



Rep. William Davis

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09900HB6045ham001

LRB099 20495 SLF 46650 a

1 AMENDMENT TO HOUSE BILL 6045

2 AMENDMENT NO. _____. Amend House Bill 6045 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Fugitive Apprehension and Public Safety Act.

6 Section 5. Definitions. In this Act:

7 "Fugitive enforcement agent" means a person engaged in the
8 business of fugitive bail enforcement, bail bonds, or fugitive
9 recovery, including persons engaged in the bail enforcement
10 business whose principal place of business is in another state.

11 "Qualified license" means a license for a bail bond
12 enforcement agent, bail bondsman, fugitive enforcement agent,
13 or surety bondsman issued under the law of another state by a
14 state agency that requires proof of the following upon
15 application for issuance of the license and renewal of the
16 license:

- 1 (1) the licensee is 21 years of age or older;
- 2 (2) the licensee is not a peace officer;
- 3 (3) the licensee has not been convicted of a felony, a
4 crime of violence, fraud, or an offense under the Illinois
5 Controlled Substances Act, the Cannabis Control Act, the
6 Methamphetamine Control and Community Protection Act, or a
7 similar offense in another jurisdiction;
- 8 (4) the licensee is not addicted to narcotics;
- 9 (5) the licensee has completed at least 250 hours of
10 training in fugitive enforcement, including at least 20
11 hours of firearms training for bail enforcement agents,
12 training in tactical entry, first aid, use of an automatic
13 electronic defibrillator and other courses in accordance
14 with the U.S. Fugitive Enforcement Bureau Bail Enforcement
15 Training Phases and the U.S. Fugitive Enforcement Bureau
16 Bail Enforcement Policies and Procedures Manual; and
- 17 (6) the licensee has not been convicted of unlawful use
18 of a weapon.

19 Section 10. Registration of qualified fugitive enforcement
20 license.

21 (a) A fugitive enforcement agent who enters this State to
22 seize and transport a person found in this State who has
23 violated the conditions of bail bond posted in another state,
24 shall not take or attempt to take the person into custody
25 without first notifying the chief law enforcement officer,

1 designated watch commander, or supervisor of the unit of local
2 government where the person is believed to be present.

3 (b) A fugitive enforcement agent shall present proof of the
4 following to the chief law enforcement officer, designated
5 watch commander, or supervisor of the unit of local government:

6 (1) a qualified license to operate a bail enforcement
7 agency or identification from an entity authorized by a
8 State agency as a bail enforcement agency or bail bond
9 agency;

10 (2) the bail bond, order from the State's Attorney,
11 court order, or other documents relating to the authority
12 of the bail bondsman under the laws of the state of origin
13 or federal law to pursue the person; and

14 (3) a valid concealed carry license under the Firearm
15 Concealed Carry Act, or proof of authorization by law to
16 carry a concealed weapon.

17 (c) Upon notification by any fugitive enforcement agent the
18 chief law enforcement officer, designated watch commander, or
19 supervisor must notify the Department of State Police with
20 information regarding the agent and information of the person
21 the agent seeks to take into custody, in a form prescribed by
22 the Department of State Police.

23 Section 15. Registration of bail enforcement agents. The
24 Department of State Police shall adopt rules regulating the
25 registration of fugitive enforcement agents. Nothing in this

1 Act shall be construed to prohibit or hinder the return of any
2 person to another state under the Uniform Criminal Extradition
3 Act.

4 Section 80. The Code of Criminal Procedure of 1963 is
5 amended by changing Section 103-9 as follows:

6 (725 ILCS 5/103-9) (from Ch. 38, par. 103-9)

7 Sec. 103-9. Bail bondsmen. No bail bondsman from any state
8 may seize or transport unwillingly any person found in this
9 State who is allegedly in violation of a bail bond posted in
10 some other state, unless the bail bondsman is a fugitive
11 enforcement agent and holds a qualified license that is
12 approved in this State. The return of any such person to
13 another state may be accomplished only as provided by the laws
14 of this State. Any bail bondsman who violates this Section is
15 fully subject to the criminal and civil penalties provided by
16 the laws of this State for his actions.

17 As used in this Section, "qualified license" has the
18 meaning ascribed to it in Section 5 of the Fugitive
19 Apprehension and Public Safety Act.

20 (Source: P.A. 84-694.)

21 Section 85. The Fugitive Apprehension Reward Act is amended
22 by changing Sections 12 and 13 as follows:

1 (725 ILCS 170/12) (from Ch. 60, par. 12)

2 Sec. 12. In this Act, "fugitive enforcement agent" has the
3 same meaning ascribed to it in Section 5 of the Fugitive
4 Apprehension and Public Safety Act. If any person charged with,
5 or convicted of treason, first degree murder, criminal sexual
6 assault, predatory criminal sexual assault of a child,
7 aggravated criminal sexual assault, robbery, burglary, arson,
8 theft, forgery, counterfeiting or kidnapping, or subject to any
9 active warrant shall break prison, escape or flee from justice
10 or abscond or secrete himself in such cases it shall be lawful
11 for the Governor, if he shall judge it necessary, to offer any
12 reward not exceeding \$6,000, but at minimum \$4,000 ~~\$1,000~~, for
13 a fugitive enforcement agent apprehending and delivering such
14 person into the custody of such sheriff or other officer as he
15 may direct. The fugitive enforcement agent ~~person~~ so
16 apprehending or delivering any such persons as aforesaid and
17 producing to the Governor the receipt of the sheriff or other
18 proper officer, for the body, it shall be lawful for the
19 Governor to certify the amount of such claim to the State
20 Comptroller, who shall issue his warrant on the treasurer for
21 the same.

22 (Source: P.A. 89-428, eff. 12-13-95; 89-462, eff. 5-29-96.)

23 (725 ILCS 170/13) (from Ch. 60, par. 13)

24 Sec. 13. It shall be lawful for the county board of any
25 county, by an order to be entered upon its records, to fix upon

1 a sum not exceeding \$6,000, but at minimum \$4,000, ~~\$1,000~~ as a
2 reward to be paid to any fugitive enforcement agent ~~person~~ who
3 shall hereafter pursue and apprehend, within or beyond the
4 limits of the county where the offense shall have been
5 committed, any person guilty of any felony or other high crime,
6 which reward shall be paid by the county where the offense was
7 committed, on the conviction of the criminal: Provided,
8 nevertheless, that said reward shall not disqualify the person
9 entitled thereto from being a witness.

10 (Source: R.S. 1874, p. 543.)".