

1 AN ACT to require criminal background checks of
2 applicants for the position of peace officer.

3 Be it enacted by the People of the State of Illinois,
4 represented in the General Assembly:

5 Section 5. The Department of State Police Law of the
6 Civil Administrative Code of Illinois is amended by adding
7 Section 2605-336 as follows:

8 (20 ILCS 2605/2605-336 new)

9 Sec. 2605-336. Criminal background check. Upon request
10 of a civil service commission, board of fire and police
11 commissioners, sheriff's merit board or commission, or the
12 Department of State Police Merit Board, to conduct a criminal
13 background check of applicants for the position of peace
14 officer as provided in Section 10.2 of the Illinois Police
15 Training Act.

16 Section 10. The Illinois Police Training Act is amended
17 by adding Section 10.2 as follows:

18 (50 ILCS 705/10.2 new)

19 Sec. 10.2. Criminal background investigations.

20 (a) On and after the effective date of this amendatory
21 Act of the 92nd General Assembly, an applicant for employment
22 as a peace officer shall authorize an investigation to
23 determine if the applicant has been convicted of any criminal
24 offense that disqualifies the person as a peace officer.
25 Authorization for the investigation shall be furnished by the
26 applicant to the civil service commission, board of fire and
27 police commissioners, sheriff's merit board or commission, or
28 the Department of State Police Merit Board. Upon receipt of
29 this authorization, the civil service commission, board of

1 fire and police commissioners, sheriff's merit board or
2 commission, or the Department of State Police Merit Board, as
3 the case may be, shall submit the applicant's name, sex,
4 race, date of birth, and social security number to the
5 Department of State Police on forms prescribed by the
6 Department. The Department of State Police shall conduct an
7 investigation to ascertain if the applicant has been
8 convicted of any criminal offense that would disqualify the
9 person as a peace officer. The civil service commission,
10 sheriff's merit board or commission, Department of State
11 Police Merit Board, or board of fire and police commissioners
12 shall pay the Department a fee for conducting the
13 investigation. The fee shall be deposited in the State
14 Police Services Fund and shall not exceed the cost of the
15 inquiry. The applicant shall not be charged a fee for the
16 investigation by the civil service commission, board of fire
17 and police commissioner's, Department of State Police Merit
18 Board, or sheriff's merit board or commission.

19 (b) The Department shall furnish records of convictions,
20 until expunged, to the civil service commission, board of
21 fire and police commissioners, Department of State Police
22 Merit Board, or sheriff's merit board or commission that
23 requested the investigation. Any information concerning the
24 record of convictions obtained by the civil service
25 commission, board of fire and police commissioners,
26 Department of State Police Merit Board, or sheriff's merit
27 board or commission shall be confidential. A copy of the
28 record of convictions obtained from the Department of State
29 Police shall be provided to the applicant for employment as a
30 peace officer. Any person who releases any confidential
31 information concerning any criminal convictions of an
32 applicant for employment as a peace officer is guilty of a
33 Class A misdemeanor unless the release of the information is
34 authorized by this Section.

1 (c) No police department may knowingly employ a person
2 for whom a criminal background investigation has not been
3 initiated.

4 Section 15. The Counties Code is amended by adding
5 Sections 3-7008.5 and 3-8007.5 as follows:

6 (55 ILCS 5/3-7008.5 new)

7 Sec. 3-7008.5. Criminal background check of applicants.
8 The Merit Commission shall comply with Section 10.2 of the
9 Illinois Police Training Act before certifying an applicant
10 as qualified for appointment as a deputy sheriff.

11 (55 ILCS 5/3-8007.5 new)

12 Sec. 3-8007.5. Criminal background check of applicants.
13 The Merit Commission shall comply with Section 10.2 of the
14 Illinois Police Training Act before certifying an applicant
15 as qualified for appointment as a deputy sheriff.

16 Section 20. The Illinois Municipal Code is amended by
17 adding Sections 10-1-7.5 and 10-2.1-6.5 as follow:

18 (65 ILCS 5/10-1-7.5 new)

19 Sec. 10-1-7.5. Criminal background check of applicants.
20 The Commission shall comply with Section 10.2 of the Illinois
21 Police Training Act before appointing a person to active duty
22 on a police department.

23 (65 ILCS 5/10-2.1-6.5 new)

24 Sec. 10-2.1-6.5. Criminal background check of
25 applicants. The Board shall comply with Section 10.2 of the
26 Illinois Police Training Act before appointing a person to
27 active duty on a police department.