

1 AN ACT concerning State government.

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

4 Section 5. The Personnel Code is amended by changing
5 Section 4c as follows:

6 (20 ILCS 415/4c) (from Ch. 127, par. 63b104c)

7 Sec. 4c. General exemptions. The following positions in
8 State service shall be exempt from jurisdictions A, B, and C,
9 unless the jurisdictions shall be extended as provided in this
10 Act:

11 (1) All officers elected by the people.

12 (2) All positions under the Lieutenant Governor,
13 Secretary of State, State Treasurer, State Comptroller,
14 State Board of Education, Clerk of the Supreme Court,
15 Attorney General, and State Board of Elections.

16 (3) Judges, and officers and employees of the courts,
17 and notaries public.

18 (4) All officers and employees of the Illinois General
19 Assembly, all employees of legislative commissions, all
20 officers and employees of the Illinois Legislative
21 Reference Bureau, the Legislative Research Unit, and the
22 Legislative Printing Unit.

23 (5) All positions in the Illinois National Guard and

1 Illinois State Guard, paid from federal funds or positions
2 in the State Military Service filled by enlistment and paid
3 from State funds.

4 (6) All employees of the Governor at the executive
5 mansion and on his immediate personal staff.

6 (7) Directors of Departments, the Adjutant General,
7 the Assistant Adjutant General, the Director of the
8 Illinois Emergency Management Agency, members of boards
9 and commissions, and all other positions appointed by the
10 Governor by and with the consent of the Senate.

11 (8) The presidents, other principal administrative
12 officers, and teaching, research and extension faculties
13 of Chicago State University, Eastern Illinois University,
14 Governors State University, Illinois State University,
15 Northeastern Illinois University, Northern Illinois
16 University, Western Illinois University, the Illinois
17 Community College Board, Southern Illinois University,
18 Illinois Board of Higher Education, University of
19 Illinois, State Universities Civil Service System,
20 University Retirement System of Illinois, and the
21 administrative officers and scientific and technical staff
22 of the Illinois State Museum.

23 (9) All other employees except the presidents, other
24 principal administrative officers, and teaching, research
25 and extension faculties of the universities under the
26 jurisdiction of the Board of Regents and the colleges and

1 universities under the jurisdiction of the Board of
2 Governors of State Colleges and Universities, Illinois
3 Community College Board, Southern Illinois University,
4 Illinois Board of Higher Education, Board of Governors of
5 State Colleges and Universities, the Board of Regents,
6 University of Illinois, State Universities Civil Service
7 System, University Retirement System of Illinois, so long
8 as these are subject to the provisions of the State
9 Universities Civil Service Act.

10 (10) The State Police so long as they are subject to
11 the merit provisions of the State Police Act.

12 (11) (Blank).

13 (12) The technical and engineering staffs of the
14 Department of Transportation, the Department of Nuclear
15 Safety, the Pollution Control Board, and the Illinois
16 Commerce Commission, and the technical and engineering
17 staff providing architectural and engineering services in
18 the Department of Central Management Services.

19 (13) All employees of the Illinois State Toll Highway
20 Authority.

21 (14) The Secretary of the Illinois Workers'
22 Compensation Commission.

23 (15) All persons who are appointed or employed by the
24 Director of Insurance under authority of Section 202 of the
25 Illinois Insurance Code to assist the Director of Insurance
26 in discharging his responsibilities relating to the

1 rehabilitation, liquidation, conservation, and dissolution
2 of companies that are subject to the jurisdiction of the
3 Illinois Insurance Code.

4 (16) All employees of the St. Louis Metropolitan Area
5 Airport Authority.

6 (17) All investment officers employed by the Illinois
7 State Board of Investment.

8 (18) Employees of the Illinois Young Adult
9 Conservation Corps program, administered by the Illinois
10 Department of Natural Resources, authorized grantee under
11 Title VIII of the Comprehensive Employment and Training Act
12 of 1973, 29 USC 993.

13 (19) Seasonal employees of the Department of
14 Agriculture for the operation of the Illinois State Fair
15 and the DuQuoin State Fair, no one person receiving more
16 than 29 days of such employment in any calendar year.

17 (20) All "temporary" employees hired under the
18 Department of Natural Resources' Illinois Conservation
19 Service, a youth employment program that hires young people
20 to work in State parks for a period of one year or less.

21 (21) All hearing officers of the Human Rights
22 Commission.

23 (22) All employees of the Illinois Mathematics and
24 Science Academy.

25 (23) All employees of the Kankakee River Valley Area
26 Airport Authority.

1 (24) The commissioners and employees of the Executive
2 Ethics Commission.

3 (25) The Executive Inspectors General, including
4 special Executive Inspectors General, and employees of
5 each Office of an Executive Inspector General.

6 (26) The commissioners and employees of the
7 Legislative Ethics Commission.

8 (27) The Legislative Inspector General, including
9 special Legislative Inspectors General, and employees of
10 the Office of the Legislative Inspector General.

11 (28) The Auditor General's Inspector General and
12 employees of the Office of the Auditor General's Inspector
13 General.

14 (29) All employees of the Illinois Power Agency.

15 (30) Employees having demonstrable, defined advanced
16 skills in accounting, financial reporting, or technical
17 expertise who are employed within executive branch
18 agencies and whose duties are directly related to the
19 submission to the Office of the Comptroller of financial
20 information for the publication of the Comprehensive
21 Annual Financial Report (CAFR).

22 (31) All employees of the Illinois Sentencing Policy
23 Advisory Council.

24 (Source: P.A. 97-618, eff. 10-26-11; 97-1055, eff. 8-23-12.)

25 Section 10. The Unified Code of Corrections is amended by

1 changing Section 5-8-8 as follows:

2 (730 ILCS 5/5-8-8)

3 (Section scheduled to be repealed on December 31, 2015)

4 Sec. 5-8-8. Illinois Sentencing Policy Advisory Council.

5 (a) Creation. There is created under the jurisdiction of
6 the Governor the Illinois Sentencing Policy Advisory Council,
7 hereinafter referred to as the Council.

8 (b) Purposes and goals. The purpose of the Council is to
9 review sentencing policies and practices and examine how these
10 policies and practices impact the criminal justice system as a
11 whole in the State of Illinois. In carrying out its duties, the
12 Council shall be mindful of and aim to achieve the purposes of
13 sentencing in Illinois, which are set out in Section 1-1-2 of
14 this Code:

15 (1) prescribe sanctions proportionate to the
16 seriousness of the offenses and permit the recognition of
17 differences in rehabilitation possibilities among
18 individual offenders;

19 (2) forbid and prevent the commission of offenses;

20 (3) prevent arbitrary or oppressive treatment of
21 persons adjudicated offenders or delinquents; and

22 (4) restore offenders to useful citizenship.

23 (c) Council composition.

24 (1) The Council shall consist of the following members:

25 (A) the President of the Senate, or his or her

1 designee;

2 (B) the Minority Leader of the Senate, or his or
3 her designee;

4 (C) the Speaker of the House, or his or her
5 designee;

6 (D) the Minority Leader of the House, or his or her
7 designee;

8 (E) the Governor, or his or her designee;

9 (F) the Attorney General, or his or her designee;

10 (G) two retired judges, who may have been circuit,
11 appellate, or supreme court judges; retired judges
12 appointed prior to the effective date of this
13 amendatory Act of the 98th General Assembly shall be
14 selected by the members of the Council designated in
15 clauses (c)(1)(A) through (L), and retired judges
16 appointed on or after the effective date of this
17 amendatory Act of the 98th General Assembly shall be
18 appointed by the Chief Justice of the Illinois Supreme
19 Court;

20 (G-5) two sitting judges, who may be circuit,
21 appellate, or supreme court judges, appointed by the
22 Chief Justice of the Supreme Court; one member
23 appointed under this paragraph (G-5) shall be selected
24 from the Circuit Court of Cook County or the First
25 Judicial District, and one member appointed under this
26 paragraph (G-5) shall be selected from a judicial

1 circuit or district other than the Circuit Court of
2 Cook County or the First Judicial District;

3 (H) the Cook County State's Attorney, or his or her
4 designee;

5 (I) the Cook County Public Defender, or his or her
6 designee;

7 (J) a State's Attorney not from Cook County,
8 appointed by the State's Attorney's Appellate
9 Prosecutor;

10 (K) the State Appellate Defender, or his or her
11 designee;

12 (L) the Director of the Administrative Office of
13 the Illinois Courts, or his or her designee;

14 (M) a victim of a violent felony or a
15 representative of a crime victims' organization,
16 selected by the members of the Council designated in
17 clauses (c) (1) (A) through (L);

18 (N) a representative of a community-based
19 organization, selected by the members of the Council
20 designated in clauses (c) (1) (A) through (L);

21 (O) a criminal justice academic researcher, to be
22 selected by the members of the Council designated in
23 clauses (c) (1) (A) through (L);

24 (P) a representative of law enforcement from a unit
25 of local government to be selected by the members of
26 the Council designated in clauses (c) (1) (A) through

1 (L);

2 (Q) a sheriff selected by the members of the
3 Council designated in clauses (c)(1)(A) through (L);
4 and

5 (R) ex-officio members shall include:

6 (i) the Director of Corrections, or his or her
7 designee;

8 (ii) the Chair of the Prisoner Review Board, or
9 his or her designee;

10 (iii) the Director of the Illinois State
11 Police, or his or her designee; and

12 (iv) the Director of the Illinois Criminal
13 Justice Information Authority, or his or her
14 designee. ~~;~~ and

15 ~~(v) the assistant Director of the~~
16 ~~Administrative Office of the Illinois Courts, or~~
17 ~~his or her designee.~~

18 (1.5) The Chair and Vice Chair shall be elected from
19 among its members by a majority of the members of the
20 Council.

21 (2) Members of the Council who serve because of their
22 public office or position, or those who are designated as
23 members by such officials, shall serve only as long as they
24 hold such office or position.

25 (3) Council members shall serve without compensation
26 but shall be reimbursed for travel and per diem expenses

1 incurred in their work for the Council.

2 (4) The Council may exercise any power, perform any
3 function, take any action, or do anything in furtherance of
4 its purposes and goals upon the appointment of a quorum of
5 its members. The term of office of each member of the
6 Council ends on the date of repeal of this amendatory Act
7 of the 96th General Assembly.

8 (d) Duties. The Council shall perform, as resources permit,
9 duties including:

10 (1) Collect and analyze information including
11 sentencing data, crime trends, and existing correctional
12 resources to support legislative and executive action
13 affecting the use of correctional resources on the State
14 and local levels.

15 (2) Prepare criminal justice population projections
16 annually, including correctional and community-based
17 supervision populations.

18 (3) Analyze data relevant to proposed sentencing
19 legislation and its effect on current policies or
20 practices, and provide information to support
21 evidence-based sentencing.

22 (4) Ensure that adequate resources and facilities are
23 available for carrying out sentences imposed on offenders
24 and that rational priorities are established for the use of
25 those resources. To do so, the Council shall prepare
26 criminal justice resource statements, identifying the

1 fiscal and practical effects of proposed criminal
2 sentencing legislation, including, but not limited to, the
3 correctional population, court processes, and county or
4 local government resources.

5 (5) Perform such other studies or tasks pertaining to
6 sentencing policies as may be requested by the Governor or
7 the Illinois General Assembly.

8 (6) Perform such other functions as may be required by
9 law or as are necessary to carry out the purposes and goals
10 of the Council prescribed in subsection (b).

11 (e) Authority.

12 (1) The Council shall have the power to perform the
13 functions necessary to carry out its duties, purposes and
14 goals under this Act. In so doing, the Council shall
15 utilize information and analysis developed by the Illinois
16 Criminal Justice Information Authority, the Administrative
17 Office of the Illinois Courts, and the Illinois Department
18 of Corrections.

19 (2) Upon request from the Council, each executive
20 agency and department of State and local government shall
21 provide information and records to the Council in the
22 execution of its duties.

23 (f) Report. The Council shall report in writing annually to
24 the General Assembly, the Illinois Supreme Court, and the
25 Governor.

26 (g) This Section is repealed on December 31, 2015.

1 (Source: P.A. 96-711, eff. 8-25-09; 96-1000, eff. 7-2-10;
2 97-775, eff. 7-13-12.)

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