

1 AN ACT concerning finance.

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

4 Section 5. The Department of Natural Resources
5 (Conservation) Law of the Civil Administrative Code of Illinois
6 is amended by adding Section 805-538 as follows:

7 (20 ILCS 805/805-538 new)

8 Sec. 805-538. Retiring officer; purchase of service
9 firearm and police badge. The Director of Natural Resources
10 shall establish a program to allow a Conservation Police
11 Officer who is honorably retiring in good standing to purchase
12 either one or both of the following: (1) any Department of
13 Natural Resources police badge previously issued to that
14 officer; or (2) if the officer has a currently valid Firearm
15 Owner's Identification Card, the service firearm issued or
16 previously issued to the officer by the Department of Natural
17 Resources. The cost of the firearm shall be the replacement
18 value of the firearm and not the firearm's fair market value.

19 Section 10. The State Police Act is amended by adding
20 Section 17b as follows:

21 (20 ILCS 2610/17b new)

1 Sec. 17b. Retiring officer; purchase of service firearm and
2 police badge. The Director of State Police shall establish a
3 policy to allow a State Police officer who is honorably
4 retiring or separating in good standing to purchase either one
5 or both of the following: (i) any State Police badge previously
6 issued to that officer; or (ii) if the officer has a currently
7 valid Firearm Owner's Identification Card, the service firearm
8 issued or previously issued to the officer by the Department of
9 State Police. The cost of the firearm purchased shall be the
10 replacement value of the firearm and not the firearm's fair
11 market value.

12 Section 13. The Peace Officer Fire Investigation Act is
13 amended by changing Section 1 as follows:

14 (20 ILCS 2910/1) (from Ch. 127 1/2, par. 501)

15 Sec. 1. Peace officer status.

16 (a) Any person who is a sworn member of any organized and
17 paid fire department of a political subdivision of this State
18 and is authorized to investigate fires or explosions for such
19 political subdivision and to determine the cause, origin and
20 circumstances of fires or explosions that are suspected to be
21 arson or arson-related crimes, may be classified as a peace
22 officer by the political subdivision or agency employing such
23 person. A person so classified shall possess the same powers of
24 arrest, search and seizure and the securing and service of

1 warrants as sheriffs of counties, and police officers within
2 the jurisdiction of their political subdivision. While in the
3 actual investigation and matters incident thereto, such person
4 may carry weapons as may be necessary, but only if that person
5 has satisfactorily completed (1) a training program offered or
6 approved by the Illinois Law Enforcement Training Standards
7 Board which substantially conforms to standards promulgated
8 pursuant to the Illinois Police Training Act and the Peace
9 Officer and Probation Officer Firearm Training Act; and (2) a
10 course in fire and arson investigation approved by the Office
11 of the State Fire Marshal pursuant to the Illinois Fire
12 Protection Training Act. Such training need not include
13 exposure to vehicle and traffic law, traffic control and
14 accident investigation, or first aid, but shall include
15 training in the law relating to the rights of persons suspected
16 of involvement in criminal activities.

17 Any person granted the powers enumerated in this subsection
18 (a) may exercise such powers only during the actual
19 investigation of the cause, origin and circumstances of such
20 fires or explosions that are suspected to be arson or
21 arson-related crimes.

22 (b) Persons employed by the Office of the State Fire
23 Marshal to conduct arson investigations shall be designated
24 State Fire Marshal Arson Investigator Special Agents and shall
25 be peace officers with all of the powers of peace officers in
26 cities and sheriffs in counties, except that they may exercise

1 those powers throughout the State. These Special Agents may
2 exercise these powers only when engaging in official duties
3 during the actual investigation of the cause, origin, and
4 circumstances of such fires or explosions that are suspected to
5 be arson or arson-related crimes and may carry weapons at all
6 times, but only if they have satisfactorily completed (1) a
7 training course approved by the Illinois Law Enforcement
8 Training Standards Board that substantially conforms to the
9 standards promulgated pursuant to the Peace Officer and
10 Probation Officer Firearm Training Act and (2) a course in fire
11 and arson investigation approved by the Office of the State
12 Fire Marshal pursuant to the Illinois Fire Protection Training
13 Act. Such training need not include exposure to vehicle and
14 traffic law, traffic control and accident investigation, or
15 first aid, but shall include training in the law relating to
16 the rights of persons suspected of involvement in criminal
17 activities.

18 For purposes of this subsection (b), a "State Fire Marshal
19 Arson Investigator Special Agent" does not include any fire
20 investigator, fireman, police officer, or other employee of the
21 federal government; any fire investigator, fireman, police
22 officer, or other employee of any unit of local government; or
23 any fire investigator, fireman, police officer, or other
24 employee of the State of Illinois other than an employee of the
25 Office of the State Fire Marshal assigned to investigate arson.

26 The State Fire Marshal must authorize to each employee of

1 the Office of the State Fire Marshal who is exercising the
2 powers of a peace officer a distinct badge that, on its face,
3 (i) clearly states that the badge is authorized by the Office
4 of the State Fire Marshal and (ii) contains a unique
5 identifying number. No other badge shall be authorized by the
6 Office of the State Fire Marshal, except that a badge,
7 different from the badge issued to peace officers, may be
8 authorized by the Office of the State Fire Marshal for the use
9 of fire prevention inspectors employed by that Office. Nothing
10 in this subsection prohibits the State Fire Marshal from
11 issuing shields or other distinctive identification to
12 employees not exercising the powers of a peace officer if the
13 State Fire Marshal determines that a shield or distinctive
14 identification is needed by the employee to carry out his or
15 her responsibilities.

16 (c) The Office of the State Fire Marshal shall establish a
17 policy to allow a State Fire Marshal Arson Investigator Special
18 Agent who is honorably retiring or separating in good standing
19 to purchase either one or both of the following: (i) any badge
20 previously issued to that State Fire Marshal Arson Investigator
21 Special Agent; or (ii) if the State Fire Marshal Arson
22 Investigator Special Agent has a currently valid Firearm
23 Owner's Identification Card, the service firearm issued or
24 previously issued to the State Fire Marshal Arson Investigator
25 Special Agent by the Office of the State Fire Marshal. The cost
26 of the firearm purchased shall be the replacement value of the

1 firearm and not the firearm's fair market value. All funds
2 received by the agency under this program shall be deposited
3 into the Fire Prevention Fund.

4 (Source: P.A. 98-725, eff. 1-1-15.)

5 Section 15. The State Property Control Act is amended by
6 changing Section 7 as follows:

7 (30 ILCS 605/7) (from Ch. 127, par. 133b10)

8 Sec. 7. Disposition of transferable property.

9 (a) Except as provided in subsection (c), whenever a
10 responsible officer considers it advantageous to the State to
11 dispose of transferable property by trading it in for credit on
12 a replacement of like nature, the responsible officer shall
13 report the trade-in and replacement to the administrator on
14 forms furnished by the latter. The exchange, trade or transfer
15 of "textbooks" as defined in Section 18-17 of the School Code
16 between schools or school districts pursuant to regulations
17 adopted by the State Board of Education under that Section
18 shall not constitute a disposition of transferable property
19 within the meaning of this Section, even though such exchange,
20 trade or transfer occurs within 5 years after the textbooks are
21 first provided for loan pursuant to Section 18-17 of the School
22 Code.

23 (b) Except as provided in subsection (c), whenever it is
24 deemed necessary to dispose of any item of transferable

1 property, the administrator shall proceed to dispose of the
2 property by sale or scrapping as the case may be, in whatever
3 manner he considers most advantageous and most profitable to
4 the State. Items of transferable property which would
5 ordinarily be scrapped and disposed of by burning or by burial
6 in a landfill may be examined and a determination made whether
7 the property should be recycled. This determination and any
8 sale of recyclable property shall be in accordance with rules
9 promulgated by the Administrator.

10 When the administrator determines that property is to be
11 disposed of by sale, he shall offer it first to the
12 municipalities, counties, and school districts of the State and
13 to charitable, not-for-profit educational and public health
14 organizations, including but not limited to medical
15 institutions, clinics, hospitals, health centers, schools,
16 colleges, universities, child care centers, museums, nursing
17 homes, programs for the elderly, food banks, State Use
18 Sheltered Workshops and the Boy and Girl Scouts of America, for
19 purchase at an appraised value. Notice of inspection or viewing
20 dates and property lists shall be distributed in the manner
21 provided in rules and regulations promulgated by the
22 Administrator for that purpose.

23 Electronic data processing equipment purchased and charged
24 to appropriations may, at the discretion of the administrator,
25 be sold, pursuant to contracts entered into by the Director of
26 Central Management Services or the heads of agencies exempt

1 from "The Illinois Purchasing Act". However such equipment
2 shall not be sold at prices less than the purchase cost thereof
3 or depreciated value as determined by the administrator. No
4 sale of the electronic data processing equipment and lease to
5 the State by the purchaser of such equipment shall be made
6 under this Act unless the Director of Central Management
7 Services finds that such contracts are financially
8 advantageous to the State.

9 Disposition of other transferable property by sale, except
10 sales directly to local governmental units, school districts,
11 and not-for-profit educational, charitable and public health
12 organizations, shall be subject to the following minimum
13 conditions:

14 (1) The administrator shall cause the property to be
15 advertised for sale to the highest responsible bidder,
16 stating time, place, and terms of such sale at least 7 days
17 prior to the time of sale and at least once in a newspaper
18 having a general circulation in the county where the
19 property is to be sold.

20 (2) If no acceptable bids are received, the
21 administrator may then sell the property in whatever manner
22 he considers most advantageous and most profitable to the
23 State.

24 (c) Notwithstanding any other provision of this Act, an
25 agency covered by this Act may transfer books, serial
26 publications, or other library materials that are transferable

1 property, or that have been withdrawn from the agency's library
2 collection through a regular collection evaluation process, to
3 any of the following entities:

4 (1) Another agency covered by this Act located in
5 Illinois.

6 (2) A State supported university library located in
7 Illinois.

8 (3) A tax-supported public library located in
9 Illinois, including a library established by a public
10 library district.

11 (4) A library system organized under the Illinois
12 Library System Act or any library located in Illinois that
13 is a member of such a system.

14 (5) A non-profit agency, located in or outside
15 Illinois.

16 A transfer of property under this subsection is not subject
17 to the requirements of subsection (a) or (b).

18 In addition, an agency covered by this Act may sell or
19 exchange books, serial publications, and other library
20 materials that have been withdrawn from its library collection
21 through a regular collection evaluation process. Those items
22 may be sold to the public at library book sales or to book
23 dealers or may be offered through exchange to book dealers or
24 other organizations. Revenues generated from the sale of
25 withdrawn items shall be retained by the agency in a separate
26 account to be used solely for the purchase of library

1 materials; except that in the case of the State Library,
2 revenues from the sale of withdrawn items shall be deposited
3 into the State Library Fund to be used for the purposes stated
4 in Section 25 of the State Library Act.

5 For purposes of this subsection (c), "library materials"
6 means physical entities of any substance that serve as carriers
7 of information, including, without limitation, books, serial
8 publications, periodicals, microforms, graphics, audio or
9 video recordings, and machine readable data files.

10 (d) Notwithstanding any other provision of this Act, the
11 Director of State Police may dispose of a service firearm or
12 police badge issued or previously issued to a retiring or
13 separating State Police officer as provided in Section 17b of
14 the State Police Act. The Director of Natural Resources may
15 dispose of a service firearm or police badge issued previously
16 to a retiring Conservation Police Officer as provided in
17 Section 805-538 of the Department of Natural Resources
18 (Conservation) Law of the Civil Administrative Code of
19 Illinois. The Director of the Secretary of State Department of
20 Police may dispose of a service firearm or police badge issued
21 or previously issued to a retiring Secretary of State Police
22 officer, inspector, or investigator as provided in Section
23 2-116 of the Illinois Vehicle Code. The Office of the State
24 Fire Marshal may dispose of a service firearm or badge
25 previously issued to a State Fire Marshal Arson Investigator
26 Special Agent who is honorably retiring or separating in good

1 standing as provided in subsection (c) of Section 1 of the
2 Peace Officer Fire Investigation Act.

3 (Source: P.A. 96-498, eff. 8-14-09.)

4 Section 20. The Illinois Vehicle Code is amended by
5 changing Section 2-116 as follows:

6 (625 ILCS 5/2-116) (from Ch. 95 1/2, par. 2-116)

7 Sec. 2-116. Secretary of State Department of Police.

8 (a) The Secretary of State and the officers, inspectors,
9 and investigators appointed by him shall cooperate with the
10 State Police and the sheriffs and police in enforcing the laws
11 regulating the operation of vehicles and the use of the
12 highways.

13 (b) The Secretary of State may provide training and
14 education for members of his office in traffic regulation, the
15 promotion of traffic safety and the enforcement of laws vested
16 in the Secretary of State for administration and enforcement
17 regulating the operation of vehicles and the use of the
18 highways.

19 (c) The Secretary of State may provide distinctive uniforms
20 and badges for officers, inspectors and investigators employed
21 in the administration of laws relating to the operation of
22 vehicles and the use of the highways and vesting the
23 administration and enforcement of such laws in the Secretary of
24 State.

1 (c-5) The Director of the Secretary of State Department of
2 Police shall establish a program to allow a Secretary of State
3 Police officer, inspector, or investigator who is honorably
4 retiring in good standing to purchase either one or both of the
5 following: (1) any Secretary of State Department of Police
6 badge previously issued to that officer, inspector, or
7 investigator; or (2) if the officer, inspector, or investigator
8 has a currently valid Firearm Owner's Identification Card, the
9 service firearm issued or previously issued to the officer,
10 inspector, or investigator by the Secretary of State Department
11 of Police. The cost of the firearm shall be the replacement
12 value of the firearm and not the firearm's fair market value.

13 (d) The Secretary of State Department of Police is
14 authorized to:

15 (1) investigate the origins, activities, persons, and
16 incidents of crime and the ways and means, if any, to
17 redress the victims of crimes, and study the impact, if
18 any, of legislation relative to the criminal laws of this
19 State related thereto and conduct any other investigations
20 as may be provided by law;

21 (2) employ skilled experts, technicians,
22 investigators, special agents, or otherwise specially
23 qualified persons to aid in preventing or detecting crime,
24 apprehending criminals, or preparing and presenting
25 evidence of violations of the criminal laws of the State;

26 (3) cooperate with the police of cities, villages, and

1 incorporated towns, and with the police officers of any
2 county, in enforcing the laws of the State and in making
3 arrests;

4 (4) provide, as may be required by law, assistance to
5 local law enforcement agencies through training,
6 management, and consultant services for local law
7 enforcement agencies, pertaining to law enforcement
8 activities;

9 (5) exercise the rights, powers, and duties which have
10 been vested in it by the Secretary of State Act and this
11 Code; and

12 (6) enforce and administer any other laws in relation
13 to law enforcement as may be vested in the Secretary of
14 State Department of Police.

15 Persons within the Secretary of State Department of Police
16 who exercise these powers are conservators of the peace and
17 have all the powers possessed by policemen in municipalities
18 and sheriffs, and may exercise these powers anywhere in the
19 State in cooperation with local law enforcement officials.
20 These persons may use false or fictitious names in the
21 performance of their duties under this Section, upon approval
22 of the Director of Police-Secretary of State, and shall not be
23 subject to prosecution under the criminal laws for that use.

24 (e) The Secretary of State Department of Police may charge,
25 collect, and receive fees or moneys equivalent to the cost of
26 providing its personnel, equipment, and services to

1 governmental agencies when explicitly requested by a
2 governmental agency and according to an intergovernmental
3 agreement or memorandums of understanding as provided by this
4 Section, including but not limited to fees or moneys equivalent
5 to the cost of providing training to other governmental
6 agencies on terms and conditions that in the judgment of the
7 Director of Police-Secretary of State are in the best interest
8 of the Secretary of State. All fees received by the Secretary
9 of State Police Department under this Act shall be deposited in
10 a special fund in the State Treasury to be known as the
11 Secretary of State Police Services Fund. The money deposited in
12 the Secretary of State Police Services Fund shall be
13 appropriated to the Secretary of State Department of Police as
14 provided for in subsection (g).

15 (f) The Secretary of State Department of Police may apply
16 for grants or contracts and receive, expend, allocate, or
17 disburse moneys made available by public or private entities,
18 including, but not limited to, contracts, bequests, grants, or
19 receiving equipment from corporations, foundations, or public
20 or private institutions of higher learning.

21 (g) The Secretary of State Police Services Fund is hereby
22 created as a special fund in the State Treasury. All moneys
23 received under this Section by the Secretary of State
24 Department of Police shall be deposited into the Secretary of
25 State Police Services Fund to be appropriated to the Secretary
26 of State Department of Police for purposes as indicated by the

1 grantor or contractor or, in the case of moneys bequeathed or
2 granted for no specific purpose, for any purpose as deemed
3 appropriate by the Director of Police-Secretary of State in
4 administering the responsibilities of the Secretary of State
5 Department of Police.

6 (Source: P.A. 92-501, eff. 12-19-01.)

7 Section 99. Effective date. This Act takes effect upon
8 becoming law.