



Rep. Lisa M. Dugan

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09400HB2002ham001

LRB094 02827 NHT 43555 a

1 AMENDMENT TO HOUSE BILL 2002

2 AMENDMENT NO. _____. Amend House Bill 2002 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The School Code is amended by changing Section
5 21-23a as follows:

6 (105 ILCS 5/21-23a) (from Ch. 122, par. 21-23a)
7 Sec. 21-23a. Suspension and revocation of certificate;
8 ~~Conviction of~~ sex or narcotics offense, first degree murder,
9 attempted first degree murder, or Class X felony ~~as grounds for~~
10 ~~revocation of certificate.~~

11 (a) Whenever the holder of any certificate issued pursuant
12 to this Article has been convicted of any sex offense or
13 narcotics offense as defined in this Section, the regional
14 superintendent or the State Superintendent of Education shall
15 forthwith suspend the certificate. If the conviction is
16 reversed and the holder is acquitted of the offense in a new
17 trial or the charges against him are dismissed, the suspending
18 authority shall forthwith terminate the suspension of the
19 certificate. When the conviction becomes final, the State
20 Superintendent of Education shall forthwith revoke the
21 certificate. "Sex offense" as used in this Section means any
22 one or more of the following offenses: (1) any offense defined
23 in Sections 11-6 and 11-9 and Sections 11-14 through 11-21,
24 inclusive, and Sections 12-13, 12-14, 12-14.1, 12-15 and 12-16

1 of the "Criminal Code of 1961"; (2) any attempt to commit any
2 of the foregoing offenses, and (3) any offense committed or
3 attempted in any other state which, if committed or attempted
4 in this State, would have been punishable as one or more of the
5 foregoing offenses. "Narcotics offense" as used in this Section
6 means any one or more of the following offenses: (1) any
7 offense defined in the "Cannabis Control Act" except those
8 defined in Sections 4(a), 4(b) and 5(a) of that Act and any
9 offense for which the holder of any certificate is placed on
10 probation under the provisions of Section 10 of that Act and
11 fulfills the terms and conditions of probation as may be
12 required by the court; (2) any offense defined in the "Illinois
13 Controlled Substances Act" except any offense for which the
14 holder of any certificate is placed on probation under the
15 provisions of Section 410 of that Act and fulfills the terms
16 and conditions of probation as may be required by the court;
17 (3) any attempt to commit any of the foregoing offenses; and
18 (4) any offense committed or attempted in any other state or
19 against the laws of the United States which, if committed or
20 attempted in this State, would have been punishable as one or
21 more of the foregoing offenses.

22 (a-5) Whenever an allegation is made that the holder of a
23 certificate issued pursuant to this Article has committed a sex
24 offense, the regional superintendent or the State
25 Superintendent of Education shall immediately suspend the
26 certificate and conduct an investigation. If the suspending
27 authority, as part of the investigation, finds that the
28 allegation is untrue, then the suspending authority shall
29 immediately terminate the suspension of the certificate,
30 unless subsection (a) of this Section applies.

31 (b) Whenever the holder of a certificate issued pursuant to
32 this Article has been convicted of first degree murder,
33 attempted first degree murder, or a Class X felony, the
34 regional superintendent or the State Superintendent of

1 Education shall forthwith suspend the certificate. If the
2 conviction is reversed and the holder is acquitted of that
3 offense in a new trial or the charges that he or she committed
4 that offense are dismissed, the suspending authority shall
5 forthwith terminate the suspension of the certificate. When the
6 conviction becomes final, the State Superintendent of
7 Education shall forthwith revoke the certificate. The stated
8 offenses of "first degree murder", "attempted first degree
9 murder", and "Class X felony" referred to in this Section
10 include any offense committed in another state that, if
11 committed in this State, would have been punishable as any one
12 of the stated offenses.

13 (Source: P.A. 89-428, eff. 12-13-95; 89-462, eff. 5-29-96;
14 89-610, eff. 8-6-96.)".