

SB2758



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2758

Introduced 2/17/2016, by Sen. Jacqueline Y. Collins

SYNOPSIS AS INTRODUCED:

50 ILCS 725/3.8

from Ch. 85, par. 2561

Amends the Uniform Peace Officers' Disciplinary Act.. Provides that a sworn affidavit or other legal documentation is not required to file a complaint against a peace officer (currently, a sworn affidavit is required). Removes a provision referring unsupported complaints containing false material information to the State's Attorney. Effective January 1, 2017.

LRB099 18393 AWJ 42768 b

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) It shall not be a requirement for anyone ~~Anyone~~ filing
16 a complaint against a sworn peace officer to ~~must~~ have the
17 complaint supported by a sworn affidavit or any other legal
18 documentation. ~~Any complaint, having been supported by a sworn~~
19 ~~affidavit, and having been found, in total or in part, to~~
20 ~~contain knowingly false material information, shall be~~
21 ~~presented to the appropriate State's Attorney for a~~
22 ~~determination of prosecution.~~

23 (Source: P.A. 97-472, eff. 8-22-11.)

1 Section 99. Effective date. This Act takes effect January
2 1, 2017.