



Rep. Anne Stava-Murray

**Filed: 4/17/2024**

10300HB4585ham001

LRB103 35769 AWJ 72390 a

1 AMENDMENT TO HOUSE BILL 4585

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4585 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Counties Code is amended by changing  
5 Section 5-1136 as follows:

6 (55 ILCS 5/5-1136)

7 Sec. 5-1136. Quotas prohibited. A county may not establish  
8 or adopt an order, policy, ordinance, or resolution that would  
9 require a law enforcement officer to issue a specific number  
10 of citations within a designated period of time or require a  
11 law enforcement officer to meet an arrest quota. These  
12 prohibitions do. ~~This prohibition shall~~ not affect the  
13 conditions of any federal or State grants or funds awarded to  
14 the county and used to fund traffic enforcement programs.

15 A county may not, for purposes of evaluating a law  
16 enforcement officer's job performance, compare the number of

1 citations issued or arrests completed by the law enforcement  
2 officer to the number of citations issued or arrests completed  
3 by any other law enforcement officer who has similar job  
4 duties. Nothing in this Section shall prohibit a county from  
5 evaluating a law enforcement officer based on the law  
6 enforcement officer's points of contact.

7 For the purposes of this Section:

8 (1) "Points of contact" means any quantifiable contact  
9 made in the furtherance of the law enforcement officer's  
10 duties, including, but not limited to, the number of  
11 traffic stops completed, calls for service, pedestrian  
12 stops completed, arrests, written warnings, and crime  
13 prevention measures, including community caretaking, order  
14 maintenance, consensual encounters, foot patrols, and  
15 business checks. "Points of contact" does ~~shall~~ not  
16 include ~~either~~ the issuance of citations, arrests  
17 completed, ~~or~~ the number of citations issued, or the  
18 number of arrests completed by a law enforcement officer.

19 (2) "Law enforcement officer" includes any sheriff,  
20 undersheriff, deputy sheriff, county police officer, or  
21 other person employed by the county as a peace officer.

22 (3) "Arrest quota" means a requirement regarding the  
23 number of arrests completed by a law enforcement officer,  
24 assessing value or points for an arrest for violation of a  
25 rule, petty offense, misdemeanor offense, or felony  
26 offense, or a proportion of those arrests completed

1 relative to the arrests completed by another law  
2 enforcement officer or group of law enforcement officers.

3 A county may not use citations or arrests as criterion for  
4 law enforcement officers for promotion, demotion, dismissal,  
5 discipline, or the earning of benefits or merit pay provided  
6 by the county. In evaluating the performance of a law  
7 enforcement officer, overall job performance shall be  
8 considered and not the volume of citations issued or arrests  
9 completed. An evaluation may include, but is not limited to,  
10 attendance, punctuality, acceptance of feedback, work safety,  
11 self-sufficiency, performance under stress, communication  
12 skills, leadership, investigative skills, de-escalation,  
13 commendations, demeanor, formal training, education, and  
14 professional judgment.

15 A home rule unit may not establish requirements for or  
16 assess the performance of law enforcement officers in a manner  
17 inconsistent with this Section. This Section is a denial and  
18 limitation of home rule powers and functions under subsection  
19 (g) of Section 6 of Article VII of the Illinois Constitution.

20 A person or exclusive bargaining representative who is or  
21 whose members are aggrieved by a violation of this Section may  
22 bring a civil action in an appropriate circuit court for  
23 declaratory or injunctive relief with respect to the  
24 violation. If the person or the exclusive bargaining  
25 representative is the prevailing party, the court shall award  
26 a prevailing party reasonable attorney's fees and costs and

1 additional relief the court deems appropriate. This paragraph  
2 does not affect a right or remedy available under any other law  
3 of this State.

4 (Source: P.A. 98-650, eff. 1-1-15.)

5 Section 10. The Illinois Municipal Code is amended by  
6 changing Section 11-1-12 as follows:

7 (65 ILCS 5/11-1-12)

8 Sec. 11-1-12. Quotas prohibited. A municipality may not  
9 establish or adopt an order, policy, ordinance, or resolution  
10 that would require a police officer to issue a specific number  
11 of citations within a designated period of time or require a  
12 police officer to meet an arrest quota. These prohibitions do-  
13 ~~This prohibition shall~~ not affect the conditions of any  
14 federal or State grants or funds awarded to the municipality  
15 and used to fund traffic enforcement programs.

16 A municipality may not, for purposes of evaluating a  
17 police officer's job performance, compare the number of  
18 citations issued or arrests completed by the police officer to  
19 the number of citations issued or arrests completed by any  
20 other police officer who has similar job duties. Nothing in  
21 this Section shall prohibit a municipality from evaluating a  
22 police officer based on the police officer's points of  
23 contact.

24 For the purposes of this Section: 7

1       "Arrest quota" means a requirement regarding the number of  
2 arrests completed by a police officer, assessing value or  
3 points for an arrest for violation of a rule, petty offense,  
4 misdemeanor offense, or felony offense, or a proportion of  
5 those arrests completed relative to the arrests completed by  
6 another police officer or group of police officers.

7       "Points ~~points~~ of contact" means any quantifiable contact  
8 made in the furtherance of the police officer's duties,  
9 including, but not limited to, the number of traffic stops  
10 completed, calls for service, pedestrian stops completed,  
11 ~~arrests,~~ written warnings, and crime prevention measures,  
12 including community caretaking, order maintenance, consensual  
13 encounters, foot patrols, and business checks. "Points of  
14 contact" does ~~shall~~ not include ~~either~~ the issuance of  
15 citations, arrests completed, ~~or~~ the number of citations  
16 issued, or the number of arrests completed by a police  
17 officer.

18       A municipality may not use citations or arrests as  
19 criterion for police officers for promotion, demotion,  
20 dismissal, discipline, or the earning of benefits or merit pay  
21 provided by the municipality. In evaluating the performance of  
22 a police officer, overall job performance shall be considered  
23 and not the volume of citations issued or arrests completed.  
24 An evaluation may include, but is not limited to, attendance,  
25 punctuality, acceptance of feedback, work safety,  
26 self-sufficiency, performance under stress, communication

1 skills, leadership, investigative skills, de-escalation,  
2 commendations, demeanor, formal training, education, and  
3 professional judgment.

4 A home rule municipality may not establish requirements  
5 for or assess the performance of police officers in a manner  
6 inconsistent with this Section. This Section is a denial and  
7 limitation of home rule powers and functions under subsection  
8 (g) of Section 6 of Article VII of the Illinois Constitution.

9 A person or exclusive bargaining representative who is or  
10 whose members are aggrieved by a violation of this Section may  
11 bring a civil action in an appropriate circuit court for  
12 declaratory or injunctive relief with respect to the  
13 violation. If the person or the exclusive bargaining  
14 representative is the prevailing party, the court shall award  
15 a prevailing party reasonable attorney's fees and costs and  
16 additional relief the court deems appropriate. This paragraph  
17 does not affect a right or remedy available under any other law  
18 of this State.

19 (Source: P.A. 100-1001, eff. 1-1-19.)".