6 matching grants received from the United States Department of  
7 Justice.

8 Section 15. Applicability. If substantial funding for the  
9 purchase of bulletproof vests is provided to law enforcement  
10 agencies by the federal government and State government, the  
11 law enforcement agency shall comply with the provisions of this  
12 Act. This Act does not apply to a law enforcement agency if any  
13 one of the following is applicable:

14 (1) substantial funding, as determined by the Illinois Law  
15 Enforcement Training Standards Board, is not provided to that  
16 agency by the federal and State government;

17 (2) the law enforcement agency collectively bargains with  
18 its officers or exclusive representative of the officers for  
19 uniform allowances, and bulletproof vests are considered to be  
20 a part of the uniform for which the allowance is given; or

21 (3) the law enforcement agency collectively bargains with  
22 its officers or exclusive representative of the officers for  
23 the provision of bulletproof vests.

24 Section 905. The Illinois Police Training Act is amended by

1 changing Section 9 as follows:

2 (50 ILCS 705/9) (from Ch. 85, par. 509)

3 Sec. 9. A special fund is hereby established in the State  
4 Treasury to be known as "The Traffic and Criminal Conviction  
5 Surcharge Fund" and shall be financed as provided in Section  
6 9.1 of this Act and Section 5-9-1 of the "Unified Code of  
7 Corrections", unless the fines, costs or additional amounts  
8 imposed are subject to disbursement by the circuit clerk under  
9 Section 27.5 of the Clerks of Courts Act. Moneys in this Fund  
10 shall be expended as follows:

11 (1) A portion of the total amount deposited in the Fund  
12 may be used, as appropriated by the General Assembly, for  
13 the ordinary and contingent expenses of the Illinois Law  
14 Enforcement Training Standards Board;

15 (2) A portion of the total amount deposited in the Fund  
16 shall be appropriated for the reimbursement of local  
17 governmental agencies participating in training programs  
18 certified by the Board, in an amount equaling 1/2 of the  
19 total sum paid by such agencies during the State's previous  
20 fiscal year for mandated training for probationary police  
21 officers or probationary county corrections officers and  
22 for optional advanced and specialized law enforcement or  
23 county corrections training. These reimbursements may  
24 include the costs for tuition at training schools, the  
25 salaries of trainees while in schools, and the necessary

1 travel and room and board expenses for each trainee. If the  
2 appropriations under this paragraph (2) are not sufficient  
3 to fully reimburse the participating local governmental  
4 agencies, the available funds shall be apportioned among  
5 such agencies, with priority first given to repayment of  
6 the costs of mandatory training given to law enforcement  
7 officer or county corrections officer recruits, then to  
8 repayment of costs of advanced or specialized training for  
9 permanent police officers or permanent county corrections  
10 officers;

11 (3) A portion of the total amount deposited in the Fund  
12 may be used to fund the "Intergovernmental Law Enforcement  
13 Officer's In-Service Training Act", veto overridden  
14 October 29, 1981, as now or hereafter amended, at a rate  
15 and method to be determined by the board;

16 (4) A portion of the Fund also may be used by the  
17 Illinois Department of State Police for expenses incurred  
18 in the training of employees from any State, county or  
19 municipal agency whose function includes enforcement of  
20 criminal or traffic law;

21 (5) A portion of the Fund may be used by the Board to  
22 fund grant-in-aid programs and services for the training of  
23 employees from any county or municipal agency whose  
24 functions include corrections or the enforcement of  
25 criminal or traffic law; ~~and~~

26 (6) For fiscal years 2013 and 2014 only, a portion of

1 the Fund also may be used by the Department of State Police  
2 to finance any of its lawful purposes or functions; and -

3 (7) A portion of the Fund may be used by the Board,  
4 subject to appropriation, to administer grants to local law  
5 enforcement agencies for the purpose of purchasing  
6 bulletproof vests under the Law Enforcement Officer  
7 Bulletproof Vest Act.

8 All payments from the Traffic and Criminal Conviction  
9 Surcharge Fund shall be made each year from moneys appropriated  
10 for the purposes specified in this Section. No more than 50% of  
11 any appropriation under this Act shall be spent in any city  
12 having a population of more than 500,000. The State Comptroller  
13 and the State Treasurer shall from time to time, at the  
14 direction of the Governor, transfer from the Traffic and  
15 Criminal Conviction Surcharge Fund to the General Revenue Fund  
16 in the State Treasury such amounts as the Governor determines  
17 are in excess of the amounts required to meet the obligations  
18 of the Traffic and Criminal Conviction Surcharge Fund.

19 (Source: P.A. 97-732, eff. 6-30-12; 98-24, eff. 6-19-13.)".