



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

HB4185

Introduced 10/28/2025, by Rep. Barbara Hernandez

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Official Insignia and Uniform Sales Act. Provides that a person shall not: (1) knowingly manufacture, sell, market, promote, advertise, or otherwise distribute any counterfeit official insignia or uniform; or (2) knowingly manufacture, sell, market, promote, advertise, or otherwise distribute any counterfeit official insignia or uniform to an individual, knowing that the individual is not authorized to possess it under the law of the place in which the insignia or uniform is the official insignia or uniform. Sets forth penalties and defenses for violations of the Act. Defines terms.

LRB104 15736 SPS 28921 b

1 AN ACT concerning business.

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

4 Section 1. Short title. This Act may be cited as the  
5 Official Insignia and Uniform Sales Act.

6 Section 5. Definitions. In this Act:

7 "Badge" has the meaning set forth in subsection (b) of  
8 Section 107-14 of the Code of Criminal Procedure of 1963.

9 "Counterfeit official insignia or uniform" means an item  
10 that so resembles an official insignia or uniform of a public  
11 employee that it would deceive an ordinary individual into  
12 believing it was an official insignia or uniform.

13 "Official insignia or uniform" means an article of  
14 distinctive clothing or insignia, including a badge, emblem,  
15 or identification card, that indicates the authority of a  
16 public employee.

17 "Public employee" means any officer or employee of a unit  
18 of federal, State, or local government.

19 "Uniform" means distinctive clothing or other items of  
20 dress, whether real or counterfeit, worn during the  
21 performance of official duties and which identifies the wearer  
22 as a public employee. "Uniform" does not include casual  
23 apparel for public employees of the State or a unit of local

1 government that is distributed by the State or a unit of  
2 government for public support or fundraising efforts.

3 Section 10. Distribution of official insignia or uniforms.

4 (a) A person shall not:

5 (1) knowingly manufacture, sell, market, promote,  
6 advertise, or otherwise distribute any counterfeit  
7 official insignia or uniform; or

8 (2) knowingly manufacture, sell, market, promote,  
9 advertise, or otherwise distribute any counterfeit  
10 official insignia or uniform to an individual, knowing  
11 that the individual is not authorized to possess it under  
12 the law of the place in which the insignia or uniform is  
13 the official insignia or uniform.

14 (b) A person who violates this Section is guilty of a petty  
15 offense punishable by a fine not to exceed \$500 for the first  
16 offense and a fine not to exceed \$1,000 for a second or  
17 subsequent offense.

18 Section 15. Defenses.

19 (a) It is a defense to prosecution under this Act that the  
20 insignia or uniform is other than a counterfeit official  
21 insignia or uniform and is not used to mislead or deceive and  
22 is used or is intended to be used exclusively:

23 (1) as a memento or in a collection or exhibit;

24 (2) for decorative purposes;

1           (3) for a dramatic presentation, such as a theatrical,  
2           film, or television production; or

3           (4) for any other recreational purpose.

4           (b) It is a defense to prosecution under this Act that the  
5           official insignia or uniform is not used or intended to be used  
6           to mislead or deceive or is a counterfeit official insignia or  
7           uniform and is used or is intended to be used exclusively:

8           (1) for a dramatic presentation, such as a theatrical,  
9           film, or television production;

10          (2) for legitimate law enforcement purposes; or

11          (3) for law enforcement retirement, such as previously  
12          awarded badges.