

HB2627



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB2627

by Rep. Stephanie A. Kifowit

SYNOPSIS AS INTRODUCED:

105 ILCS 5/10-20.64
105 ILCS 5/34-18.57

Amends the School Code. Provides that a student may not be questioned or detained at a school site at which students are detained in connection with criminal charges or allegations, taken into custody, or engaged with law enforcement personnel without the presence of the student's parent or guardian, a school social worker, or a licensed mental health professional. Effective immediately.

LRB101 07347 AXK 52387 b

A BILL FOR

1 AN ACT concerning education.

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

4 Section 5. The School Code is amended by changing Sections
5 10-20.64 and 34-18.57 as follows:

6 (105 ILCS 5/10-20.64)

7 Sec. 10-20.64. Booking stations on school grounds.

8 (a) There shall be no student booking station established
9 or maintained on the grounds of any school.

10 (b) This prohibition shall be applied to student booking
11 stations only, as defined in this Section. The prohibition does
12 not prohibit or affect the establishment or maintenance of any
13 place operated by or under the control of law enforcement
14 personnel, school resource officers, or other security
15 personnel that does not also qualify as a student booking
16 station as defined in paragraph (2) of subsection (d) of this
17 Section. The prohibition does not affect or limit the powers
18 afforded law enforcement officers to perform their duties
19 within schools as otherwise prescribed by law.

20 (c) When the underlying suspected or alleged criminal act
21 is an act of violence, and isolation of a student or students
22 is deemed necessary to the interest of public safety, and no
23 other location is adequate for secure isolation of the student

1 or students, offices as described in paragraph (1) of
2 subsection (d) of this Section may be employed to detain
3 students for a period no longer than that required to alleviate
4 that threat to public safety.

5 (c-5) A student may not be questioned or detained at a
6 school site described in paragraph (2) of subsection (d)
7 without the presence of the student's parent or guardian, a
8 school social worker, or a licensed mental health professional.

9 (d) As used in this Section, "student booking station"
10 means a building, office, room, or any indefinitely established
11 space or site, mobile or fixed, which operates concurrently as:

12 (1) predominantly or regularly a place of operation for
13 a municipal police department, county sheriff department,
14 or other law enforcement agency, or under the primary
15 control thereof; and

16 (2) a site at which students are detained in connection
17 with criminal charges or allegations against those
18 students, taken into custody, or engaged with law
19 enforcement personnel in any process that creates a law
20 enforcement record of that contact with law enforcement
21 personnel or processes.

22 (Source: P.A. 100-204, eff. 8-18-17; 100-863, eff. 8-14-18.)

23 (105 ILCS 5/34-18.57)

24 Sec. 34-18.57. Booking stations on school grounds.

25 (a) There shall be no student booking station established

1 or maintained on the grounds of any school.

2 (b) This prohibition shall be applied to student booking
3 stations only, as defined in this Section. The prohibition does
4 not prohibit or affect the establishment or maintenance of any
5 place operated by or under the control of law enforcement
6 personnel, school resource officers, or other security
7 personnel that does not also qualify as a student booking
8 station as defined in paragraph (2) of subsection (d) of this
9 Section. The prohibition does not affect or limit the powers
10 afforded law enforcement officers to perform their duties
11 within schools as otherwise prescribed by law.

12 (c) When the underlying suspected or alleged criminal act
13 is an act of violence, and isolation of a student or students
14 is deemed necessary to the interest of public safety, and no
15 other location is adequate for secure isolation of the student
16 or students, offices as described in paragraph (1) of
17 subsection (d) of this Section may be employed to detain
18 students for a period no longer than that required to alleviate
19 that threat to public safety.

20 (c-5) A student may not be questioned or detained at a
21 school site described in paragraph (2) of subsection (d)
22 without the presence of the student's parent or guardian, a
23 school social worker, or a licensed mental health professional.

24 (d) As used in this Section, "student booking station"
25 means a building, office, room, or any indefinitely established
26 space or site, mobile or fixed, which operates concurrently as:

1 (1) predominantly or regularly a place of operation for
2 a municipal police department, county sheriff department,
3 or other law enforcement agency, or under the primary
4 control thereof; and

5 (2) a site at which students are detained in connection
6 with criminal charges or allegations against those
7 students, taken into custody, or engaged with law
8 enforcement personnel in any process that creates a law
9 enforcement record of that contact with law enforcement
10 personnel or processes.

11 (Source: P.A. 100-204, eff. 8-18-17; 100-863, eff. 8-14-18.)

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