



Rep. Ron Sandack

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LRB099 16422 RLC 48493 a

1 AMENDMENT TO SENATE BILL 2228

2 AMENDMENT NO. _____. Amend Senate Bill 2228 on page 1, by
3 replacing line 5 with the following:

4 "changing Sections 5 and 5.2 as follows:

5 (20 ILCS 2630/5) (from Ch. 38, par. 206-5)

6 Sec. 5. Arrest reports. All policing bodies of this State
7 shall furnish to the Department, daily, in the form and detail
8 the Department requires, fingerprints, descriptions, and
9 ethnic and racial background data as provided in Section 4.5 of
10 this Act of all persons who are arrested on charges of
11 violating any penal statute of this State for offenses that are
12 classified as felonies and Class A or B misdemeanors, ~~and~~ of
13 all minors of the age of 10 and over who have been arrested for
14 an offense which would be a felony if committed by an adult,
15 all municipal ordinance or unit of local government ordinance
16 violations involving cannabis offenses, and all civil law
17 violations involving possession of 10 grams or less of

1 cannabis, and may forward such fingerprints and descriptions
2 for minors arrested for Class A or B misdemeanors. Moving or
3 nonmoving traffic violations under the Illinois Vehicle Code
4 shall not be reported except for violations of Chapter 4,
5 Section 11-204.1, or Section 11-501 of that Code. In addition,
6 conservation offenses, as defined in the Supreme Court Rule
7 501(c), that are classified as Class B misdemeanors shall not
8 be reported. Those law enforcement records maintained by the
9 Department for minors arrested for an offense prior to their
10 17th birthday, or minors arrested for a non-felony offense, if
11 committed by an adult, prior to their 18th birthday, shall not
12 be forwarded to the Federal Bureau of Investigation unless
13 those records relate to an arrest in which a minor was charged
14 as an adult under any of the transfer provisions of the
15 Juvenile Court Act of 1987.

16 (Source: P.A. 98-528, eff. 1-1-15.)"; and

17 on page 6, by replacing lines 6 through 26 with the following:

18 "(2.5) Department of State Police records of a person
19 found to have committed 1 or 2 civil law violation offenses
20 under subsection (a) of Section 4 of the Cannabis Control
21 Act or subsection (c) of Section 3.5 of the Drug
22 Paraphernalia Control Act or similar municipal ordinance
23 or unit of local government ordinance violation offenses,
24 within a one-year period, but not having had committed a
25 third offense, which contain the final satisfactory

1 disposition which pertain to the person issued a citation
2 for that offense shall be reported to the appropriate
3 circuit clerks for automatic expungement of the 1 or 2
4 offenses in one year on January 1 following the 1 or 2
5 offenses."; and

6 on page 7, by deleting lines 1 through 5; and

7 on page 173, by replacing lines 13 through 15 with the
8 following:

9 "containing cannabis is guilty of a civil law violation
10 punishable by a minimum fine of \$100 and a maximum fine of \$200
11 for a first or second offense. A third or subsequent offense
12 committed under this subsection (a) is a Class C misdemeanor.
13 The proceeds of the fine shall be payable to the"; and

14 on page 174, line 18, by inserting after "Fund" the following:

15 ".

16 All civil law violations shall be reported to the
17 Department of State Police who shall keep those records
18 under Section 5 of the Criminal Identification Act"; and

19 on page 176, line 15, after "Act.", by inserting "All
20 violations of an ordinance imposing a fine upon cannabis shall
21 be reported to the Department of State Police who shall keep
22 those records under Section 5 of the Criminal Identification

1 Act.".