



## 100TH GENERAL ASSEMBLY

### State of Illinois

2017 and 2018

HB4286

by Rep. Will Guzzardi

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Law Enforcement Agency Military Equipment Purchase Act. Provides that a law enforcement agency may not receive the following property from a military equipment surplus program operated by the federal government: (1) drones that are armored, weaponized, or both; (2) aircraft that are combat configured or combat coded; (3) grenades or similar explosives and grenade launchers; (4) silencers; or (5) militarized armored vehicles. Provides that if a law enforcement agency purchases property from a military equipment surplus program operated by the federal government, the law enforcement agency may only use State or unit of local government funds for the purchase. Provides that funds obtained from the federal government may not be used to purchase property from a military equipment surplus program. Provides that if a law enforcement agency requests property from a military equipment surplus program, the law enforcement agency shall publish a notice of the request on a publicly accessible website within 14 days after the request. Defines terms. Preempts home rule.

LRB100 15391 RLC 30375 b

HOME RULE NOTE  
ACT MAY APPLY

A BILL FOR

1 AN ACT concerning government.

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

4 Section 1. Short title. This Act may be cited as the Law  
5 Enforcement Agency Military Equipment Purchase Act.

6 Section 5. Definitions. In this Act:

7 "Aircraft" means any contrivance now known or hereafter  
8 invented, used, or designed for navigation of, or flight in,  
9 the air.

10 "Drone" means any aerial vehicle that does not carry a  
11 human operator.

12 "Law enforcement agency" means any agency of this State or  
13 a political subdivision of this State that is vested by law  
14 with the duty to maintain public order and to enforce criminal  
15 laws.

16 "Silencer" means any device or attachment of any kind  
17 designed, used, or intended for use in silencing the report of  
18 any firearm or any device attached to or part of the muzzle of  
19 a firearm that reduces the muzzle report and visible flash  
20 generated by the firearm's firing.

21 Section 10. Limitations on excess property provided to  
22 local law enforcement.

1 (a) A law enforcement agency may not receive the following  
2 property from a military equipment surplus program operated by  
3 the federal government:

4 (1) drones that are armored, weaponized, or both;

5 (2) aircraft that are combat configured or combat  
6 coded;

7 (3) grenades or similar explosives and grenade  
8 launchers;

9 (4) silencers; or

10 (5) militarized armored vehicles.

11 (b) If a law enforcement agency purchases property from a  
12 military equipment surplus program operated by the federal  
13 government, the law enforcement agency may only use State or  
14 unit of local government funds for the purchase. Funds obtained  
15 from the federal government may not be used to purchase  
16 property from a military equipment surplus program.

17 (c) If a law enforcement agency requests property from a  
18 military equipment surplus program, the law enforcement agency  
19 shall publish a notice of the request on a publicly accessible  
20 website within 14 days after the request.

21 Section 15. Home rule preemption.

22 (a) The regulation of the purchase by a law enforcement  
23 agency or by a unit of government for the law enforcement  
24 agency of property from a military equipment surplus program  
25 operated by the federal government is an exclusive State power

1 and function. A home rule unit may not regulate the purchase by  
2 a law enforcement agency or by a unit of government for the law  
3 enforcement agency of property from a military equipment  
4 surplus program operated by the federal government in a manner  
5 inconsistent with this Act.

6 (b) This Act is a denial and limitation of home rule powers  
7 and functions under subsection (g) of Section 6 of Article VII  
8 of the Illinois Constitution.