



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0743

Introduced 2/8/2007, by Sen. John J. Millner - Matt Murphy

SYNOPSIS AS INTRODUCED:

50 ILCS 705/6	from Ch. 85, par. 506
50 ILCS 705/6.1	
50 ILCS 705/6.2 new	
50 ILCS 705/7	from Ch. 85, par. 507
50 ILCS 705/8.1	from Ch. 85, par. 508.1
50 ILCS 705/8.2	

Amends the Illinois Police Training Act. Provides that police officers shall be licensed instead of certified. Provides that licensure of probationary officers shall include an exam on constitutional law and ethics as well as a comprehensive exam administered by the Board. Provides that the Board shall prescribe, direct, and oversee annual ethics training for police officers and county corrections officers. Provides for revocation as a matter of law of the police officer's license, certification, or waiver if the officer pleads guilty to certain offenses. Provides for the conversion of certificates to licenses. Makes other changes.

LRB095 09937 HLH 30149 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 Illinois Police Training Act is amended by
5 changing Sections 6, 6.1, 7, 8.1, and 8.2 and by adding Section
6 6.2 as follows:

7 (50 ILCS 705/6) (from Ch. 85, par. 506)

8 Sec. 6. Powers and duties of the Board. ~~Selection and~~
9 ~~certification of schools.~~

10 (a) The Board shall select and certify schools within the
11 State of Illinois for the purpose of providing basic training
12 for probationary police officers, probationary county
13 corrections officers, and court security officers and of
14 providing advanced or in-service training for permanent police
15 officers or permanent county corrections officers, which
16 schools may be either publicly or privately owned and operated.
17 ~~In addition, the Board has the following power and duties:~~

18 (b) The Board may ~~a. To~~ require local governmental units to
19 furnish such reports and information as the Board deems
20 necessary to fully implement this Act, including but not
21 limited to, personnel roster, employment status reports,
22 documentation of background checks, and annual training
23 requirements.

1 (c) The Board shall ~~b. To~~ establish appropriate
2 mandatory minimum standards relating to the training of
3 probationary local law enforcement officers or probationary
4 county corrections officers.

5 (d) The Board shall ~~e. To~~ provide the appropriate
6 licensure ~~certification~~ to those probationary officers who
7 successfully complete (i) the prescribed minimum standard
8 basic training course; (ii) an exam on constitutional law and
9 ethics; and (iii) a comprehensive exam administered by the
10 Board.

11 (e) The Board shall ~~d. To~~ review and approve annual
12 training curriculum for county sheriffs and chiefs of police.

13 (f) The Board shall prescribe, direct, and oversee
14 annual ethics training for police officers and county
15 corrections officers.

16 (g) The Board shall ~~e. To~~ review and approve applicants to
17 ensure no applicant is admitted to a certified academy unless
18 the applicant is a person of good character and has not been
19 convicted of a felony offense, any of the misdemeanors in
20 Sections 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15, 16-1,
21 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7 of the
22 Criminal Code of 1961 or Section 5 or 5.2 of the Cannabis
23 Control Act, or a crime involving moral turpitude under the
24 laws of this State or any other state which if committed in
25 this State would be punishable as a felony or a crime of moral
26 turpitude. The Board may appoint investigators who shall

1 enforce the duties conferred upon the Board by this Act.

2 (h) It is the Board's duty to review the conduct of
3 licensed officers to assure compliance with the standards set
4 by the Board, as described in this Act and in rules promulgated
5 under the Act, and take appropriate action to maintain the
6 highest level of integrity within the law enforcement
7 profession.

8 (Source: P.A. 91-495, eff. 1-1-00.)

9 (50 ILCS 705/6.1)

10 Sec. 6.1. Revocation of licensure ~~Decertification~~ of
11 full-time and part-time police officers.

12 (a) The Board must review police officer conduct and
13 records to ensure that no police officer is licensed ~~certified~~
14 or provided a valid waiver if that police officer has been
15 convicted of or, after the effective date of this amendatory
16 Act of the 95th General Assembly, has pled guilty to a felony
17 offense under the laws of this State or any other state which
18 if committed in this State would be punishable as a felony. The
19 Board must also ensure that no police officer is licensed
20 ~~certified~~ or provided a valid waiver if that police officer has
21 been convicted on or after the effective date of this
22 amendatory Act of 1999 of or if the officer has pled guilty on
23 or after the effective date of this amendatory Act of the 95th
24 General Assembly to any misdemeanor specified in this Section
25 or if committed in any other state would be an offense similar

1 to Section 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2, 12-15,
2 16-1, 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a, or 32-7
3 of the Criminal Code of 1961 or to Section 5 or 5.2 of the
4 Cannabis Control Act. The Board must appoint investigators to
5 enforce the duties conferred upon the Board by this Act.

6 (b) It is the responsibility of the sheriff or the chief
7 executive officer of every local law enforcement agency or
8 department within this State to report to the Board any arrest
9 or conviction of any officer for an offense identified in this
10 Section.

11 (c) It is the duty and responsibility of every full-time
12 and part-time police officer in this State to report to the
13 Board within 30 days, and the officer's sheriff or chief
14 executive officer, of his or her arrest or conviction for an
15 offense identified in this Section. Any full-time or part-time
16 police officer who knowingly makes, submits, causes to be
17 submitted, or files a false or untruthful report to the Board
18 must have his or her license ~~certificate~~ or waiver immediately
19 ~~decertified or~~ revoked.

20 (d) Any person, or a local or State agency, or the Board is
21 immune from liability for submitting, disclosing, or releasing
22 information of arrests or convictions in this Section as long
23 as the information is submitted, disclosed, or released in good
24 faith and without malice. The Board has qualified immunity for
25 the release of the information.

26 (e) Whenever a ~~Any~~ full-time or part-time police officer

1 with a license ~~certificate~~ or waiver issued by the Board ~~who~~ is
2 convicted of or, on or after the effective date of this
3 amendatory Act of the 95th General Assembly, pleads guilty to
4 any offense described in this Section, his or her license is
5 automatically revoked as a matter of law. immediately becomes
6 ~~decertified or no longer has a valid waiver. The~~
7 ~~decertification and invalidity of waivers occurs as a matter of~~
8 ~~law.~~ Failure ~~of a convicted person~~ to report to the Board his
9 or her conviction or plea of guilt as described in this Section
10 or any continued law enforcement practice after ~~receiving~~ a
11 conviction or plea of guilt is a Class 4 felony.

12 (f) The Board's investigators are peace officers and have
13 all the powers possessed by policemen in cities and by
14 sheriff's, provided that the investigators may exercise those
15 powers anywhere in the State, only after contact and
16 cooperation with the appropriate local law enforcement
17 authorities.

18 (g) The Board must request and receive information and
19 assistance from any federal, state, or local governmental
20 agency as part of the authorized criminal background
21 investigation. The Department of State Police must process,
22 retain, and additionally provide and disseminate information
23 to the Board concerning criminal charges, arrests,
24 convictions, and their disposition, that have been filed
25 before, on, or after the effective date of this amendatory Act
26 of the 91st General Assembly against a basic academy applicant,

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

12 (h) A police officer who has been certified, licensed, or
13 granted a valid waiver shall also be decertified, have his or
14 her license revoked, or have his or her waiver revoked upon a
15 determination by the Illinois Labor Relations Board State Panel
16 that he or she, while under oath, has knowingly and willfully
17 made false statements as to a material fact going to an element
18 of the offense of murder. If an appeal is filed, the
19 determination shall be stayed.

20 (1) In the case of an acquittal on a charge of murder,
21 a verified complaint may be filed:

22 (A) by the defendant; or

23 (B) by a police officer with personal knowledge of
24 perjured testimony.

25 The complaint must allege that a police officer, while under
26 oath, knowingly and willfully made false statements as to a

1 material fact going to an element of the offense of murder. The
2 verified complaint must be filed with the Executive Director of
3 the Illinois Law Enforcement Training Standards Board within 2
4 years of the judgment of acquittal.

5 (2) Within 30 days, the Executive Director of the
6 Illinois Law Enforcement Training Standards Board shall
7 review the verified complaint and determine whether the
8 verified complaint is frivolous and without merit, or
9 whether further investigation is warranted. The Illinois
10 Law Enforcement Training Standards Board shall notify the
11 officer and the Executive Director of the Illinois Labor
12 Relations Board State Panel of the filing of the complaint
13 and any action taken thereon. If the Executive Director of
14 the Illinois Law Enforcement Training Standards Board
15 determines that the verified complaint is frivolous and
16 without merit, it shall be dismissed. The Executive
17 Director of the Illinois Law Enforcement Training
18 Standards Board has sole discretion to make this
19 determination and this decision is not subject to appeal.

20 (i) If the Executive Director of the Illinois Law
21 Enforcement Training Standards Board determines that the
22 verified complaint warrants further investigation, he or she
23 shall refer the matter to a task force of investigators created
24 for this purpose. This task force shall consist of 8 sworn
25 police officers: 2 from the Illinois State Police, 2 from the
26 City of Chicago Police Department, 2 from county police

1 departments, and 2 from municipal police departments. These
2 investigators shall have a minimum of 5 years of experience in
3 conducting criminal investigations. The investigators shall be
4 appointed by the Executive Director of the Illinois Law
5 Enforcement Training Standards Board. Any officer or officers
6 acting in this capacity pursuant to this statutory provision
7 will have statewide police authority while acting in this
8 investigative capacity. Their salaries and expenses for the
9 time spent conducting investigations under this paragraph
10 shall be reimbursed by the Illinois Law Enforcement Training
11 Standards Board.

12 (j) Once the Executive Director of the Illinois Law
13 Enforcement Training Standards Board has determined that an
14 investigation is warranted, the verified complaint shall be
15 assigned to an investigator or investigators. The investigator
16 or investigators shall conduct an investigation of the verified
17 complaint and shall write a report of his or her findings. This
18 report shall be submitted to the Executive Director of the
19 Illinois Labor Relations Board State Panel.

20 Within 30 days, the Executive Director of the Illinois
21 Labor Relations Board State Panel shall review the
22 investigative report and determine whether sufficient evidence
23 exists to conduct an evidentiary hearing on the verified
24 complaint. If the Executive Director of the Illinois Labor
25 Relations Board State Panel determines upon his or her review
26 of the investigatory report that a hearing should not be

1 conducted, the complaint shall be dismissed. This decision is
2 in the Executive Director's sole discretion, and this dismissal
3 may not be appealed.

4 If the Executive Director of the Illinois Labor Relations
5 Board State Panel determines that there is sufficient evidence
6 to warrant a hearing, a hearing shall be ordered on the
7 verified complaint, to be conducted by an administrative law
8 judge employed by the Illinois Labor Relations Board State
9 Panel. The Executive Director of the Illinois Labor Relations
10 Board State Panel shall inform the Executive Director of the
11 Illinois Law Enforcement Training Standards Board and the
12 person who filed the complaint of either the dismissal of the
13 complaint or the issuance of the complaint for hearing. The
14 Executive Director shall assign the complaint to the
15 administrative law judge within 30 days of the decision
16 granting a hearing.

17 (k) In the case of a finding of guilt on the offense of
18 murder, if a new trial is granted on direct appeal, or a state
19 post-conviction evidentiary hearing is ordered, based on a
20 claim that a police officer, under oath, knowingly and
21 willfully made false statements as to a material fact going to
22 an element of the offense of murder, the Illinois Labor
23 Relations Board State Panel shall hold a hearing to determine
24 whether the officer should be decertified or have his or her
25 license revoked if an interested party requests such a hearing
26 within 2 years of the court's decision. The complaint shall be

1 assigned to an administrative law judge within 30 days so that
2 a hearing can be scheduled.

3 At the hearing, the accused officer shall be afforded the
4 opportunity to:

5 (1) Be represented by counsel of his or her own
6 choosing;

7 (2) Be heard in his or her own defense;

8 (3) Produce evidence in his or her defense;

9 (4) Request that the Illinois Labor Relations Board
10 State Panel compel the attendance of witnesses and
11 production of related documents including but not limited
12 to court documents and records.

13 Once a case has been set for hearing, the verified
14 complaint shall be referred to the Department of Professional
15 Regulation. That office shall prosecute the verified complaint
16 at the hearing before the administrative law judge. The
17 Department of Professional Regulation shall have the
18 opportunity to produce evidence to support the verified
19 complaint and to request the Illinois Labor Relations Board
20 State Panel to compel the attendance of witnesses and the
21 production of related documents, including, but not limited to,
22 court documents and records. The Illinois Labor Relations Board
23 State Panel shall have the power to issue subpoenas requiring
24 the attendance of and testimony of witnesses and the production
25 of related documents including, but not limited to, court
26 documents and records and shall have the power to administer

1 oaths.

2 The administrative law judge shall have the responsibility
3 of receiving into evidence relevant testimony and documents,
4 including court records, to support or disprove the allegations
5 made by the person filing the verified complaint and, at the
6 close of the case, hear arguments. If the administrative law
7 judge finds that there is not clear and convincing evidence to
8 support the verified complaint that the police officer has,
9 while under oath, knowingly and willfully made false statements
10 as to a material fact going to an element of the offense of
11 murder, the administrative law judge shall make a written
12 recommendation of dismissal to the Illinois Labor Relations
13 Board State Panel. If the administrative law judge finds that
14 there is clear and convincing evidence that the police officer
15 has, while under oath, knowingly and willfully made false
16 statements as to a material fact that goes to an element of the
17 offense of murder, the administrative law judge shall make a
18 written recommendation so concluding to the Illinois Labor
19 Relations Board State Panel. The hearings shall be transcribed.
20 The Executive Director of the Illinois Law Enforcement Training
21 Standards Board shall be informed of the administrative law
22 judge's recommended findings and decision and the Illinois
23 Labor Relations Board State Panel's subsequent review of the
24 recommendation.

25 (1) An officer named in any complaint filed pursuant to
26 this Act shall be indemnified for his or her reasonable

1 attorney's fees and costs by his or her employer. These fees
2 shall be paid in a regular and timely manner. The State, upon
3 application by the public employer, shall reimburse the public
4 employer for the accused officer's reasonable attorney's fees
5 and costs. At no time and under no circumstances will the
6 accused officer be required to pay his or her own reasonable
7 attorney's fees or costs.

8 (m) The accused officer shall not be placed on unpaid
9 status because of the filing or processing of the verified
10 complaint until there is a final non-appealable order
11 sustaining his or her guilt and his or her license or
12 certification is revoked. Nothing in this Act, however,
13 restricts the public employer from pursuing discipline against
14 the officer in the normal course and under procedures then in
15 place.

16 (n) The Illinois Labor Relations Board State Panel shall
17 review the administrative law judge's recommended decision and
18 order and determine by a majority vote whether or not there was
19 clear and convincing evidence that the accused officer, while
20 under oath, knowingly and willfully made false statements as to
21 a material fact going to the offense of murder. Within 30 days
22 of service of the administrative law judge's recommended
23 decision and order, the parties may file exceptions to the
24 recommended decision and order and briefs in support of their
25 exceptions with the Illinois Labor Relations Board State Panel.
26 The parties may file responses to the exceptions and briefs in

1 support of the responses no later than 15 days after the
2 service of the exceptions. If exceptions are filed by any of
3 the parties, the Illinois Labor Relations Board State Panel
4 shall review the matter and make a finding to uphold, vacate,
5 or modify the recommended decision and order. If the Illinois
6 Labor Relations Board State Panel concludes that there is clear
7 and convincing evidence that the accused officer, while under
8 oath, knowingly and willfully made false statements as to a
9 material fact going to an element of the offense murder, the
10 Illinois Labor Relations Board State Panel shall inform the
11 Illinois Law Enforcement Training Standards Board and the
12 Illinois Law Enforcement Training Standards Board shall revoke
13 the accused officer's certification, license, or waiver. If the
14 accused officer appeals that determination to the Appellate
15 Court, as provided by this Act, he or she may petition the
16 Appellate Court to stay the revocation of his or her
17 certification, license, or waiver pending the court's review of
18 the matter.

19 (o) None of the Illinois Labor Relations Board State
20 Panel's findings or determinations shall set any precedent in
21 any of its decisions decided pursuant to the Illinois Public
22 Labor Relations Act by the Illinois Labor Relations Board State
23 Panel or the courts.

24 (p) A party aggrieved by the final order of the Illinois
25 Labor Relations Board State Panel may apply for and obtain
26 judicial review of an order of the Illinois Labor Relations

1 Board State Panel, in accordance with the provisions of the
2 Administrative Review Law, except that such judicial review
3 shall be afforded directly in the Appellate Court for the
4 district in which the accused officer resides. Any direct
5 appeal to the Appellate Court shall be filed within 35 days
6 from the date that a copy of the decision sought to be reviewed
7 was served upon the party affected by the decision.

8 (q) Interested parties. Only interested parties to the
9 criminal prosecution in which the police officer allegedly,
10 while under oath, knowingly and willfully made false statements
11 as to a material fact going to an element of the offense of
12 murder may file a verified complaint pursuant to this Section.
13 For purposes of this Section, "interested parties" shall be
14 limited to the defendant and any police officer who has
15 personal knowledge that the police officer who is the subject
16 of the complaint has, while under oath, knowingly and willfully
17 made false statements as to a material fact going to an element
18 of the offense of murder.

19 (r) Semi-annual reports. The Executive Director of the
20 Illinois Labor Relations Board shall submit semi-annual
21 reports to the Governor, President, and Minority Leader of the
22 Senate, and to the Speaker and Minority Leader of the House of
23 Representatives beginning on June 30, 2004, indicating:

24 (1) the number of verified complaints received
25 since the date of the last report;

26 (2) the number of investigations initiated since

1 the date of the last report;

2 (3) the number of investigations concluded since
3 the date of the last report;

4 (4) the number of investigations pending as of the
5 reporting date;

6 (5) the number of hearings held since the date of
7 the last report; and

8 (6) the number of officers decertified since the
9 date of the last report.

10 (Source: P.A. 93-605, eff. 11-19-03; 93-655, eff. 1-20-04.)

11 (50 ILCS 705/6.2 new)

12 Sec. 6.2. Conversion of certificates to licenses.

13 (a) Beginning on the effective date of this amendatory Act
14 of the 95th General Assembly, the Board's recognition for
15 persons who have successfully completed the prescribed minimum
16 standards basic training course for police officers shall be
17 issued licenses rather than certificates.

18 (b) If a person has successfully completed the prescribed
19 minimum standard basic training course for police officers and
20 holds a valid certification to that effect on the effective
21 date of this amendatory Act, that certification shall be
22 recognized as a license for the purpose of this Act.

23 (c) If, on the effective date of this amendatory Act of the
24 95th General Assembly, a person holds a valid waiver from one
25 of the certification requirements of this Act for police

1 officers, that waiver shall be deemed a waiver from the
2 corresponding licensure requirements of this Act.

3 (d) The Board shall replace the certificates, or other
4 evidence of certification or waiver for police officers, in use
5 on the effective date of this amendatory Act of the 95th
6 General Assembly with new identification credentials, to be
7 carried on their person, to signify state licensure.

8 (50 ILCS 705/7) (from Ch. 85, par. 507)

9 Sec. 7. Rules and standards for schools. The Board shall
10 adopt rules and minimum standards for such schools which shall
11 include but not be limited to the following:

12 a. The curriculum for probationary police officers which
13 shall be offered by all certified schools shall include but not
14 be limited to courses of arrest, search and seizure, civil
15 rights, human relations, cultural diversity, including racial
16 and ethnic sensitivity, ethical code of conduct in performing
17 police duties, constitutional law, criminal law, law of
18 criminal procedure, vehicle and traffic law including uniform
19 and non-discriminatory enforcement of the Illinois Vehicle
20 Code, traffic control and accident investigation, techniques
21 of obtaining physical evidence, court testimonies, statements,
22 reports, firearms training, first-aid (including
23 cardiopulmonary resuscitation), handling of juvenile
24 offenders, recognition of mental conditions which require
25 immediate assistance and methods to safeguard and provide

1 assistance to a person in need of mental treatment, law of
2 evidence, the hazards of high-speed police vehicle chases with
3 an emphasis on alternatives to the high-speed chase, and
4 physical training. The curriculum shall include specific
5 training in techniques for immediate response to and
6 investigation of cases of domestic violence and of sexual
7 assault of adults and children. The curriculum for permanent
8 police officers shall include but not be limited to (1)
9 refresher and in-service training in any of the courses listed
10 above in this subparagraph, (2) advanced courses in any of the
11 subjects listed above in this subparagraph, (3) training for
12 supervisory personnel, ~~and~~ (4) specialized training in
13 subjects and fields to be selected by the board, and (5)
14 practical application of the ethical code of conduct in
15 performing police duties.

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

18 c. Minimum requirements for instructors.

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

25 e. Minimum basic training requirements, which a
26 probationary county corrections officer must satisfactorily

1 complete before being eligible for permanent employment as a
2 county corrections officer for a participating local
3 governmental agency.

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

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

20 Individuals who currently serve as court security officers
21 shall be deemed qualified to continue to serve in that capacity
22 so long as they are certified as provided by this Act within 24
23 months of the effective date of this amendatory Act of 1996.
24 Failure to be so certified, absent a waiver from the Board,
25 shall cause the officer to forfeit his or her position.

26 All individuals hired as court security officers on or

1 after the effective date of this amendatory Act of 1996 shall
2 be certified within 12 months of the date of their hire, unless
3 a waiver has been obtained by the Board, or they shall forfeit
4 their positions.

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

14 (g). A uniform oath to uphold an ethical code of conduct to
15 be sworn by all officers upon completion of all applicable
16 prerequisites and prior to conference of their license or
17 certification.

18 (Source: P.A. 93-209, eff. 7-18-03.)

19 (50 ILCS 705/8.1) (from Ch. 85, par. 508.1)

20 Sec. 8.1. Full-time police and county corrections
21 officers.

22 (a) No ~~After January 1, 1976, no~~ person shall receive a
23 permanent appointment as a law enforcement officer as defined
24 in this Act nor shall any person receive, ~~after the effective~~
25 ~~date of this amendatory Act of 1984,~~ a permanent appointment as

1 a county corrections officer unless that person has been
2 awarded, within six months of his or her initial full-time
3 employment, a license ~~certificate~~ attesting to his or her
4 successful completion of the Minimum Standards Basic Law
5 Enforcement and County Correctional Training Course and
6 comprehensive exam as prescribed by the Board; or has been
7 awarded a certificate attesting to his satisfactory completion
8 of a training program of similar content and number of hours
9 and which course has been found acceptable by the Board under
10 the provisions of this Act; or by reason of extensive prior law
11 enforcement or county corrections experience the basic
12 training requirement is determined by the Board to be illogical
13 and unreasonable.

14 If such training is required and not completed within the
15 applicable six months, then the officer must forfeit his
16 position, or the employing agency must obtain a waiver from the
17 Board extending the period for compliance. Such waiver shall be
18 issued only for good and justifiable reasons, and in no case
19 shall extend more than 90 days beyond the initial six months.

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

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

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

9 (Source: P.A. 89-170, eff. 1-1-96; 90-271, eff. 7-30-97.)

10 (50 ILCS 705/8.2)

11 Sec. 8.2. Part-time police officers.

12 (a) A person hired to serve as a part-time police officer
13 must obtain from the Board a license certificate (i) attesting
14 to his or her successful completion of the part-time police
15 training course; (ii) attesting to his or her satisfactory
16 completion of a training program of similar content and number
17 of hours that has been found acceptable by the Board under the
18 provisions of this Act; or (iii) attesting to the Board's
19 determination that the part-time police training course is
20 unnecessary because of the person's extensive prior law
21 enforcement experience; and (iv) attesting to the officer's
22 successful completion of the comprehensive exam prescribed by
23 the Board. A person hired on or after the effective date of
24 this amendatory Act of the 92nd General Assembly must obtain
25 licensure ~~this certificate~~ within 18 months after the initial

1 date of hire as a probationary part-time police officer in the
2 State of Illinois. The probationary part-time police officer
3 must be enrolled and accepted into a Board-approved course
4 within 6 months after active employment by any department in
5 the State. ~~A person hired on or after January 1, 1996 and~~
6 ~~before the effective date of this amendatory Act of the 92nd~~
7 ~~General Assembly must obtain this certificate within 18 months~~
8 ~~after the date of hire. A person hired before January 1, 1996~~
9 ~~must obtain this certificate within 24 months after the~~
10 ~~effective date of this amendatory Act of 1995.~~

11 The employing agency may seek a waiver from the Board
12 extending the period for compliance. A waiver shall be issued
13 only for good and justifiable reasons, and the probationary
14 part-time police officer may not practice as a part-time police
15 officer during the waiver period. If training is required and
16 not completed within the applicable time period, as extended by
17 any waiver that may be granted, then the officer must forfeit
18 his or her position.

19 (b) (Blank).

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

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

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