



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB1915

Introduced 2/15/2019, by Sen. John G. Mulroe

SYNOPSIS AS INTRODUCED:

| | |
|----------------------|------------------------|
| 20 ILCS 2605/2605-35 | was 20 ILCS 2605/55a-3 |
| 20 ILCS 2605/2605-40 | was 20 ILCS 2605/55a-4 |
| 20 ILCS 2605/2605-45 | was 20 ILCS 2605/55a-5 |

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Division of Operations shall enforce all laws regulating the production, sale, prescribing, manufacturing, administering, transporting, having in possession, dispensing, delivering, distributing, or use of methamphetamine. Provides that the Division of Administration (rather than the Division of Forensic Services) shall exercise the rights, powers, and duties vested by law in the Department of State Police by the Criminal Identification Act.

LRB101 08079 SLF 53142 b

1 AN ACT concerning State government.

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

4 Section 5. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Sections
6 2605-35, 2605-40, and 2605-45 as follows:

7 (20 ILCS 2605/2605-35) (was 20 ILCS 2605/55a-3)

8 Sec. 2605-35. Division of Operations (formerly Criminal
9 Investigation).

10 (a) The Division of Operations shall exercise the following
11 functions and those in Section 2605-30:

12 (1) Exercise the rights, powers, and duties vested by
13 law in the Department by the Illinois Horse Racing Act of
14 1975.

15 (2) Investigate the origins, activities, personnel,
16 and incidents of crime and enforce the criminal laws of
17 this State related thereto.

18 (3) Enforce all laws regulating the production, sale,
19 prescribing, manufacturing, administering, transporting,
20 having in possession, dispensing, delivering,
21 distributing, or use of controlled substances, methamphetamine,
22 and cannabis.

23 (4) Cooperate with the police of cities, villages, and

1 incorporated towns and with the police officers of any
2 county in enforcing the laws of the State and in making
3 arrests and recovering property.

4 (5) Apprehend and deliver up any person charged in this
5 State or any other state with treason or a felony or other
6 crime who has fled from justice and is found in this State.

7 (6) Investigate recipients and providers under the
8 Illinois Public Aid Code and any personnel involved in the
9 administration of the Code who are suspected of any
10 violation of the Code pertaining to fraud in the
11 administration, receipt, or provision of assistance and
12 pertaining to any violation of criminal law; and exercise
13 the functions required under Section 2605-220 in the
14 conduct of those investigations.

15 (7) Conduct other investigations as provided by law.

16 (8) Exercise the powers and perform the duties that
17 have been vested in the Department by the Sex Offender
18 Registration Act and the Sex Offender Community
19 Notification Law; and promulgate reasonable rules and
20 regulations necessitated thereby.

21 (9) Exercise other duties that may be assigned by the
22 Director in order to fulfill the responsibilities and
23 achieve the purposes of the Department.

24 (b) There is hereby established in the Division of
25 Operations the Office of Coordination of Gang Prevention,
26 hereafter referred to as the Office.

1 The Office shall consult with units of local government and
2 school districts to assist them in gang control activities and
3 to administer a system of grants to units of local government
4 and school districts that, upon application, have demonstrated
5 a workable plan to reduce gang activity in their area. The
6 grants shall not include reimbursement for personnel, nor shall
7 they exceed 75% of the total request by any applicant. The
8 grants may be calculated on a proportional basis, determined by
9 funds available to the Department for this purpose. The
10 Department has the authority to promulgate appropriate rules
11 and regulations to administer this program.

12 The Office shall establish mobile units of trained
13 personnel to respond to gang activities.

14 The Office shall also consult with and use the services of
15 religious leaders and other celebrities to assist in gang
16 control activities.

17 The Office may sponsor seminars, conferences, or any other
18 educational activity to assist communities in their gang crime
19 control activities.

20 (Source: P.A. 94-945, eff. 6-27-06.)

21 (20 ILCS 2605/2605-40) (was 20 ILCS 2605/55a-4)

22 Sec. 2605-40. Division of Forensic Services. The Division
23 of Forensic Services shall exercise the following functions:

24 (1) (Blank). ~~Exercise the rights, powers, and duties~~
25 ~~vested by law in the Department by the Criminal~~

1 ~~Identification Act.~~

2 (2) Exercise the rights, powers, and duties vested by
3 law in the Department by Section 2605-300 of this Law.

4 (3) Provide assistance to local law enforcement
5 agencies through training, management, and consultant
6 services.

7 (4) (Blank).

8 (5) Exercise other duties that may be assigned by the
9 Director in order to fulfill the responsibilities and
10 achieve the purposes of the Department.

11 (6) Establish and operate a forensic science
12 laboratory system, including a forensic toxicological
13 laboratory service, for the purpose of testing specimens
14 submitted by coroners and other law enforcement officers in
15 their efforts to determine whether alcohol, drugs, or
16 poisonous or other toxic substances have been involved in
17 deaths, accidents, or illness. Forensic toxicological
18 laboratories shall be established in Springfield, Chicago,
19 and elsewhere in the State as needed.

20 (6.5) Establish administrative rules in order to set
21 forth standardized requirements for the disclosure of
22 toxicology results and other relevant documents related to
23 a toxicological analysis. These administrative rules are
24 to be adopted to produce uniform and sufficient information
25 to allow a proper, well-informed determination of the
26 admissibility of toxicology evidence and to ensure that

1 this evidence is presented competently. These
2 administrative rules are designed to provide a minimum
3 standard for compliance of toxicology evidence and is not
4 intended to limit the production and discovery of material
5 information. These administrative rules shall be submitted
6 by the Department of State Police into the rulemaking
7 process under the Illinois Administrative Procedure Act on
8 or before June 30, 2017.

9 (7) Subject to specific appropriations made for these
10 purposes, establish and coordinate a system for providing
11 accurate and expedited forensic science and other
12 investigative and laboratory services to local law
13 enforcement agencies and local State's Attorneys in aid of
14 the investigation and trial of capital cases.

15 (Source: P.A. 99-801, eff. 1-1-17.)

16 (20 ILCS 2605/2605-45) (was 20 ILCS 2605/55a-5)

17 Sec. 2605-45. Division of Administration. The Division of
18 Administration shall exercise the following functions:

19 (1) Exercise the rights, powers, and duties vested in
20 the Department by the Governor's Office of Management and
21 Budget Act.

22 (1.5) Exercise the rights, powers, and duties vested by
23 law in the Department by the Criminal Identification Act.

24 (2) Pursue research and the publication of studies
25 pertaining to local law enforcement activities.

1 (3) Exercise the rights, powers, and duties vested in
2 the Department by the Personnel Code.

3 (4) Operate an electronic data processing and computer
4 center for the storage and retrieval of data pertaining to
5 criminal activity.

6 (5) Exercise the rights, powers, and duties vested in
7 the former Division of State Troopers by Section 17 of the
8 State Police Act.

9 (6) Exercise the rights, powers, and duties vested in
10 the Department by "An Act relating to internal auditing in
11 State government", approved August 11, 1967 (repealed; now
12 the Fiscal Control and Internal Auditing Act, 30 ILCS 10/).

13 (6.5) Exercise the rights, powers, and duties vested in
14 the Department by the Firearm Owners Identification Card
15 Act.

16 (7) Exercise other duties that may be assigned by the
17 Director to fulfill the responsibilities and achieve the
18 purposes of the Department.

19 (Source: P.A. 94-793, eff. 5-19-06.)