



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3354

Introduced 2/17/2023, by Rep. David Friess - Patrick Windhorst

SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-6013

from Ch. 34, par. 3-6013

Amends the Counties Code. Provides that, in matters a sheriff deems essential to preventing or assisting with disasters or events of civil disorder, the sheriff may authorize plain clothes to be worn by auxiliary deputies as long as the auxiliary deputies are carrying proper identification while performing this function. Provides that auxiliary deputies may only carry firearms while in the performance of their assigned duties (rather than while in uniform and in the performance of their assigned duties).

LRB103 25580 AWJ 51929 b

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing
5 Section 3-6013 as follows:

6 (55 ILCS 5/3-6013) (from Ch. 34, par. 3-6013)

7 Sec. 3-6013. Duties, training and compensation of
8 auxiliary deputies. Auxiliary deputies shall not supplement
9 members of the regular county police department or regular
10 deputies in the performance of their assigned and normal
11 duties, except as provided herein. Auxiliary deputies may be
12 assigned and directed by the sheriff to perform the following
13 duties in the county:

14 To aid or direct traffic within the county, to aid in
15 control of natural or human made disasters, to aid in case of
16 civil disorder as assigned and directed by the sheriff,
17 provided, that in emergency cases which render it impractical
18 for members of the regular county police department or regular
19 deputies to perform their assigned and normal duties, the
20 sheriff is hereby authorized to assign and direct auxiliary
21 deputies to perform such regular and normal duties.
22 Identification symbols worn by such auxiliary deputies shall
23 be different and distinct from those used by members of the

1 regular county police department or regular deputies. In
2 matters the sheriff deems essential to preventing or assisting
3 with disasters or events of civil disorder, the sheriff may
4 authorize plain clothes to be worn by auxiliary deputies as
5 long as the auxiliary deputies are carrying proper
6 identification while performing this function. Such auxiliary
7 deputies shall at all times during the performance of their
8 duties be subject to the direction and control of the sheriff
9 of the county. Such auxiliary deputies shall not carry
10 firearms, except with the permission of the sheriff, and only
11 while ~~in uniform and~~ in the performance of their assigned
12 duties.

13 Auxiliary deputies, prior to entering upon any of their
14 duties, shall receive a course of training in the use of
15 weapons and other police procedures as shall be appropriate in
16 the exercise of the powers conferred upon them under this
17 Division, which training and course of study shall be
18 determined and provided by the sheriff of each county
19 utilizing auxiliary deputies, provided that, before being
20 permitted to carry a firearm an auxiliary deputy must have the
21 same course of training as required of peace officers in
22 Section 2 of the Peace Officer and Probation Officer Firearm
23 Training Act. The county authorities shall require that all
24 auxiliary deputies be residents of the county served by them.
25 Prior to the appointment of any auxiliary deputy his or her
26 fingerprints shall be taken and no person shall be appointed

1 as such auxiliary deputy if he or she has been convicted of a
2 felony or other crime involving moral turpitude.

3 Auxiliary deputies may receive such compensation as is set
4 by the County Board, with the advice and consent of the
5 Sheriff, not to exceed the lowest hourly pay of a full-time
6 sworn member of the regular county police or sheriff's
7 department and not be paid a salary, except as provided in
8 Section 3-6036, but may be reimbursed for actual expenses
9 incurred in performing their assigned duty. The County Board
10 must approve such actual expenses and arrange for payment.

11 Nothing in this Division shall preclude an auxiliary
12 deputy from holding a simultaneous appointment as an auxiliary
13 police officer pursuant to Section 3-6-5 of the Illinois
14 Municipal Code.

15 (Source: P.A. 97-379, eff. 8-15-11; 98-725, eff. 1-1-15.)