



Sen. Mike Porfirio

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10400SB2108sam002

LRB104 08359 RTM 25239 a

1 AMENDMENT TO SENATE BILL 2108

2 AMENDMENT NO. _____. Amend Senate Bill 2108, AS AMENDED,
3 immediately above Section 5, by inserting the following:

4 "Section 2. The Illinois State Police Law of the Civil
5 Administrative Code of Illinois is amended by adding Section
6 2605-625 as follows:

7 (20 ILCS 2605/2605-625 new)

8 Sec. 2605-625. Technical managers workforce goals and
9 report.

10 (a) By August 1 of each calendar year, the Illinois State
11 Police shall make a report in writing to the Governor and the
12 General Assembly, stating in detail the Illinois State
13 Police's efforts in the prior fiscal year to fill open
14 technical manager positions.

15 (b) The report shall include:

16 (1) The total number of technical manager positions

1 within the Illinois State Police for the previous fiscal
2 year.

3 (2) The number of technical manager positions that
4 were unfilled at any point during the previous fiscal
5 year.

6 (3) The duration of time each technical manager
7 position remained unfilled.

8 (4) The number of technical manager positions filled
9 during the previous fiscal year.

10 (5) A detailed report of any recruitment efforts or
11 initiatives undertaken to fill technical manager
12 positions.

13 (c) The Illinois State Police shall establish and maintain
14 a goal of filling at least 85% of all authorized and budgeted
15 technical manager positions within the Illinois State Police
16 in each fiscal year.

17 (d) The General Assembly shall review the report and may
18 request additional information or hold hearings regarding the
19 Illinois State Police's staffing levels, recruitment
20 strategies, and efforts to meet the 85% workforce goal.

21 Section 4. The State Finance Act is amended by changing
22 Section 6z-82 as follows:

23 (30 ILCS 105/6z-82)

24 Sec. 6z-82. State Police Operations Assistance Fund.

1 (a) There is created in the State treasury a special fund
2 known as the State Police Operations Assistance Fund. The Fund
3 shall receive revenue under the Criminal and Traffic
4 Assessment Act, the Illinois Hazardous Materials
5 Transportation Act, and the Illinois Motor Carrier Safety Law.
6 The Fund may also receive revenue from grants, donations,
7 appropriations, and any other legal source.

8 (a-5) This Fund may charge, collect, and receive fees or
9 moneys as described in Section 15-312 of the Illinois Vehicle
10 Code and receive all fees received by the Illinois State
11 Police under that Section. The moneys shall be used by the
12 Illinois State Police for its expenses in providing police
13 escorts and commercial vehicle enforcement activities.

14 (b) The Illinois State Police may use moneys in the Fund to
15 finance any of its lawful purposes or functions.

16 (c) Expenditures may be made from the Fund only as
17 appropriated by the General Assembly by law.

18 (d) Investment income that is attributable to the
19 investment of moneys in the Fund shall be retained in the Fund
20 for the uses specified in this Section.

21 (e) The State Police Operations Assistance Fund shall not
22 be subject to administrative chargebacks.

23 (f) (Blank).

24 (g) (Blank).

25 (h) (Blank). ~~June 9, 2023 (Public Act 103-34)~~

26 (Source: P.A. 102-16, eff. 6-17-21; 102-505, eff. 8-20-21;

1 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-34, eff.
2 6-9-23; 103-363, eff. 7-28-23; 103-605, eff. 7-1-24; 103-616,
3 eff. 7-1-24; revised 7-23-24.)"; and

4 in Section 10, in the introductory clause, by replacing
5 "Sections 2 and 3" with "Sections 2, 3, and 11"; and

6 immediately above Section 15, by inserting the following:

7 "(430 ILCS 30/11) (from Ch. 95 1/2, par. 700-11)

8 Sec. 11. Any person who is determined by the Department
9 after reasonable notice and opportunity for a fair and
10 impartial hearing to have knowingly committed an act that is a
11 violation of this Act or any rule or regulation issued under
12 this Act is liable to the State for a civil penalty. Whoever
13 knowingly commits an act that is a violation of any rule or
14 regulation applicable to any person who transports or ships or
15 causes to be transported or shipped hazardous materials is
16 subject to a civil penalty of not more than \$10,000 for such
17 violation and, if any such violation is a continuing one, each
18 day of violation constitutes a separate offense. The amount of
19 any such penalty shall be assessed by the Department by a
20 written notice. In determining the amount of such penalty, the
21 Department shall take into account the nature, circumstances,
22 extent and gravity of the violation and, with respect to a
23 person found to have committed such violation, the degree of

1 culpability, history of prior offenses, ability to pay, effect
2 on ability to continue to do business and such other matters as
3 justice may require.

4 Such civil penalty is recoverable in an action brought by
5 the State's Attorney or the Attorney General on behalf of the
6 State in the circuit court or, prior to referral to the State's
7 Attorney or the Attorney General, such civil penalty may be
8 compromised by the Department. The amount of such penalty when
9 finally determined (or agreed upon in compromise), may be
10 deducted from any sums owed by the State to the person charged.
11 All civil penalties collected under this Section shall be
12 deposited in the State Police Operations Assistance ~~Road~~ Fund.
13 (Source: P.A. 80-351.)"; and

14 in Section 15, by replacing Sec. 18b-104.1 with the following:

15 "(625 ILCS 5/18b-104.1 new)

16 Sec. 18b-104.1. Personnel transfers.

17 (a) On January 1, 2026, the personnel responsible for
18 administering this Chapter are transferred from the
19 transferring agency designated by the Governor to the
20 Department. Prior to the transfer, the personnel shall be
21 subject to a background check and any additional screening
22 requirements established by the Department. The status and
23 rights of the employees and the State or its transferring
24 agency under the Personnel Code, the Illinois Public Labor

1 Relations Act, and applicable collective bargaining agreements
2 or under any pension, retirement, or annuity plan shall not be
3 affected by this amendatory Act of the 104th General Assembly.
4 Under the direction of the Governor, the Department, in
5 consultation with the transferring agencies, Central
6 Management Services, and labor organizations representing the
7 affected employees, shall identify each position and employee
8 who is engaged in the performance of functions transferred to
9 the Department, or engaged in the administration of a law the
10 administration of which is transferred to the Department, to
11 be transferred to the Department. An employee engaged
12 primarily in providing administrative and investigative
13 support to the Illinois Motor Carrier Safety Assistance
14 Program may be considered engaged in the performance of
15 functions transferred to the Department.

16 (b) Until October 1, 2026, all union employees assigned to
17 the Motor Carrier Safety Assistance Program shall retain the
18 rights and benefits of their collective bargaining agreement,
19 including, but not limited to, for personnel transactions, as
20 if the employees were still employed by the Department of
21 Transportation. As used in this subsection, "personnel
22 transactions" includes promotions, lateral transfers, or
23 voluntary reductions to other union titles within the
24 Department of Transportation."