

# SB1701



## 96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB1701

Introduced 2/19/2009, by Sen. John J. Millner

### SYNOPSIS AS INTRODUCED:

20 ILCS 3930/7

from Ch. 38, par. 210-7

Amends the Illinois Criminal Justice Information Act. Makes a technical change in the Authority's powers and duties Section.

LRB096 07605 JAM 17701 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Criminal Justice Information Act is  
5 amended by changing Section 7 as follows:

6 (20 ILCS 3930/7) (from Ch. 38, par. 210-7)

7 Sec. 7. Powers and Duties. The Authority shall have the ~~the~~  
8 following powers, duties and responsibilities:

9 (a) To develop and operate comprehensive information  
10 systems for the improvement and coordination of all aspects  
11 of law enforcement, prosecution and corrections;

12 (b) To define, develop, evaluate and correlate State  
13 and local programs and projects associated with the  
14 improvement of law enforcement and the administration of  
15 criminal justice;

16 (c) To act as a central repository and clearing house  
17 for federal, state and local research studies, plans,  
18 projects, proposals and other information relating to all  
19 aspects of criminal justice system improvement and to  
20 encourage educational programs for citizen support of  
21 State and local efforts to make such improvements;

22 (d) To undertake research studies to aid in  
23 accomplishing its purposes;

1           (e) To monitor the operation of existing criminal  
2 justice information systems in order to protect the  
3 constitutional rights and privacy of individuals about  
4 whom criminal history record information has been  
5 collected;

6           (f) To provide an effective administrative forum for  
7 the protection of the rights of individuals concerning  
8 criminal history record information;

9           (g) To issue regulations, guidelines and procedures  
10 which ensure the privacy and security of criminal history  
11 record information consistent with State and federal laws;

12           (h) To act as the sole administrative appeal body in  
13 the State of Illinois to conduct hearings and make final  
14 determinations concerning individual challenges to the  
15 completeness and accuracy of criminal history record  
16 information;

17           (i) To act as the sole, official, criminal justice body  
18 in the State of Illinois to conduct annual and periodic  
19 audits of the procedures, policies, and practices of the  
20 State central repositories for criminal history record  
21 information to verify compliance with federal and state  
22 laws and regulations governing such information;

23           (j) To advise the Authority's Statistical Analysis  
24 Center;

25           (k) To apply for, receive, establish priorities for,  
26 allocate, disburse and spend grants of funds that are made

1 available by and received on or after January 1, 1983 from  
2 private sources or from the United States pursuant to the  
3 federal Crime Control Act of 1973, as amended, and similar  
4 federal legislation, and to enter into agreements with the  
5 United States government to further the purposes of this  
6 Act, or as may be required as a condition of obtaining  
7 federal funds;

8 (l) To receive, expend and account for such funds of  
9 the State of Illinois as may be made available to further  
10 the purposes of this Act;

11 (m) To enter into contracts and to cooperate with units  
12 of general local government or combinations of such units,  
13 State agencies, and criminal justice system agencies of  
14 other states for the purpose of carrying out the duties of  
15 the Authority imposed by this Act or by the federal Crime  
16 Control Act of 1973, as amended;

17 (n) To enter into contracts and cooperate with units of  
18 general local government outside of Illinois, other  
19 states' agencies, and private organizations outside of  
20 Illinois to provide computer software or design that has  
21 been developed for the Illinois criminal justice system, or  
22 to participate in the cooperative development or design of  
23 new software or systems to be used by the Illinois criminal  
24 justice system. Revenues received as a result of such  
25 arrangements shall be deposited in the Criminal Justice  
26 Information Systems Trust Fund.

1           (o) To establish general policies concerning criminal  
2 justice information systems and to promulgate such rules,  
3 regulations and procedures as are necessary to the  
4 operation of the Authority and to the uniform consideration  
5 of appeals and audits;

6           (p) To advise and to make recommendations to the  
7 Governor and the General Assembly on policies relating to  
8 criminal justice information systems;

9           (q) To direct all other agencies under the jurisdiction  
10 of the Governor to provide whatever assistance and  
11 information the Authority may lawfully require to carry out  
12 its functions;

13           (r) To exercise any other powers that are reasonable  
14 and necessary to fulfill the responsibilities of the  
15 Authority under this Act and to comply with the  
16 requirements of applicable federal law or regulation;

17           (s) To exercise the rights, powers and duties which  
18 have been vested in the Authority by the "Illinois Uniform  
19 Conviction Information Act", enacted by the 85th General  
20 Assembly, as hereafter amended;

21           (t) To exercise the rights, powers and duties which  
22 have been vested in the Authority by the Illinois Motor  
23 Vehicle Theft Prevention Act; and

24           (u) To exercise the rights, powers, and duties vested  
25 in the Authority by the Illinois Public Safety Agency  
26 Network Act.

1           The requirement for reporting to the General Assembly shall  
2 be satisfied by filing copies of the report with the Speaker,  
3 the Minority Leader and the Clerk of the House of  
4 Representatives and the President, the Minority Leader and the  
5 Secretary of the Senate and the Legislative Research Unit, as  
6 required by Section 3.1 of "An Act to revise the law in  
7 relation to the General Assembly", approved February 25, 1874,  
8 as amended, and filing such additional copies with the State  
9 Government Report Distribution Center for the General Assembly  
10 as is required under paragraph (t) of Section 7 of the State  
11 Library Act.

12       (Source: P.A. 94-896, eff. 7-1-06.)