

HB0539



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB0539

Introduced 2/1/2007, by Rep. Chapin Rose

SYNOPSIS AS INTRODUCED:

50 ILCS 725/2

from Ch. 85, par. 2552

Amends the Uniform Peace Officers' Disciplinary Act. Provides that Secretary of State sergeants, lieutenants, commanders, and investigator trainees are included in the definition of "officer".

LRB095 07261 HLH 27398 b

FISCAL NOTE ACT
MAY APPLY

A BILL FOR

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 Uniform Peace Officers' Disciplinary Act is
5 amended by changing Section 2 as follows:

6 (50 ILCS 725/2) (from Ch. 85, par. 2552)

7 Sec. 2. For the purposes of this Act, unless clearly
8 required otherwise, the terms defined in this Section have the
9 meaning ascribed herein:

10 (a) "Officer" means any peace officer, as defined by
11 Section 2-13 of the Criminal Code of 1961, as now or hereafter
12 amended, who is employed by any unit of local government or a
13 State college or university, including supervisory and command
14 personnel, and any pay-grade investigator for the Secretary of
15 State as defined in Section 14-110 of the Illinois Pension
16 Code, ~~not~~ including Secretary of State sergeants, lieutenants,
17 commanders, and ~~or~~ investigator trainees. The term does not
18 include crossing guards, parking enforcement personnel,
19 traffic wardens or employees of any State's Attorney's office.

20 (b) "Informal inquiry" means a meeting by supervisory or
21 command personnel with an officer upon whom an allegation of
22 misconduct has come to the attention of such supervisory or
23 command personnel, the purpose of which meeting is to mediate a

1 citizen complaint or discuss the facts to determine whether a
2 formal investigation should be commenced.

3 (c) "Formal investigation" means the process of
4 investigation ordered by a commanding officer during which the
5 questioning of an officer is intended to gather evidence of
6 misconduct which may be the basis for filing charges seeking
7 his or her removal, discharge or suspension in excess of 3
8 days.

9 (d) "Interrogation" means the questioning of an officer
10 pursuant to the formal investigation procedures of the
11 respective State agency or local governmental unit in
12 connection with an alleged violation of such agency's or unit's
13 rules which may be the basis for filing charges seeking his or
14 her suspension, removal, or discharge. The term does not
15 include questioning (1) as part of an informal inquiry or (2)
16 relating to minor infractions of agency rules which may be
17 noted on the officer's record but which may not in themselves
18 result in removal, discharge or suspension in excess of 3 days.

19 (e) "Administrative proceeding" means any non-judicial
20 hearing which is authorized to recommend, approve or order the
21 suspension, removal, or discharge of an officer.

22 (Source: P.A. 90-577, eff. 1-1-99.)