



Sen. Steve Stadelman

Filed: 3/29/2016

09900SB2256sam001

LRB099 16076 AWJ 43301 a

1 AMENDMENT TO SENATE BILL 2256

2 AMENDMENT NO. _____. Amend Senate Bill 2256 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The State Police Act is amended by adding
5 Section 17b as follows:

6 (20 ILCS 2610/17b new)

7 Sec. 17b. Military equipment surplus program.

8 (a) For purposes of this Section:

9 "Bayonet" means large knives designed to be attached to the
10 muzzle of a rifle, shotgun, or long gun for the purposes of
11 hand-to-hand combat.

12 "Camouflage uniform" does not include woodland or desert
13 patterns or solid color uniforms.

14 "Grenade launcher" means a firearm or firearm accessory
15 designed to launch small explosive projectiles.

16 "Military equipment surplus program" means any federal or

1 state program allowing a law enforcement agency to obtain
2 surplus military equipment including, but not limit to, any
3 program organized under Section 1122 of the National Defense
4 Authorization Act for Fiscal Year 1994 (Pub. L. 103-160) or
5 Section 1033 of the National Defense Authorization Act for
6 Fiscal Year 1997 (Pub. L. 104-201).

7 "Tracked armored vehicle" means a vehicle that provides
8 ballistic protection to its occupants and utilizes a tracked
9 system installed of wheels for forward motion.

10 "Weaponized aircraft, vessels, or vehicles" means any
11 aircraft, vessel, or vehicle with weapons installed.

12 (b) The Department shall not request or receive from any
13 military equipment surplus program the following equipment:

14 (1) tracked armored vehicles;

15 (2) weaponized aircraft, vessels, or vehicles;

16 (3) firearms of .50-caliber or higher;

17 (4) ammunition of .50-caliber or higher;

18 (5) grenade launchers;

19 (6) bayonets; or

20 (7) camouflage uniforms.

21 (c) If the Department requests property from a military
22 equipment surplus program, the Department shall publish notice
23 of the request on a publicly accessible website maintained by
24 the Department within 14 days after the request.

25 Section 10. The Counties Code is amended by adding Section

1 3-6041 as follows:

2 (55 ILCS 5/3-6041 new)

3 Sec. 3-6041. Military equipment surplus program.

4 (a) For purposes of this Section:

5 "Bayonet" means large knives designed to be attached to the
6 muzzle of a rifle, shotgun, or long gun for the purposes of
7 hand-to-hand combat.

8 "Camouflage uniform" does not include woodland or desert
9 patterns or solid color uniforms.

10 "Grenade launcher" means a firearm or firearm accessory
11 designed to launch small explosive projectiles.

12 "Military equipment surplus program" means any federal or
13 state program allowing a law enforcement agency to obtain
14 surplus military equipment including, but not limit to, any
15 program organized under Section 1122 of the National Defense
16 Authorization Act for Fiscal Year 1994 (Pub. L. 103-160) or
17 Section 1033 of the National Defense Authorization Act for
18 Fiscal Year 1997 (Pub. L. 104-201).

19 "Tracked armored vehicle" means a vehicle that provides
20 ballistic protection to its occupants and utilizes a tracked
21 system installed of wheels for forward motion.

22 "Weaponized aircraft, vessels, or vehicles" means any
23 aircraft, vessel, or vehicle with weapons installed.

24 (b) The sheriff shall not request or receive from any
25 military equipment surplus program the following equipment:

- 1 (1) tracked armored vehicles;
- 2 (2) weaponized aircraft, vessels, or vehicles;
- 3 (3) firearms of .50-caliber or higher;
- 4 (4) ammunition of .50-caliber or higher;
- 5 (5) grenade launchers;
- 6 (6) bayonets; or
- 7 (7) camouflage uniforms.

8 (c) A home rule county may not regulate the acquisition of
9 equipment in a manner inconsistent with this Section. This
10 Section is a limitation under subsection (i) of Section 6 of
11 Article VII of the Illinois Constitution on the concurrent
12 exercise by home rule counties of powers and functions
13 exercised by the State.

14 (d) If the sheriff requests property from a military
15 equipment surplus program, the sheriff shall publish notice of
16 the request on a publicly accessible website maintained by the
17 sheriff or the county within 14 days after the request.

18 Section 15. The Illinois Municipal Code is amended by
19 adding Section 11-5.1-2 as follows:

20 (65 ILCS 5/11-5.1-2 new)

21 Sec. 11-5.1-2. Military equipment surplus program.

22 (a) For purposes of this Section:

23 "Bayonet" means large knives designed to be attached to the
24 muzzle of a rifle, shotgun, or long gun for the purposes of

1 hand-to-hand combat.

2 "Camouflage uniform" does not include woodland or desert
3 patterns or solid color uniforms.

4 "Grenade launcher" means a firearm or firearm accessory
5 designed to launch small explosive projectiles.

6 "Military equipment surplus program" means any federal or
7 state program allowing a law enforcement agency to obtain
8 surplus military equipment including, but not limit to, any
9 program organized under Section 1122 of the National Defense
10 Authorization Act for Fiscal Year 1994 (Pub. L. 103-160) or
11 Section 1033 of the National Defense Authorization Act for
12 Fiscal Year 1997 (Pub. L. 104-201).

13 "Tracked armored vehicle" means a vehicle that provides
14 ballistic protection to its occupants and utilizes a tracked
15 system installed of wheels for forward motion.

16 "Weaponized aircraft, vessels, or vehicles" means any
17 aircraft, vessel, or vehicle with weapons installed.

18 (b) A police department shall not request or receive from
19 any military equipment surplus program the following
20 equipment:

21 (1) tracked armored vehicles;

22 (2) weaponized aircraft, vessels, or vehicles;

23 (3) firearms of .50-caliber or higher;

24 (4) ammunition of .50-caliber or higher;

25 (5) grenade launchers;

26 (6) bayonets; or

1 (7) camouflage uniforms.

2 (c) A home rule municipality may not regulate the
3 acquisition of equipment in a manner inconsistent with this
4 Section. This Section is a limitation under subsection (i) of
5 Section 6 of Article VII of the Illinois Constitution on the
6 concurrent exercise by home rule municipalities of powers and
7 functions exercised by the State.

8 (d) If a police department requests property from a
9 military equipment surplus program, the police department
10 shall publish notice of the request on a publicly accessible
11 website maintained by the police department or the municipality
12 within 14 days after the request.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.".