



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB3194

Introduced 2/1/2012, by Sen. Annazette R. Collins

SYNOPSIS AS INTRODUCED:

20 ILCS 2630/5

from Ch. 38, par. 206-5

Amends the Criminal Identification Act. Provides that policing bodies shall furnish to the Department of State Police, daily, in the form and detail the Department requires, fingerprints and descriptions of all persons 18 years of age or older at the time of the arrest who are arrested on Class A or B misdemeanor charges and all persons 17 years of age or older at the time of the arrest who are arrested on felony charges (rather than requiring the policing body to furnish that information to the Department of minors of the age of 10 and over who have been arrested for an offense which would be a felony if committed by an adult and permitting the policing body to furnish that information of minors arrested on Class A or B misdemeanor charges). Provides that if a minor is transferred for adult criminal prosecution under the transfer provisions of the Juvenile Court Act of 1987, then the fingerprints and description of the minor transferred for adult criminal prosecution shall be furnished to the Department.

LRB097 18540 RLC 63771 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Criminal Identification Act is amended by
5 changing Section 5 as follows:

6 (20 ILCS 2630/5) (from Ch. 38, par. 206-5)

7 Sec. 5. Arrest reports. All policing bodies of this State
8 shall furnish to the Department, daily, in the form and detail
9 the Department requires, fingerprints and descriptions of all
10 persons 18 years of age or older at the time of the arrest who
11 are arrested on Class A or B misdemeanor charges and all
12 persons 17 years of age or older at the time of the arrest who
13 are arrested on felony charges. If a minor is transferred for
14 adult criminal prosecution under Section 5-805 of the Juvenile
15 Court Act of 1987, then the fingerprints and description of the
16 minor transferred for adult criminal prosecution shall be
17 furnished to the Department ~~charges of violating any penal~~
18 ~~statute of this State for offenses that are classified as~~
19 ~~felonies and Class A or B misdemeanors and of all minors of the~~
20 ~~age of 10 and over who have been arrested for an offense which~~
21 ~~would be a felony if committed by an adult, and may forward~~
22 ~~such fingerprints and descriptions for minors arrested for~~
23 ~~Class A or B misdemeanors. Moving or nonmoving traffic~~

1 violations under the Illinois Vehicle Code shall not be
2 reported except for violations of Chapter 4, Section 11-204.1,
3 or Section 11-501 of that Code. In addition, conservation
4 offenses, as defined in the Supreme Court Rule 501(c), that are
5 classified as Class B misdemeanors shall not be reported. Those
6 law enforcement records maintained by the Department for minors
7 arrested for an offense prior to their 17th birthday, or minors
8 arrested for a non-felony offense, if committed by an adult,
9 prior to their 18th birthday, shall not be forwarded to the
10 Federal Bureau of Investigation unless those records relate to
11 an arrest in which a minor was charged as an adult under any of
12 the transfer provisions of the Juvenile Court Act of 1987.

13 (Source: P.A. 95-955, eff. 1-1-09; 96-328, eff. 8-11-09;
14 96-409, eff. 1-1-10; 96-707, eff. 1-1-10; 96-1000, eff.
15 7-2-10.)