



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5586

Introduced 2/13/2026, by Rep. Barbara Hernandez

SYNOPSIS AS INTRODUCED:

20 ILCS 2610/9
55 ILCS 5/3-6033

from Ch. 121, par. 307.9
from Ch. 34, par. 3-6033

Amends the Illinois State Police Act. Provides that all persons appointed as Illinois State Police officers shall, at the time of their appointment, be citizens of the United States or persons with proof of a permanent resident card (rather than only citizens of the United States). Amends Counties Code. Provides that, if a person is a person with proof of a permanent resident card, then the sheriff of any county or the corporate authorities of any municipality may not deny employment to that person on the basis that the person is not a citizen of the United States. Provides that, if a person with a proof of a permanent resident card is an Illinois State Police officer or Department of Corrections officer and the person's permanent resident card becomes invalid, then the Director of State Police and the Board or the sheriff of any county or the corporate authorities of any municipality shall provide the person with 6 months from the date that the person's permanent resident card became invalid to receive a new permanent resident card or to have the person's invalid permanent resident card to be reissued. Defines "person with proof of a permanent resident card". Effective July 1, 2026.

LRB104 16938 RTM 30352 b

1 AN ACT concerning government employees.

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

4 Section 5. The Illinois State Police Act is amended by
5 changing Section 9 as follows:

6 (20 ILCS 2610/9) (from Ch. 121, par. 307.9)

7 Sec. 9. Appointment; qualifications.

8 (a) Except as otherwise provided in this Section, the
9 appointment of Illinois State Police officers shall be made
10 from those applicants who have been certified by the Board as
11 being qualified for appointment. All persons so appointed
12 shall, at the time of their appointment, be not less than 21
13 years of age, or 20 years of age and have successfully
14 completed an associate's degree or 60 credit hours at an
15 accredited college or university. Any person appointed
16 subsequent to successful completion of an associate's degree
17 or 60 credit hours at an accredited college or university
18 shall not have power of arrest, nor shall he or she be
19 permitted to carry firearms, until he or she reaches 21 years
20 of age. In addition, all persons so certified for appointment
21 shall be of sound mind and body, be of good moral character, be
22 citizens of the United States or persons with proof of a
23 permanent resident card, have no criminal records, possess

1 such prerequisites of training, education, and experience as
2 the Board may from time to time prescribe so long as persons
3 who have an associate's degree or 60 credit hours at an
4 accredited college or university are not disqualified, and
5 shall be required to pass successfully such mental and
6 physical tests and examinations as may be prescribed by the
7 Board. A person who meets one of the following requirements is
8 deemed to have met the collegiate educational requirements:

9 (i) has been honorably discharged and who has been
10 awarded a Southwest Asia Service Medal, Kuwait Liberation
11 Medal (Saudi Arabia), Kuwait Liberation Medal (Kuwait),
12 Kosovo Campaign Medal, Korean Defense Service Medal,
13 Afghanistan Campaign Medal, Iraq Campaign Medal, Global
14 War on Terrorism Service Medal, Global War on Terrorism
15 Expeditionary Medal, or Inherent Resolve Campaign Medal by
16 the United States Armed Forces;

17 (ii) is an active member of the Illinois National
18 Guard or a reserve component of the United States Armed
19 Forces and who has been awarded a Southwest Asia Service
20 Medal, Kuwait Liberation Medal (Saudi Arabia), Kuwait
21 Liberation Medal (Kuwait), Kosovo Campaign Medal, Korean
22 Defense Service Medal, Afghanistan Campaign Medal, Iraq
23 Campaign Medal, Global War on Terrorism Service Medal,
24 Global War on Terrorism Expeditionary Medal, or Inherent
25 Resolve Campaign Medal as a result of honorable service
26 during deployment on active duty;

1 (iii) has been honorably discharged who served in a
2 combat mission by proof of hostile fire pay or imminent
3 danger pay during deployment on active duty;

4 (iv) has at least 3 years of full active and
5 continuous United States Armed Forces duty, which shall
6 also include a period of active duty with the State of
7 Illinois under Title 10 or Title 32 of the United States
8 Code pursuant to an order of the President or the Governor
9 of the State of Illinois, and received an honorable
10 discharge before hiring; or

11 (v) has successfully completed basic law enforcement
12 training, has at least 3 years of continuous, full-time
13 service as a peace officer with the same police
14 department, and is currently serving as a peace officer
15 when applying.

16 Preference shall be given in such appointments to persons
17 who have honorably served in the United States Armed Forces.
18 All appointees shall serve a probationary period of 12 months
19 from the date of appointment and during that period may be
20 discharged at the will of the Director. However, the Director
21 may in his or her sole discretion extend the probationary
22 period of an officer up to an additional 6 months when to do so
23 is deemed in the best interest of the Illinois State Police.
24 Nothing in this subsection (a) limits the Board's ability to
25 prescribe education prerequisites or requirements to certify
26 Illinois State Police officers for promotion as provided in

1 Section 10 of this Act.

2 (b) Notwithstanding the other provisions of this Act,
3 after July 1, 1977 and before July 1, 1980, the Director of
4 State Police may appoint and promote not more than 20 persons
5 having special qualifications as special agents as he or she
6 deems necessary to carry out the Department's objectives. Any
7 such appointment or promotion shall be ratified by the Board.

8 (c) During the 90 days following March 31, 1995 (the
9 effective date of Public Act 89-9), the Director of State
10 Police may appoint up to 25 persons as State Police officers.
11 These appointments shall be made in accordance with the
12 requirements of this subsection (c) and any additional
13 criteria that may be established by the Director, but are not
14 subject to any other requirements of this Act. The Director
15 may specify the initial rank for each person appointed under
16 this subsection.

17 All appointments under this subsection (c) shall be made
18 from personnel certified by the Board. A person certified by
19 the Board and appointed by the Director under this subsection
20 must have been employed by the Illinois Commerce Commission on
21 November 30, 1994 in a job title subject to the Personnel Code
22 and in a position for which the person was eligible to earn
23 "eligible creditable service" as a "noncovered employee", as
24 those terms are defined in Article 14 of the Illinois Pension
25 Code.

26 Persons appointed under this subsection (c) shall

1 thereafter be subject to the same requirements and procedures
2 as other State police officers. A person appointed under this
3 subsection must serve a probationary period of 12 months from
4 the date of appointment, during which he or she may be
5 discharged at the will of the Director.

6 This subsection (c) does not affect or limit the
7 Director's authority to appoint other State Police officers
8 under subsection (a) of this Section.

9 (d) During the 180 days following January 1, 2022 (the
10 effective date of Public Act 101-652), the Director of the
11 Illinois State Police may appoint current Illinois State
12 Police employees serving in law enforcement officer positions
13 previously within Central Management Services as State Police
14 officers. These appointments shall be made in accordance with
15 the requirements of this subsection (d) and any institutional
16 criteria that may be established by the Director, but are not
17 subject to any other requirements of this Act. All
18 appointments under this subsection (d) shall be made from
19 personnel certified by the Board. A person certified by the
20 Board and appointed by the Director under this subsection must
21 have been employed by a State agency, board, or commission on
22 January 1, 2021 in a job title subject to the Personnel Code
23 and in a position for which the person was eligible to earn
24 "eligible creditable service" as a "noncovered employee", as
25 those terms are defined in Article 14 of the Illinois Pension
26 Code. Persons appointed under this subsection (d) shall

1 thereafter be subject to the same requirements, and subject to
2 the same contractual benefits and obligations, as other State
3 police officers. This subsection (d) does not affect or limit
4 the Director's authority to appoint other State Police
5 officers under subsection (a) of this Section.

6 (e) The Merit Board shall review Illinois State Police
7 Cadet applicants. The Illinois State Police may provide
8 background check and investigation material to the Board for
9 its review pursuant to this Section. The Board shall approve
10 and ensure that no cadet applicant is certified unless the
11 applicant is a person of good character and has not been
12 convicted of, or entered a plea of guilty to, a felony offense,
13 any of the misdemeanors specified in this Section or if
14 committed in any other state would be an offense similar to
15 Section 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14,
16 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1,
17 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
18 violation of any Section of Part E of Title III of the Criminal
19 Code of 1961 or the Criminal Code of 2012, 32-4a, or 32-7 of
20 the Criminal Code of 1961 or the Criminal Code of 2012, or
21 subsection (a) of Section 17-32 of the Criminal Code of 1961 or
22 the Criminal Code of 2012, to Section 5 or 5.2 of the Cannabis
23 Control Act, or any felony or misdemeanor in violation of
24 federal law or the law of any state that is the equivalent of
25 any of the offenses specified therein. The Officer
26 Professional Conduct Database, provided for in Section 9.2 of

1 the Illinois Police Training Act, shall be searched as part of
2 this process. For purposes of this Section, "convicted of, or
3 entered a plea of guilty" regardless of whether the
4 adjudication of guilt or sentence is withheld or not entered
5 thereon. This includes sentences of supervision, conditional
6 discharge, or first offender probation, or any similar
7 disposition provided for by law.

8 (f) The Board shall by rule establish an application fee
9 waiver program for any person who meets one or more of the
10 following criteria:

11 (1) his or her available personal income is 200% or
12 less of the current poverty level; or

13 (2) he or she is, in the discretion of the Board,
14 unable to proceed in an action with payment of application
15 fee and payment of that fee would result in substantial
16 hardship to the person or the person's family.

17 (g) If a person with a proof of a permanent resident card
18 is an Illinois State Police officer and the person's permanent
19 resident card becomes invalid, then the Director of State
20 Police and the Board shall provide the person with 6 months
21 from the date that the person's permanent resident card became
22 invalid to receive a new permanent resident card or to have the
23 person's invalid permanent resident card to be reissued.

24 (h) As used in this Section, "person with proof of a
25 permanent resident card" means any person that is not a
26 citizen or national of the United States, that has the status

1 of having been lawfully accorded the privilege of residing
2 permanently in the United States as an immigrant in accordance
3 with the immigration laws, such status not having changed, and
4 that has received a permanent resident card.

5 (Source: P.A. 102-538, eff. 8-20-21; 102-694, eff. 1-7-22;
6 102-813, eff. 5-13-22; 103-154, eff. 6-30-23; 103-312, eff.
7 1-1-24.)

8 Section 10. The Counties Code is amended by changing
9 Section 3-6033 as follows:

10 (55 ILCS 5/3-6033) (from Ch. 34, par. 3-6033)

11 Sec. 3-6033. Citizenship and residence.

12 (a) The sheriff of any county or the corporate authorities
13 of any municipality may authorize, empower, employ, or permit
14 a person to act as deputy sheriff or special policeman for the
15 purpose of preserving the peace who is a citizen of the United
16 States, who is legally authorized under federal law to work in
17 the United States and is authorized under federal law to
18 obtain, carry, or purchase or otherwise possess a firearm, or
19 who is an individual against whom immigration action has been
20 deferred by the U.S. Citizenship and Immigration Services
21 under the federal Deferred Action for Childhood Arrivals
22 (DACA) process and is authorized under federal law to obtain,
23 carry, or purchase or otherwise possess a firearm.

24 (b) If a person is a person with proof of a permanent

1 resident card, then the sheriff of any county or the corporate
2 authorities of any municipality may not deny employment to
3 that person on the basis that the person is not a citizen of
4 the United States.

5 (c) If a person with a proof of a permanent resident card
6 is a Department of Corrections officer and the person's
7 permanent resident card becomes invalid, then the sheriff of
8 any county or the corporate authorities of any municipality
9 shall provide the person with 6 months from the date that the
10 person's permanent resident card became invalid to receive a
11 new permanent resident card or to have the person's invalid
12 permanent resident card to be reissued.

13 (d) As used in this Section, "person with proof of a
14 permanent resident card" means any person that is not a
15 citizen or national of the United States, that has the status
16 of having been lawfully accorded the privilege of residing
17 permanently in the United States as an immigrant in accordance
18 with the immigration laws, such status not having changed, and
19 that has received a permanent resident card.

20 (Source: P.A. 103-357, eff. 1-1-24.)

21 Section 99. Effective date. This Act takes effect July 1,
22 2026.