

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 2-115 as follows:

6 (625 ILCS 5/2-115) (from Ch. 95 1/2, par. 2-115)

7 Sec. 2-115. Investigators.

8 (a) The Secretary of State, for the purpose of more
9 effectively carrying out the provisions of the laws in
10 relation to motor vehicles, shall have power to appoint such
11 number of investigators as he may deem necessary. It shall be
12 the duty of such investigators to investigate and enforce
13 violations of the provisions of this Act administered by the
14 Secretary of State and provisions of Chapters 11, 12, 13, 14,
15 and 15 and to investigate and report any violation by any
16 person who operates as a motor carrier of property as defined
17 in Section 18-100 of this Act and does not hold a valid
18 certificate or permit. Such investigators shall have and may
19 exercise throughout the State all of the powers of peace
20 officers.

21 No person may be retained in service as an investigator
22 under this Section after he or she has reached 65 ~~60~~ years of
23 age, ~~except for a person employed in the title of Capitol~~

1 ~~Police Investigator, in which case, that person may not be~~
2 ~~retained in service after that person has reached 65 years of~~
3 ~~age.~~

4 The Secretary of State must authorize to each investigator
5 employed under this Section and to any other employee of the
6 Office of the Secretary of State exercising the powers of a
7 peace officer a distinct badge that, on its face, (i) clearly
8 states that the badge is authorized by the Office of the
9 Secretary of State and (ii) contains a unique identifying
10 number. No other badge shall be authorized by the Office of the
11 Secretary of State.

12 (b) The Secretary may expend such sums as he deems
13 necessary from Contractual Services appropriations for the
14 Department of Police for the purchase of evidence, for the
15 employment of persons to obtain evidence, and for the payment
16 for any goods or services related to obtaining evidence. Such
17 sums shall be advanced to investigators authorized by the
18 Secretary to expend funds, on vouchers signed by the
19 Secretary. In addition, the Secretary of State is authorized
20 to maintain one or more commercial checking accounts with any
21 State banking corporation or corporations organized under or
22 subject to the Illinois Banking Act for the deposit and
23 withdrawal of moneys to be used solely for the purchase of
24 evidence and for the employment of persons to obtain evidence,
25 or for the payment for any goods or services related to
26 obtaining evidence; provided that no check may be written on

1 nor any withdrawal made from any such account except on the
2 written signatures of 2 persons designated by the Secretary to
3 write such checks and make such withdrawals, and provided
4 further that the balance of moneys on deposit in any such
5 account shall not exceed \$5,000 at any time, nor shall any one
6 check written on or single withdrawal made from any such
7 account exceed \$5,000.

8 All fines or moneys collected or received by the
9 Department of Police under any State or federal forfeiture
10 statute; including, but not limited to moneys forfeited under
11 Section 12 of the Cannabis Control Act, moneys forfeited under
12 Section 85 of the Methamphetamine Control and Community
13 Protection Act, and moneys distributed under Section 413 of
14 the Illinois Controlled Substances Act, shall be deposited
15 into the Secretary of State Evidence Fund.

16 In all convictions for offenses in violation of this Act,
17 the Court may order restitution to the Secretary of any or all
18 sums expended for the purchase of evidence, for the employment
19 of persons to obtain evidence, and for the payment for any
20 goods or services related to obtaining evidence. All such
21 restitution received by the Secretary shall be deposited into
22 the Secretary of State Evidence Fund. Moneys deposited into
23 the fund shall, subject to appropriation, be used by the
24 Secretary of State for the purposes provided for under the
25 provisions of this Section.

26 (Source: P.A. 100-201, eff. 8-18-17; 101-610, eff. 1-1-20.)