



Sen. Antonio Muñoz

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1 AMENDMENT TO SENATE BILL 2640

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2640 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The State Police Act is amended by adding  
5 Section 17b as follows:

6 (20 ILCS 2610/17b new)

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

1 market value.

2 Section 10. The State Property Control Act is amended by  
3 changing Section 7 as follows:

4 (30 ILCS 605/7) (from Ch. 127, par. 133b10)

5 Sec. 7. Disposition of transferable property.

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

20 (b) Except as provided in subsection (c), whenever it is  
21 deemed necessary to dispose of any item of transferable  
22 property, the administrator shall proceed to dispose of the  
23 property by sale or scrapping as the case may be, in whatever  
24 manner he considers most advantageous and most profitable to

1 the State. Items of transferable property which would  
2 ordinarily be scrapped and disposed of by burning or by burial  
3 in a landfill may be examined and a determination made whether  
4 the property should be recycled. This determination and any  
5 sale of recyclable property shall be in accordance with rules  
6 promulgated by the Administrator.

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

20 Electronic data processing equipment purchased and charged  
21 to appropriations may, at the discretion of the administrator,  
22 be sold, pursuant to contracts entered into by the Director of  
23 Central Management Services or the heads of agencies exempt  
24 from "The Illinois Purchasing Act". However such equipment  
25 shall not be sold at prices less than the purchase cost thereof  
26 or depreciated value as determined by the administrator. No

1 sale of the electronic data processing equipment and lease to  
2 the State by the purchaser of such equipment shall be made  
3 under this Act unless the Director of Central Management  
4 Services finds that such contracts are financially  
5 advantageous to the State.

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

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

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

21 (c) Notwithstanding any other provision of this Act, an  
22 agency covered by this Act may transfer books, serial  
23 publications, or other library materials that are transferable  
24 property, or that have been withdrawn from the agency's library  
25 collection through a regular collection evaluation process, to  
26 any of the following entities:

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

3           (2) A State supported university library located in  
4 Illinois.

5           (3) A tax-supported public library located in  
6 Illinois, including a library established by a public  
7 library district.

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

11           (5) A non-profit agency, located in or outside  
12 Illinois.

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

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

1 in Section 25 of the State Library Act.

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

7 (d) Notwithstanding any other provision of this Act, the  
8 Director of State Police may dispose of a service firearm or  
9 police badge issued or previously issued to a retiring or  
10 separating State Police officer as provided in Section 17b of  
11 the State Police Act. The Director of the Secretary of State  
12 Department of Police may dispose of a service firearm or police  
13 badge issued or previously issued to a retiring Secretary of  
14 State Police officer, inspector, or investigator as provided in  
15 Section 2-116 of the Illinois Vehicle Code.

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

17 Section 15. The Illinois Vehicle Code is amended by  
18 changing Section 2-116 as follows:

19 (625 ILCS 5/2-116) (from Ch. 95 1/2, par. 2-116)

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

21 (a) The Secretary of State and the officers, inspectors,  
22 and investigators appointed by him shall cooperate with the  
23 State Police and the sheriffs and police in enforcing the laws  
24 regulating the operation of vehicles and the use of the

1 highways.

2 (b) The Secretary of State may provide training and  
3 education for members of his office in traffic regulation, the  
4 promotion of traffic safety and the enforcement of laws vested  
5 in the Secretary of State for administration and enforcement  
6 regulating the operation of vehicles and the use of the  
7 highways.

8 (c) The Secretary of State may provide distinctive uniforms  
9 and badges for officers, inspectors and investigators employed  
10 in the administration of laws relating to the operation of  
11 vehicles and the use of the highways and vesting the  
12 administration and enforcement of such laws in the Secretary of  
13 State.

14 (c-5) The Director of the Secretary of State Department of  
15 Police shall establish a program to allow a Secretary of State  
16 Police officer, inspector, or investigator who is honorably  
17 retiring in good standing to purchase either one or both of the  
18 following: (1) any Secretary of State Department of Police  
19 badge previously issued to that officer, inspector, or  
20 investigator; or (2) if the officer, inspector, or investigator  
21 has a currently valid Firearm Owner's Identification Card, the  
22 service firearm issued or previously issued to the officer,  
23 inspector, or investigator by the Secretary of State Department  
24 of Police. The cost of the firearm shall be the replacement  
25 value of the firearm and not the firearm's fair market value.

26 (d) The Secretary of State Department of Police is

1 authorized to:

2 (1) investigate the origins, activities, persons, and  
3 incidents of crime and the ways and means, if any, to  
4 redress the victims of crimes, and study the impact, if  
5 any, of legislation relative to the criminal laws of this  
6 State related thereto and conduct any other investigations  
7 as may be provided by law;

8 (2) employ skilled experts, technicians,  
9 investigators, special agents, or otherwise specially  
10 qualified persons to aid in preventing or detecting crime,  
11 apprehending criminals, or preparing and presenting  
12 evidence of violations of the criminal laws of the State;

13 (3) cooperate with the police of cities, villages, and  
14 incorporated towns, and with the police officers of any  
15 county, in enforcing the laws of the State and in making  
16 arrests;

17 (4) provide, as may be required by law, assistance to  
18 local law enforcement agencies through training,  
19 management, and consultant services for local law  
20 enforcement agencies, pertaining to law enforcement  
21 activities;

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

25 (6) enforce and administer any other laws in relation  
26 to law enforcement as may be vested in the Secretary of



1 State Department of Police.

2 Persons within the Secretary of State Department of Police  
3 who exercise these powers are conservators of the peace and  
4 have all the powers possessed by policemen in municipalities  
5 and sheriffs, and may exercise these powers anywhere in the  
6 State in cooperation with local law enforcement officials.  
7 These persons may use false or fictitious names in the  
8 performance of their duties under this Section, upon approval  
9 of the Director of Police-Secretary of State, and shall not be  
10 subject to prosecution under the criminal laws for that use.

11 (e) The Secretary of State Department of Police may charge,  
12 collect, and receive fees or moneys equivalent to the cost of  
13 providing its personnel, equipment, and services to  
14 governmental agencies when explicitly requested by a  
15 governmental agency and according to an intergovernmental  
16 agreement or memorandums of understanding as provided by this  
17 Section, including but not limited to fees or moneys equivalent  
18 to the cost of providing training to other governmental  
19 agencies on terms and conditions that in the judgment of the  
20 Director of Police-Secretary of State are in the best interest  
21 of the Secretary of State. All fees received by the Secretary  
22 of State Police Department under this Act shall be deposited in  
23 a special fund in the State Treasury to be known as the  
24 Secretary of State Police Services Fund. The money deposited in  
25 the Secretary of State Police Services Fund shall be  
26 appropriated to the Secretary of State Department of Police as

1 provided for in subsection (g).

2 (f) The Secretary of State Department of Police may apply  
3 for grants or contracts and receive, expend, allocate, or  
4 disburse moneys made available by public or private entities,  
5 including, but not limited to, contracts, bequests, grants, or  
6 receiving equipment from corporations, foundations, or public  
7 or private institutions of higher learning.

8 (g) The Secretary of State Police Services Fund is hereby  
9 created as a special fund in the State Treasury. All moneys  
10 received under this Section by the Secretary of State  
11 Department of Police shall be deposited into the Secretary of  
12 State Police Services Fund to be appropriated to the Secretary  
13 of State Department of Police for purposes as indicated by the  
14 grantor or contractor or, in the case of moneys bequeathed or  
15 granted for no specific purpose, for any purpose as deemed  
16 appropriate by the Director of Police-Secretary of State in  
17 administering the responsibilities of the Secretary of State  
18 Department of Police.

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

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law."