

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 Park District Code is amended by changing
5 Section 8-23 as follows:

6 (70 ILCS 1205/8-23)

7 Sec. 8-23. Criminal background investigations.

8 (a) An applicant for employment with a park district is
9 required as a condition of employment to authorize an
10 investigation to determine if the applicant has been convicted
11 of any of the enumerated criminal or drug offenses in
12 subsection (c) or (d) of this Section, or adjudicated a
13 delinquent minor for~~7~~ any of the enumerated criminal or drug
14 offenses in subsection (c) or (d) of this Section, or has been
15 convicted, within 7 years of the application for employment
16 with the park district, of any other felony under the laws of
17 this State or of any offense committed or attempted in any
18 other state or against the laws of the United States that, if
19 committed or attempted in this State, would have been
20 punishable as a felony under the laws of this State.
21 Authorization for the investigation shall be furnished by the
22 applicant to the park district. Upon receipt of this
23 authorization, the park district shall submit the applicant's

1 name, sex, race, date of birth, and social security number to
2 the Department of State Police on forms prescribed by the
3 Department of State Police. The Department of State Police
4 shall conduct a search of the Illinois criminal history records
5 database to ascertain if the applicant being considered for
6 employment has been convicted of any of the enumerated criminal
7 or drug offenses in subsection (c) or (d) of this Section, or
8 adjudicated a delinquent minor for~~r~~ committing or attempting to
9 commit any of the enumerated criminal or drug offenses in
10 subsection (c) or (d) of this Section, or has been convicted of
11 committing or attempting to commit, within 7 years of the
12 application for employment with the park district, any other
13 felony under the laws of this State. The Department of State
14 Police shall charge the park district a fee for conducting the
15 investigation, which fee shall be deposited in the State Police
16 Services Fund and shall not exceed the cost of the inquiry. The
17 applicant shall not be charged a fee by the park district for
18 the investigation.

19 (b) If the search of the Illinois criminal history record
20 database indicates that the applicant has been convicted of any
21 of the enumerated criminal or drug offenses in subsection (c)
22 or (d), or adjudicated a delinquent minor for~~r~~ committing or
23 attempting to commit any of the enumerated criminal or drug
24 offenses in subsection (c) or (d), or has been convicted of
25 committing or attempting to commit, within 7 years of the
26 application for employment with the park district, any other

1 felony under the laws of this State, the Department of State
2 Police and the Federal Bureau of Investigation shall furnish,
3 pursuant to a fingerprint based background check, records of
4 convictions or adjudications as a delinquent minor, until
5 expunged, to the president of the park district. Any
6 information concerning the record of convictions or
7 adjudications as a delinquent minor obtained by the president
8 shall be confidential and may only be transmitted to those
9 persons who are necessary to the decision on whether to hire
10 the applicant for employment. A copy of the record of
11 convictions or adjudications as a delinquent minor obtained
12 from the Department of State Police shall be provided to the
13 applicant for employment. Any person who releases any
14 confidential information concerning any criminal convictions
15 or adjudications as a delinquent minor of an applicant for
16 employment shall be guilty of a Class A misdemeanor, unless the
17 release of such information is authorized by this Section.

18 (c) No park district shall knowingly employ a person who
19 has been convicted, or adjudicated a delinquent minor, for
20 committing attempted first degree murder or for committing or
21 attempting to commit first degree murder, a Class X felony, or
22 any one or more of the following criminal offenses: (i) those
23 defined in Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50,
24 11-1.60, 11-6, 11-9, ~~11-14~~, 11-14.3, 11-14.4, 11-15, 11-15.1,
25 11-16, 11-17, 11-18, 11-19, 11-19.1, 11-19.2, 11-20, 11-20.1,
26 11-20.1B, 11-20.3, 11-21, 11-30 (if convicted of a Class 4

1 felony), 12-7.3, 12-7.4, 12-7.5, 12-13, 12-14, 12-14.1, 12-15,
2 and 12-16 of the Criminal Code of 1961 or the Criminal Code of
3 2012; (ii) (blank); ~~those defined in the Cannabis Control Act,~~
4 ~~except those defined in Sections 4(a), 4(b), and 5(a) of that~~
5 ~~Act;~~ (iii) (blank); ~~those defined in the Illinois Controlled~~
6 ~~Substances Act;~~ (iv) (blank); ~~those defined in the~~
7 ~~Methamphetamine Control and Community Protection Act;~~ and (v)
8 any offense committed or attempted in any other state or
9 against the laws of the United States, which, if committed or
10 attempted in this State, would have been punishable as one or
11 more of the foregoing offenses. Further, no park district shall
12 knowingly employ a person who has been found to be the
13 perpetrator of sexual or physical abuse of any minor under 18
14 years of age pursuant to proceedings under Article II of the
15 Juvenile Court Act of 1987. No park district shall knowingly
16 employ a person for whom a criminal background investigation
17 has not been initiated.

18 (d) No park district shall knowingly employ a person who
19 has been convicted of the following drug offenses, other than
20 an offense set forth in subsection (c), until 7 years following
21 the end of the sentence imposed for any of the following
22 offenses: (i) those defined in the Cannabis Control Act, except
23 those defined in Sections 4(a), 4(b), 4(c), 5(a), and 5(b) of
24 that Act; (ii) those defined in the Illinois Controlled
25 Substances Act; (iii) those defined in the Methamphetamine
26 Control and Community Protection Act; and (iv) any offense

1 committed or attempted in any other state or against the laws
2 of the United States, which, if committed or attempted in this
3 State, would have been punishable as one or more of the
4 foregoing offenses. For purposes of this paragraph, "sentence"
5 includes any period of supervision or probation that was
6 imposed either alone or in combination with a period of
7 incarceration.

8 (e) Notwithstanding the provisions of subsections (c) and
9 (d), a park district may, in its discretion, employ a person
10 who has been granted a certificate of good conduct under
11 Section 5-5.5-25 of the Unified Code of Corrections by the
12 circuit court.

13 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;
14 97-1150, eff. 1-25-13.)

15 Section 10. The Chicago Park District Act is amended by
16 changing Section 16a-5 as follows:

17 (70 ILCS 1505/16a-5)

18 Sec. 16a-5. Criminal background investigations.

19 (a) An applicant for employment with the Chicago Park
20 District is required as a condition of employment to authorize
21 an investigation to determine if the applicant has been
22 convicted of any of the enumerated criminal or drug offenses in
23 subsection (c) or (d) of this Section, or adjudicated a
24 delinquent minor for~~7~~ any of the enumerated criminal or drug

1 offenses in subsection (c) or (d) of this Section, or has been
2 convicted, within 7 years of the application for employment
3 with the Chicago Park District, of any other felony under the
4 laws of this State or of any offense committed or attempted in
5 any other state or against the laws of the United States that,
6 if committed or attempted in this State, would have been
7 punishable as a felony under the laws of this State.
8 Authorization for the investigation shall be furnished by the
9 applicant to the Chicago Park District. Upon receipt of this
10 authorization, the Chicago Park District shall submit the
11 applicant's name, sex, race, date of birth, and social security
12 number to the Department of State Police on forms prescribed by
13 the Department of State Police. The Department of State Police
14 shall conduct a search of the Illinois criminal history record
15 information database to ascertain if the applicant being
16 considered for employment has been convicted of any of the
17 enumerated criminal or drug offenses in subsection (c) or (d)
18 of this Section, or adjudicated a delinquent minor for,
19 committing or attempting to commit any of the enumerated
20 criminal or drug offenses in subsection (c) or (d) of this
21 Section, or has been convicted, of committing or attempting to
22 commit, within 7 years of the application for employment with
23 the Chicago Park District, any other felony under the laws of
24 this State. The Department of State Police shall charge the
25 Chicago Park District a fee for conducting the investigation,
26 which fee shall be deposited in the State Police Services Fund

1 and shall not exceed the cost of the inquiry. The applicant
2 shall not be charged a fee by the Chicago Park District for the
3 investigation.

4 (b) If the search of the Illinois criminal history record
5 database indicates that the applicant has been convicted of any
6 of the enumerated criminal or drug offenses in subsection (c)
7 or (d), or adjudicated a delinquent minor for~~7~~ committing or
8 attempting to commit any of the enumerated criminal or drug
9 offenses in subsection (c) or (d), or has been convicted of
10 committing or attempting to commit, within 7 years of the
11 application for employment with the Chicago Park District, any
12 other felony under the laws of this State, the Department of
13 State Police and the Federal Bureau of Investigation shall
14 furnish, pursuant to a fingerprint based background check,
15 records of convictions or adjudications as a delinquent minor,
16 until expunged, to the General Superintendent and Chief
17 Executive Officer of the Chicago Park District. Any information
18 concerning the record of convictions or adjudications as a
19 delinquent minor obtained by the General Superintendent and
20 Chief Executive Officer shall be confidential and may only be
21 transmitted to those persons who are necessary to the decision
22 on whether to hire the applicant for employment. A copy of the
23 record of convictions or adjudications as a delinquent minor
24 obtained from the Department of State Police shall be provided
25 to the applicant for employment. Any person who releases any
26 confidential information concerning any criminal convictions

1 or adjudications as a delinquent minor of an applicant for
2 employment shall be guilty of a Class A misdemeanor, unless the
3 release of such information is authorized by this Section.

4 (c) The Chicago Park District may not knowingly employ a
5 person who has been convicted, or adjudicated a delinquent
6 minor, for committing attempted first degree murder or for
7 committing or attempting to commit first degree murder, a Class
8 X felony, or any one or more of the following criminal
9 offenses: (i) those defined in Sections 11-1.20, 11-1.30,
10 11-1.40, 11-1.50, 11-1.60, 11-6, 11-9, ~~11-14~~, 11-14.3,
11 11-14.4, 11-15, 11-15.1, 11-16, 11-17, 11-18, 11-19, 11-19.1,
12 11-19.2, 11-20, 11-20.1, 11-20.1B, 11-20.3, 11-21, 11-30 (if
13 convicted of a Class 4 felony), 12-7.3, 12-7.4, 12-7.5, 12-13,
14 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961
15 or the Criminal Code of 2012; (ii) (blank); ~~those defined in~~
16 ~~the Cannabis Control Act, except those defined in Sections~~
17 ~~4(a), 4(b), and 5(a) of that Act;~~ (iii) (blank); ~~those defined~~
18 ~~in the Illinois Controlled Substances Act;~~ (iv) (blank); ~~those~~
19 ~~defined in the Methamphetamine Control and Community~~
20 ~~Protection Act;~~ and (v) any offense committed or attempted in
21 any other state or against the laws of the United States,
22 which, if committed or attempted in this State, would have been
23 punishable as one or more of the foregoing offenses. Further,
24 the Chicago Park District may not knowingly employ a person who
25 has been found to be the perpetrator of sexual or physical
26 abuse of any minor under 18 years of age pursuant to

1 proceedings under Article II of the Juvenile Court Act of 1987.
2 The Chicago Park District may not knowingly employ a person for
3 whom a criminal background investigation has not been
4 initiated.

5 (d) The Chicago Park District shall not knowingly employ a
6 person who has been convicted of the following drug offenses,
7 other than an offense set forth in subsection (c), until 7
8 years following the end of the sentence imposed for any of the
9 following offenses: (i) those defined in the Cannabis Control
10 Act, except those defined in Sections 4(a), 4(b), 4(c), 5(a),
11 and 5(b) of that Act; (ii) those defined in the Illinois
12 Controlled Substances Act; (iii) those defined in the
13 Methamphetamine Control and Community Protection Act; and (iv)
14 any offense committed or attempted in any other state or
15 against the laws of the United States, which, if committed or
16 attempted in this State, would have been punishable as one or
17 more of the foregoing offenses. For purposes of this paragraph,
18 "sentence" includes any period of supervision or probation that
19 was imposed either alone or in combination with a period of
20 incarceration.

21 (e) Notwithstanding the provisions of subsection (c) or
22 (d), the Chicago Park District may, in its discretion, employ a
23 person who has been granted a certificate of good conduct under
24 Section 5-5.5-25 of the Unified Code of Corrections by the
25 Circuit Court.

26 (Source: P.A. 96-1551, eff. 7-1-11; 97-700, eff. 6-22-12;

1 97-1150, eff. 1-25-13.)

2 Section 99. Effective date. This Act takes effect upon
3 becoming law.