

AN ACT concerning finance.

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

Section 5. The Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois is amended by adding Section 805-538 as follows:

(20 ILCS 805/805-538 new)

Sec. 805-538. Retiring officer; purchase of service firearm and police badge. The Director of Natural Resources shall establish a program to allow a Conservation Police Officer who is honorably retiring in good standing to purchase either one or both of the following: (1) any Department of Natural Resources police badge previously issued to that officer; or (2) if the officer has a currently valid Firearm Owner's Identification Card, the service firearm issued or previously issued to the officer by the Department of Natural Resources. The cost of the firearm shall be the replacement value of the firearm and not the firearm's fair market value.

Section 10. The State Police Act is amended by adding Section 17b as follows:

(20 ILCS 2610/17b new)

Sec. 17b. Retiring officer; purchase of service firearm and police badge. The Director of State Police shall establish a policy to allow a State Police officer who is honorably retiring or separating in good standing to purchase either one or both of the following: (i) any State Police badge previously issued to that officer; or (ii) if the officer has a currently valid Firearm Owner's Identification Card, the service firearm issued or previously issued to the officer by the Department of State Police. The cost of the firearm purchased shall be the replacement value of the firearm and not the firearm's fair market value.

Section 13. The Peace Officer Fire Investigation Act is amended by changing Section 1 as follows:

(20 ILCS 2910/1) (from Ch. 127 1/2, par. 501)

Sec. 1. Peace officer status.

(a) Any person who is a sworn member of any organized and paid fire department of a political subdivision of this State and is authorized to investigate fires or explosions for such political subdivision and to determine the cause, origin and circumstances of fires or explosions that are suspected to be arson or arson-related crimes, may be classified as a peace officer by the political subdivision or agency employing such person. A person so classified shall possess the same powers of arrest, search and seizure and the securing and service of

warrants as sheriffs of counties, and police officers within the jurisdiction of their political subdivision. While in the actual investigation and matters incident thereto, such person may carry weapons as may be necessary, but only if that person has satisfactorily completed (1) a training program offered or approved by the Illinois Law Enforcement Training Standards Board which substantially conforms to standards promulgated pursuant to the Illinois Police Training Act and the Peace Officer and Probation Officer Firearm Training Act; and (2) a course in fire and arson investigation approved by the Office of the State Fire Marshal pursuant to the Illinois Fire Protection Training Act. Such training need not include exposure to vehicle and traffic law, traffic control and accident investigation, or first aid, but shall include training in the law relating to the rights of persons suspected of involvement in criminal activities.

Any person granted the powers enumerated in this subsection (a) may exercise such powers only during the actual investigation of the cause, origin and circumstances of such fires or explosions that are suspected to be arson or arson-related crimes.

(b) Persons employed by the Office of the State Fire Marshal to conduct arson investigations shall be designated State Fire Marshal Arson Investigator Special Agents and shall be peace officers with all of the powers of peace officers in cities and sheriffs in counties, except that they may exercise

those powers throughout the State. These Special Agents may exercise these powers only when engaging in official duties during the actual investigation of the cause, origin, and circumstances of such fires or explosions that are suspected to be arson or arson-related crimes and may carry weapons at all times, but only if they have satisfactorily completed (1) a training course approved by the Illinois Law Enforcement Training Standards Board that substantially conforms to the standards promulgated pursuant to the Peace Officer and Probation Officer Firearm Training Act and (2) a course in fire and arson investigation approved by the Office of the State Fire Marshal pursuant to the Illinois Fire Protection Training Act. Such training need not include exposure to vehicle and traffic law, traffic control and accident investigation, or first aid, but shall include training in the law relating to the rights of persons suspected of involvement in criminal activities.

For purposes of this subsection (b), a "State Fire Marshal Arson Investigator Special Agent" does not include any fire investigator, fireman, police officer, or other employee of the federal government; any fire investigator, fireman, police officer, or other employee of any unit of local government; or any fire investigator, fireman, police officer, or other employee of the State of Illinois other than an employee of the Office of the State Fire Marshal assigned to investigate arson.

The State Fire Marshal must authorize to each employee of

the Office of the State Fire Marshal who is exercising the powers of a peace officer a distinct badge that, on its face, (i) clearly states that the badge is authorized by the Office of the State Fire Marshal and (ii) contains a unique identifying number. No other badge shall be authorized by the Office of the State Fire Marshal, except that a badge, different from the badge issued to peace officers, may be authorized by the Office of the State Fire Marshal for the use of fire prevention inspectors employed by that Office. Nothing in this subsection prohibits the State Fire Marshal from issuing shields or other distinctive identification to employees not exercising the powers of a peace officer if the State Fire Marshal determines that a shield or distinctive identification is needed by the employee to carry out his or her responsibilities.

(c) The Office of the State Fire Marshal shall establish a policy to allow a State Fire Marshal Arson Investigator Special Agent who is honorably retiring or separating in good standing to purchase either one or both of the following: (i) any badge previously issued to that State Fire Marshal Arson Investigator Special Agent; or (ii) if the State Fire Marshal Arson Investigator Special Agent has a currently valid Firearm Owner's Identification Card, the service firearm issued or previously issued to the State Fire Marshal Arson Investigator Special Agent by the Office of the State Fire Marshal. The cost of the firearm purchased shall be the replacement value of the

firearm and not the firearm's fair market value. All funds received by the agency under this program shall be deposited into the Fire Prevention Fund.

(Source: P.A. 98-725, eff. 1-1-15.)

Section 15. The State Property Control Act is amended by changing Section 7 as follows:

(30 ILCS 605/7) (from Ch. 127, par. 133b10)

Sec. 7. Disposition of transferable property.

(a) Except as provided in subsection (c), whenever a responsible officer considers it advantageous to the State to dispose of transferable property by trading it in for credit on a replacement of like nature, the responsible officer shall report the trade-in and replacement to the administrator on forms furnished by the latter. The exchange, trade or transfer of "textbooks" as defined in Section 18-17 of the School Code between schools or school districts pursuant to regulations adopted by the State Board of Education under that Section shall not constitute a disposition of transferable property within the meaning of this Section, even though such exchange, trade or transfer occurs within 5 years after the textbooks are first provided for loan pursuant to Section 18-17 of the School Code.

(b) Except as provided in subsection (c), whenever it is deemed necessary to dispose of any item of transferable

property, the administrator shall proceed to dispose of the property by sale or scrapping as the case may be, in whatever manner he considers most advantageous and most profitable to the State. Items of transferable property which would ordinarily be scrapped and disposed of by burning or by burial in a landfill may be examined and a determination made whether the property should be recycled. This determination and any sale of recyclable property shall be in accordance with rules promulgated by the Administrator.

When the administrator determines that property is to be disposed of by sale, he shall offer it first to the municipalities, counties, and school districts of the State and to charitable, not-for-profit educational and public health organizations, including but not limited to medical institutions, clinics, hospitals, health centers, schools, colleges, universities, child care centers, museums, nursing homes, programs for the elderly, food banks, State Use Sheltered Workshops and the Boy and Girl Scouts of America, for purchase at an appraised value. Notice of inspection or viewing dates and property lists shall be distributed in the manner provided in rules and regulations promulgated by the Administrator for that purpose.

Electronic data processing equipment purchased and charged to appropriations may, at the discretion of the administrator, be sold, pursuant to contracts entered into by the Director of Central Management Services or the heads of agencies exempt

from "The Illinois Purchasing Act". However such equipment shall not be sold at prices less than the purchase cost thereof or depreciated value as determined by the administrator. No sale of the electronic data processing equipment and lease to the State by the purchaser of such equipment shall be made under this Act unless the Director of Central Management Services finds that such contracts are financially advantageous to the State.

Disposition of other transferable property by sale, except sales directly to local governmental units, school districts, and not-for-profit educational, charitable and public health organizations, shall be subject to the following minimum conditions:

(1) The administrator shall cause the property to be advertised for sale to the highest responsible bidder, stating time, place, and terms of such sale at least 7 days prior to the time of sale and at least once in a newspaper having a general circulation in the county where the property is to be sold.

(2) If no acceptable bids are received, the administrator may then sell the property in whatever manner he considers most advantageous and most profitable to the State.

(c) Notwithstanding any other provision of this Act, an agency covered by this Act may transfer books, serial publications, or other library materials that are transferable

property, or that have been withdrawn from the agency's library collection through a regular collection evaluation process, to any of the following entities:

(1) Another agency covered by this Act located in Illinois.

(2) A State supported university library located in Illinois.

(3) A tax-supported public library located in Illinois, including a library established by a public library district.

(4) A library system organized under the Illinois Library System Act or any library located in Illinois that is a member of such a system.

(5) A non-profit agency, located in or outside Illinois.

A transfer of property under this subsection is not subject to the requirements of subsection (a) or (b).

In addition, an agency covered by this Act may sell or exchange books, serial publications, and other library materials that have been withdrawn from its library collection through a regular collection evaluation process. Those items may be sold to the public at library book sales or to book dealers or may be offered through exchange to book dealers or other organizations. Revenues generated from the sale of withdrawn items shall be retained by the agency in a separate account to be used solely for the purchase of library

materials; except that in the case of the State Library, revenues from the sale of withdrawn items shall be deposited into the State Library Fund to be used for the purposes stated in Section 25 of the State Library Act.

For purposes of this subsection (c), "library materials" means physical entities of any substance that serve as carriers of information, including, without limitation, books, serial publications, periodicals, microforms, graphics, audio or video recordings, and machine readable data files.

(d) Notwithstanding any other provision of this Act, the Director of State Police may dispose of a service firearm or police badge issued or previously issued to a retiring or separating State Police officer as provided in Section 17b of the State Police Act. The Director of Natural Resources may dispose of a service firearm or police badge issued previously to a retiring Conservation Police Officer as provided in Section 805-538 of the Department of Natural Resources (Conservation) Law of the Civil Administrative Code of Illinois. The Director of the Secretary of State Department of Police may dispose of a service firearm or police badge issued or previously issued to a retiring Secretary of State Police officer, inspector, or investigator as provided in Section 2-116 of the Illinois Vehicle Code. The Office of the State Fire Marshal may dispose of a service firearm or badge previously issued to a State Fire Marshal Arson Investigator Special Agent who is honorably retiring or separating in good

standing as provided in subsection (c) of Section 1 of the Peace Officer Fire Investigation Act.

(Source: P.A. 96-498, eff. 8-14-09.)

Section 20. The Illinois Vehicle Code is amended by changing Section 2-116 as follows:

(625 ILCS 5/2-116) (from Ch. 95 1/2, par. 2-116)

Sec. 2-116. Secretary of State Department of Police.

(a) The Secretary of State and the officers, inspectors, and investigators appointed by him shall cooperate with the State Police and the sheriffs and police in enforcing the laws regulating the operation of vehicles and the use of the highways.

(b) The Secretary of State may provide training and education for members of his office in traffic regulation, the promotion of traffic safety and the enforcement of laws vested in the Secretary of State for administration and enforcement regulating the operation of vehicles and the use of the highways.

(c) The Secretary of State may provide distinctive uniforms and badges for officers, inspectors and investigators employed in the administration of laws relating to the operation of vehicles and the use of the highways and vesting the administration and enforcement of such laws in the Secretary of State.

(c-5) The Director of the Secretary of State Department of Police shall establish a program to allow a Secretary of State Police officer, inspector, or investigator who is honorably retiring in good standing to purchase either one or both of the following: (1) any Secretary of State Department of Police badge previously issued to that officer, inspector, or investigator; or (2) if the officer, inspector, or investigator has a currently valid Firearm Owner's Identification Card, the service firearm issued or previously issued to the officer, inspector, or investigator by the Secretary of State Department of Police. The cost of the firearm shall be the replacement value of the firearm and not the firearm's fair market value.

(d) The Secretary of State Department of Police is authorized to:

(1) investigate the origins, activities, persons, and incidents of crime and the ways and means, if any, to redress the victims of crimes, and study the impact, if any, of legislation relative to the criminal laws of this State related thereto and conduct any other investigations as may be provided by law;

(2) employ skilled experts, technicians, investigators, special agents, or otherwise specially qualified persons to aid in preventing or detecting crime, apprehending criminals, or preparing and presenting evidence of violations of the criminal laws of the State;

(3) cooperate with the police of cities, villages, and

incorporated towns, and with the police officers of any county, in enforcing the laws of the State and in making arrests;

(4) provide, as may be required by law, assistance to local law enforcement agencies through training, management, and consultant services for local law enforcement agencies, pertaining to law enforcement activities;

(5) exercise the rights, powers, and duties which have been vested in it by the Secretary of State Act and this Code; and

(6) enforce and administer any other laws in relation to law enforcement as may be vested in the Secretary of State Department of Police.

Persons within the Secretary of State Department of Police who exercise these powers are conservators of the peace and have all the powers possessed by policemen in municipalities and sheriffs, and may exercise these powers anywhere in the State in cooperation with local law enforcement officials. These persons may use false or fictitious names in the performance of their duties under this Section, upon approval of the Director of Police-Secretary of State, and shall not be subject to prosecution under the criminal laws for that use.

(e) The Secretary of State Department of Police may charge, collect, and receive fees or moneys equivalent to the cost of providing its personnel, equipment, and services to

governmental agencies when explicitly requested by a governmental agency and according to an intergovernmental agreement or memorandums of understanding as provided by this Section, including but not limited to fees or moneys equivalent to the cost of providing training to other governmental agencies on terms and conditions that in the judgment of the Director of Police-Secretary of State are in the best interest of the Secretary of State. All fees received by the Secretary of State Police Department under this Act shall be deposited in a special fund in the State Treasury to be known as the Secretary of State Police Services Fund. The money deposited in the Secretary of State Police Services Fund shall be appropriated to the Secretary of State Department of Police as provided for in subsection (g).

(f) The Secretary of State Department of Police may apply for grants or contracts and receive, expend, allocate, or disburse moneys made available by public or private entities, including, but not limited to, contracts, bequests, grants, or receiving equipment from corporations, foundations, or public or private institutions of higher learning.

(g) The Secretary of State Police Services Fund is hereby created as a special fund in the State Treasury. All moneys received under this Section by the Secretary of State Department of Police shall be deposited into the Secretary of State Police Services Fund to be appropriated to the Secretary of State Department of Police for purposes as indicated by the

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grantor or contractor or, in the case of moneys bequeathed or granted for no specific purpose, for any purpose as deemed appropriate by the Director of Police-Secretary of State in administering the responsibilities of the Secretary of State Department of Police.

(Source: P.A. 92-501, eff. 12-19-01.)

Section 99. Effective date. This Act takes effect upon becoming law.