

1 AN ACT concerning criminal law.

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

4 Section 3. The Freedom of Information Act is amended by
5 changing Section 7 as follows:

6 (5 ILCS 140/7) (from Ch. 116, par. 207)

7 Sec. 7. Exemptions.

8 (1) When a request is made to inspect or copy a public
9 record that contains information that is exempt from
10 disclosure under this Section, but also contains information
11 that is not exempt from disclosure, the public body may elect
12 to redact the information that is exempt. The public body
13 shall make the remaining information available for inspection
14 and copying. Subject to this requirement, the following shall
15 be exempt from inspection and copying:

16 (a) Information specifically prohibited from
17 disclosure by federal or State law or rules and
18 regulations implementing federal or State law.

19 (b) Private information, unless disclosure is required
20 by another provision of this Act, a State or federal law or
21 a court order.

22 (b-5) Files, documents, and other data or databases
23 maintained by one or more law enforcement agencies and

1 specifically designed to provide information to one or
2 more law enforcement agencies regarding the physical or
3 mental status of one or more individual subjects.

4 (c) Personal information contained within public
5 records, the disclosure of which would constitute a
6 clearly unwarranted invasion of personal privacy, unless
7 the disclosure is consented to in writing by the
8 individual subjects of the information. "Unwarranted
9 invasion of personal privacy" means the disclosure of
10 information that is highly personal or objectionable to a
11 reasonable person and in which the subject's right to
12 privacy outweighs any legitimate public interest in
13 obtaining the information. The disclosure of information
14 that bears on the public duties of public employees and
15 officials shall not be considered an invasion of personal
16 privacy.

17 (d) Records in the possession of any public body
18 created in the course of administrative enforcement
19 proceedings, and any law enforcement or correctional
20 agency for law enforcement purposes, but only to the
21 extent that disclosure would:

22 (i) interfere with pending or actually and
23 reasonably contemplated law enforcement proceedings
24 conducted by any law enforcement or correctional
25 agency that is the recipient of the request;

26 (ii) interfere with active administrative

1 enforcement proceedings conducted by the public body
2 that is the recipient of the request;

3 (iii) create a substantial likelihood that a
4 person will be deprived of a fair trial or an impartial
5 hearing;

6 (iv) unavoidably disclose the identity of a
7 confidential source, confidential information
8 furnished only by the confidential source, or persons
9 who file complaints with or provide information to
10 administrative, investigative, law enforcement, or
11 penal agencies; except that the identities of
12 witnesses to traffic accidents, traffic accident
13 reports, and rescue reports shall be provided by
14 agencies of local government, except when disclosure
15 would interfere with an active criminal investigation
16 conducted by the agency that is the recipient of the
17 request;

18 (v) disclose unique or specialized investigative
19 techniques other than those generally used and known
20 or disclose internal documents of correctional
21 agencies related to detection, observation or
22 investigation of incidents of crime or misconduct, and
23 disclosure would result in demonstrable harm to the
24 agency or public body that is the recipient of the
25 request;

26 (vi) endanger the life or physical safety of law

1 enforcement personnel or any other person; or

2 (vii) obstruct an ongoing criminal investigation
3 by the agency that is the recipient of the request.

4 (d-5) A law enforcement record created for law
5 enforcement purposes and contained in a shared electronic
6 record management system if the law enforcement agency
7 that is the recipient of the request did not create the
8 record, did not participate in or have a role in any of the
9 events which are the subject of the record, and only has
10 access to the record through the shared electronic record
11 management system.

12 (d-6) Records contained in the Officer Professional
13 Conduct Database under Section 9.2 ~~9.4~~ of the Illinois
14 Police Training Act, except to the extent authorized under
15 that Section. This includes the documents supplied to
16 Illinois Law Enforcement Training Standards Board from the
17 Illinois State Police and Illinois State Police Merit
18 Board.

19 (e) Records that relate to or affect the security of
20 correctional institutions and detention facilities.

21 (e-5) Records requested by persons committed to the
22 Department of Corrections, Department of Human Services
23 Division of Mental Health, or a county jail if those
24 materials are available in the library of the correctional
25 institution or facility or jail where the inmate is
26 confined.

1 (e-6) Records requested by persons committed to the
2 Department of Corrections, Department of Human Services
3 Division of Mental Health, or a county jail if those
4 materials include records from staff members' personnel
5 files, staff rosters, or other staffing assignment
6 information.

7 (e-7) Records requested by persons committed to the
8 Department of Corrections or Department of Human Services
9 Division of Mental Health if those materials are available
10 through an administrative request to the Department of
11 Corrections or Department of Human Services Division of
12 Mental Health.

13 (e-8) Records requested by a person committed to the
14 Department of Corrections, Department of Human Services
15 Division of Mental Health, or a county jail, the
16 disclosure of which would result in the risk of harm to any
17 person or the risk of an escape from a jail or correctional
18 institution or facility.

19 (e-9) Records requested by a person in a county jail
20 or committed to the Department of Corrections or
21 Department of Human Services Division of Mental Health,
22 containing personal information pertaining to the person's
23 victim or the victim's family, including, but not limited
24 to, a victim's home address, home telephone number, work
25 or school address, work telephone number, social security
26 number, or any other identifying information, except as

1 may be relevant to a requester's current or potential case
2 or claim.

3 (e-10) Law enforcement records of other persons
4 requested by a person committed to the Department of
5 Corrections, Department of Human Services Division of
6 Mental Health, or a county jail, including, but not
7 limited to, arrest and booking records, mug shots, and
8 crime scene photographs, except as these records may be
9 relevant to the requester's current or potential case or
10 claim.

11 (f) Preliminary drafts, notes, recommendations,
12 memoranda and other records in which opinions are
13 expressed, or policies or actions are formulated, except
14 that a specific record or relevant portion of a record
15 shall not be exempt when the record is publicly cited and
16 identified by the head of the public body. The exemption
17 provided in this paragraph (f) extends to all those
18 records of officers and agencies of the General Assembly
19 that pertain to the preparation of legislative documents.

20 (g) Trade secrets and commercial or financial
21 information obtained from a person or business where the
22 trade secrets or commercial or financial information are
23 furnished under a claim that they are proprietary,
24 privileged, or confidential, and that disclosure of the
25 trade secrets or commercial or financial information would
26 cause competitive harm to the person or business, and only

1 insofar as the claim directly applies to the records
2 requested.

3 The information included under this exemption includes
4 all trade secrets and commercial or financial information
5 obtained by a public body, including a public pension
6 fund, from a private equity fund or a privately held
7 company within the investment portfolio of a private
8 equity fund as a result of either investing or evaluating
9 a potential investment of public funds in a private equity
10 fund. The exemption contained in this item does not apply
11 to the aggregate financial performance information of a
12 private equity fund, nor to the identity of the fund's
13 managers or general partners. The exemption contained in
14 this item does not apply to the identity of a privately
15 held company within the investment portfolio of a private
16 equity fund, unless the disclosure of the identity of a
17 privately held company may cause competitive harm.

18 Nothing contained in this paragraph (g) shall be
19 construed to prevent a person or business from consenting
20 to disclosure.

21 (h) Proposals and bids for any contract, grant, or
22 agreement, including information which if it were
23 disclosed would frustrate procurement or give an advantage
24 to any person proposing to enter into a contractor
25 agreement with the body, until an award or final selection
26 is made. Information prepared by or for the body in

1 preparation of a bid solicitation shall be exempt until an
2 award or final selection is made.

3 (i) Valuable formulae, computer geographic systems,
4 designs, drawings and research data obtained or produced
5 by any public body when disclosure could reasonably be
6 expected to produce private gain or public loss. The
7 exemption for "computer geographic systems" provided in
8 this paragraph (i) does not extend to requests made by
9 news media as defined in Section 2 of this Act when the
10 requested information is not otherwise exempt and the only
11 purpose of the request is to access and disseminate
12 information regarding the health, safety, welfare, or
13 legal rights of the general public.

14 (j) The following information pertaining to
15 educational matters:

16 (i) test questions, scoring keys and other
17 examination data used to administer an academic
18 examination;

19 (ii) information received by a primary or
20 secondary school, college, or university under its
21 procedures for the evaluation of faculty members by
22 their academic peers;

23 (iii) information concerning a school or
24 university's adjudication of student disciplinary
25 cases, but only to the extent that disclosure would
26 unavoidably reveal the identity of the student; and

1 (iv) course materials or research materials used
2 by faculty members.

3 (k) Architects' plans, engineers' technical
4 submissions, and other construction related technical
5 documents for projects not constructed or developed in
6 whole or in part with public funds and the same for
7 projects constructed or developed with public funds,
8 including, but not limited to, power generating and
9 distribution stations and other transmission and
10 distribution facilities, water treatment facilities,
11 airport facilities, sport stadiums, convention centers,
12 and all government owned, operated, or occupied buildings,
13 but only to the extent that disclosure would compromise
14 security.

15 (l) Minutes of meetings of public bodies closed to the
16 public as provided in the Open Meetings Act until the
17 public body makes the minutes available to the public
18 under Section 2.06 of the Open Meetings Act.

19 (m) Communications between a public body and an
20 attorney or auditor representing the public body that
21 would not be subject to discovery in litigation, and
22 materials prepared or compiled by or for a public body in
23 anticipation of a criminal, civil, or administrative
24 proceeding upon the request of an attorney advising the
25 public body, and materials prepared or compiled with
26 respect to internal audits of public bodies.

1 (n) Records relating to a public body's adjudication
2 of employee grievances or disciplinary cases; however,
3 this exemption shall not extend to the final outcome of
4 cases in which discipline is imposed.

5 (o) Administrative or technical information associated
6 with automated data processing operations, including, but
7 not limited to, software, operating protocols, computer
8 program abstracts, file layouts, source listings, object
9 modules, load modules, user guides, documentation
10 pertaining to all logical and physical design of
11 computerized systems, employee manuals, and any other
12 information that, if disclosed, would jeopardize the
13 security of the system or its data or the security of
14 materials exempt under this Section.

15 (p) Records relating to collective negotiating matters
16 between public bodies and their employees or
17 representatives, except that any final contract or
18 agreement shall be subject to inspection and copying.

19 (q) Test questions, scoring keys, and other
20 examination data used to determine the qualifications of
21 an applicant for a license or employment.

22 (r) The records, documents, and information relating
23 to real estate purchase negotiations until those
24 negotiations have been completed or otherwise terminated.
25 With regard to a parcel involved in a pending or actually
26 and reasonably contemplated eminent domain proceeding

1 under the Eminent Domain Act, records, documents, and
2 information relating to that parcel shall be exempt except
3 as may be allowed under discovery rules adopted by the
4 Illinois Supreme Court. The records, documents, and
5 information relating to a real estate sale shall be exempt
6 until a sale is consummated.

7 (s) Any and all proprietary information and records
8 related to the operation of an intergovernmental risk
9 management association or self-insurance pool or jointly
10 self-administered health and accident cooperative or pool.
11 Insurance or self insurance (including any
12 intergovernmental risk management association or self
13 insurance pool) claims, loss or risk management
14 information, records, data, advice or communications.

15 (t) Information contained in or related to
16 examination, operating, or condition reports prepared by,
17 on behalf of, or for the use of a public body responsible
18 for the regulation or supervision of financial
19 institutions, insurance companies, or pharmacy benefit
20 managers, unless disclosure is otherwise required by State
21 law.

22 (u) Information that would disclose or might lead to
23 the disclosure of secret or confidential information,
24 codes, algorithms, programs, or private keys intended to
25 be used to create electronic signatures under the Uniform
26 Electronic Transactions Act.

1 (v) Vulnerability assessments, security measures, and
2 response policies or plans that are designed to identify,
3 prevent, or respond to potential attacks upon a
4 community's population or systems, facilities, or
5 installations, the destruction or contamination of which
6 would constitute a clear and present danger to the health
7 or safety of the community, but only to the extent that
8 disclosure could reasonably be expected to jeopardize the
9 effectiveness of the measures or the safety of the
10 personnel who implement them or the public. Information
11 exempt under this item may include such things as details
12 pertaining to the mobilization or deployment of personnel
13 or equipment, to the operation of communication systems or
14 protocols, or to tactical operations.

15 (w) (Blank).

16 (x) Maps and other records regarding the location or
17 security of generation, transmission, distribution,
18 storage, gathering, treatment, or switching facilities
19 owned by a utility, by a power generator, or by the
20 Illinois Power Agency.

21 (y) Information contained in or related to proposals,
22 bids, or negotiations related to electric power
23 procurement under Section 1-75 of the Illinois Power
24 Agency Act and Section 16-111.5 of the Public Utilities
25 Act that is determined to be confidential and proprietary
26 by the Illinois Power Agency or by the Illinois Commerce

1 Commission.

2 (z) Information about students exempted from
3 disclosure under Sections 10-20.38 or 34-18.29 of the
4 School Code, and information about undergraduate students
5 enrolled at an institution of higher education exempted
6 from disclosure under Section 25 of the Illinois Credit
7 Card Marketing Act of 2009.

8 (aa) Information the disclosure of which is exempted
9 under the Viatical Settlements Act of 2009.

10 (bb) Records and information provided to a mortality
11 review team and records maintained by a mortality review
12 team appointed under the Department of Juvenile Justice
13 Mortality Review Team Act.

14 (cc) Information regarding interments, entombments, or
15 inurnments of human remains that are submitted to the
16 Cemetery Oversight Database under the Cemetery Care Act or
17 the Cemetery Oversight Act, whichever is applicable.

18 (dd) Correspondence and records (i) that may not be
19 disclosed under Section 11-9 of the Illinois Public Aid
20 Code or (ii) that pertain to appeals under Section 11-8 of
21 the Illinois Public Aid Code.

22 (ee) The names, addresses, or other personal
23 information of persons who are minors and are also
24 participants and registrants in programs of park
25 districts, forest preserve districts, conservation
26 districts, recreation agencies, and special recreation

1 associations.

2 (ff) The names, addresses, or other personal
3 information of participants and registrants in programs of
4 park districts, forest preserve districts, conservation
5 districts, recreation agencies, and special recreation
6 associations where such programs are targeted primarily to
7 minors.

8 (gg) Confidential information described in Section
9 1-100 of the Illinois Independent Tax Tribunal Act of
10 2012.

11 (hh) The report submitted to the State Board of
12 Education by the School Security and Standards Task Force
13 under item (8) of subsection (d) of Section 2-3.160 of the
14 School Code and any information contained in that report.

15 (ii) Records requested by persons committed to or
16 detained by the Department of Human Services under the
17 Sexually Violent Persons Commitment Act or committed to
18 the Department of Corrections under the Sexually Dangerous
19 Persons Act if those materials: (i) are available in the
20 library of the facility where the individual is confined;
21 (ii) include records from staff members' personnel files,
22 staff rosters, or other staffing assignment information;
23 or (iii) are available through an administrative request
24 to the Department of Human Services or the Department of
25 Corrections.

26 (jj) Confidential information described in Section

1 5-535 of the Civil Administrative Code of Illinois.

2 (kk) The public body's credit card numbers, debit card
3 numbers, bank account numbers, Federal Employer
4 Identification Number, security code numbers, passwords,
5 and similar account information, the disclosure of which
6 could result in identity theft or impersonation or defrauding
7 of a governmental entity or a person.

8 (ll) Records concerning the work of the threat
9 assessment team of a school district.

10 (1.5) Any information exempt from disclosure under the
11 Judicial Privacy Act shall be redacted from public records
12 prior to disclosure under this Act.

13 (2) A public record that is not in the possession of a
14 public body but is in the possession of a party with whom the
15 agency has contracted to perform a governmental function on
16 behalf of the public body, and that directly relates to the
17 governmental function and is not otherwise exempt under this
18 Act, shall be considered a public record of the public body,
19 for purposes of this Act.

20 (3) This Section does not authorize withholding of
21 information or limit the availability of records to the
22 public, except as stated in this Section or otherwise provided
23 in this Act.

24 (Source: P.A. 101-434, eff. 1-1-20; 101-452, eff. 1-1-20;
25 101-455, eff. 8-23-19; 101-652, eff. 1-1-22; 102-38, eff.
26 6-25-21; 102-558, eff. 8-20-21; revised 10-4-21.)

1 Section 5. The Illinois State Police Act is amended by
2 changing Sections 9, 12.6, and 46 as follows:

3 (20 ILCS 2610/9) (from Ch. 121, par. 307.9)

4 (Text of Section before amendment by P.A. 101-652)

5 Sec. 9. Appointment; qualifications.

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

1 shall be required to pass successfully such mental and
2 physical tests and examinations as may be prescribed by the
3 Board. All persons who meet one of the following requirements
4 are deemed to have met the collegiate educational
5 requirements:

6 (i) have been honorably discharged and who have been
7 awarded a Southwest Asia Service Medal, Kosovo Campaign
8 Medal, Korean Defense Service Medal, Afghanistan Campaign
9 Medal, Iraq Campaign Medal, or Global War on Terrorism
10 Expeditionary Medal by the United States Armed Forces;

11 (ii) are active members of the Illinois National Guard
12 or a reserve component of the United States Armed Forces
13 and who have been awarded a Southwest Asia Service Medal,
14 Kosovo Campaign Medal, Korean Defense Service Medal,
15 Afghanistan Campaign Medal, Iraq Campaign Medal, or Global
16 War on Terrorism Expeditionary Medal as a result of
17 honorable service during deployment on active duty;

18 (iii) have been honorably discharged who served in a
19 combat mission by proof of hostile fire pay or imminent
20 danger pay during deployment on active duty; or

21 (iv) have at least 3 years of full active and
22 continuous military duty and received an honorable
23 discharge before hiring.

24 Preference shall be given in such appointments to persons
25 who have honorably served in the military or naval services of
26 the United States. All appointees shall serve a probationary

1 period of 12 months from the date of appointment and during
2 that period may be discharged at the will of the Director.
3 However, the Director may in his or her sole discretion extend
4 the probationary period of an officer up to an additional 6
5 months when to do so is deemed in the best interest of the
6 Department. Nothing in this subsection (a) limits the Board's
7 ability to prescribe education prerequisites or requirements
8 to certify Department of State Police officers for promotion
9 as provided in Section 10 of this Act.

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

16 (c) During the 90 days following the effective date of
17 this amendatory Act of 1995, the Director of State Police may
18 appoint up to 25 persons as State Police officers. These
19 appointments shall be made in accordance with the requirements
20 of this subsection (c) and any additional criteria that may be
21 established by the Director, but are not subject to any other
22 requirements of this Act. The Director may specify the initial
23 rank for each person appointed under this subsection.

24 All appointments under this subsection (c) shall be made
25 from personnel certified by the Board. A person certified by
26 the Board and appointed by the Director under this subsection

1 must have been employed by the Illinois Commerce Commission on
2 November 30, 1994 in a job title subject to the Personnel Code
3 and in a position for which the person was eligible to earn
4 "eligible creditable service" as a "noncovered employee", as
5 those terms are defined in Article 14 of the Illinois Pension
6 Code.

7 Persons appointed under this subsection (c) shall
8 thereafter be subject to the same requirements and procedures
9 as other State police officers. A person appointed under this
10 subsection must serve a probationary period of 12 months from
11 the date of appointment, during which he or she may be
12 discharged at the will of the Director.

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

16 (Source: P.A. 100-11, eff. 7-1-17; 101-374, eff. 1-1-20.)

17 (Text of Section after amendment by P.A. 101-652)

18 Sec. 9. Appointment; qualifications.

19 (a) Except as otherwise provided in this Section, the
20 appointment of Department of State Police officers shall be
21 made from those applicants who have been certified by the
22 Board as being qualified for appointment. All persons so
23 appointed shall, at the time of their appointment, be not less
24 than 21 years of age, or 20 years of age and have successfully
25 completed an associate's degree or 60 credit hours at an

1 accredited college or university. Any person appointed
2 subsequent to successful completion of an associate's degree
3 or 60 credit hours at an accredited college or university
4 shall not have power of arrest, nor shall he or she be
5 permitted to carry firearms, until he or she reaches 21 years
6 of age. In addition, all persons so certified for appointment
7 shall be of sound mind and body, be of good moral character, be
8 citizens of the United States, have no criminal records,
9 possess such prerequisites of training, education, and
10 experience as the Board may from time to time prescribe so long
11 as persons who have an associate's degree or 60 credit hours at
12 an accredited college or university are not disqualified, and
13 shall be required to pass successfully such mental and
14 physical tests and examinations as may be prescribed by the
15 Board. All persons who meet one of the following requirements
16 are deemed to have met the collegiate educational
17 requirements:

18 (i) have been honorably discharged and who have been
19 awarded a Southwest Asia Service Medal, Kosovo Campaign
20 Medal, Korean Defense Service Medal, Afghanistan Campaign
21 Medal, Iraq Campaign Medal, or Global War on Terrorism
22 Expeditionary Medal by the United States Armed Forces;

23 (ii) are active members of the Illinois National Guard
24 or a reserve component of the United States Armed Forces
25 and who have been awarded a Southwest Asia Service Medal,
26 Kosovo Campaign Medal, Korean Defense Service Medal,

1 Afghanistan Campaign Medal, Iraq Campaign Medal, or Global
2 War on Terrorism Expeditionary Medal as a result of
3 honorable service during deployment on active duty;

4 (iii) have been honorably discharged who served in a
5 combat mission by proof of hostile fire pay or imminent
6 danger pay during deployment on active duty; or

7 (iv) have at least 3 years of full active and
8 continuous military duty and received an honorable
9 discharge before hiring.

10 Preference shall be given in such appointments to persons
11 who have honorably served in the military or naval services of
12 the United States. All appointees shall serve a probationary
13 period of 12 months from the date of appointment and during
14 that period may be discharged at the will of the Director.
15 However, the Director may in his or her sole discretion extend
16 the probationary period of an officer up to an additional 6
17 months when to do so is deemed in the best interest of the
18 Department. Nothing in this subsection (a) limits the Board's
19 ability to prescribe education prerequisites or requirements
20 to certify Department of State Police officers for promotion
21 as provided in Section 10 of this Act.

22 (b) Notwithstanding the other provisions of this Act,
23 after July 1, 1977 and before July 1, 1980, the Director of
24 State Police may appoint and promote not more than 20 persons
25 having special qualifications as special agents as he or she
26 deems necessary to carry out the Department's objectives. Any

1 such appointment or promotion shall be ratified by the Board.

2 (c) During the 90 days following the effective date of
3 this amendatory Act of 1995, the Director of State Police may
4 appoint up to 25 persons as State Police officers. These
5 appointments shall be made in accordance with the requirements
6 of this subsection (c) and any additional criteria that may be
7 established by the Director, but are not subject to any other
8 requirements of this Act. The Director may specify the initial
9 rank for each person appointed under this subsection.

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

19 Persons appointed under this subsection (c) shall
20 thereafter be subject to the same requirements and procedures
21 as other State police officers. A person appointed under this
22 subsection must serve a probationary period of 12 months from
23 the date of appointment, during which he or she may be
24 discharged at the will of the Director.

25 This subsection (c) does not affect or limit the
26 Director's authority to appoint other State Police officers

1 under subsection (a) of this Section.

2 (d) During the 180 days following the effective date of
3 this amendatory Act of the 101st General Assembly, the
4 Director of the Illinois State Police may appoint current
5 Illinois State Police Employees serving in law enforcement
6 officer positions previously within Central Management
7 Services as State Police Officers. These appointments shall be
8 made in accordance with the requirements of this subsection
9 (d) and any institutional criteria that may be established by
10 the Director, but are not subject to any other requirements of
11 this Act. All appointments under this subsection (d) shall be
12 made from personnel certified by the Board. A person certified
13 by the Board and appointed by the Director under this
14 subsection must have been employed by the a state agency,
15 board, or commission on January 1, 2021, in a job title subject
16 to the Personnel Code and in a position for which the person
17 was eligible to earn "eligible creditable service" as a
18 "noncovered employee", as those terms are defined in Article
19 14 of the Illinois Pension Code. Persons appointed under this
20 subsection (d) shall thereafter be subject to the same
21 requirements, and subject to the same contractual benefits and
22 obligations, as other State police officers. This subsection
23 (d) does not affect or limit the Director's authority to
24 appoint other State Police officers under subsection (a) of
25 this Section.

26 (e) The Merit Board shall review Illinois State Police

1 Cadet applicants. The Illinois State Police may provide
2 background check and investigation material to the Board for
3 their review 10 pursuant to this section. The Board shall
4 approve and ensure that no cadet applicant is certified unless
5 the applicant is a person of good character and has not been
6 convicted of, or entered a plea of guilty to, a felony offense,
7 any of the misdemeanors in Section or if committed in any other
8 state would be an offense similar to 11-1.50, 11-6, 11-6.5,
9 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12- 3.2,
10 12-3.4, 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3,
11 28-3, 29-1, any misdemeanor in violation of any section of
12 Part E of Title III of the Criminal Code of 1961 or the
13 Criminal Code of 2012, 32-4a, or 32-7 of the Criminal Code of
14 1961 or the Criminal Code of 2012, or subsection (a) of Section
15 17-32 of the Criminal Code of 1961 or the Criminal Code of
16 2012, to Section 5 or 5.2 of the Cannabis Control Act, or any
17 felony or misdemeanor in violation of federal law or the law of
18 any state that is the equivalent of any of the offenses
19 specified therein. The Officer Misconduct Database, provided
20 in Section 9.2 of the Illinois Police Training Act, shall be
21 searched as part of this process. For purposes of this Section
22 "convicted of, or entered a plea of guilty" regardless of
23 whether the adjudication of guilt or sentence is withheld or
24 not entered thereon. This includes sentences of supervision,
25 conditional discharge, or first offender probation, or any
26 similar disposition provided for by law.

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

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

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

10 (Source: P.A. 100-11, eff. 7-1-17; 101-374, eff. 1-1-20;
11 101-652, eff. 1-1-22.)

12 (20 ILCS 2610/12.6)

13 (This Section may contain text from a Public Act with a
14 delayed effective date)

15 Sec. 12.6. Automatic termination of Illinois State Police
16 officers. The Board shall terminate a state police officer
17 convicted of a felony offense under the laws of this State or
18 any other state which if committed in this State would be
19 punishable as a felony. The Board must also terminate Illinois
20 State Police officers who were convicted of, or entered a plea
21 of guilty to, on or after the effective date of this amendatory
22 Act of the 101st General Assembly, any misdemeanor specified
23 in this Section or if committed in any other state would be an
24 offense similar to Section 11-1.50, 11-6, 11-6.5, 11-6.6,
25 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4,

1 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1,
2 any misdemeanor in violation of any section of Part E of Title
3 III of the Criminal Code of 1961 or the Criminal Code of 2012,
4 32-4a, or 32-7 of the Criminal Code of 1961 or the Criminal
5 Code of 2012, or subsection (a) of Section 17-32 of the
6 Criminal Code of 1961 or the Criminal Code of 2012, to Section
7 5 or 5.2 of the Cannabis Control Act, or any felony or
8 misdemeanor in violation of federal law or the law of any state
9 that is the equivalent of any of the offenses specified
10 therein. The Illinois State Police Merit Board shall report
11 terminations under this Section to the Officer Misconduct
12 Database, provided in Section 9.2 of the Illinois Police
13 Training Act. For purposes of this section "convicted of, or
14 entered a plea of guilty" regardless of whether the
15 adjudication of guilt or sentence is withheld or not entered
16 thereon. This includes sentences of supervision, conditional
17 discharge, or first offender probation, or any similar
18 disposition provided for by law.

19 (Source: P.A. 101-652, eff. 1-1-22.)

20 (20 ILCS 2610/46)

21 (This Section may contain text from a Public Act with a
22 delayed effective date)

23 Sec. 46. Officer Professional Conduct Database; reporting,
24 transparency.

25 (a) The Illinois State Police Merit Board shall be

1 responsible for reporting all required information contained
2 in the Officer Misconduct Database, provided in Section 9.2 of
3 the Illinois Police Training Act.

4 (b) Before the Illinois State Police Merit Board certifies
5 any Illinois State Police Cadet the Board shall conduct a
6 search of all Illinois State Police Cadet applicants in the
7 Officer Professional Conduct Database.

8 (c) The database, documents, materials, or other
9 information in the possession or control of the Board that are
10 obtained by or disclosed to the Board pursuant to this
11 subsection shall be confidential by law and privileged, shall
12 not be subject to subpoena, and shall not be subject to
13 discovery or admissible in evidence in any private civil
14 action. However, the Board is authorized to use such
15 documents, materials, or other information in furtherance of
16 any regulatory or legal action brought as part of the Board's
17 official duties. Unless otherwise required by law, the Board
18 shall not disclose the database or make such documents,
19 materials, or other information public without the prior
20 written consent of the law enforcement ~~governmental~~ agency and
21 the law enforcement officer. The Board nor any person who
22 received documents, materials or other information shared
23 pursuant to this subsection shall be required to testify in
24 any private civil action concerning the database or any
25 confidential documents, materials, or information subject to
26 this subsection.

1 Nothing in this Section shall exempt a law enforcement
2 agency from which the Board has obtained data, documents,
3 materials, or other information or that has disclosed data,
4 documents, materials, or other information to the Board from
5 disclosing public records in accordance with the Freedom of
6 Information Act.

7 ~~Nothing in this Section shall exempt a governmental agency~~
8 ~~from disclosing public records in accordance with the Freedom~~
9 ~~of Information Act.~~

10 (Source: P.A. 101-652, eff. 1-1-22.)

11 Section 10. The Illinois Police Training Act is amended by
12 changing Sections 1, 2, 3, 3.1, 6, 6.1, 6.3, 6.7, 7, 8.1, 8.2,
13 8.3, 8.4, 9.2, 10.1, 10.2, 10.6, 10.11, 10.12, 10.13, 10.16,
14 10.19, 10.20, and 10.22 and by reenacting Section 6.2 as
15 follows:

16 (50 ILCS 705/1) (from Ch. 85, par. 501)

17 Sec. 1. It is hereby declared as a matter of legislative
18 determination that in order to promote and protect citizen
19 health, safety and welfare, it is necessary and in the public
20 interest to provide for the creation of the Illinois Law
21 Enforcement Training Standards Board for the purpose of
22 encouraging and aiding municipalities, counties, park
23 districts, State controlled universities, colleges, and public
24 community colleges, and other local governmental agencies of

1 this State, and participating State agencies in their efforts
2 to raise the level of law enforcement by upgrading and
3 maintaining a high level of training and standards for law
4 enforcement executives and officers, county corrections
5 officers, sheriffs, and law enforcement support personnel
6 under this Act. It is declared to be the responsibility of the
7 board to ensure the required participation of the pertinent
8 local governmental units in the programs established under
9 this Act, ~~to encourage the voluntary participation of other~~
10 ~~local governmental units and participating State agencies,~~ to
11 set standards, develop and provide quality training and
12 education, and to aid in the establishment of adequate
13 training facilities.

14 (Source: P.A. 99-408, eff. 1-1-16.)

15 (50 ILCS 705/2) (from Ch. 85, par. 502)

16 (Text of Section before amendment by P.A. 101-652)

17 Sec. 2. Definitions. As used in this Act, unless the
18 context otherwise requires:

19 "Board" means the Illinois Law Enforcement Training
20 Standards Board.

21 "Local governmental agency" means any local governmental
22 unit or municipal corporation in this State. It does not
23 include the State of Illinois or any office, officer,
24 department, division, bureau, board, commission, or agency of
25 the State, except that it does include a State-controlled

1 university, college or public community college.

2 "Police training school" means any school located within
3 the State of Illinois whether privately or publicly owned
4 which offers a course in police or county corrections training
5 and has been approved by the Board.

6 "Probationary police officer" means a recruit law
7 enforcement officer required to successfully complete initial
8 minimum basic training requirements at a police training
9 school to be eligible for permanent full-time employment as a
10 local law enforcement officer.

11 "Probationary part-time police officer" means a recruit
12 part-time law enforcement officer required to successfully
13 complete initial minimum part-time training requirements to be
14 eligible for employment on a part-time basis as a local law
15 enforcement officer.

16 "Permanent police officer" means a law enforcement officer
17 who has completed his or her probationary period and is
18 permanently employed on a full-time basis as a local law
19 enforcement officer by a participating local governmental unit
20 or as a security officer or campus policeman permanently
21 employed by a participating State-controlled university,
22 college, or public community college.

23 "Part-time police officer" means a law enforcement officer
24 who has completed his or her probationary period and is
25 employed on a part-time basis as a law enforcement officer by a
26 participating unit of local government or as a campus

1 policeman by a participating State-controlled university,
2 college, or public community college.

3 "Law enforcement officer" means (i) any police officer of
4 a local governmental agency who is primarily responsible for
5 prevention or detection of crime and the enforcement of the
6 criminal code, traffic, or highway laws of this State or any
7 political subdivision of this State or (ii) any member of a
8 police force appointed and maintained as provided in Section 2
9 of the Railroad Police Act.

10 "Recruit" means any full-time or part-time law enforcement
11 officer or full-time county corrections officer who is
12 enrolled in an approved training course.

13 "Probationary county corrections officer" means a recruit
14 county corrections officer required to successfully complete
15 initial minimum basic training requirements at a police
16 training school to be eligible for permanent employment on a
17 full-time basis as a county corrections officer.

18 "Permanent county corrections officer" means a county
19 corrections officer who has completed his probationary period
20 and is permanently employed on a full-time basis as a county
21 corrections officer by a participating local governmental
22 unit.

23 "County corrections officer" means any sworn officer of
24 the sheriff who is primarily responsible for the control and
25 custody of offenders, detainees or inmates.

26 "Probationary court security officer" means a recruit

1 court security officer required to successfully complete
2 initial minimum basic training requirements at a designated
3 training school to be eligible for employment as a court
4 security officer.

5 "Permanent court security officer" means a court security
6 officer who has completed his or her probationary period and
7 is employed as a court security officer by a participating
8 local governmental unit.

9 "Court security officer" has the meaning ascribed to it in
10 Section 3-6012.1 of the Counties Code.

11 (Source: P.A. 94-846, eff. 1-1-07.)

12 (Text of Section after amendment by P.A. 101-652)

13 Sec. 2. Definitions. As used in this Act, unless the
14 context otherwise requires:

15 "Board" means the Illinois Law Enforcement Training
16 Standards Board.

17 "Full-time law enforcement officer" means a law
18 enforcement officer who has completed the officer's
19 probationary period and is employed on a full-time basis as a
20 law enforcement officer by a local government agency, State
21 government agency, or as a campus police officer by a
22 ~~participating State-controlled~~ university, college, or ~~public~~
23 community college.

24 "Law Enforcement agency" means any entity with statutory
25 police powers and the ability to employ individuals authorized

1 to make arrests. It does not include the Illinois State Police
2 as defined in the State Police Act. A law enforcement agency
3 may include any university, college, or community college.

4 ~~"Governmental agency" means any local governmental agency~~
5 ~~and any State governmental agency.~~

6 "Local law enforcement ~~governmental~~ agency" means any law
7 enforcement ~~local governmental~~ unit of government or municipal
8 corporation in this State. It does not include the State of
9 Illinois or any office, officer, department, division, bureau,
10 board, commission, or agency of the State, except that it does
11 include a State-controlled university, college or public
12 community college.

13 "State law enforcement ~~governmental~~ agency" means any law
14 enforcement agency ~~governmental unit~~ of this State. This
15 includes any office, officer, department, division, bureau,
16 board, commission, or agency of the State. It does not include
17 the Illinois State Police as defined in the State Police Act.

18 "Panel" means the Certification Review Panel.

19 "Basic ~~Police~~ training school" means any school located
20 within the State of Illinois whether privately or publicly
21 owned which offers a course in basic law enforcement ~~police~~ or
22 county corrections training and has been approved by the
23 Board.

24 "Probationary police officer" means a recruit law
25 enforcement officer required to successfully complete initial
26 minimum basic training requirements at a basic ~~police~~ training

1 school to be eligible for permanent full-time employment as a
2 local law enforcement officer.

3 "Probationary part-time police officer" means a recruit
4 part-time law enforcement officer required to successfully
5 complete initial minimum part-time training requirements to be
6 eligible for employment on a part-time basis as a local law
7 enforcement officer.

8 "Permanent law enforcement officer" means a law
9 enforcement officer who has completed the officer's
10 probationary period and is permanently employed on a full-time
11 basis as a local law enforcement officer, ~~by a participating~~
12 ~~local governmental unit or~~ as a security officer, ~~or campus~~
13 police officer permanently employed by a law enforcement
14 agency participating State-controlled university, college, or
15 ~~public community college.~~

16 "Part-time law enforcement officer" means a law
17 enforcement officer who has completed the officer's
18 probationary period and is employed on a part-time basis as a
19 law enforcement officer ~~by a participating unit of local~~
20 ~~government~~ or as a campus police officer by a law enforcement
21 agency participating State-controlled university, college, or
22 ~~public community college.~~

23 "Law enforcement officer" means (i) any police officer of
24 a law enforcement ~~local governmental~~ agency who is primarily
25 responsible for prevention or detection of crime and the
26 enforcement of the criminal code, traffic, or highway laws of

1 this State or any political subdivision of this State or (ii)
2 any member of a police force appointed and maintained as
3 provided in Section 2 of the Railroad Police Act.

4 "Recruit" means any full-time or part-time law enforcement
5 officer or full-time county corrections officer who is
6 enrolled in an approved training course.

7 "Review Committee" means the committee at the Board for
8 certification disciplinary cases in which the Panel, a law
9 enforcement officer, or a law enforcement agency may file for
10 reconsideration of a decertification decision made by the
11 Board.

12 "Probationary county corrections officer" means a recruit
13 county corrections officer required to successfully complete
14 initial minimum basic training requirements at a basic police
15 training school to be eligible for permanent employment on a
16 full-time basis as a county corrections officer.

17 "Permanent county corrections officer" means a county
18 corrections officer who has completed the officer's
19 probationary period and is permanently employed on a full-time
20 basis as a county corrections officer by a participating law
21 enforcement agency ~~local governmental unit.~~

22 "County corrections officer" means any sworn officer of
23 the sheriff who is primarily responsible for the control and
24 custody of offenders, detainees or inmates.

25 "Probationary court security officer" means a recruit
26 court security officer required to successfully complete

1 initial minimum basic training requirements at a designated
2 training school to be eligible for employment as a court
3 security officer.

4 "Permanent court security officer" means a court security
5 officer who has completed the officer's probationary period
6 and is employed as a court security officer by a participating
7 law enforcement agency ~~local governmental unit~~.

8 "Court security officer" has the meaning ascribed to it in
9 Section 3-6012.1 of the Counties Code.

10 (Source: P.A. 101-652, eff. 1-1-22.)

11 (50 ILCS 705/3) (from Ch. 85, par. 503)

12 Sec. 3. Board; composition; appointments; tenure;
13 vacancies. ~~Board — composition — appointments — tenure —~~
14 ~~vacancies.~~

15 (a) The Board shall be composed of 18 members selected as
16 follows: The Attorney General of the State of Illinois, the
17 Director of the Illinois State Police, the Director of
18 Corrections, the Superintendent of the Chicago Police
19 Department, the Sheriff of Cook County, the Clerk of the
20 Circuit Court of Cook County, who shall serve as ex officio
21 members, and the following to be appointed by the Governor: 2
22 mayors or village presidents of Illinois municipalities, 2
23 Illinois county sheriffs from counties other than Cook County,
24 2 managers of Illinois municipalities, 2 chiefs of municipal
25 police departments in Illinois having no Superintendent of the

1 Police Department on the Board, 2 citizens of Illinois who
2 shall be members of an organized enforcement officers'
3 association, one active member of a statewide association
4 representing sheriffs, and one active member of a statewide
5 association representing municipal police chiefs. The
6 appointments of the Governor shall be made on the first Monday
7 of August in 1965 with 3 of the appointments to be for a period
8 of one year, 3 for 2 years, and 3 for 3 years. Their successors
9 shall be appointed in like manner for terms to expire the first
10 Monday of August each 3 years thereafter. All members shall
11 serve until their respective successors are appointed and
12 qualify. Vacancies shall be filled by the Governor for the
13 unexpired terms. Any ex officio member may appoint a designee
14 to the Board who shall have the same powers and immunities
15 otherwise conferred to the member of the Board, including the
16 power to vote and be counted toward quorum, so long as the
17 member is not in attendance.

18 (a-5) Within the Board is created a Review Committee. The
19 Review Committee shall review disciplinary cases in which the
20 Panel, the law enforcement officer, or the law enforcement
21 agency file for reconsideration of a decertification decision
22 made by the Board. The Review Committee shall be composed of 9
23 annually rotating members from the Board appointed by the
24 Board Chairman. One member of the Review Committee shall be
25 designated by the Board Chairman as the Chair. The Review
26 Committee shall sit in 3 member panels composed of one member

1 representing law enforcement management, one member
2 representing members of law enforcement, and one member who is
3 not a current or former member of law enforcement.

4 (b) When a Board member may have an actual, perceived, or
5 potential conflict of interest or appearance of bias that
6 could prevent the Board member from making a fair and
7 impartial decision regarding decertification:

8 (1) The Board member shall recuse himself or herself.

9 (2) If the Board member fails to recuse himself or
10 herself, then the Board may, by a simple majority of the
11 remaining members, vote to recuse the Board member. Board
12 members who are found to have voted on a matter in which
13 they should have recused themselves may be removed from
14 the Board by the Governor.

15 A conflict of interest or appearance of bias may include,
16 but is not limited to, matters where one of the following is a
17 party to a decision on a decertification or formal complaint:
18 someone with whom the member has an employment relationship;
19 any of the following relatives: spouse, parents, children,
20 adopted children, legal wards, stepchildren, step parents,
21 step siblings, half siblings, siblings, parents-in-law,
22 siblings-in-law, children-in-law, aunts, uncles, nieces, and
23 nephews; a friend; or a member of a professional organization,
24 association, or a union in which the member now actively
25 serves.

26 (c) A vacancy in members does not prevent a quorum of the

1 remaining sitting members from exercising all rights and
2 performing all duties of the Board.

3 (d) An individual serving on the Board shall not also
4 serve on the Panel.

5 (Source: P.A. 101-652, eff. 1-1-22; 102-538, eff. 8-20-21;
6 revised 10-13-21.)

7 (50 ILCS 705/3.1)

8 (This Section may contain text from a Public Act with a
9 delayed effective date)

10 Sec. 3.1. Illinois Law Enforcement Certification Review
11 Panel.

12 (a) There is hereby created the Illinois Law Enforcement
13 Certification Review Panel. The Panel shall be composed of the
14 following members, to be appointed in accordance with this
15 Section no later than 30 days after the effective date of this
16 amendatory Act of the 101st General Assembly. An individual
17 serving on the Panel shall not also serve on the Board.

18 (1) The Governor shall appoint 4 ~~3~~ members as
19 prescribed in this paragraph (1): one person who shall be
20 an active member from a statewide association representing
21 State's Attorneys; and 3 ~~2~~ persons who shall be Illinois
22 residents who are from communities with disproportionately
23 high instances of interaction with law enforcement, as
24 indicated by a high need, underserved community with high
25 rates of gun violence, unemployment, child poverty, and

1 commitments to Illinois Department of Corrections, but who
2 are not themselves law enforcement officers. The initial
3 appointments of the Governor shall be for a period of 3
4 years. Their successors shall be appointed in like manner
5 for terms to expire the first Monday of June each 3 years
6 thereafter. All members shall serve until their respective
7 successors are appointed and qualify. Vacancies shall be
8 filled by the Governor for the unexpired terms. Terms
9 shall run regardless of whether the position is vacant.

10 (2) The Attorney General shall appoint 9 ~~8~~ members as
11 prescribed in this paragraph (2). The membership shall
12 have racial, ethnic, gender, and geographic diversity and
13 include the following: two persons who shall be active
14 members of statewide organization representing more than
15 20,000 active and retired law enforcement officers; one
16 person who shall be an active member of a statewide
17 organization representing more than 3,000 active and
18 retired law enforcement officials; one person who shall be
19 an active member of a statewide association representing a
20 minimum of 75 sheriffs; one person who shall be an active
21 member of a statewide association representing at least
22 200 municipal police chiefs; two persons who shall be
23 active members of a minority law enforcement association;
24 one person who shall be a representative of the victims'
25 advocacy community but shall not be a member of law
26 enforcement; and one person who shall be a resident of

1 Illinois and shall not be an employee of the Office of the
2 Illinois Attorney General. The members shall serve for a
3 3-year term and until their respective successors are
4 appointed and qualify. The members' successors shall be
5 appointed in like manner for terms to expire the first
6 Monday of June each 3 years thereafter. Any vacancy of
7 these positions shall be filled by the Attorney General
8 for the unexpired term. The term shall run regardless of
9 whether the position is vacant.

10 (b) The Panel shall annually elect by a simple majority
11 vote one of its members as chairperson and one of its members
12 as vice-chairperson. The vice-chairperson shall serve in the
13 place of the chairperson at any meeting of the Panel in which
14 the chairperson is not present. If both the chairperson and
15 the vice-chairperson are absent at any meeting, the members
16 present shall elect by a simple majority vote another member
17 to serve as a temporary chairperson for the limited purpose of
18 that meeting. No member shall be elected more than twice in
19 succession to the same office. Each member shall serve until
20 that member's successor has been elected and qualified.

21 (c) The Board shall provide administrative assistance to
22 the Panel.

23 (d) The members of the Panel shall serve without
24 compensation but shall be entitled to reimbursement for their
25 actual and necessary expenses in attending meetings and in the
26 performance of their duties hereunder.

1 (e) Members of the Panel will receive initial and annual
2 training that is adequate in quality, quantity, scope, and
3 type, and will cover, at minimum the following topics:

4 (1) constitutional and other relevant law on
5 police-community encounters, including the law on the use
6 of force and stops, searches, and arrests;

7 (2) police tactics;

8 (3) investigations of police conduct;

9 (4) impartial policing;

10 (5) policing individuals in crisis;

11 (6) Illinois police policies, procedures, and
12 disciplinary rules;

13 (7) procedural justice; and

14 (8) community outreach.

15 The Board shall determine the content and extent of the
16 training within the scope provided for by this subsection.

17 (f) The State shall indemnify and hold harmless members of
18 the Panel for all of their acts, omissions, decisions, or
19 other conduct arising out of the scope of their service on the
20 Panel, except those involving willful or wanton misconduct.
21 The method of providing indemnification shall be as provided
22 in the State Employee Indemnification Act.

23 (g) When a Panel member may have an actual, perceived, or
24 potential conflict of interest or appearance of bias that
25 could prevent the Panel member from making a fair and
26 impartial decision on a complaint or formal complaint:

1 (1) The Panel member shall self-recuse ~~himself or~~
2 ~~herself~~.

3 (2) If the Panel member fails to self-recuse ~~himself~~
4 ~~or herself~~, then the remaining members of the Panel may,
5 by a simple majority, vote to recuse the Panel member. Any
6 Panel member who is found to have voted on a matter in
7 which they should have self-recused ~~themselves~~ may be
8 removed from the Panel by the State official who initially
9 appointed the Panel member. A conflict of interest or
10 appearance of bias may include, but is not limited to,
11 matters where one of the following is a party to a
12 certification decision for formal complaint: someone with
13 whom the member has an employment relationship; any of the
14 following relatives: spouse, parents, children, adopted
15 children, legal wards, stepchildren, stepparents, step
16 siblings, half siblings, siblings, parents-in-law,
17 siblings-in-law, children-in-law, aunts, uncles, nieces,
18 and nephews; a friend; or a member of a professional
19 organization or ~~an~~ association ~~, or a union~~ in which the
20 member now actively serves.

21 (h) A vacancy in membership does not impair the ability of
22 a quorum to exercise all rights and perform all duties of the
23 Panel.

24 (i) Notwithstanding any provision of law to the contrary,
25 the changes made to this Section by this amendatory Act of the
26 102nd General Assembly and Public Act 101-652 take effect July

1 1, 2022.

2 (Source: P.A. 101-652, eff. 1-1-22.)

3 (50 ILCS 705/6) (from Ch. 85, par. 506)

4 (Text of Section before amendment by P.A. 101-652)

5 Sec. 6. Powers and duties of the Board; selection and
6 certification of schools. The Board shall select and certify
7 schools within the State of Illinois for the purpose of
8 providing basic training for probationary police officers,
9 probationary county corrections officers, and court security
10 officers and of providing advanced or in-service training for
11 permanent police officers or permanent county corrections
12 officers, which schools may be either publicly or privately
13 owned and operated. In addition, the Board has the following
14 power and duties:

15 a. To require local governmental units to furnish such
16 reports and information as the Board deems necessary to
17 fully implement this Act.

18 b. To establish appropriate mandatory minimum
19 standards relating to the training of probationary local
20 law enforcement officers or probationary county
21 corrections officers, and in-service training of permanent
22 police officers.

23 c. To provide appropriate certification to those
24 probationary officers who successfully complete the
25 prescribed minimum standard basic training course.

1 d. To review and approve annual training curriculum
2 for county sheriffs.

3 e. To review and approve applicants to ensure that no
4 applicant is admitted to a certified academy unless the
5 applicant is a person of good character and has not been
6 convicted of, or entered a plea of guilty to, a felony
7 offense, any of the misdemeanors in Sections 11-1.50,
8 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1,
9 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7
10 of the Criminal Code of 1961 or the Criminal Code of 2012,
11 subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the
12 Criminal Code of 1961 or the Criminal Code of 2012, or
13 subsection (a) of Section 17-32 of the Criminal Code of
14 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
15 the Cannabis Control Act, or a crime involving moral
16 turpitude under the laws of this State or any other state
17 which if committed in this State would be punishable as a
18 felony or a crime of moral turpitude. The Board may
19 appoint investigators who shall enforce the duties
20 conferred upon the Board by this Act.

21 (Source: P.A. 101-187, eff. 1-1-20.)

22 (Text of Section after amendment by P.A. 101-652, Article
23 10, Section 10-143 but before amendment by P.A. 101-652,
24 Article 25, Section 25-40)

25 Sec. 6. Powers and duties of the Board; selection and

1 certification of schools. The Board shall select and certify
2 schools within the State of Illinois for the purpose of
3 providing basic training for probationary police officers,
4 probationary county corrections officers, and court security
5 officers and of providing advanced or in-service training for
6 permanent police officers or permanent county corrections
7 officers, which schools may be either publicly or privately
8 owned and operated. In addition, the Board has the following
9 power and duties:

10 a. To require local governmental units to furnish such
11 reports and information as the Board deems necessary to
12 fully implement this Act.

13 b. To establish appropriate mandatory minimum
14 standards relating to the training of probationary local
15 law enforcement officers or probationary county
16 corrections officers, and in-service training of permanent
17 police officers.

18 c. To provide appropriate certification to those
19 probationary officers who successfully complete the
20 prescribed minimum standard basic training course.

21 d. To review and approve annual training curriculum
22 for county sheriffs.

23 e. To review and approve applicants to ensure that no
24 applicant is admitted to a certified academy unless the
25 applicant is a person of good character and has not been
26 convicted of, or entered a plea of guilty to, a felony

1 offense, any of the misdemeanors in Sections 11-1.50,
2 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1,
3 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7
4 of the Criminal Code of 1961 or the Criminal Code of 2012,
5 subdivision (a)(1) or (a)(2)(C) of Section 11-14.3 of the
6 Criminal Code of 1961 or the Criminal Code of 2012, or
7 subsection (a) of Section 17-32 of the Criminal Code of
8 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
9 the Cannabis Control Act, or a crime involving moral
10 turpitude under the laws of this State or any other state
11 which if committed in this State would be punishable as a
12 felony or a crime of moral turpitude. The Board may
13 appoint investigators who shall enforce the duties
14 conferred upon the Board by this Act.

15 f. To establish statewide standards for minimum
16 standards regarding regular mental health screenings for
17 probationary and permanent police officers, ensuring that
18 counseling sessions and screenings remain confidential.

19 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,
20 Section 10-143, eff. 7-1-21.)

21 (Text of Section after amendment by P.A. 101-652, Article
22 25, Section 25-40)

23 Sec. 6. Powers and duties of the Board; selection and
24 certification of schools. The Board shall select and certify
25 schools within the State of Illinois for the purpose of

1 providing basic training for probationary law enforcement
2 officers, probationary county corrections officers, and court
3 security officers and of providing advanced or in-service
4 training for permanent law enforcement officers or permanent
5 county corrections officers, which schools may be either
6 publicly or privately owned and operated. In addition, the
7 Board has the following power and duties:

8 a. To require law enforcement agencies ~~local~~
9 ~~governmental units,~~ to furnish such reports and
10 information as the Board deems necessary to fully
11 implement this Act.

12 b. To establish appropriate mandatory minimum
13 standards relating to the training of probationary local
14 law enforcement officers or probationary county
15 corrections officers, and in-service training of permanent
16 law enforcement officers.

17 c. To provide appropriate certification to those
18 probationary officers who successfully complete the
19 prescribed minimum standard basic training course.

20 d. To review and approve annual training curriculum
21 for county sheriffs.

22 e. To review and approve applicants to ensure that no
23 applicant is admitted to a certified academy unless the
24 applicant is a person of good character and has not been
25 convicted of, found guilty of, ~~or~~ entered a plea of guilty
26 to, or entered a plea of nolo contendere to a felony

1 offense, any of the misdemeanors in Sections 11-1.50,
2 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1,
3 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2,
4 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in
5 violation of any Section of Part E of Title III of the
6 Criminal Code of 1961 or the Criminal Code of 2012, or
7 subsection (a) of Section 17-32 of the Criminal Code of
8 1961 or the Criminal Code of 2012, or Section 5 or 5.2 of
9 the Cannabis Control Act, or a crime involving moral
10 turpitude under the laws of this State or any other state
11 which if committed in this State would be punishable as a
12 felony or a crime of moral turpitude, or any felony or
13 misdemeanor in violation of federal law or the law of any
14 state that is the equivalent of any of the offenses
15 specified therein. The Board may appoint investigators who
16 shall enforce the duties conferred upon the Board by this
17 Act.

18 For purposes of this paragraph e, a person is
19 considered to have been convicted of, found guilty of, or
20 entered a plea of guilty to, plea of nolo contendere to
21 regardless of whether the adjudication of guilt or
22 sentence is withheld or not entered thereon. This includes
23 sentences of supervision, conditional discharge, or first
24 offender probation, or any similar disposition provided
25 for by law.

26 f. To establish statewide standards for minimum

1 standards regarding regular mental health screenings for
2 probationary and permanent police officers, ensuring that
3 counseling sessions and screenings remain confidential.

4 ~~f. For purposes of this paragraph (c), a person is~~
5 ~~considered to have been "convicted of, found guilty of, or~~
6 ~~entered a plea of guilty to, plea of nolo contendere to"~~
7 ~~regardless of whether the adjudication of guilt or~~
8 ~~sentence is withheld or not entered thereon. This includes~~
9 ~~sentences of supervision, conditional discharge, or first~~
10 ~~offender probation, or any similar disposition provided~~
11 ~~for by law.~~

12 g. To review and ensure all law enforcement officers
13 remain in compliance with this Act, and any administrative
14 rules adopted under this Act.

15 h. To suspend any certificate for a definite period,
16 limit or restrict any certificate, or revoke any
17 certificate.

18 i. The Board and the Panel shall have power to secure
19 by its subpoena and bring before it any person or entity in
20 this State and to take testimony either orally or by
21 deposition or both with the same fees and mileage and in
22 the same manner as prescribed by law in judicial
23 proceedings in civil cases in circuit courts of this
24 State. The Board and the Panel shall also have the power to
25 subpoena the production of documents, papers, files,
26 books, documents, and records, whether in physical or

1 electronic form, in support of the charges and for
2 defense, and in connection with a hearing or
3 investigation.

4 j. The Executive Director, the administrative law
5 judge designated by the Executive Director, and each
6 member of the Board and the Panel shall have the power to
7 administer oaths to witnesses at any hearing that the
8 Board is authorized to conduct under this Act and any
9 other oaths required or authorized to be administered by
10 the Board under this Act.

11 k. In case of the neglect or refusal of any person to
12 obey a subpoena issued by the Board and the Panel, any
13 circuit court, upon application of the Board and the
14 Panel, through the Illinois Attorney General, may order
15 such person to appear before the Board and the Panel give
16 testimony or produce evidence, and any failure to obey
17 such order is punishable by the court as a contempt
18 thereof. This order may be served by personal delivery, by
19 email, or by mail to the address of record or email address
20 of record.

21 l. The Board shall have the power to administer state
22 certification examinations. Any and all records related to
23 these examinations, including, but not limited to, test
24 questions, test formats, digital files, answer responses,
25 answer keys, and scoring information shall be exempt from
26 disclosure.

1 (Source: P.A. 101-187, eff. 1-1-20; 101-652, Article 10,
2 Section 10-143, eff. 7-1-21; 101-652, Article 25, Section
3 25-40, eff. 1-1-22; revised 4-26-21.)

4 (50 ILCS 705/6.1)

5 Sec. 6.1. Automatic decertification of full-time and
6 part-time law enforcement officers.

7 (a) The Board must review law enforcement officer conduct
8 and records to ensure that no law enforcement officer is
9 certified or provided a valid waiver if that law enforcement
10 officer has been convicted of, found guilty of, entered a plea
11 of guilty to, or entered a plea of nolo contendere to, a felony
12 offense under the laws of this State or any other state which
13 if committed in this State would be punishable as a felony. The
14 Board must also ensure that no law enforcement officer is
15 certified or provided a valid waiver if that law enforcement
16 officer has been convicted of, found guilty of, or entered a
17 plea of guilty to, on or after January 1, 2022 (the effective
18 date of Public Act 101-652) ~~this amendatory Act of the 101st~~
19 ~~General Assembly~~ of any misdemeanor specified in this Section
20 or if committed in any other state would be an offense similar
21 to Section 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B,
22 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1,
23 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any
24 misdemeanor in violation of any Section of Part E of Title III
25 of the Criminal Code of 1961 or the Criminal Code of 2012, or

1 subsection (a) of Section 17-32 of the Criminal Code of 1961 or
2 the Criminal Code of 2012, or to Section 5 or 5.2 of the
3 Cannabis Control Act, or any felony or misdemeanor in
4 violation of federal law or the law of any state that is the
5 equivalent of any of the offenses specified therein. The Board
6 must appoint investigators to enforce the duties conferred
7 upon the Board by this Act.

8 (a-1) For purposes of this Section, a person is "convicted
9 of, or entered a plea of guilty to, plea of nolo contendere to,
10 found guilty of" regardless of whether the adjudication of
11 guilt or sentence is withheld or not entered thereon. This
12 includes sentences of supervision, conditional discharge, or
13 first offender probation, or any similar disposition provided
14 for by law.

15 (b) It is the responsibility of the sheriff or the chief
16 executive officer of every law enforcement ~~governmental~~ agency
17 or department within this State to report to the Board any
18 arrest, conviction, finding of guilt, plea of guilty, or plea
19 of nolo contendere to, of any officer for an offense
20 identified in this Section, regardless of whether the
21 adjudication of guilt or sentence is withheld or not entered
22 thereon, this includes sentences of supervision, conditional
23 discharge, or first offender probation.

24 (c) It is the duty and responsibility of every full-time
25 and part-time law enforcement officer in this State to report
26 to the Board within 14 days, and the officer's sheriff or chief

1 executive officer, of the officer's arrest, conviction, found
2 guilty of, or plea of guilty for an offense identified in this
3 Section. Any full-time or part-time law enforcement officer
4 who knowingly makes, submits, causes to be submitted, or files
5 a false or untruthful report to the Board must have the
6 officer's certificate or waiver immediately decertified or
7 revoked.

8 (d) Any person, or a local or State agency, or the Board is
9 immune from liability for submitting, disclosing, or releasing
10 information of arrests, convictions, or pleas of guilty in
11 this Section as long as the information is submitted,
12 disclosed, or released in good faith and without malice. The
13 Board has qualified immunity for the release of the
14 information.

15 (e) Any full-time or part-time law enforcement officer
16 with a certificate or waiver issued by the Board who is
17 convicted of, found guilty of, or entered a plea of guilty to,
18 or entered a plea of nolo contendere to any offense described
19 in this Section immediately becomes decertified or no longer
20 has a valid waiver. The decertification and invalidity of
21 waivers occurs as a matter of law. Failure of a convicted
22 person to report to the Board the officer's conviction as
23 described in this Section or any continued law enforcement
24 practice after receiving a conviction is a Class 4 felony.

25 For purposes of this Section, a person is considered to
26 have been "convicted of, found guilty of, or entered a plea of

1 guilty to, plea of nolo contendere to" regardless of whether
2 the adjudication of guilt or sentence is withheld or not
3 entered thereon, including sentences of supervision,
4 conditional discharge, first offender probation, or any
5 similar disposition as provided for by law.

6 (f) The Board's investigators shall be law enforcement
7 officers as defined in Section 2 of this Act. The Board shall
8 not waive the training requirement unless the investigator has
9 had a minimum of 5 years experience as a sworn officer of a
10 local, State, or federal law enforcement agency. An
11 investigator shall not have been terminated for good cause,
12 decertified, had his or her law enforcement license or
13 certificate revoked in this or any other jurisdiction, or been
14 convicted of any of the conduct listed in subsection (a). Any
15 complaint filed against the Board's investigators shall be
16 investigated by the Illinois State Police.

17 (g) The Board must request and receive information and
18 assistance from any federal, state, ~~or~~ local, or private
19 enforcement ~~governmental~~ agency as part of the authorized
20 criminal background investigation. The Illinois State Police
21 must process, retain, and additionally provide and disseminate
22 information to the Board concerning criminal charges, arrests,
23 convictions, and their disposition, that have been filed
24 against a basic academy applicant, law enforcement applicant,
25 or law enforcement officer whose fingerprint identification
26 cards are on file or maintained by the Illinois State Police.

1 The Federal Bureau of Investigation must provide the Board any
2 criminal history record information contained in its files
3 pertaining to law enforcement officers or any applicant to a
4 Board certified basic law enforcement academy as described in
5 this Act based on fingerprint identification. The Board must
6 make payment of fees to the Illinois State Police for each
7 fingerprint card submission in conformance with the
8 requirements of paragraph 22 of Section 55a of the Civil
9 Administrative Code of Illinois.

10 (g-5) Notwithstanding any provision of law to the
11 contrary, the changes to this Section made by this amendatory
12 Act of the 102nd General Assembly and Public Act 101-652 shall
13 apply prospectively only from July 1, 2022.

14 ~~(h) (Blank).~~

15 ~~(i) (Blank).~~

16 ~~(j) (Blank).~~

17 ~~(k) (Blank).~~

18 ~~(l) (Blank).~~

19 ~~(m) (Blank).~~

20 ~~(n) (Blank).~~

21 ~~(o) (Blank).~~

22 ~~(p) (Blank).~~

23 ~~(q) (Blank).~~

24 ~~(r) (Blank).~~

25 (Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22;
26 102-538, eff. 8-20-21; revised 10-13-21.)

1 (50 ILCS 705/6.2)

2 (Section scheduled to be repealed on January 1, 2022)

3 Sec. 6.2. Officer professional conduct database. In order
4 to ensure the continuing effectiveness of this Section, it is
5 set forth in full and reenacted by this amendatory Act of the
6 102nd General Assembly. This reenactment is intended as a
7 continuation of this Section. This reenactment is not intended
8 to supersede any amendment to this Section that may be made by
9 any other Public Act of the 102nd General Assembly.

10 (a) All law enforcement agencies shall notify the Board of
11 any final determination of willful violation of department or
12 agency policy, official misconduct, or violation of law when:

13 (1) the officer is discharged or dismissed as a result
14 of the violation; or

15 (2) the officer resigns during the course of an
16 investigation and after the officer has been served notice
17 that he or she is under investigation that is based on the
18 commission of any felony or sex offense.

19 The agency shall report to the Board within 30 days of a
20 final decision of discharge or dismissal and final exhaustion
21 of any appeal, or resignation, and shall provide information
22 regarding the nature of the violation.

23 (b) Upon receiving notification from a law enforcement
24 agency, the Board must notify the law enforcement officer of
25 the report and his or her right to provide a statement

1 regarding the reported violation.

2 (c) The Board shall maintain a database readily available
3 to any chief administrative officer, or his or her designee,
4 of a law enforcement agency or any State's Attorney that shall
5 show each reported instance, including the name of the
6 officer, the nature of the violation, reason for the final
7 decision of discharge or dismissal, and any statement provided
8 by the officer.

9 (Source: P.A. 101-652, eff. 7-1-21. Repealed by P.A. 101-652,
10 Article 25, Section 25-45, eff. 1-1-22.)

11 (50 ILCS 705/6.3)

12 (This Section may contain text from a Public Act with a
13 delayed effective date)

14 Sec. 6.3. Discretionary decertification of full-time and
15 part-time law enforcement officers.

16 (a) Definitions. For purposes of this Section 6.3:

17 "Duty to intervene" means an obligation to intervene to
18 prevent harm from occurring that arises when: an officer is
19 present, and has reason to know (1) that excessive force is
20 being used or that any constitutional violation has been
21 committed by a law enforcement official; and (2) the officer
22 has a realistic opportunity to intervene. This duty applies
23 equally to supervisory and nonsupervisory officers. If aid is
24 required, the officer shall not, when reasonable to administer
25 aid, knowingly and willingly refuse to render aid as defined

1 by State or federal law. An officer does not violate this duty
2 if the failure to render aid is due to circumstances such as
3 lack of appropriate specialized training, lack of resources or
4 equipment, or if it is unsafe or impracticable to render aid.

5 "Excessive use of force" means using force in violation of
6 State or federal law.

7 "False statement" means (1) any knowingly false statement
8 provided on a form or report, (2) that the writer does not
9 believe to be true, and (3) that the writer includes to mislead
10 a public servant in performing the public servant's official
11 functions.

12 "Perjury" means that as defined under Sections 32-2 and
13 32-3 of the Criminal Code of 2012.

14 "Tampers with or fabricates evidence" means if a law
15 enforcement officer (1) has reason to believe that an official
16 proceeding is pending or may be instituted, and (2) alters,
17 destroys, conceals, or removes any record, document, data,
18 video or thing to impair its validity or availability in the
19 proceeding.

20 (b) Decertification conduct. The Board has the authority
21 to decertify a full-time or a part-time law enforcement
22 officer upon a determination by the Board that the law
23 enforcement officer has:

24 (1) committed an act that would constitute a felony or
25 misdemeanor which could serve as basis for automatic
26 decertification, whether or not the law enforcement

1 officer was criminally prosecuted, and whether or not the
2 law enforcement officer's employment was terminated;

3 (2) exercised excessive use of force;

4 (3) failed to comply with the officer's duty to
5 intervene, including through acts or omissions;

6 (4) tampered with a dash camera or body-worn camera or
7 data recorded by a dash camera or body-worn camera or
8 directed another to tamper with or turn off a dash camera
9 or body-worn camera or data recorded by a dash camera or
10 body-worn camera for the purpose of concealing, destroying
11 or altering potential evidence;

12 (5) engaged in the following conduct relating to the
13 reporting, investigation, or prosecution of a crime:
14 committed perjury, made a false statement, or knowingly
15 tampered with or fabricated evidence; and

16 (6) engaged in any unprofessional, unethical,
17 deceptive, or deleterious conduct or practice harmful to
18 the public; such conduct or practice need not have
19 resulted in actual injury to any person. As used in this
20 paragraph, the term "unprofessional conduct" shall include
21 any departure from, or failure to conform to, the minimal
22 standards of acceptable and prevailing practice of an
23 officer.

24 (b-5) The Board has the authority to decertify a full-time
25 or part-time law enforcement officer notwithstanding whether a
26 law enforcement agency takes disciplinary action against a law

1 enforcement officer for the same underlying conduct as
2 outlined in subsection (b).

3 (c) Notice of Alleged Violation.

4 (1) The following individuals and agencies shall
5 notify the Board within 7 days of becoming aware of any
6 violation described in subsection (b):

7 (A) A law enforcement ~~governmental~~ agency as
8 defined in Section 2 or any law enforcement officer of
9 this State. For this subsection (c), law enforcement
10 ~~governmental~~ agency includes, but is not limited to, a
11 civilian review board, an inspector general, and legal
12 counsel for a law enforcement ~~government~~ agency.

13 (B) The Executive Director of the Board;

14 (C) A State's Attorney's Office of this State.

15 "Becoming aware" does not include confidential
16 communications between agency lawyers and agencies
17 regarding legal advice. For purposes of this subsection,
18 "law enforcement ~~governmental~~ agency" does not include the
19 Illinois Attorney General when providing legal
20 representation to a law enforcement officer under the
21 State Employee Indemnification Act.

22 (2) Any person may also notify the Board of any
23 conduct the person believes a law enforcement officer has
24 committed as described in subsection (b). Such
25 notifications may be made confidentially. Notwithstanding
26 any other provision in state law or any collective

1 bargaining agreement, the Board shall accept notice and
2 investigate any allegations from individuals who remain
3 confidential.

4 (3) Upon written request, the Board shall disclose to
5 the individual or entity who filed a notice of violation
6 the status of the Board's review.

7 (d) Form. The notice of violation reported under
8 subsection (c) shall be on a form prescribed by the Board in
9 its rules. The form shall be publicly available by paper and
10 electronic means. The form shall include fields for the
11 following information, at a minimum:

12 (1) the full name, address, and telephone number of
13 the person submitting the notice;

14 (2) if submitted under subsection (c)(1), the agency
15 name and title of the person submitting the notice;

16 (3) the full name, badge number, employing
17 ~~governmental~~ agency, and physical description of the
18 officer, if known;

19 (4) the full name or names, address or addresses,
20 telephone number or numbers, and physical description or
21 descriptions of any witnesses, if known;

22 (5) a concise statement of facts that describe the
23 alleged violation and any copies of supporting evidence
24 including but not limited to any photographic, video, or
25 audio recordings of the incident;

26 (6) whether the person submitting the notice has

1 notified any other agency; and

2 (7) an option for an individual, who submits directly
3 to the Board, to consent to have the individual's identity
4 disclosed. The identity of any individual providing
5 information or reporting any possible or alleged violation
6 to the Board shall be kept confidential and may not be
7 disclosed without the consent of that individual, unless
8 the individual consents to disclosure of the individual's
9 name or disclosure of the individual's identity is
10 otherwise required by law. The confidentiality granted by
11 this subsection does not preclude the disclosure of the
12 identity of a person in any capacity other than as the
13 source of an allegation.

14 ~~(a) The identity of any individual providing~~
15 ~~information or reporting any possible or alleged~~
16 ~~violation to the Board shall be kept confidential and~~
17 ~~may not be disclosed without the consent of that~~
18 ~~individual, unless the individual consents to~~
19 ~~disclosure of the individual's name or disclosure of~~
20 ~~the individual's identity is otherwise required by~~
21 ~~law. The confidentiality granted by this subsection~~
22 ~~does not preclude the disclosure of the identity of a~~
23 ~~person in any capacity other than as the source of an~~
24 ~~allegation.~~

25 Nothing in this subsection (d) shall preclude the Board
26 from receiving, investigating, or acting upon allegations made

1 confidentially or in a format different from the form provided
2 for in this subsection.

3 (e) Preliminary review.

4 (1) The Board shall complete a preliminary review of
5 the allegations to determine whether there is sufficient
6 information to warrant a further investigation of any
7 violations of the Act. Upon initiating a preliminary
8 review of the allegations, the Board shall notify the head
9 of the law enforcement ~~governmental~~ agency that employs
10 the law enforcement officer who is the subject of the
11 allegations. At the request of the Board, the law
12 enforcement ~~governmental~~ agency must submit any copies of
13 investigative findings, evidence, or documentation to the
14 Board in accordance with rules adopted by the Board to
15 facilitate the Board's preliminary review. The Board may
16 correspond with the law enforcement ~~governmental~~ agency,
17 official records clerks or any investigative agencies in
18 conducting its preliminary review.

19 (2) During the preliminary review, the Board will take
20 all reasonable steps to discover any and all objective
21 verifiable evidence relevant to the alleged violation
22 through the identification, retention, review, and
23 analysis of all currently available evidence, including,
24 but not limited to: all time-sensitive evidence, audio and
25 video evidence, physical evidence, arrest reports,
26 photographic evidence, GPS records, computer data, lab

1 reports, medical documents, and witness interviews. All
2 reasonable steps will be taken to preserve relevant
3 evidence identified during the preliminary investigation.

4 (3) If after a preliminary review of the alleged
5 violation or violations, the Board believes there is
6 sufficient information to warrant further investigation of
7 any violations of this Act, the alleged violation or
8 violations shall be assigned for investigation in
9 accordance with subsection (f).

10 (4) If after a review of the allegations, the Board
11 believes there is insufficient information supporting the
12 allegations to warrant further investigation, it may close
13 a notice. Notification of the Board's decision to close a
14 notice shall be sent to all relevant individuals,
15 agencies, and any entities that received notice of the
16 violation under subsection (c) within 30 days of the
17 notice being closed, except in cases where the notice is
18 submitted anonymously if the complainant is unknown.

19 (5) Except when the Board has received notice under
20 subparagraph (A) of paragraph (1) of subsection (c), no
21 later than 30 days after receiving notice, the Board shall
22 report any notice of violation it receives to the relevant
23 law enforcement ~~governmental~~ agency, unless reporting the
24 notice would jeopardize any subsequent investigation. The
25 Board shall also record any notice of violation it
26 receives to the Officer Professional Conduct Database in

1 accordance with Section 9.2. The Board shall report to the
2 appropriate State's Attorney any alleged violations that
3 contain allegations, claims, or factual assertions that,
4 if true, would constitute a violation of Illinois law. The
5 Board shall inform the law enforcement officer via
6 certified mail that it has received a notice of violation
7 against the law enforcement officer.

8 If the Board determines that due to the circumstances
9 and the nature of the allegation that it would not be
10 prudent to notify the law enforcement officer and the
11 officer's law enforcement ~~governmental~~ agency unless and
12 until the filing of a Formal Complaint, the Board shall
13 document in the file the reason or reasons a notification
14 was not made.

15 (6) If the law enforcement officer is involved in a
16 criminal proceeding on the same subject as the notice of
17 violation ~~has been initiated against the law enforcement~~
18 ~~officer~~, the Board is responsible for maintaining a
19 current status report including court dates, hearings,
20 pleas, adjudication status and sentencing. A State's
21 Attorney's Office must notify ~~is responsible for notifying~~
22 the Board of any criminal charges filed against a law
23 enforcement officer, and must provide updates of
24 significant developments to the Board in a timely manner
25 but no later than 30 days after such developments.

26 (f) Investigations; requirements. Investigations are to be

1 assigned after a preliminary review, unless the investigations
2 were closed under paragraph (4) of subsection (e), as follows
3 in paragraphs (1), (2), and (3) of this subsection (f).

4 (1) A law enforcement ~~governmental~~ agency that submits
5 a notice of violation to the Board under subparagraph (A)
6 of paragraph (1) of subsection (c) shall be responsible
7 for conducting an investigation of the underlying
8 allegations except when: (i) the law enforcement
9 ~~governmental~~ agency refers the notice to another law
10 enforcement ~~governmental~~ agency or the Board for
11 investigation and such other agency or the Board agrees to
12 conduct the investigation; (ii) an external, independent,
13 or civilian oversight agency conducts the investigation in
14 accordance with local ordinance or other applicable law;
15 or (iii) the Board has determined that it will conduct the
16 investigation based upon the facts and circumstances of
17 the alleged violation, including but not limited to,
18 investigations regarding the Chief or Sheriff of a law
19 enforcement ~~governmental~~ agency, familial conflict of
20 interests, complaints involving a substantial portion of a
21 law enforcement ~~governmental~~ agency, or complaints
22 involving a policy of a law enforcement ~~governmental~~
23 agency. Any agency or entity conducting an investigation
24 under this paragraph (1) shall submit quarterly reports to
25 the Board regarding the progress of the investigation. The
26 quarterly report shall be reviewed by the individual or

1 individuals at the Board who conducted the preliminary
2 review, if available.

3 Any agency or entity conducting an investigation under
4 this paragraph (1) shall, within 7 days of completing an
5 investigation, deliver an Investigative Summary Report and
6 copies of any administrative evidence to the Board. If the
7 Board finds an investigation conducted under this
8 paragraph (1) is incomplete, unsatisfactory, or deficient
9 in any way, the Board may direct the investigating entity
10 or agency to take any additional investigative steps
11 deemed necessary to thoroughly and satisfactorily complete
12 the investigation, or the Board may take any steps
13 necessary to complete the investigation. The investigating
14 entity or agency or, when necessary, the Board will then
15 amend and re-submit the Investigative Summary Report to
16 the Board for approval.

17 The Board shall submit a report to the investigating
18 entity disclosing the name, address, and telephone numbers
19 of persons who have knowledge of facts which are the
20 subject of the investigation and identifying the subject
21 matter of their knowledge.

22 (2) The Board shall investigate and complete an
23 Investigative Summary Report when a State's Attorney's
24 Office submits a notice of violation to the Board under
25 (c) (1) (C).

26 (3) When a person submits a notice to the Board under

1 paragraph (2) of subsection (c), The Board shall assign
2 the investigation to the law enforcement ~~governmental~~
3 agency that employs the law enforcement officer, except
4 when: (i) the law enforcement ~~governmental~~ agency requests
5 to refer the notice to another law enforcement
6 ~~governmental~~ agency or the Board for investigation and
7 such other agency or the Board agrees to conduct the
8 investigation; (ii) an external, independent, or civilian
9 oversight agency conducts the investigation in accordance
10 with local ordinance or other applicable law; or (iii) the
11 Board has determined that it will conduct the
12 investigation based upon the facts and circumstances of
13 the alleged violation, including but not limited to,
14 investigations regarding the Chief or Sheriff of a law
15 enforcement ~~governmental~~ agency, familial conflict of
16 interests, complaints involving a substantial portion of a
17 law enforcement ~~governmental~~ agency, or complaints
18 involving a policy of a law enforcement ~~governmental~~
19 agency.

20 The investigating entity or agency shall submit
21 quarterly reports to the Board regarding the progress of
22 the investigation in a form to be determined by the Board.
23 The quarterly report shall be reviewed by the individual
24 at the Board who conducted the preliminary review, if
25 available.

26 The investigating entity or agency shall, within 7 days of

1 completing an investigation, deliver an Investigative
2 Summary Report and copies of any evidence to the Board. If
3 the Board finds an investigation conducted under this
4 subsection (f)(3) is incomplete, unsatisfactory, or
5 deficient in any way, the Board may direct the
6 investigating entity to take any additional investigative
7 steps deemed necessary to thoroughly and satisfactorily
8 complete the investigation, or the Board may take any
9 steps necessary to complete the investigation. The
10 investigating entity or agency or, when necessary, the
11 Board will then amend and re-submit the ~~The~~ Investigative
12 Summary Report to the Board for approval. The
13 investigating entity shall cooperate with and assist the
14 Board, as necessary, in any subsequent investigation.

15 (4) Concurrent Investigations. The Board may, at any
16 point, initiate a concurrent investigation under this
17 section. The original investigating entity shall timely
18 communicate, coordinate, and cooperate with the Board to
19 the fullest extent. The Board shall promulgate rules that
20 shall address, at a minimum, the sharing of information
21 and investigative means such as subpoenas and interviewing
22 witnesses.

23 (5) Investigative Summary Report. An Investigative
24 Summary Report shall contain, at a minimum, the
25 allegations and elements within each allegation followed
26 by the testimonial, documentary, or physical evidence that

1 is relevant to each such allegation or element listed and
2 discussed in association with it. All persons who have
3 been interviewed and listed in the Investigative Summary
4 Report will be identified as a complainant, witness,
5 person with specialized knowledge, or law enforcement
6 employee.

7 (6) Each law enforcement ~~governmental~~ agency shall
8 adopt a written policy regarding the investigation of
9 conduct under subsection (a) that involves a law
10 enforcement officer employed by that law enforcement
11 ~~governmental~~ agency. The written policy adopted must
12 include the following, at a minimum:

13 (a) Each law enforcement officer shall immediately
14 report any conduct under subsection (b) to the
15 appropriate supervising officer.

16 (b) The written policy under this Section shall be
17 available for inspection and copying under the Freedom
18 of Information Act, and not subject to any exemption
19 of that Act.

20 (7) Nothing in this Act shall prohibit a law
21 enforcement ~~governmental~~ agency from conducting an
22 investigation for the purpose of internal discipline.
23 However, any such investigation shall be conducted in a
24 manner that avoids interference with, and preserves the
25 integrity of, any separate investigation by the Board
26 being conducted.

1 (g) Formal complaints. Upon receipt of an Investigative
2 Summary Report, the Board shall review the Report and any
3 relevant evidence obtained and determine whether there is
4 reasonable basis to believe that the law enforcement officer
5 committed any conduct that would be deemed a violation of this
6 Act. If after reviewing the Report and any other relevant
7 evidence obtained, the Board determines that a reasonable
8 basis does exist, the Board shall file a formal complaint with
9 the Certification Review Panel.

10 (h) Formal Complaint Hearing.

11 (1) Upon issuance of a formal complaint, the Panel
12 shall set the matter for an initial hearing in front of an
13 administrative law judge. At least 30 days before the date
14 set for an initial hearing, the Panel must, in writing,
15 notify the law enforcement officer subject to the
16 complaint of the following:

17 (i) the allegations against the law enforcement
18 officer, the time and place for the hearing, and
19 whether the law enforcement officer's certification
20 has been temporarily suspended under Section 8.3;

21 (ii) the right to file a written answer to the
22 complaint with the Panel within 30 days after service
23 of the notice;

24 (iii) if the law enforcement officer fails to
25 comply with the notice of the default order in
26 paragraph (2), the Panel shall enter a default order

1 against the law enforcement officer along with a
2 finding that the allegations in the complaint are
3 deemed admitted, and that the law enforcement
4 officer's certification may be revoked as a result;
5 and

6 (iv) the law enforcement officer may request an
7 informal conference to surrender the officer's
8 certification.

9 (2) The Board shall send the law enforcement officer
10 notice of the default order. The notice shall state that
11 the officer has 30 days to notify the Board in writing of
12 their desire to have the order vacated and to appear
13 before the Board. If the law enforcement officer does not
14 notify the Board within 30 days, the Board may set the
15 matter for hearing. If the matter is set for hearing, the
16 Board shall send the law enforcement officer the notice of
17 the date, time and location of the hearing. If the law
18 enforcement officer or counsel for the officer does
19 appear, at the Board's discretion, the hearing may proceed
20 or may be continued to a date and time agreed upon by all
21 parties. If on the date of the hearing, neither the law
22 enforcement officer nor counsel for the officer appears,
23 the Board may proceed with the hearing for default in
24 their absence.

25 (3) If the law enforcement officer fails to comply
26 with paragraph (2), all of the allegations contained in

1 the complaint shall be deemed admitted and the law
2 enforcement officer shall be decertified if, by a majority
3 vote of the panel, the conduct charged in the complaint is
4 found to constitute sufficient grounds for decertification
5 under this Act. Notice of the decertification decision may
6 be served by personal delivery, by mail, or, at the
7 discretion of the Board, by electronic means as adopted by
8 rule to the address or email address specified by the law
9 enforcement officer in the officer's last communication
10 with the Board. Notice shall also be provided to the law
11 enforcement officer's employing law enforcement
12 ~~governmental~~ agency.

13 (4) The Board, at the request of the law enforcement
14 officer subject to the Formal Complaint, may suspend a
15 hearing on a Formal Complaint for no more than one year if
16 a concurrent criminal matter is pending. If the law
17 enforcement officer requests to have the hearing
18 suspended, the law enforcement officer's certification
19 shall be deemed inactive until the law enforcement
20 officer's Formal Complaint hearing concludes. The Board or
21 the law enforcement officer may request to have the
22 hearing suspended for up to 6 additional months for good
23 cause. This request may be renewed. For purposes of this
24 paragraph (4), "good cause" means an incident or
25 occurrence that is beyond the control of the requester and
26 that prevents the hearing from occurring, or holding the

1 hearing would impose an undue hardship or prejudice on the
2 requester.

3 (5) Surrender of certification or waiver. Upon the
4 Board's issuance of a complaint, and prior to hearing on
5 the matter, a law enforcement officer may choose to
6 surrender the officer's certification or waiver by
7 notifying the Board in writing of the officer's decision
8 to do so. Upon receipt of such notification from the law
9 enforcement officer, the Board shall immediately decertify
10 the officer, or revoke any waiver previously granted. In
11 the case of a surrender of certification or waiver, the
12 Board's proceeding shall terminate.

13 (6) Appointment of administrative law judges. The
14 Board shall retain any attorney licensed to practice law
15 in the State of Illinois to serve as an administrative law
16 judge in any action involving ~~initiated against~~ a law
17 enforcement officer under this Act. The administrative law
18 judge shall be retained to a term of no greater than 4
19 years. If more than one judge is retained, the terms shall
20 be staggered. The administrative law judge has full
21 authority to conduct the hearings.

22 Administrative law judges will receive initial and
23 annual training that is adequate in quality, quantity,
24 scope, and type, and will cover, at minimum the following
25 topics:

26 (i) constitutional and other relevant law on

1 police-community encounters, including the law on the
2 use of force and stops, searches, and arrests;

3 (ii) police tactics;

4 (iii) investigations of police conduct;

5 (iv) impartial policing;

6 (v) policing individuals in crisis;

7 (vi) Illinois police policies, procedures, and
8 disciplinary rules;

9 (vii) procedural justice; and

10 (viii) community outreach.

11 The Board shall determine the content and extent of
12 the training within the scope provided for by this
13 subsection.

14 (7) Hearing. At the hearing, the administrative law
15 judge will hear the allegations alleged in the complaint.
16 The law enforcement officer, the counsel of the officer's
17 choosing, and the Board, or the officer's counsel, shall
18 be afforded the opportunity to present any pertinent
19 statements, testimony, evidence, and arguments. The law
20 enforcement officer shall be afforded the opportunity to
21 request that the Board compel the attendance of witnesses
22 and production of related documents. After the conclusion
23 of the hearing, the administrative law judge shall report
24 any ~~his or her~~ findings of fact, conclusions of law, and
25 recommended disposition to the Panel. If the law
26 enforcement officer objects to any procedural or

1 substantive legal portion of the report, the officer may
2 do so by written brief filed with the Panel within 14 days
3 after receipt of the report. The Panel may grant
4 reasonable extensions for good cause shown or when
5 mutually agreed upon by the parties.

6 No later than 28 days before the hearing, a party
7 shall disclose the following:

8 (i) The name and, if known, the address and
9 telephone number of each individual likely to have
10 information relevant to the hearing that the
11 disclosing party may use to support its claims or
12 defenses. This includes, but is not limited to, any
13 name that has previously been held as confidential by
14 the Board.

15 (ii) A copy of any documents and videos that are in
16 the possession, custody, or control of the party, and
17 that the disclosing party may use to support its
18 claims or defenses.

19 (8) Certification Review Meeting. Upon receipt of the
20 administrative law judge's findings of fact, conclusions
21 of law, and recommended disposition, and any submitted
22 objections from the law enforcement officer, the Panel
23 shall call for a certification review meeting.

24 In such a meeting, the Panel may adjourn into a closed
25 conference for the purposes of deliberating on the
26 evidence presented during the hearing. In closed

1 conference, the Panel shall consider the hearing officer's
2 findings of fact, conclusions of law, and recommended
3 disposition and may deliberate on all evidence and
4 testimony received and may consider the weight and
5 credibility to be given to the evidence received. No new
6 or additional evidence may be presented to the Panel.
7 After concluding its deliberations, the Panel shall
8 convene in open session for its consideration of the
9 matter. If a simple majority of the Panel finds that no
10 allegations in the complaint supporting one or more
11 charges of misconduct are proven by clear and convincing
12 evidence, then the Panel shall recommend to the Board that
13 the complaint be dismissed. If a simple majority of the
14 Panel finds that the allegations in the complaint
15 supporting one or more charges of misconduct are proven by
16 clear and convincing evidence, then the Panel shall
17 recommend to the Board to decertify the officer. The Panel
18 shall prepare a summary report as soon as practicable
19 after the completion of the meeting including the
20 following: ~~In doing so, the Panel may adopt, in whole or in~~
21 ~~part,~~ the hearing officer's findings of fact, conclusions
22 of law, ~~and~~ recommended disposition, and the Panel's
23 order.

24 (9) Final action by the Board. After receiving the
25 Panel's recommendations and any objections by the law
26 enforcement officer, and after due consideration of the

1 Panel's recommendations, the Board, by majority vote,
2 shall issue a final decision to decertify the law
3 enforcement officer or take no action in regard to the law
4 enforcement officer. No new or additional evidence may be
5 presented to the Board. If the Board makes a final
6 decision contrary to the recommendations of the Panel, the
7 Board shall set forth in its final written decision the
8 specific written reasons for not following the Panel's
9 recommendations. A copy of the Board's final decision
10 shall be served upon the law enforcement officer by the
11 Board, either personally or as provided in this Act for
12 the service of a notice of hearing. A copy of the Board's
13 final decision also shall be delivered to the last
14 employing law enforcement ~~governmental~~ agency, the
15 complainant, and the Panel.

16 (10) Reconsideration of the Board's Decision. Within
17 30 days after service of the Board's final decision, the
18 Panel or the law enforcement officer may file a written
19 motion for reconsideration with the Review Committee
20 ~~Board~~. The motion for reconsideration shall specify the
21 particular grounds for reconsideration. The non-moving
22 party may respond to the motion for reconsideration. The
23 Review Committee shall only address the issues raised by
24 the parties.

25 The Review Committee ~~Board~~ may deny the motion for
26 reconsideration, or it may grant the motion in whole or in

1 part and issue a new final decision in the matter. The
2 Review Committee Board must notify the law enforcement
3 officer and their last employing law enforcement agency
4 within 14 days of a denial and state the reasons for
5 denial.

6 (i) This Section applies to conduct by a full-time or
7 part-time law enforcement officer in violation of subsection
8 (b) that occurred before, on, or after the effective date of
9 this amendatory Act of the 102nd General Assembly.

10 (j) Notwithstanding any provision of law to the contrary,
11 the changes made to this Section by this amendatory Act of the
12 102nd General Assembly and Public Act 101-652 take effect July
13 1, 2022.

14 (Source: P.A. 101-652, eff. 1-1-22.)

15 (50 ILCS 705/6.7)

16 (This Section may contain text from a Public Act with a
17 delayed effective date)

18 Sec. 6.7. Certification and decertification procedures
19 under Act exclusive. Notwithstanding any other law, the
20 certification and decertification procedures, including the
21 conduct of any investigation or hearing, under this Act are
22 the sole and exclusive procedures for certification as law
23 enforcement officers in Illinois and are not subject to
24 collective bargaining under the Illinois Public Labor
25 Relations Act or appealable except as set forth herein. The

1 provisions of any collective bargaining agreement adopted by a
2 law enforcement ~~governmental~~ agency and covering the law
3 enforcement officer or officers under investigation shall be
4 inapplicable to any investigation or hearing conducted under
5 this Act.

6 An individual has no property interest in law enforcement
7 certification ~~employment or otherwise resulting from law~~
8 ~~enforcement officer certification~~ at the time of initial
9 certification or at any time thereafter, including, but not
10 limited to, after decertification or after the officer's
11 certification has been deemed inactive. Nothing in this Act
12 shall be construed to create a requirement that a law
13 enforcement ~~governmental~~ agency shall continue to employ a law
14 enforcement officer who has been decertified.

15 (Source: P.A. 101-652, eff. 1-1-22.)

16 (50 ILCS 705/7) (from Ch. 85, par. 507)

17 (Text of Section before amendment by P.A. 101-652)

18 Sec. 7. Rules and standards for schools. The Board shall
19 adopt rules and minimum standards for such schools which shall
20 include, but not be limited to, the following:

21 a. The curriculum for probationary police officers
22 which shall be offered by all certified schools shall
23 include, but not be limited to, courses of procedural
24 justice, arrest and use and control tactics, search and
25 seizure, including temporary questioning, civil rights,

1 human rights, human relations, cultural competency,
2 including implicit bias and racial and ethnic sensitivity,
3 criminal law, law of criminal procedure, constitutional
4 and proper use of law enforcement authority, vehicle and
5 traffic law including uniform and non-discriminatory
6 enforcement of the Illinois Vehicle Code, traffic control
7 and accident investigation, techniques of obtaining
8 physical evidence, court testimonies, statements, reports,
9 firearms training, training in the use of electronic
10 control devices, including the psychological and
11 physiological effects of the use of those devices on
12 humans, first-aid (including cardiopulmonary
13 resuscitation), training in the administration of opioid
14 antagonists as defined in paragraph (1) of subsection (e)
15 of Section 5-23 of the Substance Use Disorder Act,
16 handling of juvenile offenders, recognition of mental
17 conditions and crises, including, but not limited to, the
18 disease of addiction, which require immediate assistance
19 and response and methods to safeguard and provide
20 assistance to a person in need of mental treatment,
21 recognition of abuse, neglect, financial exploitation, and
22 self-neglect of adults with disabilities and older adults,
23 as defined in Section 2 of the Adult Protective Services
24 Act, crimes against the elderly, law of evidence, the
25 hazards of high-speed police vehicle chases with an
26 emphasis on alternatives to the high-speed chase, and

1 physical training. The curriculum shall include specific
2 training in techniques for immediate response to and
3 investigation of cases of domestic violence and of sexual
4 assault of adults and children, including cultural
5 perceptions and common myths of sexual assault and sexual
6 abuse as well as interview techniques that are age
7 sensitive and are trauma informed, victim centered, and
8 victim sensitive. The curriculum shall include training in
9 techniques designed to promote effective communication at
10 the initial contact with crime victims and ways to
11 comprehensively explain to victims and witnesses their
12 rights under the Rights of Crime Victims and Witnesses Act
13 and the Crime Victims Compensation Act. The curriculum
14 shall also include training in effective recognition of
15 and responses to stress, trauma, and post-traumatic stress
16 experienced by police officers that is consistent with
17 Section 25 of the Illinois Mental Health First Aid
18 Training Act in a peer setting, including recognizing
19 signs and symptoms of work-related cumulative stress,
20 issues that may lead to suicide, and solutions for
21 intervention with peer support resources. The curriculum
22 shall include a block of instruction addressing the
23 mandatory reporting requirements under the Abused and
24 Neglected Child Reporting Act. The curriculum shall also
25 include a block of instruction aimed at identifying and
26 interacting with persons with autism and other

1 developmental or physical disabilities, reducing barriers
2 to reporting crimes against persons with autism, and
3 addressing the unique challenges presented by cases
4 involving victims or witnesses with autism and other
5 developmental disabilities. The curriculum shall include
6 training in the detection and investigation of all forms
7 of human trafficking. The curriculum shall also include
8 instruction in trauma-informed responses designed to
9 ensure the physical safety and well-being of a child of an
10 arrested parent or immediate family member; this
11 instruction must include, but is not limited to: (1)
12 understanding the trauma experienced by the child while
13 maintaining the integrity of the arrest and safety of
14 officers, suspects, and other involved individuals; (2)
15 de-escalation tactics that would include the use of force
16 when reasonably necessary; and (3) inquiring whether a
17 child will require supervision and care. The curriculum
18 for permanent police officers shall include, but not be
19 limited to: (1) refresher and in-service training in any
20 of the courses listed above in this subparagraph, (2)
21 advanced courses in any of the subjects listed above in
22 this subparagraph, (3) training for supervisory personnel,
23 and (4) specialized training in subjects and fields to be
24 selected by the board. The training in the use of
25 electronic control devices shall be conducted for
26 probationary police officers, including University police

1 officers.

2 b. Minimum courses of study, attendance requirements
3 and equipment requirements.

4 c. Minimum requirements for instructors.

5 d. Minimum basic training requirements, which a
6 probationary police officer must satisfactorily complete
7 before being eligible for permanent employment as a local
8 law enforcement officer for a participating local
9 governmental agency. Those requirements shall include
10 training in first aid (including cardiopulmonary
11 resuscitation).

12 e. Minimum basic training requirements, which a
13 probationary county corrections officer must
14 satisfactorily complete before being eligible for
15 permanent employment as a county corrections officer for a
16 participating local governmental agency.

17 f. Minimum basic training requirements which a
18 probationary court security officer must satisfactorily
19 complete before being eligible for permanent employment as
20 a court security officer for a participating local
21 governmental agency. The Board shall establish those
22 training requirements which it considers appropriate for
23 court security officers and shall certify schools to
24 conduct that training.

25 A person hired to serve as a court security officer
26 must obtain from the Board a certificate (i) attesting to

1 his or her successful completion of the training course;
2 (ii) attesting to his or her satisfactory completion of a
3 training program of similar content and number of hours
4 that has been found acceptable by the Board under the
5 provisions of this Act; or (iii) attesting to the Board's
6 determination that the training course is unnecessary
7 because of the person's extensive prior law enforcement
8 experience.

9 Individuals who currently serve as court security
10 officers shall be deemed qualified to continue to serve in
11 that capacity so long as they are certified as provided by
12 this Act within 24 months of June 1, 1997 (the effective
13 date of Public Act 89-685). Failure to be so certified,
14 absent a waiver from the Board, shall cause the officer to
15 forfeit his or her position.

16 All individuals hired as court security officers on or
17 after June 1, 1997 (the effective date of Public Act
18 89-685) shall be certified within 12 months of the date of
19 their hire, unless a waiver has been obtained by the
20 Board, or they shall forfeit their positions.

21 The Sheriff's Merit Commission, if one exists, or the
22 Sheriff's Office if there is no Sheriff's Merit
23 Commission, shall maintain a list of all individuals who
24 have filed applications to become court security officers
25 and who meet the eligibility requirements established
26 under this Act. Either the Sheriff's Merit Commission, or

1 the Sheriff's Office if no Sheriff's Merit Commission
2 exists, shall establish a schedule of reasonable intervals
3 for verification of the applicants' qualifications under
4 this Act and as established by the Board.

5 g. Minimum in-service training requirements, which a
6 police officer must satisfactorily complete every 3 years.
7 Those requirements shall include constitutional and proper
8 use of law enforcement authority, procedural justice,
9 civil rights, human rights, mental health awareness and
10 response, officer wellness, reporting child abuse and
11 neglect, and cultural competency.

12 h. Minimum in-service training requirements, which a
13 police officer must satisfactorily complete at least
14 annually. Those requirements shall include law updates and
15 use of force training which shall include scenario based
16 training, or similar training approved by the Board.

17 (Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18;
18 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff.
19 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215,
20 eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19;
21 101-564, eff. 1-1-20; revised 9-10-19.)

22 (Text of Section after amendment by P.A. 101-652, Article
23 10, Section 10-143 but before amendment by P.A. 101-652,
24 Article 25, Section 25-40)

25 Sec. 7. Rules and standards for schools. The Board shall

1 adopt rules and minimum standards for such schools which shall
2 include, but not be limited to, the following:

3 a. The curriculum for probationary police officers
4 which shall be offered by all certified schools shall
5 include, but not be limited to, courses of procedural
6 justice, arrest and use and control tactics, search and
7 seizure, including temporary questioning, civil rights,
8 human rights, human relations, cultural competency,
9 including implicit bias and racial and ethnic sensitivity,
10 criminal law, law of criminal procedure, constitutional
11 and proper use of law enforcement authority, crisis
12 intervention training, vehicle and traffic law including
13 uniform and non-discriminatory enforcement of the Illinois
14 Vehicle Code, traffic control and accident investigation,
15 techniques of obtaining physical evidence, court
16 testimonies, statements, reports, firearms training,
17 training in the use of electronic control devices,
18 including the psychological and physiological effects of
19 the use of those devices on humans, first-aid (including
20 cardiopulmonary resuscitation), training in the
21 administration of opioid antagonists as defined in
22 paragraph (1) of subsection (e) of Section 5-23 of the
23 Substance Use Disorder Act, handling of juvenile
24 offenders, recognition of mental conditions and crises,
25 including, but not limited to, the disease of addiction,
26 which require immediate assistance and response and

1 methods to safeguard and provide assistance to a person in
2 need of mental treatment, recognition of abuse, neglect,
3 financial exploitation, and self-neglect of adults with
4 disabilities and older adults, as defined in Section 2 of
5 the Adult Protective Services Act, crimes against the
6 elderly, law of evidence, the hazards of high-speed police
7 vehicle chases with an emphasis on alternatives to the
8 high-speed chase, and physical training. The curriculum
9 shall include specific training in techniques for
10 immediate response to and investigation of cases of
11 domestic violence and of sexual assault of adults and
12 children, including cultural perceptions and common myths
13 of sexual assault and sexual abuse as well as interview
14 techniques that are age sensitive and are trauma informed,
15 victim centered, and victim sensitive. The curriculum
16 shall include training in techniques designed to promote
17 effective communication at the initial contact with crime
18 victims and ways to comprehensively explain to victims and
19 witnesses their rights under the Rights of Crime Victims
20 and Witnesses Act and the Crime Victims Compensation Act.
21 The curriculum shall also include training in effective
22 recognition of and responses to stress, trauma, and
23 post-traumatic stress experienced by police officers that
24 is consistent with Section 25 of the Illinois Mental
25 Health First Aid Training Act in a peer setting, including
26 recognizing signs and symptoms of work-related cumulative

1 stress, issues that may lead to suicide, and solutions for
2 intervention with peer support resources. The curriculum
3 shall include a block of instruction addressing the
4 mandatory reporting requirements under the Abused and
5 Neglected Child Reporting Act. The curriculum shall also
6 include a block of instruction aimed at identifying and
7 interacting with persons with autism and other
8 developmental or physical disabilities, reducing barriers
9 to reporting crimes against persons with autism, and
10 addressing the unique challenges presented by cases
11 involving victims or witnesses with autism and other
12 developmental disabilities. The curriculum shall include
13 training in the detection and investigation of all forms
14 of human trafficking. The curriculum shall also include
15 instruction in trauma-informed responses designed to
16 ensure the physical safety and well-being of a child of an
17 arrested parent or immediate family member; this
18 instruction must include, but is not limited to: (1)
19 understanding the trauma experienced by the child while
20 maintaining the integrity of the arrest and safety of
21 officers, suspects, and other involved individuals; (2)
22 de-escalation tactics that would include the use of force
23 when reasonably necessary; and (3) inquiring whether a
24 child will require supervision and care. The curriculum
25 for probationary police officers shall include: (1) at
26 least 12 hours of hands-on, scenario-based role-playing;

1 (2) at least 6 hours of instruction on use of force
2 techniques, including the use of de-escalation techniques
3 to prevent or reduce the need for force whenever safe and
4 feasible; (3) specific training on officer safety
5 techniques, including cover, concealment, and time; and
6 (4) at least 6 hours of training focused on high-risk
7 traffic stops. The curriculum for permanent police
8 officers shall include, but not be limited to: (1)
9 refresher and in-service training in any of the courses
10 listed above in this subparagraph, (2) advanced courses in
11 any of the subjects listed above in this subparagraph, (3)
12 training for supervisory personnel, and (4) specialized
13 training in subjects and fields to be selected by the
14 board. The training in the use of electronic control
15 devices shall be conducted for probationary police
16 officers, including University police officers.

17 b. Minimum courses of study, attendance requirements
18 and equipment requirements.

19 c. Minimum requirements for instructors.

20 d. Minimum basic training requirements, which a
21 probationary police officer must satisfactorily complete
22 before being eligible for permanent employment as a local
23 law enforcement officer for a participating local
24 governmental agency. Those requirements shall include
25 training in first aid (including cardiopulmonary
26 resuscitation).

1 e. Minimum basic training requirements, which a
2 probationary county corrections officer must
3 satisfactorily complete before being eligible for
4 permanent employment as a county corrections officer for a
5 participating local governmental agency.

6 f. Minimum basic training requirements which a
7 probationary court security officer must satisfactorily
8 complete before being eligible for permanent employment as
9 a court security officer for a participating local
10 governmental agency. The Board shall establish those
11 training requirements which it considers appropriate for
12 court security officers and shall certify schools to
13 conduct that training.

14 A person hired to serve as a court security officer
15 must obtain from the Board a certificate (i) attesting to
16 his or her successful completion of the training course;
17 (ii) attesting to his or her satisfactory completion of a
18 training program of similar content and number of hours
19 that has been found acceptable by the Board under the
20 provisions of this Act; or (iii) attesting to the Board's
21 determination that the training course is unnecessary
22 because of the person's extensive prior law enforcement
23 experience.

24 Individuals who currently serve as court security
25 officers shall be deemed qualified to continue to serve in
26 that capacity so long as they are certified as provided by

1 this Act within 24 months of June 1, 1997 (the effective
2 date of Public Act 89-685). Failure to be so certified,
3 absent a waiver from the Board, shall cause the officer to
4 forfeit his or her position.

5 All individuals hired as court security officers on or
6 after June 1, 1997 (the effective date of Public Act
7 89-685) shall be certified within 12 months of the date of
8 their hire, unless a waiver has been obtained by the
9 Board, or they shall forfeit their positions.

10 The Sheriff's Merit Commission, if one exists, or the
11 Sheriff's Office if there is no Sheriff's Merit
12 Commission, shall maintain a list of all individuals who
13 have filed applications to become court security officers
14 and who meet the eligibility requirements established
15 under this Act. Either the Sheriff's Merit Commission, or
16 the Sheriff's Office if no Sheriff's Merit Commission
17 exists, shall establish a schedule of reasonable intervals
18 for verification of the applicants' qualifications under
19 this Act and as established by the Board.

20 g. Minimum in-service training requirements, which a
21 police officer must satisfactorily complete every 3 years.
22 Those requirements shall include constitutional and proper
23 use of law enforcement authority, procedural justice,
24 civil rights, human rights, reporting child abuse and
25 neglect, and cultural competency, including implicit bias
26 and racial and ethnic sensitivity.

1 h. Minimum in-service training requirements, which a
2 police officer must satisfactorily complete at least
3 annually. Those requirements shall include law updates,
4 emergency medical response training and certification,
5 crisis intervention training, and officer wellness and
6 mental health.

7 i. Minimum in-service training requirements as set
8 forth in Section 10.6.

9 (Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18;
10 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff.
11 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215,
12 eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19;
13 101-564, eff. 1-1-20; P.A. 101-652, Article 10, Section
14 10-143, eff. 7-1-21.)

15 (Text of Section after amendment by P.A. 101-652, Article
16 25, Section 25-40)

17 Sec. 7. Rules and standards for schools. The Board shall
18 adopt rules and minimum standards for such schools which shall
19 include, but not be limited to, the following:

20 a. The curriculum for probationary law enforcement
21 officers which shall be offered by all certified schools
22 shall include, but not be limited to, courses of
23 procedural justice, arrest and use and control tactics,
24 search and seizure, including temporary questioning, civil
25 rights, human rights, human relations, cultural

1 competency, including implicit bias and racial and ethnic
2 sensitivity, criminal law, law of criminal procedure,
3 constitutional and proper use of law enforcement
4 authority, crisis intervention training, vehicle and
5 traffic law including uniform and non-discriminatory
6 enforcement of the Illinois Vehicle Code, traffic control
7 and accident investigation, techniques of obtaining
8 physical evidence, court testimonies, statements, reports,
9 firearms training, training in the use of electronic
10 control devices, including the psychological and
11 physiological effects of the use of those devices on
12 humans, first-aid (including cardiopulmonary
13 resuscitation), training in the administration of opioid
14 antagonists as defined in paragraph (1) of subsection (e)
15 of Section 5-23 of the Substance Use Disorder Act,
16 handling of juvenile offenders, recognition of mental
17 conditions and crises, including, but not limited to, the
18 disease of addiction, which require immediate assistance
19 and response and methods to safeguard and provide
20 assistance to a person in need of mental treatment,
21 recognition of abuse, neglect, financial exploitation, and
22 self-neglect of adults with disabilities and older adults,
23 as defined in Section 2 of the Adult Protective Services
24 Act, crimes against the elderly, law of evidence, the
25 hazards of high-speed police vehicle chases with an
26 emphasis on alternatives to the high-speed chase, and

1 physical training. The curriculum shall include specific
2 training in techniques for immediate response to and
3 investigation of cases of domestic violence and of sexual
4 assault of adults and children, including cultural
5 perceptions and common myths of sexual assault and sexual
6 abuse as well as interview techniques that are age
7 sensitive and are trauma informed, victim centered, and
8 victim sensitive. The curriculum shall include training in
9 techniques designed to promote effective communication at
10 the initial contact with crime victims and ways to
11 comprehensively explain to victims and witnesses their
12 rights under the Rights of Crime Victims and Witnesses Act
13 and the Crime Victims Compensation Act. The curriculum
14 shall also include training in effective recognition of
15 and responses to stress, trauma, and post-traumatic stress
16 experienced by law enforcement officers that is consistent
17 with Section 25 of the Illinois Mental Health First Aid
18 Training Act in a peer setting, including recognizing
19 signs and symptoms of work-related cumulative stress,
20 issues that may lead to suicide, and solutions for
21 intervention with peer support resources. The curriculum
22 shall include a block of instruction addressing the
23 mandatory reporting requirements under the Abused and
24 Neglected Child Reporting Act. The curriculum shall also
25 include a block of instruction aimed at identifying and
26 interacting with persons with autism and other

1 developmental or physical disabilities, reducing barriers
2 to reporting crimes against persons with autism, and
3 addressing the unique challenges presented by cases
4 involving victims or witnesses with autism and other
5 developmental disabilities. The curriculum shall include
6 training in the detection and investigation of all forms
7 of human trafficking. The curriculum shall also include
8 instruction in trauma-informed responses designed to
9 ensure the physical safety and well-being of a child of an
10 arrested parent or immediate family member; this
11 instruction must include, but is not limited to: (1)
12 understanding the trauma experienced by the child while
13 maintaining the integrity of the arrest and safety of
14 officers, suspects, and other involved individuals; (2)
15 de-escalation tactics that would include the use of force
16 when reasonably necessary; and (3) inquiring whether a
17 child will require supervision and care. The curriculum
18 for probationary law enforcement ~~police~~ officers shall
19 include: (1) at least 12 hours of hands-on, scenario-based
20 role-playing; (2) at least 6 hours of instruction on use
21 of force techniques, including the use of de-escalation
22 techniques to prevent or reduce the need for force
23 whenever safe and feasible; (3) specific training on
24 officer safety techniques, including cover, concealment,
25 and time; and (4) at least 6 hours of training focused on
26 high-risk traffic stops. The curriculum for permanent law

1 enforcement officers shall include, but not be limited to:
2 (1) refresher and in-service training in any of the
3 courses listed above in this subparagraph, (2) advanced
4 courses in any of the subjects listed above in this
5 subparagraph, (3) training for supervisory personnel, and
6 (4) specialized training in subjects and fields to be
7 selected by the board. The training in the use of
8 electronic control devices shall be conducted for
9 probationary law enforcement officers, including
10 University police officers.

11 b. Minimum courses of study, attendance requirements
12 and equipment requirements.

13 c. Minimum requirements for instructors.

14 d. Minimum basic training requirements, which a
15 probationary law enforcement officer must satisfactorily
16 complete before being eligible for permanent employment as
17 a local law enforcement officer for a participating local
18 governmental or State ~~state~~ governmental agency. Those
19 requirements shall include training in first aid
20 (including cardiopulmonary resuscitation).

21 e. Minimum basic training requirements, which a
22 probationary county corrections officer must
23 satisfactorily complete before being eligible for
24 permanent employment as a county corrections officer for a
25 participating local governmental agency.

26 f. Minimum basic training requirements which a

1 probationary court security officer must satisfactorily
2 complete before being eligible for permanent employment as
3 a court security officer for a participating local
4 governmental agency. The Board shall establish those
5 training requirements which it considers appropriate for
6 court security officers and shall certify schools to
7 conduct that training.

8 A person hired to serve as a court security officer
9 must obtain from the Board a certificate (i) attesting to
10 the officer's successful completion of the training
11 course; (ii) attesting to the officer's satisfactory
12 completion of a training program of similar content and
13 number of hours that has been found acceptable by the
14 Board under the provisions of this Act; or (iii) attesting
15 to the Board's determination that the training course is
16 unnecessary because of the person's extensive prior law
17 enforcement experience.

18 Individuals who currently serve as court security
19 officers shall be deemed qualified to continue to serve in
20 that capacity so long as they are certified as provided by
21 this Act within 24 months of June 1, 1997 (the effective
22 date of Public Act 89-685). Failure to be so certified,
23 absent a waiver from the Board, shall cause the officer to
24 forfeit his or her position.

25 All individuals hired as court security officers on or
26 after June 1, 1997 (the effective date of Public Act

1 89-685) shall be certified within 12 months of the date of
2 their hire, unless a waiver has been obtained by the
3 Board, or they shall forfeit their positions.

4 The Sheriff's Merit Commission, if one exists, or the
5 Sheriff's Office if there is no Sheriff's Merit
6 Commission, shall maintain a list of all individuals who
7 have filed applications to become court security officers
8 and who meet the eligibility requirements established
9 under this Act. Either the Sheriff's Merit Commission, or
10 the Sheriff's Office if no Sheriff's Merit Commission
11 exists, shall establish a schedule of reasonable intervals
12 for verification of the applicants' qualifications under
13 this Act and as established by the Board.

14 g. Minimum in-service training requirements, which a
15 law enforcement officer must satisfactorily complete every
16 3 years. Those requirements shall include constitutional
17 and proper use of law enforcement authority, procedural
18 justice, civil rights, human rights, reporting child abuse
19 and neglect, and cultural competency, including implicit
20 bias and racial and ethnic sensitivity.

21 h. Minimum in-service training requirements, which a
22 law enforcement officer must satisfactorily complete at
23 least annually. Those requirements shall include law
24 updates, emergency medical response training and
25 certification, crisis intervention training, and officer
26 wellness and mental health.

1 i. Minimum in-service training requirements as set
2 forth in Section 10.6.

3 Notwithstanding any provision of law to the contrary, the
4 changes made to this Section by this amendatory Act of the
5 102nd General Assembly, Public Act 101-652, and Public Act
6 102-28 take effect July 1, 2022.

7 (Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18;
8 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff.
9 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215,
10 eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19;
11 101-564, eff. 1-1-20; P.A. 101-652, Article 10, Section
12 10-143, eff. 7-1-21; 101-652, Article 25, Section 25-40, eff.
13 1-1-22; revised 4-26-21.)

14 (50 ILCS 705/8.1) (from Ch. 85, par. 508.1)

15 (Text of Section before amendment by P.A. 101-652)

16 Sec. 8.1. Full-time police and county corrections
17 officers.

18 (a) After January 1, 1976, no person shall receive a
19 permanent appointment as a law enforcement officer as defined
20 in this Act nor shall any person receive, after the effective
21 date of this amendatory Act of 1984, a permanent appointment
22 as a county corrections officer unless that person has been
23 awarded, within 6 months of his or her initial full-time
24 employment, a certificate attesting to his or her successful
25 completion of the Minimum Standards Basic Law Enforcement and

1 County Correctional Training Course as prescribed by the
2 Board; or has been awarded a certificate attesting to his or
3 her satisfactory completion of a training program of similar
4 content and number of hours and which course has been found
5 acceptable by the Board under the provisions of this Act; or by
6 reason of extensive prior law enforcement or county
7 corrections experience the basic training requirement is
8 determined by the Board to be illogical and unreasonable.

9 If such training is required and not completed within the
10 applicable 6 months, then the officer must forfeit his or her
11 position, or the employing agency must obtain a waiver from
12 the Board extending the period for compliance. Such waiver
13 shall be issued only for good and justifiable reasons, and in
14 no case shall extend more than 90 days beyond the initial 6
15 months. Any hiring agency that fails to train a law
16 enforcement officer within this period shall be prohibited
17 from employing this individual in a law enforcement capacity
18 for one year from the date training was to be completed. If an
19 agency again fails to train the individual a second time, the
20 agency shall be permanently barred from employing this
21 individual in a law enforcement capacity.

22 (b) No provision of this Section shall be construed to
23 mean that a law enforcement officer employed by a local
24 governmental agency at the time of the effective date of this
25 amendatory Act, either as a probationary police officer or as
26 a permanent police officer, shall require certification under

1 the provisions of this Section. No provision of this Section
2 shall be construed to mean that a county corrections officer
3 employed by a local governmental agency at the time of the
4 effective date of this amendatory Act of 1984, either as a
5 probationary county corrections or as a permanent county
6 corrections officer, shall require certification under the
7 provisions of this Section. No provision of this Section shall
8 be construed to apply to certification of elected county
9 sheriffs.

10 (c) This Section does not apply to part-time police
11 officers or probationary part-time police officers.

12 (Source: P.A. 101-187, eff. 1-1-20.)

13 (Text of Section after amendment by P.A. 101-652)

14 Sec. 8.1. Full-time law enforcement and county corrections
15 officers.

16 (a) No person shall receive a permanent appointment as a
17 law enforcement officer or a permanent appointment as a county
18 corrections officer unless that person has been awarded,
19 within 6 months of the officer's initial full-time employment,
20 a certificate attesting to the officer's successful completion
21 of the Minimum Standards Basic Law Enforcement or County
22 Correctional Training Course as prescribed by the Board; or
23 has been awarded a certificate attesting to the officer's
24 satisfactory completion of a training program of similar
25 content and number of hours and which course has been found

1 acceptable by the Board under the provisions of this Act; or a
2 training waiver by reason of extensive prior law enforcement
3 or county corrections experience the basic training
4 requirement is determined by the Board to be illogical and
5 unreasonable.

6 If such training is required and not completed within the
7 applicable 6 months, then the officer must forfeit the
8 officer's position, or the employing agency must obtain a
9 waiver from the Board extending the period for compliance.
10 Such waiver shall be issued only for good and justifiable
11 reasons, and in no case shall extend more than 90 days beyond
12 the initial 6 months. Any hiring agency that fails to train a
13 law enforcement officer within this period shall be prohibited
14 from employing this individual in a law enforcement capacity
15 for one year from the date training was to be completed. If an
16 agency again fails to train the individual a second time, the
17 agency shall be permanently barred from employing this
18 individual in a law enforcement capacity.

19 An individual who is not certified by the Board or whose
20 certified status is inactive shall not function as a law
21 enforcement officer, be assigned the duties of a law
22 enforcement officer by an employing agency, or be authorized
23 to carry firearms under the authority of the employer, except
24 as otherwise authorized to carry a firearm under State or
25 federal law. Sheriffs who are elected as of the effective date
26 of this Amendatory Act of the 101st General Assembly, are

1 exempt from the requirement of certified status. Failure to be
2 certified in accordance with this Act shall cause the officer
3 to forfeit the officer's position.

4 An employing agency may not grant a person status as a law
5 enforcement officer unless the person has been granted an
6 active law enforcement officer certification by the Board.

7 (b) Inactive status. A person who has an inactive law
8 enforcement officer certification has no law enforcement
9 authority.

10 (1) A law enforcement officer's certification becomes
11 inactive upon termination, resignation, retirement, or
12 separation from the officer's employing law enforcement
13 ~~governmental~~ agency for any reason. The Board shall
14 re-activate a certification upon written application from
15 the law enforcement officer's law enforcement ~~governmental~~
16 agency that shows the law enforcement officer: (i) has
17 accepted a full-time law enforcement position with that
18 law enforcement ~~governmental~~ agency, (ii) is not the
19 subject of a decertification proceeding, and (iii) meets
20 all other criteria for re-activation required by the
21 Board. The Board may also establish special training
22 requirements to be completed as a condition for
23 re-activation.

24 The Board shall review a notice for reactivation from
25 a law enforcement agency and provide a response within 30
26 days. The Board may extend this review. A law enforcement

1 officer shall be allowed to be employed as a full-time law
2 enforcement officer while the law enforcement officer
3 reactivation waiver is under review.

4 A law enforcement officer who is refused reactivation
5 or an employing agency of a ~~A~~ law enforcement officer who
6 is refused reactivation under this Section may request a
7 hearing in accordance with the hearing procedures as
8 outlined in subsection (h) of Section 6.3 of this Act.

9 The Board may refuse to re-activate the certification
10 of a law enforcement officer who was involuntarily
11 terminated for good cause by an employing ~~his or her~~
12 ~~governmental~~ agency for conduct subject to decertification
13 under this Act or resigned or retired after receiving
14 notice of a law enforcement ~~governmental~~ agency's
15 investigation.

16 (2) A law enforcement agency may place an officer who
17 is currently certified ~~can place his or her certificate~~ on
18 inactive status by sending a written request to the Board.
19 A law enforcement officer whose certificate has been
20 placed on inactive status shall not function as a law
21 enforcement officer until the officer has completed any
22 requirements for reactivating the certificate as required
23 by the Board. A request for inactive status in this
24 subsection shall be in writing, accompanied by verifying
25 documentation, and shall be submitted to the Board with a
26 copy to the chief administrator of the law enforcement

1 officer's current or new employing ~~governmental~~ agency.

2 (3) Certification that has become inactive under
3 paragraph (2) of this subsection (b), shall be reactivated
4 by written notice from the law enforcement officer's
5 agency upon a showing that the law enforcement officer is:
6 (i) employed in a full-time law enforcement position with
7 the same law enforcement ~~governmental~~ agency (ii) not the
8 subject of a decertification proceeding, and (iii) meets
9 all other criteria for re-activation required by the
10 Board.

11 (4) Notwithstanding paragraph (3) of this subsection
12 (b), a law enforcement officer whose certification has
13 become inactive under paragraph (2) may have the officer's
14 employing ~~governmental~~ agency submit a request for a
15 waiver of training requirements to the Board in writing
16 and accompanied by any verifying documentation.. A grant
17 of a waiver is within the discretion of the Board. Within 7
18 days of receiving a request for a waiver under this
19 section, the Board shall notify the law enforcement
20 officer and the chief administrator of the law enforcement
21 officer's employing ~~governmental~~ agency, whether the
22 request has been granted, denied, or if the Board will
23 take additional time for information. A law enforcement
24 agency, whose request for a waiver under this subsection
25 is denied, is entitled to request a review of the denial by
26 the Board. The law enforcement agency must request a

1 review within 20 days of the waiver being denied. The
2 burden of proof shall be on the law enforcement agency to
3 show why the law enforcement officer is entitled to a
4 waiver of the legislatively required training and
5 eligibility requirements. ~~A law enforcement officer whose~~
6 ~~request for a waiver under this subsection is denied is~~
7 ~~entitled to appeal the denial to the Board within 20 days~~
8 ~~of the waiver being denied.~~

9 (c) No provision of this Section shall be construed to
10 mean that a county corrections officer employed by a
11 governmental agency at the time of the effective date of this
12 amendatory Act, either as a probationary county corrections or
13 as a permanent county corrections officer, shall require
14 certification under the provisions of this Section. No
15 provision of this Section shall be construed to apply to
16 certification of elected county sheriffs.

17 (d) Within 14 days, a law enforcement officer shall report
18 to the Board: (1) any name change; (2) any change in
19 employment; or (3) the filing of any criminal indictment or
20 charges against the officer alleging that the officer
21 committed any offense as enumerated in Section 6.1 of this
22 Act.

23 (e) All law enforcement officers must report the
24 completion of the training requirements required in this Act
25 in compliance with Section 8.4 of this Act.

26 (e-1) Each employing law enforcement ~~governmental~~ agency

1 shall allow and provide an opportunity for a law enforcement
2 officer to complete the mandated requirements in this Act. All
3 mandated training shall be provided for at no cost to the
4 employees. Employees shall be paid for all time spent
5 attending mandated training.

6 (e-2) Each agency, academy, or training provider shall
7 maintain proof of a law enforcement officer's completion of
8 legislatively required training in a format designated by the
9 Board. The report of training shall be submitted to the Board
10 within 30 days following completion of the training. A copy of
11 the report shall be submitted to the law enforcement officer.
12 Upon receipt of a properly completed report of training, the
13 Board will make the appropriate entry into the training
14 records of the law enforcement officer.

15 (f) This Section does not apply to part-time law
16 enforcement officers or probationary part-time law enforcement
17 officers.

18 (g) Notwithstanding any provision of law to the contrary,
19 the changes made to this Section by this amendatory Act of the
20 102nd General Assembly, Public Act 101-652, and Public Act
21 102-28 take effect July 1, 2022.

22 (Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22.)

23 (50 ILCS 705/8.2)

24 (Text of Section before amendment by P.A. 101-652)

25 Sec. 8.2. Part-time police officers.

1 (a) A person hired to serve as a part-time police officer
2 must obtain from the Board a certificate (i) attesting to his
3 or her successful completion of the part-time police training
4 course; (ii) attesting to his or her satisfactory completion
5 of a training program of similar content and number of hours
6 that has been found acceptable by the Board under the
7 provisions of this Act; or (iii) attesting to the Board's
8 determination that the part-time police training course is
9 unnecessary because of the person's extensive prior law
10 enforcement experience. A person hired on or after the
11 effective date of this amendatory Act of the 92nd General
12 Assembly must obtain this certificate within 18 months after
13 the initial date of hire as a probationary part-time police
14 officer in the State of Illinois. The probationary part-time
15 police officer must be enrolled and accepted into a
16 Board-approved course within 6 months after active employment
17 by any department in the State. A person hired on or after
18 January 1, 1996 and before the effective date of this
19 amendatory Act of the 92nd General Assembly must obtain this
20 certificate within 18 months after the date of hire. A person
21 hired before January 1, 1996 must obtain this certificate
22 within 24 months after the effective date of this amendatory
23 Act of 1995.

24 The employing agency may seek a waiver from the Board
25 extending the period for compliance. A waiver shall be issued
26 only for good and justifiable reasons, and the probationary

1 part-time police officer may not practice as a part-time
2 police officer during the waiver period. If training is
3 required and not completed within the applicable time period,
4 as extended by any waiver that may be granted, then the officer
5 must forfeit his or her position.

6 (b) (Blank).

7 (c) The part-time police training course referred to in
8 this Section shall be of similar content and the same number of
9 hours as the courses for full-time officers and shall be
10 provided by Mobile Team In-Service Training Units under the
11 Intergovernmental Law Enforcement Officer's In-Service
12 Training Act or by another approved program or facility in a
13 manner prescribed by the Board.

14 (d) For the purposes of this Section, the Board shall
15 adopt rules defining what constitutes employment on a
16 part-time basis.

17 (Source: P.A. 92-533, eff. 3-14-02.)

18 (Text of Section after amendment by P.A. 101-652)

19 Sec. 8.2. Part-time law enforcement officers.

20 (a) A person hired to serve as a part-time law enforcement
21 officer must obtain from the Board a certificate (i) attesting
22 to the officer's successful completion of the part-time police
23 training course; (ii) attesting to the officer's satisfactory
24 completion of a training program of similar content and number
25 of hours that has been found acceptable by the Board under the

1 provisions of this Act; or (iii) a training waiver attesting
2 to the Board's determination that the part-time police
3 training course is unnecessary because of the person's
4 extensive prior law enforcement experience. A person hired on
5 or after the effective date of this amendatory Act of the 92nd
6 General Assembly must obtain this certificate within 18 months
7 after the initial date of hire as a probationary part-time law
8 enforcement officer in the State of Illinois. The probationary
9 part-time law enforcement officer must be enrolled and
10 accepted into a Board-approved course within 6 months after
11 active employment by any department in the State. A person
12 hired on or after January 1, 1996 and before the effective date
13 of this amendatory Act of the 92nd General Assembly must
14 obtain this certificate within 18 months after the date of
15 hire. A person hired before January 1, 1996 must obtain this
16 certificate within 24 months after the effective date of this
17 amendatory Act of 1995.

18 The employing agency may seek an extension waiver from the
19 Board extending the period for compliance. An extension waiver
20 shall be issued only for good and justifiable reasons, and the
21 probationary part-time law enforcement officer may not
22 practice as a part-time law enforcement officer during the
23 extension waiver period. If training is required and not
24 completed within the applicable time period, as extended by
25 any waiver that may be granted, then the officer must forfeit
26 the officer's position.

1 An individual who is not certified by the Board or whose
2 certified status is inactive shall not function as a law
3 enforcement officer, be assigned the duties of a law
4 enforcement officer by an agency, or be authorized to carry
5 firearms under the authority of the employer, except that
6 sheriffs who are elected are exempt from the requirement of
7 certified status. Failure to be in accordance with this Act
8 shall cause the officer to forfeit the officer's position.

9 (a-5) A part-time probationary law enforcement officer
10 shall be allowed to complete six months of a part-time police
11 training course and function as a law enforcement officer as
12 permitted by this subsection with a waiver from the Board,
13 provided the part-time law enforcement officer is still
14 enrolled in the training course. If the part-time probationary
15 law enforcement officer withdraws from the course for any
16 reason or does not complete the course within the applicable
17 time period, as extended by any waiver that may be granted,
18 then the officer must forfeit the officer's position. A
19 probationary law enforcement officer must function under the
20 following rules:

21 (1) A law enforcement ~~governmental~~ agency may not
22 grant a person status as a law enforcement officer unless
23 the person has been granted an active law enforcement
24 officer certification by the Board.

25 (2) A part-time probationary law enforcement officer
26 shall not be used as a permanent replacement for a

1 full-time law enforcement.

2 (3) A part-time probationary law enforcement officer
3 shall be directly supervised at all times by a Board
4 certified law enforcement officer. Direct supervision
5 requires oversight and control with the supervisor having
6 final decision-making authority as to the actions of the
7 recruit during duty hours.

8 (b) Inactive status. A person who has an inactive law
9 enforcement officer certification has no law enforcement
10 authority.

11 (1) A law enforcement officer's certification becomes
12 inactive upon termination, resignation, retirement, or
13 separation from the employing ~~governmental~~ agency for any
14 reason. The Board shall re-activate a certification upon
15 written application from the law enforcement officer's
16 employing ~~governmental~~ agency that shows the law
17 enforcement officer: (i) has accepted a part-time law
18 enforcement position with that a law enforcement
19 ~~governmental~~ agency, (ii) is not the subject of a
20 decertification proceeding, and (iii) meets all other
21 criteria for re-activation required by the Board.

22 The Board may refuse to re-activate the certification
23 of a law enforcement officer who was involuntarily
24 terminated for good cause by the officer's employing
25 ~~governmental~~ agency for conduct subject to decertification
26 under this Act or resigned or retired after receiving

1 notice of a law enforcement ~~governmental~~ agency's
2 investigation.

3 (2) A law enforcement agency may place an officer who
4 is currently certified ~~can place his or her certificate~~ on
5 inactive status by sending a written request to the Board.
6 A law enforcement officer whose certificate has been
7 placed on inactive status shall not function as a law
8 enforcement officer until the officer has completed any
9 requirements for reactivating the certificate as required
10 by the Board. A request for inactive status in this
11 subsection shall be in writing, accompanied by verifying
12 documentation, and shall be submitted to the Board by the
13 law enforcement officer's employing ~~governmental~~ agency.

14 (3) Certification that has become inactive under
15 paragraph (2) of this subsection (b), shall be reactivated
16 by written notice from the law enforcement officer's law
17 enforcement agency upon a showing that the law enforcement
18 officer is: (i) employed in a part-time ~~full-time~~ law
19 enforcement position with the same law enforcement
20 ~~governmental~~ agency, (ii) not the subject of a
21 decertification proceeding, and (iii) meets all other
22 criteria for re-activation required by the Board. The
23 Board may also establish special training requirements to
24 be completed as a condition for re-activation.

25 The Board shall review a notice for reactivation from
26 a law enforcement agency and provide a response within 30

1 days. The Board may extend this review. A law enforcement
2 officer shall be allowed to be employed as a part-time law
3 enforcement officer while the law enforcement officer
4 reactivation waiver is under review.

5 A law enforcement officer who is refused reactivation
6 or an employing agency of a ~~A~~ law enforcement officer who
7 is refused reactivation under this Section may request a
8 hearing in accordance with the hearing procedures as
9 outlined in subsection (h) of Section 6.3 of this Act.

10 (4) Notwithstanding paragraph (3) of this Section, a
11 law enforcement officer whose certification has become
12 inactive under paragraph (2) may have the officer's
13 employing ~~governmental~~ agency submit a request for a
14 waiver of training requirements to the Board in writing
15 and accompanied by any verifying documentation. A grant of
16 a waiver is within the discretion of the Board. Within 7
17 days of receiving a request for a waiver under this
18 section, the Board shall notify the law enforcement
19 officer and the chief administrator of the law enforcement
20 officer's employing ~~governmental~~ agency, whether the
21 request has been granted, denied, or if the Board will
22 take additional time for information. A law enforcement
23 agency or law enforcement officer, whose request for a
24 waiver under this subsection is denied, is entitled to
25 request a review of the denial by the Board. The law
26 enforcement agency must request a review within 20 days

1 after the waiver being denied. The burden of proof shall
2 be on the law enforcement agency to show why the law
3 enforcement officer is entitled to a waiver of the
4 legislatively required training and eligibility
5 requirements. A law enforcement officer whose request for
6 a waiver under this subsection is denied is entitled to
7 appeal the denial to the Board within 20 days of the waiver
8 being denied.

9 (c) The part-time police training course referred to in
10 this Section shall be of similar content and the same number of
11 hours as the courses for full-time officers and shall be
12 provided by Mobile Team In-Service Training Units under the
13 Intergovernmental Law Enforcement Officer's In-Service
14 Training Act or by another approved program or facility in a
15 manner prescribed by the Board.

16 (d) Within 14 days, a law enforcement officer shall report
17 to the Board: (1) any name change; (2) any change in
18 employment; or (3) the filing of any criminal indictment or
19 charges against the officer alleging that the officer
20 committed any offense as enumerated in Section 6.1 of this
21 Act.

22 (e) All law enforcement officers must report the
23 completion of the training requirements required in this Act
24 in compliance with Section 8.4 of this Act.

25 (e-1) Each employing agency shall allow and provide an
26 opportunity for a law enforcement officer to complete the

1 requirements in this Act. All mandated training shall be
2 provided for at no cost to the employees. Employees shall be
3 paid for all time spent attending mandated training.

4 (e-2) Each agency, academy, or training provider shall
5 maintain proof of a law enforcement officer's completion of
6 legislatively required training in a format designated by the
7 Board. The report of training shall be submitted to the Board
8 within 30 days following completion of the training. A copy of
9 the report shall be submitted to the law enforcement officer.
10 Upon receipt of a properly completed report of training, the
11 Board will make the appropriate entry into the training
12 records of the law enforcement officer.

13 (f) For the purposes of this Section, the Board shall
14 adopt rules defining what constitutes employment on a
15 part-time basis.

16 (g) Notwithstanding any provision of law to the contrary,
17 the changes made to this Section by this amendatory Act of the
18 102nd General Assembly and Public Act 101-652 take effect July
19 1, 2022.

20 (Source: P.A. 101-652, eff. 1-1-22.)

21 (50 ILCS 705/8.3)

22 (This Section may contain text from a Public Act with a
23 delayed effective date)

24 Sec. 8.3. Emergency order of suspension.

25 (a) The Board, upon being notified that a law enforcement

1 officer has been arrested or indicted on any felony charge or
2 charges, may immediately suspend the law enforcement officer's
3 certification for a term specified by the Board to begin no
4 sooner than the date of the violation. The Board shall also
5 notify the chief administrator of any law enforcement
6 ~~governmental~~ agency currently employing the officer. The Board
7 shall have authority to dissolve an emergency order of
8 suspension at any time for any reason.

9 (a-5) The Board may consider the following factors in
10 determining the term of a suspension:

11 (1) the seriousness of the conduct resulting in the
12 arrest;

13 (2) whether the offense contains an element of actual
14 or threatened bodily injury or coerce against another
15 person;

16 (3) the law enforcement officer's previous arrests;

17 (4) the law enforcement officer's previous
18 certification suspensions;

19 (5) actual or potential harm to public safety; and

20 (6) rebuttal evidence regarding mitigating factors.

21 (b) Notice of the immediate suspension shall be served on
22 the law enforcement officer, the employing ~~governmental~~
23 agency, the chief executive of the employing agency
24 ~~municipality~~, and state the reason for suspension within seven
25 days.

26 (c) Upon service of the notice, the law enforcement

1 officer's employing agency officer shall have 30 days to
2 request to be heard by the Panel. The hearing, if requested by
3 the officer licensee, shall follow the hearing procedures as
4 outlined in subsection (h) of Section 6.3 of this Act. In the
5 hearing, the written communication and any other evidence
6 obtained therewith may be introduced as evidence against the
7 law enforcement officer; provided however, the law enforcement
8 officer, or their counsel, shall have the opportunity to
9 discredit, impeach and submit evidence rebutting such evidence
10 to explain why the officer's certification should not be
11 suspended or why the suspension should be shortened. The law
12 enforcement officer may also present any rebuttal evidence of
13 mitigating factors.

14 (d) ~~At the meeting, the law enforcement officer may~~
15 ~~present evidence, witnesses and argument as to why the~~
16 ~~officer's certification should not be suspended.~~ The Panel
17 shall review the recommendation from the administrative law
18 judge regarding the suspension, and if the Panel finds that
19 the proof is evident or the presumption great that the officer
20 has committed the offense charged, the Panel can sustain or
21 reduce the length of the suspension. If the Panel does not find
22 that the proof is evident or the presumption great that the
23 officer has committed the offense charged, the Panel can
24 reverse the suspension.

25 If the law enforcement officer does not request to be
26 heard or does not appear, the Panel may hold the hearing in the

1 officer's absence. The law enforcement officer and the
2 employing ~~governmental~~ agency shall be notified of the
3 decision of the Panel within 7 days. The law enforcement
4 officer may request to suspend the hearing until after the
5 officer's criminal trial has occurred, however the suspension
6 will remain intact until the hearing.

7 (e) Findings and conclusions made in hearing for an
8 emergency suspension shall not be binding on any party in any
9 subsequent proceeding under this Act.

10 (f) A Panel member acting in good faith, and not in a
11 willful and wanton manner, in accordance with this Section,
12 shall not, as a result of such actions, be subject to criminal
13 prosecution or civil damages, including but not limited to
14 lost wages.

15 (g) Notwithstanding any provision of law to the contrary,
16 the changes made to this Section by this amendatory Act of the
17 102nd General Assembly and Public Act 101-652 take effect July
18 1, 2022.

19 (Source: P.A. 101-652, eff. 1-1-22.)

20 (50 ILCS 705/8.4)

21 (This Section may contain text from a Public Act with a
22 delayed effective date)

23 Sec. 8.4. Law enforcement compliance verification.

24 (a)(1) Unless on inactive status under subsection (b) of
25 Section 8.1 or subsection (b) of Section 8.2, every law

1 enforcement officer subject to this Act shall submit a
2 verification form that confirms compliance with this Act. The
3 verification shall apply to the 3 calendar years preceding the
4 date of verification. Law enforcement officers shall submit
5 the officer's first report by January 30 during the initial
6 three-year reporting period, as determined on the basis of the
7 law enforcement officer's last name under paragraph (2) of
8 this subsection then every third year of the officer's
9 applicable three-year report period as determined by the
10 Board. At the conclusion of each law enforcement officer's
11 applicable reporting period, the chief administrative officer
12 of the officer's law enforcement ~~governmental~~ agency is to
13 determine the compliance of each officer under this Section.
14 An officer may verify their successful completion of training
15 requirements with their law enforcement ~~governmental~~ agency.
16 Each law enforcement officer is responsible for reporting and
17 demonstrating compliance to the officer's chief administrative
18 officer.

19 (2) The applicable three-year reporting period shall begin
20 on January 30, 2023 for law enforcement officers whose last
21 names begin with the letters A through G, on January 30, 2024
22 for law enforcement officers whose last names begin with the
23 letters H through O, and January 30, 2025 for law enforcement
24 officers whose last names begin with the letters P through Z.

25 (3) The compliance verification form shall be in a form
26 and manner prescribed by the Board and, at a minimum, include

1 the following: (i) verification that the law enforcement
2 officer has completed the mandatory training programs in the
3 preceding 3 years; (ii) the law enforcement officer's current
4 employment information, including but not limited to, the
5 termination of any previous law enforcement or security
6 employment in the relevant time period; and (iii) a statement
7 verifying that the officer has not committed misconduct under
8 Section 6.1.

9 (b) (1) On October 1 of each year, the Board shall send
10 notice to all certified law enforcement officers, unless
11 exempted in (a), of the upcoming deadline to submit the
12 compliance verification form. No later than March 1 of each
13 year, the Board shall send notice to all certified law
14 enforcement officers who have failed to submit the compliance
15 verification form, as well as the officer's law enforcement
16 ~~governmental~~ agencies. The Board shall not send a notice of
17 noncompliance to law enforcement officers whom the Board
18 knows, based on the status of the law enforcement officer's
19 certification status, are inactive or retired. The Board may
20 accept compliance verification forms until April 1 of the year
21 in which a law enforcement officer is required to submit the
22 form.

23 (2) No earlier than April 1 of the year in which a law
24 enforcement officer is required to submit a verification form,
25 the Board may determine a law enforcement officer's
26 certification to be inactive if the law enforcement officer

1 failed to either: (1) submit a compliance verification in
2 accordance with this Section; or (2) report an exemption from
3 the requirements of this Section. The Board shall then send
4 notice, by mail or email, to any such law enforcement officer
5 and the officer's law enforcement ~~governmental~~ agency that the
6 officer's certificate will be deemed inactive on the date
7 specified in the notice, which shall be no sooner than 21 days
8 from the date of the notice, because of the officer's failure
9 to comply or report compliance, or failure to report an
10 exemption. The Board shall deem inactive the certificate of
11 such law enforcement officers on the date specified in the
12 notice unless the Board determines before that date that the
13 law enforcement officer has complied. A determination that a
14 certificate is inactive under this section is not a
15 disciplinary sanction.

16 (3) A law enforcement officer who was on ~~voluntary~~
17 inactive status shall, upon return to active status, be
18 required to complete the deferred training programs within 1
19 year.

20 (4) The Board may waive the reporting requirements, as
21 required in this section, if the law enforcement officer or
22 the officer's law enforcement ~~governmental~~ agency demonstrates
23 the existence of mitigating circumstances justifying the law
24 enforcement officer's failure to obtain the training
25 requirements due to failure of the officer's law enforcement
26 ~~governmental~~ agency or the Board to offer the training

1 requirement during the officer's required compliance
2 verification period. If the Board finds that the law
3 enforcement officer can meet the training requirements with
4 extended time, the Board may allow the law enforcement officer
5 a maximum of six additional months to complete the
6 requirements.

7 (5) A request for a training waiver under this subsection
8 due to the mitigating circumstance shall be in writing,
9 accompanied by verifying documentation, and shall be submitted
10 to the Board not less than 30 days before the end of the law
11 enforcement officer's required compliance verification period.

12 (6) A law enforcement officer whose request for waiver
13 under this subsection is denied, is entitled to a request for a
14 review by the Board. The law enforcement officer or the
15 officer's law enforcement agency must request a review within
16 20 days after the waiver being denied. The burden of proof
17 shall be on the law enforcement officer to show why the officer
18 is entitled to a waiver. ~~A law enforcement officer whose~~
19 ~~request for waiver under this subsection is denied, is~~
20 ~~entitled to a request for a review by the Board. The law~~
21 ~~enforcement officer or the officer's governmental agency must~~
22 ~~request a review within 20 days of the waiver being denied. The~~
23 ~~burden of proof shall be on the law enforcement officer to show~~
24 ~~why the officer is entitled to a waiver.~~

25 (c) Recordkeeping and audits.

26 (1) For four years after the end of each reporting

1 period, each certified law enforcement officer shall
2 maintain sufficient documentation necessary to corroborate
3 compliance with the mandatory training requirements under
4 this Act.

5 (2) Notwithstanding any other provision in state law,
6 for four years after the end of each reporting period,
7 each law enforcement ~~governmental~~ agency shall maintain
8 sufficient documentation necessary to corroborate
9 compliance with the mandatory training requirements under
10 this Act of each officer it employs or employed within the
11 relevant time period.

12 (3) The Board may audit compliance verification forms
13 submitted to determine the accuracy of the submissions.
14 The audit may include but is not limited to, training
15 verification and a law enforcement officer background
16 check.

17 (d) Audits that reveal an inaccurate verification.

18 (1) If an audit conducted under paragraph (3) of
19 subsection (c) of this Section reveals inaccurate
20 information, the Board shall provide the law enforcement
21 officer and employing law enforcement ~~governmental~~ agency
22 with written notice containing: (i) the results of the
23 audit, specifying each alleged inaccuracy; (ii) a summary
24 of the basis of that determination; and (iii) a deadline,
25 which shall be at least 30 days from the date of the
26 notice, for the law enforcement officer to file a written

1 response if the law enforcement officer objects to any of
2 the contents of the notice.

3 (2) After considering any response from the law
4 enforcement officer, if the Board determines that the law
5 enforcement officer filed an inaccurate verification, the
6 law enforcement officer shall be given 60 days in which to
7 file an amended verification form, together with all
8 documentation specified in paragraph (e)(1), demonstrating
9 full compliance with the applicable requirements.

10 (3) If the results of the audit suggest that the law
11 enforcement officer willfully filed a false verification
12 form, the Board shall submit a formal complaint to the
13 Panel for decertification. An officer who has been
14 decertified for willfully filing a false verification form
15 shall not be eligible for reactivation under subsection
16 (e).

17 (e) Reactivation. A law enforcement officer who has been
18 deemed inactive due to noncompliance with the reporting
19 requirements under paragraph (a)(1) may request to have the
20 Board re-activate his or her certification upon submitting a
21 compliance verification form that shows full compliance for
22 the period in which the law enforcement officer was deemed
23 inactive due to noncompliance. The Board shall make a
24 determination regarding a submission under this subsection
25 active no later than 7 days after the Board determines full
26 compliance or continued noncompliance.

1 A law enforcement officer whose request for reactivation
2 under this subsection (e) is denied is entitled to request a
3 review by the Board. The law enforcement officer or the
4 officer's law enforcement agency must request a review within
5 20 days after reactivation being denied. The burden of proof
6 shall be on the law enforcement officer or law enforcement
7 agency to show that the officer is in full compliance.

8 (f) Notwithstanding any provision of law to the contrary,
9 the changes made to this Section by this amendatory Act of the
10 102nd General Assembly and Public Act 101-652 take effect July
11 1, 2022.

12 (Source: P.A. 101-652, eff. 1-1-22.)

13 (50 ILCS 705/9.2)

14 (This Section may contain text from a Public Act with a
15 delayed effective date)

16 Sec. 9.2. Officer professional conduct database;
17 transparency.

18 (a) All law enforcement ~~governmental~~ agencies and the
19 Illinois State Police shall notify the Board of any final
20 determination of a willful violation of department, agency, or
21 the Illinois State Police policy, official misconduct, or
22 violation of law within 10 days when:

23 (1) the determination leads to a suspension of at
24 least 10 days;

25 (2) any infraction that would trigger an official or

1 formal investigation under a law enforcement ~~governmental~~
2 agency or the Illinois State Police policy;

3 (3) there is an allegation of misconduct or regarding
4 truthfulness as to a material fact, bias, or integrity; or

5 (4) the officer resigns or retires during the course
6 of an investigation and the officer has been served notice
7 that the officer is under investigation.

8 Agencies and the Illinois State Police may report to the
9 Board any conduct they deem appropriate to disseminate to
10 another law enforcement ~~governmental~~ agency regarding a law
11 enforcement officer.

12 The agency or the Illinois State Police shall report to
13 the Board within 10 days of a final determination and final
14 exhaustion of any administrative appeal, or the law
15 enforcement officer's resignation or retirement, and shall
16 provide information regarding the nature of the violation.
17 This notification shall not necessarily trigger certification
18 review.

19 A law enforcement ~~governmental~~ agency and the Illinois
20 State Police shall be immune from liability for a disclosure
21 made as described in this subsection, unless the disclosure
22 would constitute intentional misrepresentation or gross
23 negligence.

24 (b) Within 14 days after receiving notification ~~Upon~~
25 ~~receiving notification~~ from a law enforcement ~~governmental~~
26 agency or the Illinois State Police, the Board must notify the

1 law enforcement officer of the report and the officer's right
2 to provide a statement regarding the reported violation. The
3 law enforcement officer shall have 14 days from receiving
4 notice to provide a written objection contesting information
5 included in the agency's report. The objection must be filed
6 with the Board on a form prescribed by the Board and a copy
7 must be served on the law enforcement agency. The objection
8 shall remain in the database with the reported violation.

9 (c) The Board shall maintain a database readily available
10 to any chief administrative officer, or the officer's
11 designee, of a law enforcement ~~governmental~~ agency and the
12 Illinois State Police that shall show for each law enforcement
13 officer: (i) dates of certification, decertification, and
14 inactive status; (ii) each sustained instance of departmental
15 misconduct that lead to a suspension at least 10 days or any
16 infraction that would trigger an official or formal
17 investigation under the law enforcement ~~governmental~~ agency
18 policy, any allegation of misconduct regarding truthfulness as
19 to a material fact, bias, or integrity, or any other reported
20 violation, the nature of the violation, the reason for the
21 final decision of discharge or dismissal, and any statement
22 provided by the officer; (iii) date of separation from
23 employment from any local or state law enforcement
24 ~~governmental~~ agency; (iv) the reason for separation from
25 employment, including, but not limited to: whether the
26 separation was based on misconduct or occurred while the law

1 enforcement ~~local or State governmental~~ agency was conducting
2 an investigation of the certified individual for a violation
3 of an employing agency's rules, policy or procedure or other
4 misconduct or improper action.

5 (1) This database shall also be accessible to the
6 State's Attorney of any county in this State and the
7 Attorney General for the purpose of complying with
8 obligations under Brady v. Maryland (373 U.S. 83) or
9 Giglio v. United States (405 U.S. 150). This database
10 shall also be accessible to the chief administrative
11 officer of any law enforcement ~~governmental~~ agency for the
12 purposes of hiring law enforcement officers. This database
13 shall not be accessible to anyone not listed in this
14 subsection.

15 (2) Before a law enforcement ~~governmental~~ agency may
16 appoint a law enforcement officer or a person seeking a
17 certification as a law enforcement officer in this State,
18 the chief administrative officer or designee must check
19 the Officer Professional Conduct Database, contact each
20 person's previous law enforcement employers, and document
21 the contact. This documentation must be available for
22 review by the Board for a minimum of five years after the
23 law enforcement officer's termination, retirement,
24 resignation or separation with that agency.

25 (3) The database, documents, materials, or other
26 information in the possession or control of the Board that

1 are obtained by or disclosed to the Board under this
2 subsection shall be confidential by law and privileged,
3 shall not be subject to subpoena, and shall not be subject
4 to discovery or admissible in evidence in any private
5 civil action when sought from the Board. However, the
6 Board is authorized to use such documents, materials, or
7 other information in furtherance of any regulatory or
8 legal action brought as part of the Board's official
9 duties. ~~The Unless otherwise required by law, the~~ Board
10 shall not disclose the database or make such documents,
11 materials, or other information it has obtained or that
12 has been disclosed to it to the public ~~without the prior~~
13 ~~written consent of the governmental agency and the law~~
14 ~~enforcement officer~~. Neither the Board nor any person who
15 received documents, materials or other information shared
16 under this subsection shall be required to testify in any
17 private civil action concerning the database or any
18 confidential documents, materials, or information subject
19 to this subsection.

20 ~~Nothing in this Section shall exempt a governmental agency~~
21 ~~from disclosing public records in accordance with the Freedom~~
22 ~~of Information Act.~~

23 (d) The Board shall maintain a searchable database of law
24 enforcement officers accessible to the public that shall
25 include: (i) the law enforcement officer's employing ~~local or~~
26 ~~state governmental~~ agency; (ii) the date of the officer's

1 initial certification and the officer's current certification
2 status; and (iii) any sustained complaint of misconduct that
3 resulted in decertification and the date thereof; provided,
4 however, that information shall not be included in the
5 database that would allow the public to ascertain the home
6 address of an officer or another person; provided further,
7 that information regarding an officer's or another person's
8 family member shall not be included in the database. The Board
9 shall make the database publicly available on its website.

10 (e) The Board shall maintain a searchable database of all
11 completed investigations against law enforcement officers
12 related to decertification. The database shall identify each
13 law enforcement officer by a confidential and anonymous number
14 and include: (i) the law enforcement officer's employing local
15 ~~or state governmental~~ agency; (ii) the date of the incident
16 referenced in the complaint; (iii) the location of the
17 incident; (iv) the race and ethnicity of each officer involved
18 in the incident; (v) the age, gender, race and ethnicity of
19 each person involved in the incident, if known; (vi) whether a
20 person in the complaint, including a law enforcement officer,
21 was injured, received emergency medical care, was hospitalized
22 or died as a result of the incident; (vii) the law enforcement
23 ~~governmental~~ agency or other entity assigned to conduct an
24 investigation of the incident; (viii) when the investigation
25 was completed; (ix) whether the complaint was sustained; and
26 (x) the type of misconduct investigated; provided, however,

1 that the Board shall redact or withhold such information as
2 necessary to prevent the disclosure of the identity of an
3 officer. The Board shall make the database publicly available
4 on its website.

5 (e-1) An investigation is complete when the investigation
6 has either been terminated or the decertification action,
7 including the administrative review process, has been
8 completed, whichever is later.

9 (e-2) At any time, a law enforcement officer shall have
10 access to the law enforcement officer's own records on file
11 with the Board, as it pertains to the databases in this
12 Section.

13 (f) Annual report. The Board shall submit an annual report
14 to the Governor, Attorney General, President and Minority
15 Leader of the Senate, and the Speaker and Minority Leader of
16 the House of Representatives ~~beginning~~ on or before March 1,
17 2023, and every year thereafter indicating:

18 (1) the number of complaints received in the preceding
19 calendar year, including but not limited to the race,
20 gender, and type of discretionary decertification
21 complaints received;

22 (2) the number of investigations initiated in the
23 preceding calendar year since the date of the last report;

24 (3) the number of investigations concluded in the
25 preceding calendar year;

26 (4) the number of investigations pending as of the

1 last ~~reporting~~ date of the preceding calendar year;

2 (5) the number of hearings held in the preceding
3 calendar year; and

4 (6) the number of officers decertified in the
5 preceding calendar year.

6 The annual report shall be publicly available on the
7 website of the Board.

8 (g) Nothing in this Section shall exempt a law enforcement
9 agency from which the Board has obtained data, documents,
10 materials, or other information or that has disclosed data,
11 documents, materials, or other information to the Board from
12 disclosing public records in accordance with the Freedom of
13 Information Act.

14 (h) Notwithstanding any provision of law to the contrary,
15 the changes made to this Section by this amendatory Act of the
16 102nd General Assembly and Public Act 101-652 take effect July
17 1, 2022.

18 (Source: P.A. 101-652, eff. 1-1-22.)

19 (50 ILCS 705/10.1) (from Ch. 85, par. 510.1)

20 (Text of Section before amendment by P.A. 101-652)

21 Sec. 10.1. Additional training programs. The Board shall
22 initiate, administer, and conduct training programs for
23 permanent police officers and permanent county corrections
24 officers in addition to the basic recruit training program.
25 The Board may initiate, administer, and conduct training

1 programs for part-time police officers in addition to the
2 basic part-time police training course. The training for
3 permanent and part-time police officers and permanent county
4 corrections officers may be given in any schools selected by
5 the Board. Such training may include all or any part of the
6 subjects enumerated in Section 7 of this Act.

7 The corporate authorities of all participating local
8 governmental agencies may elect to participate in the advanced
9 training for permanent and part-time police officers and
10 permanent county corrections officers but nonparticipation in
11 this program shall not in any way affect the mandatory
12 responsibility of governmental units to participate in the
13 basic recruit training programs for probationary full-time and
14 part-time police and permanent county corrections officers.
15 The failure of any permanent or part-time police officer or
16 permanent county corrections officer to successfully complete
17 any course authorized under this Section shall not affect the
18 officer's status as a member of the police department or
19 county sheriff's office of any local governmental agency.

20 The Board may initiate, administer, and conduct training
21 programs for clerks of circuit courts. Those training
22 programs, at the Board's discretion, may be the same or
23 variations of training programs for law enforcement officers.

24 The Board shall initiate, administer, and conduct a
25 training program regarding the set up and operation of
26 portable scales for all municipal and county police officers,

1 technicians, and employees who set up and operate portable
2 scales. This training program must include classroom and field
3 training.

4 (Source: P.A. 90-271, eff. 7-30-97, 91-129, eff. 7-16-99.)

5 (Text of Section after amendment by P.A. 101-652)

6 Sec. 10.1. Additional training programs. The Board shall
7 initiate, administer, and conduct training programs for
8 permanent law enforcement officers and permanent county
9 corrections officers in addition to the basic recruit training
10 program. The Board may initiate, administer, and conduct
11 training programs for part-time law enforcement officers in
12 addition to the basic part-time law enforcement training
13 course. The training for permanent and part-time law
14 enforcement officers and permanent county corrections officers
15 may be given in any schools selected by the Board. Such
16 training may include all or any part of the subjects
17 enumerated in Sections 7 and 7.4 ~~Section 7~~ of this Act.

18 The corporate authorities of all participating local
19 governmental agencies may elect to participate in the advanced
20 training for permanent and part-time law enforcement officers
21 and permanent county corrections officers but nonparticipation
22 in this program shall not in any way affect the mandatory
23 responsibility of governmental units to participate in the
24 basic recruit training programs for probationary full-time and
25 part-time law enforcement and permanent county corrections

1 officers. The failure of any permanent or part-time law
2 enforcement officer or permanent county corrections officer to
3 successfully complete any course authorized under this Section
4 shall not affect the officer's status as a member of the police
5 department or county sheriff's office of any local
6 governmental agency.

7 The Board may initiate, administer, and conduct training
8 programs for clerks of circuit courts. Those training
9 programs, at the Board's discretion, may be the same or
10 variations of training programs for law enforcement officers.

11 The Board shall initiate, administer, and conduct a
12 training program regarding the set up and operation of
13 portable scales for all municipal and county police officers,
14 technicians, and employees who set up and operate portable
15 scales. This training program must include classroom and field
16 training.

17 (Source: P.A. 101-652, eff. 1-1-22.)

18 (50 ILCS 705/10.2)

19 (Text of Section before amendment by P.A. 101-652)

20 Sec. 10.2. Criminal background investigations.

21 (a) On and after March 14, 2002 (the effective date of
22 Public Act 92-533), an applicant for employment as a peace
23 officer, or for annual certification as a retired law
24 enforcement officer qualified under federal law to carry a
25 concealed weapon, shall authorize an investigation to

1 determine if the applicant has been convicted of, or entered a
2 plea of guilty to, any criminal offense that disqualifies the
3 person as a peace officer.

4 (b) No law enforcement agency may knowingly employ a
5 person, or certify a retired law enforcement officer qualified
6 under federal law to carry a concealed weapon, unless (i) a
7 criminal background investigation of that person has been
8 completed and (ii) that investigation reveals no convictions
9 of or pleas of guilty to offenses specified in subsection (a)
10 of Section 6.1 of this Act.

11 (Source: P.A. 101-187, eff. 1-1-20; 102-558, eff. 8-20-21.)

12 (Text of Section after amendment by P.A. 101-652)

13 Sec. 10.2. Criminal background investigations.

14 (a) On and after March 14, 2002 (the effective date of
15 Public Act 92-533), an applicant for employment as a peace
16 officer, or for annual certification as a retired law
17 enforcement officer qualified under federal law to carry a
18 concealed weapon, shall authorize an investigation to
19 determine if the applicant has been convicted of any criminal
20 offense that disqualifies the person as a peace officer.

21 (b) No law enforcement ~~governmental~~ agency may knowingly
22 employ a person, or certify a retired law enforcement officer
23 qualified under federal law to carry a concealed weapon,
24 unless (i) a criminal background investigation of that person
25 has been completed and (ii) that investigation reveals no

1 convictions of or pleas of guilty to offenses specified in
2 subsection (a) of Section 6.1 of this Act.

3 (Source: P.A. 101-187, eff. 1-1-20; 101-652, eff. 1-1-22;
4 102-558, eff. 8-20-21.)

5 (50 ILCS 705/10.6)

6 (This Section may contain text from a Public Act with a
7 delayed effective date)

8 Sec. 10.6. Mandatory training to be completed every 3
9 years.

10 (a) The Board shall adopt rules and minimum standards for
11 in-service training requirements as set forth in this Section.
12 The training shall provide officers with knowledge of policies
13 and laws regulating the use of force; equip officers with
14 tactics and skills, including de-escalation techniques, to
15 prevent or reduce the need to use force or, when force must be
16 used, to use force that is objectively reasonable, necessary,
17 and proportional under the totality of the circumstances; and
18 ensure appropriate supervision and accountability. The
19 training shall consist of at least 30 hours of training every 3
20 years and shall include:

21 (1) At least 12 hours of hands-on, scenario-based
22 role-playing.

23 (2) At least 6 hours of instruction on use of force
24 techniques, including the use of de-escalation techniques
25 to prevent or reduce the need for force whenever safe and

1 feasible.

2 (3) Specific training on the law concerning stops,
3 searches, and the use of force under the Fourth Amendment
4 to the United States Constitution.

5 (4) Specific training on officer safety techniques,
6 including cover, concealment, and time.

7 (5) At least 6 hours of training focused on high-risk
8 traffic stops.

9 (b) Notwithstanding any provision of law to the contrary,
10 the changes made to this Section by this amendatory Act of the
11 102nd General Assembly, Public Act 101-652, and Public Act
12 102-28 take effect July 1, 2022.

13 (Source: P.A. 101-652, eff. 7-1-21.)

14 (50 ILCS 705/10.11)

15 (Text of Section before amendment by P.A. 101-652)

16 Sec. 10.11. Training; death and homicide investigation.
17 The Illinois Law Enforcement Training Standards Board shall
18 conduct or approve a training program in death and homicide
19 investigation for the training of law enforcement officers of
20 local government agencies. Only law enforcement officers who
21 successfully complete the training program may be assigned as
22 lead investigators in death and homicide investigations.
23 Satisfactory completion of the training program shall be
24 evidenced by a certificate issued to the law enforcement
25 officer by the Illinois Law Enforcement Training Standards

1 Board.

2 The Illinois Law Enforcement Training Standards Board
3 shall develop a process for waiver applications sent by a
4 local law enforcement agency administrator for those officers
5 whose prior training and experience as homicide investigators
6 may qualify them for a waiver. The Board may issue a waiver at
7 its discretion, based solely on the prior training and
8 experience of an officer as a homicide investigator. This
9 Section does not affect or impede the powers of the office of
10 the coroner to investigate all deaths as provided in Division
11 3-3 of the Counties Code and the Coroner Training Board Act.
12 (Source: P.A. 102-558, eff. 8-20-21.)

13 (Text of Section after amendment by P.A. 101-652)

14 Sec. 10.11. Training; death and homicide investigation.
15 The Illinois Law Enforcement Training Standards Board shall
16 conduct or approve a training program in death and homicide
17 investigation for the training of law enforcement officers of
18 local law enforcement ~~government~~ agencies. Only law
19 enforcement officers who successfully complete the training
20 program may be assigned as lead investigators in death and
21 homicide investigations. Satisfactory completion of the
22 training program shall be evidenced by a certificate issued to
23 the law enforcement officer by the Illinois Law Enforcement
24 Training Standards Board.

25 The Illinois Law Enforcement Training Standards Board

1 shall develop a process for waiver applications sent by a
2 local governmental agency administrator for those officers
3 whose prior training and experience as homicide investigators
4 may qualify them for a waiver. The Board may issue a waiver at
5 its discretion, based solely on the prior training and
6 experience of an officer as a homicide investigator. This
7 Section does not affect or impede the powers of the office of
8 the coroner to investigate all deaths as provided in Division
9 3-3 of the Counties Code and the Coroner Training Board Act.

10 (Source: P.A. 101-652, eff. 1-1-22; 102-558, eff. 8-20-21.)

11 (50 ILCS 705/10.12)

12 (Text of Section before amendment by P.A. 101-652)

13 Sec. 10.12. Police dog training standards. All police dogs
14 used by State and local law enforcement agencies for drug
15 enforcement purposes pursuant to the Cannabis Control Act, the
16 Illinois Controlled Substances Act, or the Methamphetamine
17 Control and Community Protection Act shall be trained by
18 programs that meet the minimum certification requirements set
19 by the Board.

20 (Source: P.A. 101-27, eff. 6-25-19.)

21 (Text of Section after amendment by P.A. 101-652)

22 Sec. 10.12. Police dog training standards. All police dogs
23 used by State and local law enforcement ~~governmental~~ agencies
24 for drug enforcement purposes pursuant to the Cannabis Control

1 Act, the Illinois Controlled Substances Act, or the
2 Methamphetamine Control and Community Protection Act shall be
3 trained by programs that meet the minimum certification
4 requirements set by the Board.

5 (Source: P.A. 101-27, eff. 6-25-19; 101-652, eff. 1-1-22.)

6 (50 ILCS 705/10.13)

7 (Text of Section before amendment by P.A. 101-652)

8 Sec. 10.13. Training; Post-Traumatic Stress Disorder
9 (PTSD). The Illinois Law Enforcement Training Standards Board
10 shall conduct or approve a training program in Post-Traumatic
11 Stress Disorder (PTSD) for law enforcement officers of local
12 government agencies. The purpose of that training shall be to
13 equip law enforcement officers of local government agencies to
14 identify the symptoms of PTSD and to respond appropriately to
15 individuals exhibiting those symptoms.

16 (Source: P.A. 97-1040, eff. 1-1-13.)

17 (Text of Section after amendment by P.A. 101-652)

18 Sec. 10.13. Training; Post-Traumatic Stress Disorder
19 (PTSD). The Illinois Law Enforcement Training Standards Board
20 shall conduct or approve a training program in Post-Traumatic
21 Stress Disorder (PTSD) for law enforcement officers of local
22 law enforcement ~~governmental~~ agencies. The purpose of that
23 training shall be to equip law enforcement officers of local
24 law enforcement ~~governmental~~ agencies to identify the symptoms

1 of PTSD and to respond appropriately to individuals exhibiting
2 those symptoms.

3 (Source: P.A. 101-652, eff. 1-1-22.)

4 (50 ILCS 705/10.16)

5 (Text of Section before amendment by P.A. 101-652)

6 Sec. 10.16. Veterans' awareness. The Illinois Law
7 Enforcement Training Standards Board may conduct or approve a
8 training program in veterans' awareness for law enforcement
9 officers of local government agencies. The program shall train
10 law enforcement officers to identify issues relating to
11 veterans and provide guidelines dictating how law enforcement
12 officers should respond to and address such issues. Each local
13 government agency is encouraged to designate an individual to
14 respond to veterans' issues.

15 (Source: P.A. 98-960, eff. 1-1-15.)

16 (Text of Section after amendment by P.A. 101-652)

17 Sec. 10.16. Veterans' awareness. The Illinois Law
18 Enforcement Training Standards Board may conduct or approve a
19 training program in veterans' awareness for law enforcement
20 officers of local government agencies. The program shall train
21 law enforcement officers to identify issues relating to
22 veterans and provide guidelines dictating how law enforcement
23 officers should respond to and address such issues. Each local
24 law enforcement ~~governmental~~ agency is encouraged to designate

1 an individual to respond to veterans' issues.

2 (Source: P.A. 101-652, eff. 1-1-22.)

3 (50 ILCS 705/10.19)

4 (Text of Section before amendment by P.A. 101-652)

5 Sec. 10.19. Training; administration of epinephrine.

6 (a) This Section, along with Section 40 of the State
7 Police Act, may be referred to as the Annie LeGere Law.

8 (b) For purposes of this Section, "epinephrine
9 auto-injector" means a single-use device used for the
10 automatic injection of a pre-measured dose of epinephrine into
11 the human body prescribed in the name of a local governmental
12 agency.

13 (c) The Board shall conduct or approve an optional
14 advanced training program for police officers to recognize and
15 respond to anaphylaxis, including the administration of an
16 epinephrine auto-injector. The training must include, but is
17 not limited to:

18 (1) how to recognize symptoms of an allergic reaction;

19 (2) how to respond to an emergency involving an
20 allergic reaction;

21 (3) how to administer an epinephrine auto-injector;

22 (4) how to respond to an individual with a known
23 allergy as well as an individual with a previously unknown
24 allergy;

25 (5) a test demonstrating competency of the knowledge

1 required to recognize anaphylaxis and administer an
2 epinephrine auto-injector; and

3 (6) other criteria as determined in rules adopted by
4 the Board.

5 (d) A local governmental agency may authorize a police
6 officer who has completed an optional advanced training
7 program under subsection (c) to carry, administer, or assist
8 with the administration of epinephrine auto-injectors provided
9 by the local governmental agency whenever he or she is
10 performing official duties.

11 (e) A local governmental agency that authorizes its
12 officers to carry and administer epinephrine auto-injectors
13 under subsection (d) must establish a policy to control the
14 acquisition, storage, transportation, administration, and
15 disposal of epinephrine auto-injectors and to provide
16 continued training in the administration of epinephrine
17 auto-injectors.

18 (f) A physician, physician's assistant with prescriptive
19 authority, or advanced practice registered nurse with
20 prescriptive authority may provide a standing protocol or
21 prescription for epinephrine auto-injectors in the name of a
22 local governmental agency to be maintained for use when
23 necessary.

24 (g) When a police officer administers an epinephrine
25 auto-injector in good faith, the police officer and local
26 governmental agency, and its employees and agents, including a

1 physician, physician's assistant with prescriptive authority,
2 or advanced practice registered nurse with prescriptive
3 authority who provides a standing order or prescription for an
4 epinephrine auto-injector, incur no civil or professional
5 liability, except for willful and wanton conduct, as a result
6 of any injury or death arising from the use of an epinephrine
7 auto-injector.

8 (Source: P.A. 99-711, eff. 1-1-17; 100-201, eff. 8-18-17;
9 100-648, eff. 7-31-18.)

10 (Text of Section after amendment by P.A. 101-652)

11 Sec. 10.19. Training; administration of epinephrine.

12 (a) This Section, along with Section 40 of the State
13 Police Act, may be referred to as the Annie LeGere Law.

14 (b) For purposes of this Section, "epinephrine
15 auto-injector" means a single-use device used for the
16 automatic injection of a pre-measured dose of epinephrine into
17 the human body prescribed in the name of a local law
18 enforcement ~~governmental~~ agency.

19 (c) The Board shall conduct or approve an optional
20 advanced training program for law enforcement officers to
21 recognize and respond to anaphylaxis, including the
22 administration of an epinephrine auto-injector. The training
23 must include, but is not limited to:

24 (1) how to recognize symptoms of an allergic reaction;

25 (2) how to respond to an emergency involving an

1 allergic reaction;

2 (3) how to administer an epinephrine auto-injector;

3 (4) how to respond to an individual with a known
4 allergy as well as an individual with a previously unknown
5 allergy;

6 (5) a test demonstrating competency of the knowledge
7 required to recognize anaphylaxis and administer an
8 epinephrine auto-injector; and

9 (6) other criteria as determined in rules adopted by
10 the Board.

11 (d) A local law enforcement ~~governmental~~ agency may
12 authorize a law enforcement officer who has completed an
13 optional advanced training program under subsection (c) to
14 carry, administer, or assist with the administration of
15 epinephrine auto-injectors provided by the local law
16 enforcement ~~governmental~~ agency whenever the officer is
17 performing official duties.

18 (e) A local law enforcement ~~governmental~~ agency that
19 authorizes its officers to carry and administer epinephrine
20 auto-injectors under subsection (d) must establish a policy to
21 control the acquisition, storage, transportation,
22 administration, and disposal of epinephrine auto-injectors and
23 to provide continued training in the administration of
24 epinephrine auto-injectors.

25 (f) A physician, physician's assistant with prescriptive
26 authority, or advanced practice registered nurse with

1 prescriptive authority may provide a standing protocol or
2 prescription for epinephrine auto-injectors in the name of a
3 local law enforcement ~~governmental~~ agency to be maintained for
4 use when necessary.

5 (g) When a law enforcement officer administers an
6 epinephrine auto-injector in good faith, the law enforcement
7 officer and local law enforcement ~~governmental~~ agency, and its
8 employees and agents, including a physician, physician's
9 assistant with prescriptive authority, or advanced practice
10 registered nurse with prescriptive authority who provides a
11 standing order or prescription for an epinephrine
12 auto-injector, incur no civil or professional liability,
13 except for willful and wanton conduct, or as a result of any
14 injury or death arising from the use of an epinephrine
15 auto-injector.

16 (Source: P.A. 100-201, eff. 8-18-17; 100-648, eff. 7-31-18;
17 101-652, eff. 1-1-22.)

18 (50 ILCS 705/10.20)

19 (Text of Section before amendment by P.A. 101-652)

20 Sec. 10.20. Disposal of medications. The Board shall
21 develop rules and minimum standards for local governmental
22 agencies that authorize police officers to dispose of unused
23 medications under Section 18 of the Safe Pharmaceutical
24 Disposal Act.

25 (Source: P.A. 99-648, eff. 1-1-17; 100-201, eff. 8-18-17.)

1 (Text of Section after amendment by P.A. 101-652)

2 Sec. 10.20. Disposal of medications. The Board shall
3 develop rules and minimum standards for local law enforcement
4 ~~governmental~~ agencies that authorize law enforcement officers
5 to dispose of unused medications under Section 18 of the Safe
6 Pharmaceutical Disposal Act.

7 (Source: P.A. 100-201, eff. 8-18-17; 101-652, eff. 1-1-22.)

8 (50 ILCS 705/10.22)

9 (Text of Section before amendment by P.A. 101-652)

10 Sec. 10.22. School resource officers.

11 (a) The Board shall develop or approve a course for school
12 resource officers as defined in Section 10-20.68 of the School
13 Code.

14 (b) The school resource officer course shall be developed
15 within one year after January 1, 2019 (the effective date of
16 Public Act 100-984) and shall be created in consultation with
17 organizations demonstrating expertise and or experience in the
18 areas of youth and adolescent developmental issues,
19 educational administrative issues, prevention of child abuse
20 and exploitation, youth mental health treatment, and juvenile
21 advocacy.

22 (c) The Board shall develop a process allowing law
23 enforcement agencies to request a waiver of this training
24 requirement for any specific individual assigned as a school

1 resource officer. Applications for these waivers may be
2 submitted by a local law enforcement agency chief
3 administrator for any officer whose prior training and
4 experience may qualify for a waiver of the training
5 requirement of this subsection (c). The Board may issue a
6 waiver at its discretion, based solely on the prior training
7 and experience of an officer.

8 (d) Upon completion, the employing agency shall be issued
9 a certificate attesting to a specific officer's completion of
10 the school resource officer training. Additionally, a letter
11 of approval shall be issued to the employing agency for any
12 officer who is approved for a training waiver under this
13 subsection (d).

14 (Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19.)

15 (Text of Section after amendment by P.A. 101-652)

16 Sec. 10.22. School resource officers.

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18 resource officers as defined in Section 10-20.68 of the School
19 Code.

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22 Public Act 100-984) and shall be created in consultation with
23 organizations demonstrating expertise and or experience in the
24 areas of youth and adolescent developmental issues,
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1 and exploitation, youth mental health treatment, and juvenile
2 advocacy.

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4 enforcement agencies to request a waiver of this training
5 requirement for any specific individual assigned as a school
6 resource officer. Applications for these waivers may be
7 submitted by a local law enforcement ~~governmental~~ agency chief
8 administrator for any officer whose prior training and
9 experience may qualify for a waiver of the training
10 requirement of this subsection (c). The Board may issue a
11 waiver at its discretion, based solely on the prior training
12 and experience of an officer.

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14 a certificate attesting to a specific officer's completion of
15 the school resource officer training. Additionally, a letter
16 of approval shall be issued to the employing agency for any
17 officer who is approved for a training waiver under this
18 subsection (d).

19 (Source: P.A. 100-984, eff. 1-1-19; 101-81, eff. 7-12-19;
20 101-652, eff. 1-1-22.)

21 Section 16. The Law Enforcement Officer-Worn Body Camera
22 Act is amended by changing Section 10-20 as follows:

23 (50 ILCS 706/10-20)

24 Sec. 10-20. Requirements.

1 (a) The Board shall develop basic guidelines for the use
2 of officer-worn body cameras by law enforcement agencies. The
3 guidelines developed by the Board shall be the basis for the
4 written policy which must be adopted by each law enforcement
5 agency which employs the use of officer-worn body cameras. The
6 written policy adopted by the law enforcement agency must
7 include, at a minimum, all of the following:

8 (1) Cameras must be equipped with pre-event recording,
9 capable of recording at least the 30 seconds prior to
10 camera activation, unless the officer-worn body camera was
11 purchased and acquired by the law enforcement agency prior
12 to July 1, 2015.

13 (2) Cameras must be capable of recording for a period
14 of 10 hours or more, unless the officer-worn body camera
15 was purchased and acquired by the law enforcement agency
16 prior to July 1, 2015.

17 (3) Cameras must be turned on at all times when the
18 officer is in uniform and is responding to calls for
19 service or engaged in any law enforcement-related
20 encounter or activity, that occurs while the officer is on
21 duty.

22 (A) If exigent circumstances exist which prevent
23 the camera from being turned on, the camera must be
24 turned on as soon as practicable.

25 (B) Officer-worn body cameras may be turned off
26 when the officer is inside of a patrol car which is

1 equipped with a functioning in-car camera; however,
2 the officer must turn on the camera upon exiting the
3 patrol vehicle for law enforcement-related encounters.

4 (C) Officer-worn body cameras may be turned off
5 when the officer is inside a correctional facility or
6 courthouse which is equipped with a functioning camera
7 system.

8 (4) Cameras must be turned off when:

9 (A) the victim of a crime requests that the camera
10 be turned off, and unless impractical or impossible,
11 that request is made on the recording;

12 (B) a witness of a crime or a community member who
13 wishes to report a crime requests that the camera be
14 turned off, and unless impractical or impossible that
15 request is made on the recording;

16 (C) the officer is interacting with a confidential
17 informant used by the law enforcement agency; or

18 (D) an officer of the Department of Revenue enters
19 a Department of Revenue facility or conducts an
20 interview during which return information will be
21 discussed or visible.

22 However, an officer may continue to record or resume
23 recording a victim or a witness, if exigent circumstances
24 exist, or if the officer has reasonable articulable
25 suspicion that a victim or witness, or confidential
26 informant has committed or is in the process of committing

1 a crime. Under these circumstances, and unless impractical
2 or impossible, the officer must indicate on the recording
3 the reason for continuing to record despite the request of
4 the victim or witness.

5 (4.5) Cameras may be turned off when the officer is
6 engaged in community caretaking functions. However, the
7 camera must be turned on when the officer has reason to
8 believe that the person on whose behalf the officer is
9 performing a community caretaking function has committed
10 or is in the process of committing a crime. If exigent
11 circumstances exist which prevent the camera from being
12 turned on, the camera must be turned on as soon as
13 practicable.

14 (5) The officer must provide notice of recording to
15 any person if the person has a reasonable expectation of
16 privacy and proof of notice must be evident in the
17 recording. If exigent circumstances exist which prevent
18 the officer from providing notice, notice must be provided
19 as soon as practicable.

20 (6) (A) For the purposes of redaction, labeling, or
21 duplicating recordings, access to camera recordings shall
22 be restricted to only those personnel responsible for
23 those purposes. The recording officer or his or her
24 supervisor may not redact, label, duplicate or otherwise
25 alter the recording officer's camera recordings. Except as
26 otherwise provided in this Section, the recording officer

1 and his or her supervisor may access and review recordings
2 prior to completing incident reports or other
3 documentation, provided that the supervisor discloses that
4 fact in the report or documentation.

5 (i) A law enforcement officer shall not have
6 access to or review his or her body-worn camera
7 recordings or the body-worn camera recordings of
8 another officer prior to completing incident reports
9 or other documentation when the officer:

10 (a) has been involved in or is a witness to an
11 officer-involved shooting, use of deadly force
12 incident, or use of force incidents resulting in
13 great bodily harm;

14 (b) is ordered to write a report in response
15 to or during the investigation of a misconduct
16 complaint against the officer.

17 (ii) If the officer subject to subparagraph (i)
18 prepares a report, any report shall be prepared
19 without viewing body-worn camera recordings, and
20 subject to supervisor's approval, officers may file
21 amendatory reports after viewing body-worn camera
22 recordings. Supplemental reports under this provision
23 shall also contain documentation regarding access to
24 the video footage.

25 (B) The recording officer's assigned field
26 training officer may access and review recordings for

1 training purposes. Any detective or investigator
2 directly involved in the investigation of a matter may
3 access and review recordings which pertain to that
4 investigation but may not have access to delete or
5 alter such recordings.

6 (7) Recordings made on officer-worn cameras must be
7 retained by the law enforcement agency or by the camera
8 vendor used by the agency, on a recording medium for a
9 period of 90 days.

10 (A) Under no circumstances shall any recording,
11 except for a non-law enforcement related activity or
12 encounter, made with an officer-worn body camera be
13 altered, erased, or destroyed prior to the expiration
14 of the 90-day storage period. In the event any
15 recording made with an officer-worn body camera is
16 altered, erased, or destroyed prior to the expiration
17 of the 90-day storage period, the law enforcement
18 agency shall maintain, for a period of one year, a
19 written record including (i) the name of the
20 individual who made such alteration, erasure, or
21 destruction, and (ii) the reason for any such
22 alteration, erasure, or destruction.

23 (B) Following the 90-day storage period, any and
24 all recordings made with an officer-worn body camera
25 must be destroyed, unless any encounter captured on
26 the recording has been flagged. An encounter is deemed

1 to be flagged when:

2 (i) a formal or informal complaint has been
3 filed;

4 (ii) the officer discharged his or her firearm
5 or used force during the encounter;

6 (iii) death or great bodily harm occurred to
7 any person in the recording;

8 (iv) the encounter resulted in a detention or
9 an arrest, excluding traffic stops which resulted
10 in only a minor traffic offense or business
11 offense;

12 (v) the officer is the subject of an internal
13 investigation or otherwise being investigated for
14 possible misconduct;

15 (vi) the supervisor of the officer,
16 prosecutor, defendant, or court determines that
17 the encounter has evidentiary value in a criminal
18 prosecution; or

19 (vii) the recording officer requests that the
20 video be flagged for official purposes related to
21 his or her official duties.

22 (C) Under no circumstances shall any recording
23 made with an officer-worn body camera relating to a
24 flagged encounter be altered or destroyed prior to 2
25 years after the recording was flagged. If the flagged
26 recording was used in a criminal, civil, or

1 administrative proceeding, the recording shall not be
2 destroyed except upon a final disposition and order
3 from the court.

4 (D) Nothing in this Act prohibits law enforcement
5 agencies from labeling officer-worn body camera video
6 within the recording medium; provided that the
7 labeling does not alter the actual recording of the
8 incident captured on the officer-worn body camera. The
9 labels, titles, and tags shall not be construed as
10 altering the officer-worn body camera video in any
11 way.

12 (8) Following the 90-day storage period, recordings
13 may be retained if a supervisor at the law enforcement
14 agency designates the recording for training purposes. If
15 the recording is designated for training purposes, the
16 recordings may be viewed by officers, in the presence of a
17 supervisor or training instructor, for the purposes of
18 instruction, training, or ensuring compliance with agency
19 policies.

20 (9) Recordings shall not be used to discipline law
21 enforcement officers unless:

22 (A) a formal or informal complaint of misconduct
23 has been made;

24 (B) a use of force incident has occurred;

25 (C) the encounter on the recording could result in
26 a formal investigation under the Uniform Peace

1 Officers' Disciplinary Act; or

2 (D) as corroboration of other evidence of
3 misconduct.

4 Nothing in this paragraph (9) shall be construed to
5 limit or prohibit a law enforcement officer from being
6 subject to an action that does not amount to discipline.

7 (10) The law enforcement agency shall ensure proper
8 care and maintenance of officer-worn body cameras. Upon
9 becoming aware, officers must as soon as practical
10 document and notify the appropriate supervisor of any
11 technical difficulties, failures, or problems with the
12 officer-worn body camera or associated equipment. Upon
13 receiving notice, the appropriate supervisor shall make
14 every reasonable effort to correct and repair any of the
15 officer-worn body camera equipment.

16 (11) No officer may hinder or prohibit any person, not
17 a law enforcement officer, from recording a law
18 enforcement officer in the performance of his or her
19 duties in a public place or when the officer has no
20 reasonable expectation of privacy. The law enforcement
21 agency's written policy shall indicate the potential
22 criminal penalties, as well as any departmental
23 discipline, which may result from unlawful confiscation or
24 destruction of the recording medium of a person who is not
25 a law enforcement officer. However, an officer may take
26 reasonable action to maintain safety and control, secure

1 crime scenes and accident sites, protect the integrity and
2 confidentiality of investigations, and protect the public
3 safety and order.

4 (b) Recordings made with the use of an officer-worn body
5 camera are not subject to disclosure under the Freedom of
6 Information Act, except that:

7 (1) if the subject of the encounter has a reasonable
8 expectation of privacy, at the time of the recording, any
9 recording which is flagged, due to the filing of a
10 complaint, discharge of a firearm, use of force, arrest or
11 detention, or resulting death or bodily harm, shall be
12 disclosed in accordance with the Freedom of Information
13 Act if:

14 (A) the subject of the encounter captured on the
15 recording is a victim or witness; and

16 (B) the law enforcement agency obtains written
17 permission of the subject or the subject's legal
18 representative;

19 (2) except as provided in paragraph (1) of this
20 subsection (b), any recording which is flagged due to the
21 filing of a complaint, discharge of a firearm, use of
22 force, arrest or detention, or resulting death or bodily
23 harm shall be disclosed in accordance with the Freedom of
24 Information Act; and

25 (3) upon request, the law enforcement agency shall
26 disclose, in accordance with the Freedom of Information

1 Act, the recording to the subject of the encounter
2 captured on the recording or to the subject's attorney, or
3 the officer or his or her legal representative.

4 For the purposes of paragraph (1) of this subsection (b),
5 the subject of the encounter does not have a reasonable
6 expectation of privacy if the subject was arrested as a result
7 of the encounter. For purposes of subparagraph (A) of
8 paragraph (1) of this subsection (b), "witness" does not
9 include a person who is a victim or who was arrested as a
10 result of the encounter.

11 Only recordings or portions of recordings responsive to
12 the request shall be available for inspection or reproduction.
13 Any recording disclosed under the Freedom of Information Act
14 shall be redacted to remove identification of any person that
15 appears on the recording and is not the officer, a subject of
16 the encounter, or directly involved in the encounter. Nothing
17 in this subsection (b) shall require the disclosure of any
18 recording or portion of any recording which would be exempt
19 from disclosure under the Freedom of Information Act.

20 (c) Nothing in this Section shall limit access to a camera
21 recording for the purposes of complying with Supreme Court
22 rules or the rules of evidence.

23 (Source: P.A. 101-652, eff. 7-1-21; 102-28, eff. 6-25-21;
24 revised 7-30-21.)

25 Section 20. The Code of Criminal Procedure of 1963 is

1 amended by adding Section 103-3.5 as follows:

2 (725 ILCS 5/103-3.5 new)

3 Sec. 103-3.5. Right to communicate with attorney and
4 family; transfers; presumption of inadmissibility.

5 (a) Persons who are in police custody shall have the right
6 to communicate free of charge with an attorney of his or her
7 choice and members of his or her family as soon as possible
8 upon being taken into police custody, but no later than 3 hours
9 of arrival at the first place of detention. Persons in police
10 custody must be given access to use a telephone via a landline
11 or cellular phone to make 3 telephone calls.

12 (b) In accordance with Section 103-7, at every police
13 facility where a person is in police custody, a sign
14 containing at minimum, the following information in bold block
15 type must be posted in a conspicuous place:

16 (1) a short statement notifying persons who are in
17 police custody of their right to have access to a phone
18 within 3 hours of being taken into police custody; and

19 (2) that persons who are in police custody have the
20 right to make 3 phone calls within 3 hours of being taken
21 into custody, at no charge.

22 (c) In addition to the information listed in subsection
23 (b), if the place of detention is located in a jurisdiction
24 where the court has appointed the public defender or other
25 attorney to represent persons who are in police custody, the

1 telephone number to the public defender or other attorney's
2 office must also be displayed. The telephone call to the
3 public defender or other attorney must not be monitored,
4 eavesdropped upon, or recorded.

5 (d) If a person who is in police custody is transferred to
6 a new place of detention, that person's right to make 3
7 telephone calls under this Section within 3 hours of arrival
8 is renewed.

9 (e) Statements made by a person who is detained in police
10 custody in violation of this section are presumed inadmissible
11 in court as evidence. The presumption of inadmissibility may
12 be overcome by a preponderance of the evidence that the
13 statement was voluntarily given and is reliable, based on the
14 totality of the circumstances. As used in this subsection,
15 "totality of the circumstances" includes, but is not limited
16 to, evidence that law enforcement knowingly prevented or
17 delayed a person's right to communicate or failed to comply
18 with the requirements of this Section.

19 (f) The 3-hour requirement under this Section shall not
20 apply while the person in police custody is asleep,
21 unconscious, or otherwise incapacitated or an exigent
22 circumstance prevents the officers from timely complying with
23 this Section. If this occurs, it must be documented within the
24 police report detailing the exigent circumstance. Once the
25 exigent circumstance ends, the right to make 3 phone calls
26 within 3 hours resumes.

1 (g) In accordance with this Section, the following records
2 shall be maintained: (i) the number of phone calls the person
3 made while in custody; (ii) the time or times the person made
4 phone calls; and (iii) if the person did not make any phone
5 calls, a statement of the reason or reasons why no calls were
6 made.

7 (h) For purposes of this Section, "place of detention"
8 means a building or a police station that is a place of
9 operation for a municipal police department or county sheriff
10 department or other law enforcement agency, other than a
11 courthouse, that is owned or operated by a law enforcement
12 agency, or other building, such as a school or hospital, where
13 persons are held in detention in connection with criminal
14 charges against those persons.

15 (725 ILCS 5/103-3 rep.)

16 Section 25. The Code of Criminal Procedure of 1963 is
17 amended by repealing Section 103-3.

18 Section 30. The Pretrial Services Act is amended by adding
19 Section 1.5 as follows:

20 (725 ILCS 185/1.5 new)

21 Sec. 1.5. Framework facilitating the hiring and training
22 of new State-employed pretrial services personnel to serve
23 circuit courts or counties without existing pretrial services

1 agencies. Notwithstanding anything in this Act to the
2 contrary, the Supreme Court is encouraged to establish a
3 framework that facilitates the hiring and training of new
4 State-employed pretrial services personnel to serve circuit
5 courts or counties without existing pretrial services
6 agencies, as required by Section 1.

7 Section 35. The Unified Code of Corrections is amended by
8 changing Section 5-8-1 as follows:

9 (730 ILCS 5/5-8-1) (from Ch. 38, par. 1005-8-1)

10 Sec. 5-8-1. Natural life imprisonment; enhancements for
11 use of a firearm; mandatory supervised release terms.

12 (a) Except as otherwise provided in the statute defining
13 the offense or in Article 4.5 of Chapter V, a sentence of
14 imprisonment for a felony shall be a determinate sentence set
15 by the court under this Section, subject to Section 5-4.5-115
16 of this Code, according to the following limitations:

17 (1) for first degree murder,

18 (a) (blank),

19 (b) if a trier of fact finds beyond a reasonable
20 doubt that the murder was accompanied by exceptionally
21 brutal or heinous behavior indicative of wanton
22 cruelty or, except as set forth in subsection
23 (a) (1) (c) of this Section, that any of the aggravating
24 factors listed in subsection (b) or (b-5) of Section

1 9-1 of the Criminal Code of 1961 or the Criminal Code
2 of 2012 are present, the court may sentence the
3 defendant, subject to Section 5-4.5-105, to a term of
4 natural life imprisonment, or

5 (c) the court shall sentence the defendant to a
6 term of natural life imprisonment if the defendant, at
7 the time of the commission of the murder, had attained
8 the age of 18, and:

9 (i) has previously been convicted of first
10 degree murder under any state or federal law, or

11 (ii) is found guilty of murdering more than
12 one victim, or

13 (iii) is found guilty of murdering a peace
14 officer, fireman, or emergency management worker
15 when the peace officer, fireman, or emergency
16 management worker was killed in the course of
17 performing his official duties, or to prevent the
18 peace officer or fireman from performing his
19 official duties, or in retaliation for the peace
20 officer, fireman, or emergency management worker
21 from performing his official duties, and the
22 defendant knew or should have known that the
23 murdered individual was a peace officer, fireman,
24 or emergency management worker, or

25 (iv) is found guilty of murdering an employee
26 of an institution or facility of the Department of

1 Corrections, or any similar local correctional
2 agency, when the employee was killed in the course
3 of performing his official duties, or to prevent
4 the employee from performing his official duties,
5 or in retaliation for the employee performing his
6 official duties, or

7 (v) is found guilty of murdering an emergency
8 medical technician - ambulance, emergency medical
9 technician - intermediate, emergency medical
10 technician - paramedic, ambulance driver or other
11 medical assistance or first aid person while
12 employed by a municipality or other governmental
13 unit when the person was killed in the course of
14 performing official duties or to prevent the
15 person from performing official duties or in
16 retaliation for performing official duties and the
17 defendant knew or should have known that the
18 murdered individual was an emergency medical
19 technician - ambulance, emergency medical
20 technician - intermediate, emergency medical
21 technician - paramedic, ambulance driver, or other
22 medical assistant or first aid personnel, or

23 (vi) (blank), or

24 (vii) is found guilty of first degree murder
25 and the murder was committed by reason of any
26 person's activity as a community policing

1 volunteer or to prevent any person from engaging
2 in activity as a community policing volunteer. For
3 the purpose of this Section, "community policing
4 volunteer" has the meaning ascribed to it in
5 Section 2-3.5 of the Criminal Code of 2012.

6 For purposes of clause (v), "emergency medical
7 technician - ambulance", "emergency medical technician
8 - intermediate", "emergency medical technician -
9 paramedic", have the meanings ascribed to them in the
10 Emergency Medical Services (EMS) Systems Act.

11 (d) (i) if the person committed the offense while
12 armed with a firearm, 15 years shall be added to
13 the term of imprisonment imposed by the court;

14 (ii) if, during the commission of the offense, the
15 person personally discharged a firearm, 20 years shall
16 be added to the term of imprisonment imposed by the
17 court;

18 (iii) if, during the commission of the offense,
19 the person personally discharged a firearm that
20 proximately caused great bodily harm, permanent
21 disability, permanent disfigurement, or death to
22 another person, 25 years or up to a term of natural
23 life shall be added to the term of imprisonment
24 imposed by the court.

25 (2) (blank);

26 (2.5) for a person who has attained the age of 18 years

1 at the time of the commission of the offense and who is
2 convicted under the circumstances described in subdivision
3 (b)(1)(B) of Section 11-1.20 or paragraph (3) of
4 subsection (b) of Section 12-13, subdivision (d)(2) of
5 Section 11-1.30 or paragraph (2) of subsection (d) of
6 Section 12-14, subdivision (b)(1.2) of Section 11-1.40 or
7 paragraph (1.2) of subsection (b) of Section 12-14.1,
8 subdivision (b)(2) of Section 11-1.40 or paragraph (2) of
9 subsection (b) of Section 12-14.1 of the Criminal Code of
10 1961 or the Criminal Code of 2012, the sentence shall be a
11 term of natural life imprisonment.

12 (b) (Blank).

13 (c) (Blank).

14 (d) Subject to earlier termination under Section 3-3-8,
15 the parole or mandatory supervised release term shall be
16 written as part of the sentencing order and shall be as
17 follows:

18 (1) for first degree murder or for the offenses of
19 predatory criminal sexual assault of a child, aggravated
20 criminal sexual assault, and criminal sexual assault if
21 committed on or before December 12, 2005, 3 years;

22 (1.5) except as provided in paragraph (7) of this
23 subsection (d), for a Class X felony except for the
24 offenses of predatory criminal sexual assault of a child,
25 aggravated criminal sexual assault, and criminal sexual
26 assault if committed on or after December 13, 2005 (the

1 effective date of Public Act 94-715) and except for the
2 offense of aggravated child pornography under Section
3 11-20.1B~~→~~, 11-20.3, or 11-20.1 with sentencing under
4 subsection (c-5) of Section 11-20.1 of the Criminal Code
5 of 1961 or the Criminal Code of 2012, if committed on or
6 after January 1, 2009, 18 months;

7 (2) except as provided in paragraph (7) of this
8 subsection (d), for a Class 1 felony or a Class 2 felony
9 except for the offense of criminal sexual assault if
10 committed on or after December 13, 2005 (the effective
11 date of Public Act 94-715) and except for the offenses of
12 manufacture and dissemination of child pornography under
13 clauses (a)(1) and (a)(2) of Section 11-20.1 of the
14 Criminal Code of 1961 or the Criminal Code of 2012, if
15 committed on or after January 1, 2009, 12 months;

16 (3) except as provided in paragraph (4), (6), or (7)
17 of this subsection (d), a mandatory supervised release
18 term shall not be imposed for a Class 3 felony or a Class 4
19 felony; unless:

20 (A) the Prisoner Review Board, based on a
21 validated risk and needs assessment, determines it is
22 necessary for an offender to serve a mandatory
23 supervised release term;

24 (B) if the Prisoner Review Board determines a
25 mandatory supervised release term is necessary
26 pursuant to subparagraph (A) of this paragraph (3),

1 the Prisoner Review Board shall specify the maximum
2 number of months of mandatory supervised release the
3 offender may serve, limited to a term of: (i) 12 months
4 for a Class 3 felony; and (ii) 12 months for a Class 4
5 felony;

6 (4) for defendants who commit the offense of predatory
7 criminal sexual assault of a child, aggravated criminal
8 sexual assault, or criminal sexual assault, on or after
9 December 13, 2005 (the effective date of Public Act
10 94-715) ~~this amendatory Act of the 94th General Assembly,~~
11 or who commit the offense of aggravated child pornography
12 under Section 11-20.1B, 11-20.3, or 11-20.1 with
13 sentencing under subsection (c-5) of Section 11-20.1 of
14 the Criminal Code of 1961 or the Criminal Code of 2012,
15 manufacture of child pornography, or dissemination of
16 child pornography after January 1, 2009, the term of
17 mandatory supervised release shall range from a minimum of
18 3 years to a maximum of the natural life of the defendant;

19 (5) if the victim is under 18 years of age, for a
20 second or subsequent offense of aggravated criminal sexual
21 abuse or felony criminal sexual abuse, 4 years, at least
22 the first 2 years of which the defendant shall serve in an
23 electronic monitoring or home detention program under
24 Article 8A of Chapter V of this Code;

25 (6) for a felony domestic battery, aggravated domestic
26 battery, stalking, aggravated stalking, and a felony

1 violation of an order of protection, 4 years;

2 (7) for any felony described in paragraph (a)(2)(ii),
3 (a)(2)(iii), (a)(2)(iv), (a)(2)(vi), (a)(2.1), (a)(2.3),
4 (a)(2.4), (a)(2.5), or (a)(2.6) of Article 5, Section
5 3-6-3 of the Unified Code of Corrections requiring an
6 inmate to serve a minimum of 85% of their court-imposed
7 sentence, except for the offenses of predatory criminal
8 sexual assault of a child, aggravated criminal sexual
9 assault, and criminal sexual assault if committed on or
10 after December 13, 2005 (the effective date of Public Act
11 94-715) and except for the offense of aggravated child
12 pornography under Section 11-20.1B~~-,~~ 11-20.3, or 11-20.1
13 with sentencing under subsection (c-5) of Section 11-20.1
14 of the Criminal Code of 1961 or the Criminal Code of 2012,
15 if committed on or after January 1, 2009 and except as
16 provided in paragraph (4) or paragraph (6) of this
17 subsection (d), the term of mandatory supervised release
18 shall be as follows:

19 (A) Class X felony, 3 years;

20 (B) Class 1 or Class 2 felonies, 2 years;

21 (C) Class 3 or Class 4 felonies, 1 year.

22 (e) (Blank).

23 (f) (Blank).

24 (g) Notwithstanding any other provisions of this Act and
25 of Public Act 101-652: (i) the provisions of paragraph (3) of
26 subsection (d) are effective on July 1 ~~January 1~~, 2022 and

1 shall apply to all individuals convicted on or after the
2 effective date of paragraph (3) of subsection (d); and (ii)
3 the provisions of paragraphs (1.5) and (2) of subsection (d)
4 are effective on July 1, 2021 and shall apply to all
5 individuals convicted on or after the effective date of
6 paragraphs (1.5) and (2) of subsection (d).

7 (Source: P.A. 101-288, eff. 1-1-20; 101-652, eff. 7-1-21;
8 102-28, eff. 6-25-21; revised 8-2-21.)

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.

16 Section 97. Severability. The provisions of this Act are
17 severable under Section 1.31 of the Statute on Statutes.

18 Section 99. Effective date. This Act takes effect January
19 1, 2022.