



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB2923

Introduced 2/6/2025, by Rep. Bob Morgan

SYNOPSIS AS INTRODUCED:

50 ILCS 705/9.2

Amends the Illinois Police Training Act. In provisions requiring a law enforcement agency to report misconduct committed by the agency's police officers, provides that the chief administrator of the law enforcement agency may be brought before the Certification Review Panel if the law enforcement agency fails to comply with the provisions. Provides that, upon a recommendation of the Panel, the Illinois Law Enforcement Training Standards Board may suspend the chief administrator's law enforcement certification for a period of no less than 30 days. Allows the Board to bring a discretionary decertification action against the chief administrator for a second or subsequent violation of the provisions. Effective immediately.

LRB104 05548 RTM 15578 b

1 AN ACT concerning local government.

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

4 Section 5. The Illinois Police Training Act is amended by
5 changing Section 9.2 as follows:

6 (50 ILCS 705/9.2)

7 Sec. 9.2. Officer professional conduct database;
8 transparency.

9 (a) All law enforcement agencies and the Illinois State
10 Police shall notify the Board of any final determination of a
11 willful violation of department, agency, or the Illinois State
12 Police policy, official misconduct, or violation of law within
13 10 days when:

14 (1) the determination leads to a suspension of at
15 least 10 days;

16 (2) any infraction that would trigger an official or
17 formal investigation under a law enforcement agency or the
18 Illinois State Police policy;

19 (3) there is an allegation of misconduct or regarding
20 truthfulness as to a material fact, bias, or integrity; or

21 (4) the officer resigns or retires during the course
22 of an investigation and the officer has been served notice
23 that the officer is under investigation.

1 Agencies and the Illinois State Police may report to the
2 Board any conduct they deem appropriate to disseminate to
3 another law enforcement agency regarding a law enforcement
4 officer.

5 The agency or the Illinois State Police shall report to
6 the Board within 10 days of a final determination and final
7 exhaustion of any administrative appeal, or the law
8 enforcement officer's resignation or retirement, and shall
9 provide information regarding the nature of the violation.
10 This notification shall not necessarily trigger certification
11 review.

12 If a law enforcement agency fails to comply with this
13 subsection, then the chief administrator of the law
14 enforcement agency may be brought before the Certification
15 Review Panel. Upon a recommendation of the Certification
16 Review Panel, the Board may suspend the chief administrator's
17 law enforcement certification for a period of no less than 30
18 days. The Board may bring a discretionary decertification
19 action under Section 6.3 against the chief administrator for a
20 second or subsequent violation of this subsection.

21 A law enforcement agency and the Illinois State Police
22 shall be immune from liability for a disclosure made as
23 described in this subsection, unless the disclosure would
24 constitute intentional misrepresentation or gross negligence.

25 (b) Within 14 days after receiving notification from a law
26 enforcement agency or the Illinois State Police, the Board

1 must notify the law enforcement officer of the report and the
2 officer's right to provide a statement regarding the reported
3 violation. The law enforcement officer shall have 14 days from
4 receiving notice to provide a written objection contesting
5 information included in the agency's report. The objection
6 must be filed with the Board on a form prescribed by the Board
7 and a copy must be served on the law enforcement agency. The
8 objection shall remain in the database with the reported
9 violation.

10 (c) The Board shall maintain a database readily available
11 to any chief administrative officer, or the officer's
12 designee, of a law enforcement agency and the Illinois State
13 Police that shall show for each law enforcement officer: (i)
14 dates of certification, decertification, and inactive status;
15 (ii) each sustained instance of departmental misconduct that
16 lead to a suspension at least 10 days or any infraction that
17 would trigger an official or formal investigation under the
18 law enforcement agency policy, any allegation of misconduct
19 regarding truthfulness as to a material fact, bias, or
20 integrity, or any other reported violation, the nature of the
21 violation, the reason for the final decision of discharge or
22 dismissal, and any statement provided by the officer; (iii)
23 date of separation from employment from any local or state law
24 enforcement agency; (iv) the reason for separation from
25 employment, including, but not limited to: whether the
26 separation was based on misconduct or occurred while the law

1 enforcement agency was conducting an investigation of the
2 certified individual for a violation of an employing agency's
3 rules, policy or procedure or other misconduct or improper
4 action.

5 (1) This database shall also be accessible to the
6 State's Attorney of any county in this State and the
7 Attorney General for the purpose of complying with
8 obligations under *Brady v. Maryland* (373 U.S. 83) or
9 *Giglio v. United States* (405 U.S. 150). This database
10 shall also be accessible to the chief administrative
11 officer of any law enforcement agency for the purposes of
12 hiring law enforcement officers. This database shall not
13 be accessible to anyone not listed in this subsection.

14 (2) Before a law enforcement agency may appoint a law
15 enforcement officer or a person seeking a certification as
16 a law enforcement officer in this State, the chief
17 administrative officer or designee must check the Officer
18 Professional Conduct Database, contact each person's
19 previous law enforcement employers, and document the
20 contact. This documentation must be available for review
21 by the Board for a minimum of five years after the law
22 enforcement officer's termination, retirement,
23 resignation or separation with that agency.

24 (3) The database, documents, materials, or other
25 information in the possession or control of the Board that
26 are obtained by or disclosed to the Board under this

1 subsection shall be confidential by law and privileged,
2 shall not be subject to subpoena, and shall not be subject
3 to discovery or admissible in evidence in any private
4 civil action when sought from the Board. However, the
5 Board is authorized to use such documents, materials, or
6 other information in furtherance of any regulatory or
7 legal action brought as part of the Board's official
8 duties. The Board shall not disclose the database or make
9 such documents, materials, or other information it has
10 obtained or that has been disclosed to it to the public.
11 Neither the Board nor any person who received documents,
12 materials or other information shared under this
13 subsection shall be required to testify in any private
14 civil action concerning the database or any confidential
15 documents, materials, or information subject to this
16 subsection.

17 (d) The Board shall maintain a searchable database of law
18 enforcement officers accessible to the public that shall
19 include: (i) the law enforcement officer's employing agency;
20 (ii) the date of the officer's initial certification and the
21 officer's current certification status; and (iii) any
22 sustained complaint of misconduct that resulted in
23 decertification and the date thereof; provided, however, that
24 information shall not be included in the database that would
25 allow the public to ascertain the home address of an officer or
26 another person; provided further, that information regarding

1 an officer's or another person's family member shall not be
2 included in the database. The Board shall make the database
3 publicly available on its website.

4 (e) The Board shall maintain a searchable database of all
5 completed investigations against law enforcement officers
6 related to decertification. The database shall identify each
7 law enforcement officer by a confidential and anonymous number
8 and include: (i) the law enforcement officer's employing
9 agency; (ii) the date of the incident referenced in the
10 complaint; (iii) the location of the incident; (iv) the race
11 and ethnicity of each officer involved in the incident; (v)
12 the age, gender, race and ethnicity of each person involved in
13 the incident, if known; (vi) whether a person in the
14 complaint, including a law enforcement officer, was injured,
15 received emergency medical care, was hospitalized or died as a
16 result of the incident; (vii) the law enforcement agency or
17 other entity assigned to conduct an investigation of the
18 incident; (viii) when the investigation was completed; (ix)
19 whether the complaint was sustained; and (x) the type of
20 misconduct investigated; provided, however, that the Board
21 shall redact or withhold such information as necessary to
22 prevent the disclosure of the identity of an officer. The
23 Board shall make the database publicly available on its
24 website.

25 (e-1) An investigation is complete when the investigation
26 has either been terminated or the decertification action,

1 including the administrative review process, has been
2 completed, whichever is later.

3 (e-2) At any time, a law enforcement officer shall have
4 access to the law enforcement officer's own records on file
5 with the Board, as it pertains to the databases in this
6 Section.

7 (f) Annual report. The Board shall submit an annual report
8 to the Governor, Attorney General, President and Minority
9 Leader of the Senate, and the Speaker and Minority Leader of
10 the House of Representatives on or before March 1, 2023, and
11 every year thereafter indicating:

12 (1) the number of complaints received in the preceding
13 calendar year, including but not limited to the race,
14 gender, and type of discretionary decertification
15 complaints received;

16 (2) the number of investigations initiated in the
17 preceding calendar year since the date of the last report;

18 (3) the number of investigations concluded in the
19 preceding calendar year;

20 (4) the number of investigations pending as of the
21 last date of the preceding calendar year;

22 (5) the number of hearings held in the preceding
23 calendar year; and

24 (6) the number of officers decertified in the
25 preceding calendar year.

26 The annual report shall be publicly available on the

1 website of the Board.

2 (g) Nothing in this Section shall exempt a law enforcement
3 agency from which the Board has obtained data, documents,
4 materials, or other information or that has disclosed data,
5 documents, materials, or other information to the Board from
6 disclosing public records in accordance with the Freedom of
7 Information Act.

8 (h) Notwithstanding any provision of law to the contrary,
9 the changes made to this Section by this amendatory Act of the
10 102nd General Assembly and Public Act 101-652 take effect July
11 1, 2022.

12 (Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22.)

13 Section 99. Effective date. This Act takes effect upon
14 becoming law.