
IL FOP LEGISLATION

SB3022 : PUB EMPLOY BENEFITS-TECH (MILITARY BUY-BACK) Sen. [Mike Jacobs](#)
Rep. [Daniel J. Burke](#)

Synopsis As Introduced

Amends the Downstate Police and Chicago Police Articles of the Illinois Pension Code. Allows police officers to establish creditable service for up to 2 years of military service before employment. Requires payment of employee and employer contributions, plus interest at the actuarially assumed rate. Effective immediately

Summary of Activity

This bill moved through the Senate without opposition, passing unanimously in committee and on the floor. Senator Jones joined as co-sponsor at third reading. In the House, Representative Burke (D) of Chicago did an outstanding job presenting this bill in committee. Debate came from Rep. Nekritz (D) of Des Plaines, who believed that this bill amounted to another pension enhancement that, she believed, a special committee was addressing and seeking to correct. I testified, to clarify the goals of the Public Safety Pension Committee, and stressed to the committee that police officers were paying all the costs associated, with this bill, to their pension funds.

Rep. Nekritz thinks the funding formula for police pensions is fundamentally flawed and even with the officer's contributions will be insufficient. Burke disagreed with her assessment and clearly expressed his displeasure with her opposition to a fellow committee member's bill without notice. In the end, the record of the House Personnel and Pensions Committee reflected "Do Pass/Short Debate 06-01-00. Representative Nekritz the only NAY vote.

On 4/28/10 the bill passed the House with **3 NAY votes**: Jack Franks (D) of Woodstock; Kay Hatcher (R) of Yorkville, and Elaine Nekritz (D) of Des Plaines.

Last Action

Date	Chamber	Action
5/27/2010	Senate	Sent to the Governor

HB 3819 : [DISABILITY-COUNTY CORRECTIONAL](#) Rep. [Dan Brady](#)

Synopsis As Introduced

Amends the Public Employee Disability Act. Provides that an "eligible employee" includes any full-time or part-time correctional officer employed by any county. Effective immediately.

Summary of Activity

This bill was initially filed on 2/25/09 but stalled before getting assigned to a substantive committee. On 2/9/10 it was assigned to Personnel and Pensions Committee, but was not called by the sponsor over concerns that it could not succeed in the current environment of cost containment. Representative Brady's staffer advised that a financial impact analysis from each county would be needed to advance this bill. It was re-referred to Rules by operation of House Rule 19(a) that states: "All legislative

measures that fail to meet the applicable deadline established under Rule 9 for reporting to the House by a standing committee or a special committee.”

Last Action

Date	Chamber	Action
3/15/2010	House	Rule 19(a) / Re-referred to Rules Committee

SB2793:

PENSION CODE- POLICE-REINSTATEMENT

Sen. [Mike Jacobs](#)

Synopsis As Introduced

Amends the Downstate Police Article of the Illinois Pension Code. In provisions concerning recovery from disability, provides that the police officer shall report to the chief of the department, who shall thereupon order immediate reinstatement into active service, and the municipality shall immediately return the police officer to its payroll, in the same rank or grade held at the date he or she was placed on disability pension. Provides that, if the police officer must file a civil action against the municipality to enforce his or her mandated return to payroll, then the police officer is entitled to recovery of reasonable court costs and attorney's fees.. Effective immediately.

Summary of Activity

This bill was originally filed last spring, in the House by Rep. Chapin Rose, where it passed out to the Senate. This Spring it was reintroduced as a Senate bill and Chairman of Trustees, Mark Krampf testified before the Pension and Investments committee. Krampf's testimony was compelling and had strong impact, particularly on Sen. Martinez, who spoke in support.

Opposition came from Sen. Chris Lauzen (R) Aurora and Illinois Municipal League's Joe McCoy. They argued for the need to allow cities the discretion to decide if/when an officer was returned to work. Alternatively, they stated that a process was already in-place to bring people back from disability status. Unable to identify that process, the IML agreed to provide that information promptly. With that in mind, Sen. Jacobs agreed hold the bill on second reading, if it were passed out of committee, and work with IML to narrow the application somewhat.

The bill was passed out of committee with **3 Nay votes**: Duffy (R) of Barrington, Lauzen (R) of Aurora, and Trotter (D) of Chicago. The bill was held, as agreed, however multiple attempts to meet with IML have been unsuccessful. Sen. Jacobs said that we will proceed in the next session with the evidence of our good faith attempts to get an agreed bill.

Last Action

Date	Chamber	Action
3/9/2010	Senate	Placed on Calendar Order of 3rd Reading March 10, 2010

HB5684

PEN CD-POLICE WIDOW INCREASE

Rep. [John A. Fritchey](#)

Synopsis As Introduced

Amends the Downstate Police, the Chicago Police, and the Chicago Municipal Articles of the Illinois Pension Code. Provides for automatic annual increases in widow's annuities or surviving spouse pensions payable to the surviving spouses of police officers. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Summary of Activity

This bill was originally filed last spring, in the House by Rep. Jim Sacia, where it met with the same fate as this year's bill, sponsored by Rep. John Fritchey. Due to the aggressive reforms to the public pension funds throughout the state, matters involving pension benefits were closely scrutinized. Any bill with costs associated, have to prove up a funding method or face failure. Subsequently, this bill was never referred out of Rules committee.

However, the issue of survivors' benefits was part of the overall pension reform negotiations, held throughout the Winter and Spring, led by Sen. Link and Rep. McCarthy.

Last Action

Date	Chamber	Action
2/9/2010	House	Referred to Rules Committee

HB5507 :

VEH CD- FOP LICENSE PLATES

Rep. [Careen M. Gordon](#)

Sen. [Deanna Demuzio](#))

Synopsis As Introduced

Amends the State Finance Act to create the Fraternal Order of Police Fund. Amends the Illinois Vehicle Code. Provides for the issuance of Illinois Fraternal Order of Police license plates. Provides that in addition to the appropriate registration fees, an applicant for the special plate shall be charged a fee of \$25 at original issuance and at renewal. Provides that \$10 of the additional original issuance fee and \$23 of the renewal fee shall be deposited into the Fraternal Order of Police Fund. Provides that \$15 of the original issuance fee and \$2 of the renewal fee shall be deposited into the Secretary of State Special License Plate Fund. Provides that, subject to appropriation, the moneys in the Fraternal Order of Police Fund shall be paid as grants to the Illinois Fraternal Order of Police to increase the efficiency and professionalism of law enforcement officers in Illinois, to educate the public about law enforcement issues, to more firmly establish the public confidence in law enforcement, to create

partnerships with the public, and to honor the service of law enforcement officers dedicated to the protection of life and property. Effective immediately

Summary of Activity

This bill was taken through the House swiftly by Rep. Careen Gordon. In the Local Government Committee she espoused the kinship she feels with law enforcement from her time as a state’s attorney. She admitted that she does not like fundraising through the State license plates, but this was different because this was not a public fundraiser, but FOP members to supporting themselves. There exists a block of legislators who also don’t like license plate bills. The bill passed the house with **ten Nay votes**: Bassi (R) Palatine, Black (R) Danville, Durkin (R) Countryside, Eddy (R) Hutsonville, Fortner (R) West Chicago, May (D) Highland Park, McCarthy (D) Orland Park, Nekritz (D) Des Plaines, Pihos (R) Glenn Ellyn, and Sacia (R) Freeport.

Senator Demuzio (D) Carlinville ran the bill through the process without event. Co-Sponsors were easily recruited along the way: Haines (D) Alton, Milner (R) Bloomingdale, and Munoz (D) of Chicago. The Senate passed the bill with only **3 Nay Votes**: Burzynski (R) Sycamore, John Jones (R) Mt. Vernon, Righter (R) of Mattoon.

Date	Chamber	Action
5/26/2010	House	Sent to the Governor

The House and Senate adjourned on May 27th to the-call- of the Speaker / President.

ILFOP TRACKED LEGISLATION

SB 1013[CRIMINAL CODE USE OF FORCE CHANGE](#)

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning the use of force in defense of a person.

House Amendment No.1

Replaces everything after the enacting clause. Amends the Unified Code of Corrections. Provides that the Director of Corrections shall not award good conduct credit for meritorious service to an inmate unless the inmate has served a minimum of 60 days of the sentence. Provides that these provisions shall not be construed to permit the Director to extend an inmate's sentence beyond that which was imposed by the court. Provides that prior to awarding credit for meritorious service, the Director shall make a written determination of the reasons for awarding the credit

Last Action: Public Act [96-0860](#)

SB 2502 (See SB 2533)[CHILD DEATH REVIEW TEAM REPORTS](#)

Sen. James Clayborne

Amends the Child Death Review Team Act. Requires the Child Death Review Teams Executive Council to submit to the Director of Children and Family Services, the General Assembly, and the Governor by January 1, 2012 (rather than January 1, 2010) a report summarizing the results of the Council's 3-year investigation of sudden, unexpected, or unexplained child deaths in the Southern Region of the State. Effective immediately.

Last Action: Re-Referred to Assignments after first Reading 3/08/10

SB 2504[CRIMINAL PROCEDURE-UNFIT DEFENDANT](#)

Sen. William Haine

Amends the Code of Criminal Procedure of 1963. Provides that a defendant who has been found unfit to stand trial, plead, or be sentenced and who has been placed in a setting (rather than a secure setting) of the Department of Human Services shall not be permitted outside the facility's housing unit unless escorted or accompanied by personnel of the Department of Human Services or authorized by the court. Provides that placement of such defendant in a non-secure setting must be approved by specific court order. Provides that the changes made by the amendatory Act are declarative of existing law and shall not be construed as a new enactment. Effective immediately.

Last Action: Passed Both Houses 4/21/10, Sent to the Governor 5/20/10

SB 2525[PENSION FUND TRUSTEES INDEMNIFICATION](#)

Sen. Iris Martinez

Amends the Illinois Pension Code. Requires that every retirement system, pension fund or other system or fund established under the Code indemnify and protect the trustees, staff, and consultants against all damage claims and suits when damages are sought for negligent or wrongful acts alleged to have been committed in the scope of employment or under the direction of the trustees (indemnification was discretionary). Provides that a retirement system's, pension funds, or investment board's goals for the management of assets in specific asset classes by emerging investment managers shall be based on the percentage of total dollar amount of assets to be managed for investment service contracts (rather than the percentage of total dollar amount of investment service contracts) let to minority owned businesses, female owned businesses, and businesses owned by a person with a disability. In provisions concerning prohibition on gifts, provides that solicitation or acceptance of costs associated with educational purposes is not prohibited. Effective immediately.

Last Action: Re-Referred to House Rules 5/28/10

SB 2530[OPTING OUT OF POLICE DISTRICTS](#)

Sen. Gary Forbe

Amends the Illinois Municipal Code. Authorizes a municipality to opt out of a police district by an affirmative vote of a majority of the members of the municipality's corporate authority. Provides that a municipality that opts out of a police district may later opt in to the district by an affirmative vote of a majority of the members of the corporate authority. Effective immediately.

Last Action: Re-Referred to House Rules 5/28/10

SB 2533[DCFS-CHILD DEATH TASK FORCE](#)

Sen. James Clayborne

Amends the Child Death Review Team Act. Provides that the Department of Children and Family Services may, from funds appropriated by the Illinois General Assembly to the Department and provided to the Child Death Review Teams Executive Council for this purpose, establish an 18-month (rather than 3 year) pilot program in the Southern Region of the State, under which a special Child Death Investigation Task Force will be created. Provides that the Child Death Review Teams Executive Council shall submit a report to the Director of Children and Family Services, the General Assembly, and the Governor by July 1, 2011 (rather than January 1, 2010) that summarizes the results of the program. Effective immediately.

Last Action: Passed Both House 4/21/10, Sent to Governor 5/20/10

SB 2535 [MOTORCYCLE HELMETS REQUIRED UNDER 18 YEARS](#) Sen. Donne Trotter

Amends the Illinois Vehicle Code to require every operator and passenger under the age of 18 on a motorcycle, motor driven cycle, or motorized pedalcycle to wear a helmet that meets federal safety standards and is properly fastened under the person's chin with a chin strap. Effective January 1, 2011.

Last Action: Lost on Senate Third Reading [019-032-006](#)

SB 2536 [MOTORCYCLE HELMET REQUIREMENT](#) Sen. Donne Trotter

Amends the Illinois Vehicle Code to require every operator and passenger on a motorcycle, motor driven cycle, or moped to wear a helmet that meets federal safety standards and is properly fastened under the person's chin with a chin strap. Effective January 1, 2011.

Last Action: Re-Referred to Senate Assignments 3/08/10

***SB 2558** [POLICE PENSION & PERSONAL CONTRACTS](#) Sen. David Koehler

Amends the Downstate Police Article of the Illinois Pension Code. Provides that a person who has entered into a personal services contract to perform police duties for a municipality on or before the effective date of the amendatory Act may be **appointed as an officer** in the municipality within 6 months after the effective date of the amendatory Act, **but shall be excluded from participating under the Downstate Police Article**. Effective immediately.

*Last Action: Re-Referred to Senate Assignments 3/08/10

SB 2568 (See SB 1526) [LOBBYIST REGISTRATION REQUIREMENTS](#) Sen. Heather Steans

Amends the Lobbyist Registration Act. In reports, requires the registrant to disclose the street address, city, state, zip code, telephone number, and fax number of persons employing or retaining registrant (as well as other information) and file a copy of the written agreement or a written summary of the oral agreement that binds the registrant with the employer. If the agreement between registrant and employer is oral, then the summary must include (i) whether the registrant is authorized to incur expenditures on behalf of the employer, (ii) whether expenditures the registrant incurs will be reimbursed by the employer, (iii) how the registrant's lobbying-related compensation, if any, is determined including, but not limited to, the length of the contract and method of payment (such as salary, monthly retainer, hourly fee, or other basis), and (iv) the rate of compensation. Provides that failure to file a required report within the time designated or filing a report with false, materially misleading, or materially incomplete information constitutes a violation of the Act. Requires a registrant

to preserve for a period of at least 2 years all receipts, statements, and records used in preparing the reports.

Last Action: Re-Referred to Senate Assignments 3/08/10

SB1526[DNR-USE OF FEES](#)

Sen. Jeffery Schoenberg

Synopsis As Introduced

Amends the Department of Natural Resources Act. Requires that no fees imposed or collected by the Department or any related federal funds shall be used for any purpose other than the administration of the Department or the implementation and enforcement of its policies and programs or any purpose not in compliance with federal funding requirements. Effective immediately.

House Floor Amendment No.3

Replaces everything after the enacting clause. Amends the Secretary of State Act. Authorizes the Secretary's Inspector General to receive and investigate complaints (now, receive and investigate complaints from State employees of the Secretary). Amends the Lobbyist Registration Act. Makes changes with respect to: definitions of "official" and "authorized agent"; registration fee amount; exemptions from registration; service on boards and commissions; ethics training; contents, updating, and posting of registrations; contents and filing of expenditure reports; responses to expenditure reports; and violations. **[Registration fee reduced to \$300 for all categories]** Effective immediately

Last Action: Sent to the Governor 6/4/2010

***SB 2574**[POLICE FIREMEN & CITY TAX LEVIES](#)

Sen. Pamela J. Althoff

Amends the Downstate Police and Downstate Firefighter Articles of the Illinois Pension Code. Provides that, for the 2-year period consisting of taxable years 2010 and 2011, the city council or the board of trustees of the municipality shall annually levy a tax upon all the taxable property of the municipality at the rate on the dollar that will produce an amount for that 2-year period that is the lesser of: (i) the amount levied for taxable year 2009 multiplied by 1.1 or (ii) an amount that, when added to the deductions from the salaries or wages of police officers and firefighters and revenues available from other sources, will equal a sum sufficient to meet the annual actuarial requirements of the pension funds. Effective immediately.

*Last Action: **Held on Second Reading** March 9th

SB 2595

[CORRECTIONS-DIV. OF PROBATION SERVICES](#)

Sen. William Haine

Amends the Correctional Budget and Impact Note Act, the Juvenile Court Act of 1987, the Pretrial Services Act, the Unified Code of Corrections, and the Probation and Probation Officers Act. Provides that the Division of Probation Services is established as an independent agency headed by a Director

appointed by the Governor (rather than as a Division of the Illinois Supreme Court). Contains transition provisions. Effective immediately.

Last Action: Referred to Assignments after First Reading 1/21/10

SB 2607

[CRIMINAL ID "QUALIF. PROBATION" DEFINITIONS](#)

Sen. Kwame Raoul

Amends the Criminal Identification Act. Includes in the definition of "qualified probation" Offender Initiative Probation. Amends the Unified Code of Corrections. Provides that whenever any person who has not previously been convicted of a felony offense under the laws of the State, the laws of any other State, or the laws of the United States, pleads guilty to, or is found guilty of, a probationable felony offense of theft, retail theft, forgery, prostitution, possession of a stolen motor vehicle, burglary, possession of burglary tools, possession of cannabis, possession of cannabis with intent to deliver, delivery of cannabis, possession of a controlled substance, possession of a controlled substance with intent to deliver, delivery of a controlled substance, possession of methamphetamine, possession of methamphetamine with intent to deliver, or delivery of methamphetamine, the court, with the consent of both the defendant and the State's Attorney, may, without entering a judgment, sentence the defendant to probation. Specifies the conditions of that probation. Excludes violent offenses. Effective immediately.

Last Action: Re-Referred to Senate Assignments 4/15/10

HB 4764

[SEXUAL CHILD ABUSE PENALTIES](#)

Rep. Linda Chapa La Vie

Amends the Criminal Code of 1961. In the predatory criminal sexual assault of a child statute, makes additional changes in the sentencing provisions for that offense. Provides that the court shall impose an additional 11 year sentence upon a person convicted of criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse if the victim of the criminal sexual assault, aggravated criminal sexual assault, or aggravated criminal sexual abuse was under 18 years of age at the time of the commission of the offense. Amends the Rights of Crime Victims and Witnesses Act. Provides that the office of the State's Attorney shall provide an alleged victim of a sexual assault with a statement of the rights guaranteed by the Act and the Bill of Rights for Children and an explanation of those rights. Amends the Unified Code of Corrections. Provides that the court shall impose an extended term sentence upon any offender who has been convicted of a felony violation of the statutes concerning criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, or aggravated criminal sexual abuse if the victim of the criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, or aggravated criminal sexual abuse when the victim of the offense is under 18 years of age at the time of the commission of the offense and, during the commission or attempted commission of the offense, the victim was under the influence of alcohol, regardless of whether or not the alcohol was supplied by the accused.

Last Action: Re-Referred to House Rules 3/15/10

HB 4765

[SEXUAL ASSAULT EVIDENCE](#)

Rep. Jack Franks

Amends the Sexual Assault Survivors Emergency Treatment Act. Requires that all sexual assault evidence collected using the State Police Evidence Collection Kits shall be analyzed and tested by the Department of State Police within 6 months after receipt of all necessary evidence and standards into the State Police Laboratory (was, within one year and if sufficient staffing and resources are available). Effective immediately.

Last Action: Re-Referred to House Rules 3/15/10

HB 4767 (See SB 1526)

[LOBBYIST REGISTRATION FEE LIMIT](#)

Rep. Rosemary Mulligan

Amends the Lobbyist Registration Act. Makes the annual registration fee for an entity qualified under Section 501(c)(3) of the Internal Revenue Code \$150 (now, \$1,000). Effective immediately.

Last Action: Re-Referred to House Rules 3/15/10

HB 4769

[AUTO WINDOW TINTING RESTRICTIONS](#)

Rep. Suzanne Bassi

Amends the Illinois Vehicle Code. Deletes a provision concerning side window tinting on multipurpose passenger vehicles and adds a provision providing that on vehicles where a nonreflective smoked or tinted glass that was originally installed by the manufacturer on the windows to the rear of the driver's seat, a nonreflective tint that allows at least 50% light transmittance may be used on the vehicle windows immediately adjacent to each side of the driver. Provides that the use of a nonreflective, smoked, or tinted glass or nonreflective film is not allowed on the window's to the rear of the driver if window treatment has been applied to the windows immediately adjacent to each side of the driver. Makes other technical changes. Effective immediately.

Last Action: Referred to Senate Assignments 4/06/10

HB 4770

[SCHOOLS & CRIMIAL RECORDS CHECKS](#)

Rep. Jacks Franks

Amends the School Code. Provides that upon request of a school, school district, community college district, or private school, any information obtained by a school district pursuant specified provisions concerning criminal history records checks within the last 5 years shall be made available to that school, school district, community college district, or private school.

Last Action: Referred to House Rules 1/11/10

HB 4774

[VEH CODE-DUI-CHEMICAL TESTING](#)

Rep. Lou Lang

Amends the Illinois Vehicle Code. Provides that the Illinois Department of Public Health may not promulgate rules prohibiting an Emergency Medical Technician - Paramedic (EMT-P) licensed by the Illinois Department of Public Health from drawing blood to be used as evidence for a violation of the Illinois Vehicle Code.

Last Action: Re-Referred to House Rules 3/15/10

HB 4776

[CD CORR-DUI-PERM DISABILITY](#)

Rep Lou Lang

Amends the Unified Code of Corrections. Provides that the rules and regulations on early release shall provide that a prisoner who is serving a sentence for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof that involved a motor vehicle accident that resulted in great bodily harm or permanent disability or disfigurement to another, when the violation was a proximate cause of the injuries and the offense was committed on or after the effective date of the amendatory Act, shall receive no more than 4.5 days of good conduct credit for each month of his or her sentence of imprisonment.

Last Action: Passed Both Houses 4/29/10, Sent to the Governor 5/28/10

HB 4779

[VEH CD-EMERGENCY RESPONDERS](#)

Rep Donald Moffitt

Amends the Illinois Vehicle Code. Provides that in addition to any other fine or penalty required by law, an individual convicted of reckless driving or speeding in excess of 40 miles per hour over the posted speed limit and the violation proximately caused an incident resulting in an appropriate emergency response, shall be required to make restitution to a public agency for the costs of that emergency response in an amount not exceeding \$1,000 per public agency for each emergency response. Effective July 1, 2010.

House Floor Amendment No. 3

Provides that the additional criminal penalty may not exceed \$100 per public agency for each emergency response provided for a first reckless driving or excessive speeding violation and \$500 for a second or subsequent violation (rather than \$500 for each emergency response provided, as provided in the introduced bill, as amended).

Last Action: Passed Both Houses 4/29/10, Sent to the Governor 5/28/10

HB 4788

[PENSION CODE-TREAS. ABSENCE](#)

Rep Michael J. Zalewski

Amends the Chicago Municipal Article of the Illinois Pension Code. Allows the city treasurer, with the approval of the board, to appoint a designee from among employees of the city who are versed in the affairs of the treasurer's office to act in the absence of the treasurer on all matters pertaining to administering the provisions of the Article. Provides that, beginning with the election in 2011, the Board shall consist of the city comptroller, the city treasurer, 2 members who shall be employees, and one member who shall be an employee annuitant (rather than the city comptroller, the city treasurer, and 3 members who shall be employees). Makes conforming changes.

[Senate Floor Amendment No. 2](#)

Deletes everything after the enacting clause. Amends the Chicago Municipal Article of the Illinois Pension Code. Allows the city treasurer, with the approval of the board, to appoint a designee from among employees of the city who are versed in the affairs of the treasurer's office to act in the absence of the treasurer on all matters pertaining to administering the provisions of the Article

Last Action: Passed Both Houses 5/26/10

HB 4790

[CHICAGO MUNICIPAL PENSION INDEMNITY](#)

Rep Michael J. Zalewski

Amends the Chicago Municipal Article of the Illinois Pension Code. Requires the Municipal Employees', Officers', and Officials' Annuity and Benefit Fund to indemnify and protect the trustees, staff, and consultants of the Fund against all damage claims and suits when damages are sought for negligent or wrongful acts alleged to have been committed in the scope of employment or under the direction of the trustees. Provides that the trustees, staff, and consultants shall not be indemnified for wilful misconduct or gross negligence. Authorizes the board to insure against loss or liability of the trustees, staff, and consultants that may result from these damage claims. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Last Action: Referred to House Rules 1/12/10

HB 4807

[CRIMINAL VICTIM IMPACT STATEMENTS](#)

Rep. Randy Ramey

Amends the Unified Code of Corrections. Provides that after a defendant is found not guilty by reason of insanity, any victim impact statement prepared under the Rights of Crime Victims and Witnesses Act shall be sent to the Department of Human Services. Provides that individualized placement evaluations by the Department of Human Services determine the most appropriate setting for forensic treatment based upon a number of factors including mental health diagnosis, proximity to surviving victims, security need, age, gender, and proximity to family. Effective immediately.

Last Action: Passed Both Houses 4/27/10, Sent to Governor 5/26/10

HB 4867

[COUNTIES & GUNSHOT LOCATION SYSTEM](#)

Rep. Susana A. Mendoza

Amends the Counties Code and the Illinois Municipal Code. Provides that, by no later than April 1, 2011, a county with a population over 500,000 or a municipality with a population over 100,000 must acquire and maintain a gunshot location system to assist law enforcement agencies. Sets forth the requirements for the gunshot location system. Defines "gunshot location system". Limits home rule powers. Effective January 1, 2011.

Last Action: Re-Referred to House Rules 3/15/10

HB 4881 (shell)

[CONSUMER FRAUD DEFINITION TECHNICAL CHANGE](#)

Rep. Roger L. Eddy

Amends the Consumer Fraud and Deceptive Business Practices Act. Makes a technical change in a Section concerning definitions.

Last Action: Referred to house Rules 1/15/10

HB 4888

[VEH CODE-ONE REG. LICENSE PLATE](#)

Rep. Jerry L. Mitchell

Amends the Illinois Vehicle Code. Provides that, beginning with the next registration year after the effective date of this amendatory Act in which the Secretary of State distributes newly designed standard registration plates for motor vehicles, the Secretary of State shall issue one registration plate (instead of 2) for newly registered motor vehicles and the registration plate shall be attached to the rear (instead of front and rear) of the motor vehicle.

Last Action: Re-Referred to House Rules 3/15/10

HB 4889 (See SB 3084) [SEX OFFENDER REGISTRATION-RETROACTION](#) Rep. Raymond Poe

Amends the Sex Offender Registration Act. Provides that a person is required to register as a sex offender who was not previously required to register before the effective date of the amendatory Act because the sex offense that the person committed occurred before a specified date. Requires that person to register within 5 days after the effective date of the amendatory Act. Provides that if the person is confined, institutionalized, or imprisoned in Illinois on or after the effective date of the amendatory Act, he or she shall register in person with the local law enforcement agency within 5 days of discharge, parole, or release. Provides for the duration of the registration.

Last Action: Re-Referred to House Rules 3/15/10

SB 3084 Passed Both Houses 5/4/10 Sent to Governor on 6/4/10 Sen.Iris Martinez

HB 4893 [PEN CD-IMRF-INCREASE DEATH BENEFIT](#) Rep. Raymond Poe

Amends the Illinois Municipal Retirement Fund (IMRF) Article of the Illinois Pension Code. Increases the death benefit from \$3,000 to \$5,000. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Last Action: Referred to Rules 1/15/10

HB 4961 [HISTORIC SITES-FUND SWEEPS RESTRICT.](#) Rep. Raymond Poe

Amends the Illinois Historic Preservation Act and the State Finance Act. Provides that the Illinois Historic Sites Fund and the Presidential Library and Museum Operating Fund are not subject to sweeps, administrative charges, or charge-backs or any other fiscal or budgetary maneuver that would in any way transfer any amounts from those Funds into any other fund of the State. Effective immediately.

[House Committee Amendment No. 1](#)

Removes language providing that the Illinois Historic Sites Fund and the Presidential Library and Museum Operating Fund are not subject to sweeps or other fiscal or budgetary maneuvers.

Last Action: Passed Both Houses 4/29/10, Sent to the Governor 5/28/10

HB 4987[RAILROAD POLICE-MISCONDUCT](#)

Rep. Thomas Holbrook

Amends the Railroad Police Act. Requires allegations of abuse of authority or misconduct by members of a railroad police force to be investigated by the Illinois State Police.

[House Committee Amendment No. 1](#)

Replaces everything after the enacting clause. Amends a provision of the Illinois Vehicle Code concerning malicious removal of or damage to railroad property or freight. Provides that a person is guilty of an offense ranging from a Class A misdemeanor to a Class 4 felony, depending on property damages, if he or she is found to have willfully placed upon an active railroad track or railroad right of way any object or objects that would adversely affect safe railroad operations.

Last Action: Passed Both Houses 4/27/10, Sent to the Governor 5/26/10

HB 5002[PRISONER'S & DRIVER'S LICENSES](#)

Rep. Cynthia Soto

Amends the Unified Code of Corrections. Provides that the Department of Corrections shall notify the immediate family members of a committed person within 90 days after the commitment of the person to an institution or facility of the Department that the Department has in its possession the driver's license, State issued identification card, social security account card, or other government issued identification documents of the committed person and that an immediate family member may be transferred possession of those documents upon request of the immediate family member.

Last Action: Referred to House Rules 1/21/10

HB 5006[CORRECTIONS AND ABSCONDING WARRENTS](#)

Rep. Carreen Gordon

Amends the Unified Code of Corrections. Provides that the Department of Corrections has the power to issue an order, whenever a person committed to the Department absconds or absents himself or herself, without authority to do so, from any facility or program to which he or she is assigned. Provides that the order: shall be certified by the Director of Corrections, the Supervisor of the Apprehension Unit, or any person duly designated by the Director, with the seal of the Department affixed; shall be directed to all sheriffs, coroners, and police officers, or to any particular person named in the order; and shall be sufficient warrant for the officer or person named in the order to arrest and deliver the committed person to the proper correctional officials and shall be executed the same as criminal process. Effective immediately.

Last Action: Passed Both Houses 4/29/10, Sent to the Governor 5/28/10

HB 5007[JUVENILE JUSTICE MORTALITY REVIEW](#)

Rep. Art Turner

Creates the Department of Juvenile Justice Mortality Review Team Act and amends the Open Meetings Act and the Freedom of Information Act. Provides that upon the occurrence of the death of any youth in the Department of Juvenile Justice's custody, the Director of Juvenile Justice shall appoint members and a chairperson to a mortality review team. Provides for membership of the teams. Provides for a team's review of every death of a youth that occurs within a facility of the Department or as the result of an act or incident occurring within a facility of the Department, including as the result of suspected illness, injury, self-harm, or unknown cause. Provides for a team's recommendations to the Director of Juvenile Justice and for the Director's reply; also requires the Director to submit a report to the Executive Inspector General appointed by the Governor under the State Officials and Employees Ethics Act. Provides that team meetings are not subject to the Open Meetings Act and that records and information provided to or maintained by a team are not subject to inspection and copying under the Freedom of Information Act. Provides for indemnification of team members. Effective immediately.

Last Action: Passed Both Houses 5/04/10, Sent to the Governor 6/02/10**HB 5012**[JUVENILE COURT-VACATE DELINQUENCY](#)

Rep. Annazette Collins

Amends the Juvenile Court Act of 1987. Eliminates the provision that the State's Attorney may object to a court order of continuance under supervision. Provides that at the successful completion of probation by a first-time offender, a minor may move to vacate a finding of delinquency and the court may enter a judgment of dismissal. Provides that unless good cause is shown, such motion to vacate must be filed within 30 days of the entry of the order terminating probation or discharging the minor. Establishes conditions and factors under which a court may vacate a finding of delinquency. Exempts certain offenders from these provisions. Provides that once a motion to vacate a finding of delinquency has been granted, the case shall be treated as if it never occurred, and the person may not be required to disclose that he or she had a juvenile record. Provides that the amendatory Act shall govern all motions pending at the time of its effective date. Effective immediately.

Last Action: Re-Referred to House Rules 3/26/10

HB 5013 (Shell)[CODE OF CORRECTIONS-TECHNICAL CHANGE](#)

Rep. Annazette Collins

Amends the Unified Code of Corrections. Makes a technical change in the Section concerning work training programs of the Department of Juvenile Justice.

Last Action: Referred to House Rules 1/21/10

HB 5014 (Shell) [CODE OF CORRECTIONS-TECHNICAL CHANGE](#) Rep. Annazette Collins

Amends the Unified Code of Corrections. Makes a technical change in the Section concerning work training programs of the Department of Juvenile Justice.

Last Action: Referred to House Rules 1/21/10

HB 5015 (Shell) [CRIMINAL CODE-TECHNICAL CHANGE](#) Rep. Annazette Collins

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning possession of explosives or explosive or incendiary devices.

Last Action: Referred to House Rules 1/21/10

HB 5017 (Shell) [UNIFIED CODE OF CORRECTIONS-TECHNICAL CHANGE](#) Rep. Annazette Collins

Amends the Unified Code of Corrections. Makes a technical change in the Section concerning work training programs of the Department of Juvenile Justice.

Last Action: Referred to Rules 1/21/10

HB 5068 [PUBLIC SAFETY OFFICER PROT.](#) Rep. Patrick Verchoore

Creates the Public Safety Officer Protection Act. Provides that a public employer shall reimburse a public safety officer for reasonable attorney's fees incurred by the officer in connection with any criminal proceeding arising from the officer's conduct in the performance of official duties unless, in relation to that conduct, any of the following applies: (1) the officer is convicted of a crime; (2) the officer's employment is terminated for cause; or (3) the officer resigns for reasons other than retirement or disability before the attorney's fees are incurred. Provides that a public employer, including a home rule unit, that employs a full-time public safety officer may not provide benefits to that officer in a manner inconsistent with the requirements of the Act.

Last Action: Referred to House Rules 1/29/10

***HB 5070 (See50ILCS135)**[POLICE, FIREMEN & POLITICAL OFFICE](#)

Rep. Patrick Verchoore

Amends the Local Governmental Employees Political Rights Act. Adds that a member of a police department or a sheriff's department may be elected or appointed to public office and may serve in public office. Provides that if the member is not in uniform and not on duty, the member may solicit votes and campaign funds and challenge voters for public office. Adds that a police officer or sheriff's deputy who is elected to the Illinois General Assembly shall, upon written application to the employer, be granted a leave of absence without compensation during his or her term of office.

Last Action: Referred to House Rules 1/29/10

50ILCS135 Sec. 10. Political rights protected.

(a) No unit of local government or school district may make or enforce any rule or ordinance that in any way inhibits or prohibits any of its employees from exercising the employee's political rights.

HB 5101[POLICE DISPATCHER & PENSION](#)

Rep. Jim Sacia

Amends the Downstate Police Article of the Illinois Pension Code. Provides that, beginning on the effective date of this amendatory Act, "police officer" or "officer" includes any person who is employed as a police dispatcher. Allows a police dispatcher to transfer creditable service under the Illinois Municipal Retirement Fund Article to his or her pension fund under the Downstate Police Article. Amends the State Employee Article of the Illinois Pension Code. Allows an investigator for the Secretary of State to elect to establish eligible creditable service for up to 5 years of service as a police officer under the Downstate Police Article or Illinois Municipal Retirement Fund Article. Exempts the changes from new benefit increase provisions. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

Last Action: Referred to House Rules 1/29/10

HB 5103[COUNTY BONDS & POLICE EMERG. EQUIPMENT](#)

Rep. Jim Sacia

Amends the Counties Code. Provides that the corporate authorities of a county may, upon referendum approval, issue bonds for the purpose of purchasing peace officer communication equipment and emergency services that are compatible with a statewide interoperable voice radio system. Sets forth the requirements for the referendum. Provides that the bonds shall mature 20 years from their respective date of issue. Effective immediately

Last Action: Referred to House Rules 1/29/10

HB 5104[COMMUNITY JUSTICE PROJECT](#)

Rep. Jim Sacia

Amends the Department of Employment Security Law of the Civil Administrative Code of Illinois, the University of Illinois Act, and the Unified Code of Corrections. Creates the Illinois Community Justice Project. Provides that, subject to appropriation, the University of Illinois Extension shall deliver training on behalf of the Department of Corrections to incarcerated persons, families, support networks of incarcerated persons, and Department of Corrections staff and their families to facilitate better conditions and treatment among inmates, among inmates and their support networks and families, and among inmates and facility staff. Provides that, subject to appropriation, the University of Illinois Extension shall also make available throughout the State, programs for local government officials, local businesses, and service organizations to enhance communities relating to the reentry of ex-offenders into those communities and improve reduction of recidivism. Provides that, subject to appropriation, the University of Illinois Extension, in partnership with county probation and district parole offices, shall also provide local research-based cognitive programming to recently released parolees and persons on probation to reduce recidivism in local areas.

Last Action: Referred to House Rules 1/29/10

HB 5130[STATE POLICE-MONEY LAUNDERING FUND](#)

Rep. Jay Hoffman

Amends the Department of State Police Law of the Civil Administrative Code of Illinois and the Criminal Code of 1961. Provides that moneys and the sale proceeds distributed to the Department of State Police pursuant to the money laundering statute shall be deposited in a special fund in the State treasury to be known as the Money Laundering Asset Recovery Fund. Provides that the moneys deposited in the Money Laundering Asset Recovery Fund shall be appropriated to and administered by the Department of State Police for State law enforcement purposes. Amends the State Finance Act. Creates the Money Laundering Asset Recovery Fund in the State treasury. Effective immediately.

Last Action: Passed Both Houses 4/29/10, Sent to the Governor 5/28/10

HB 5148[CONTROLLED SUBSTANCE-HEROIN](#)

Rep. Dennis Reboletti

Amends the Illinois Controlled Substances Act. Provides that the knowing manufacture or delivery of, or possession with intent to manufacture or deliver, heroin is a Class X felony with respect to 5 grams (rather than 15 grams) or more of heroin. Amends the Unified Code of Corrections. Provides that the offense is non-probationable if the amount of the heroin is 3 (rather than over 5) grams or more.

Last Action: Re-Referred to Senate Assignment 4/23/10

HB 5149[CODE OF CORRECTIONS-SPECIAL NEEDS TRUST](#)

Rep. Dennis Reboletti

Amends the Downstate Police Article of the Illinois Pension Code. Provides that, if a special needs trust has been established for a disabled adult child, then the special needs trust may stand in lieu of the disabled adult child as a beneficiary for the purposes of the Article. Effective immediately.

Last Action: Passed Both Houses 4/29/10, Sent to the Governor 5/28/10

HB 5154[PERSONNEL RECORDS REVIEW RESTRICTSIONS](#)

Rep. Linda Chapa LaVia

Amends the Personnel Record Review Act. Provides that disclosure of performance evaluations under the Act is prohibited.

Last Action: Passed Both Houses 4/29/10, Sent to the Governor 5/28/10

HB 5172[FOID-FIREARM STORAGE](#)

Rep. Linda Chapa LaVia

Amends the Firearm Owners Identification Card Act and the Criminal Code of 1961. Provides that for the purposes of the exemptions from prosecution for the unlawful use of weapons, "enclosed in a case" or "enclosed in a suitable case" does not include the storage or transportation of a firearm in a glove box or center console of a motor vehicle.

Last Action: Referred to House Rules 2/01/10

HB 5177[METH. CONTROL-CONTAMINATED PROPERTY](#)

Rep. Michael McAuliffe

Amends the Methamphetamine Control and Community Protection Act. Provides that whenever a State or local law enforcement agency becomes aware that an inhabitable property has been contaminated by its use as a clandestine methamphetamine drug lab, the agency shall report the contamination to the Department of State Police and to the local public health officer. Provides that the Department of State Police shall maintain a list of inhabitable property that has been reported as contaminated, and the list must be made available to the public through a website. Provides that the property shall be removed from the list when the contamination has been removed. Provides that once an inhabitable property has been removed from the list, a property owner, landlord, or real estate agent is not required to report or otherwise disclose the past contamination.

Last Action: Re-Referred to House Rules 3/15/10

HB 5182[PENSION CODE-ANNUITY](#)

Rep. Dave Winters

Amends the IMRF Article of the Illinois Pension Code. Provides that if an annuitant becomes an employee and receives earnings from employment in a position normally requiring performance of duty during 1,000 hours or more per year as a Sheriff's law enforcement employee (currently 600 hours or more per year as a non-Sheriff's law enforcement employee) for any participating municipality and instrumentalities thereof or participating instrumentality, then the annuity payable to such employee shall be suspended as of the 1st day of the month coincidental with or next following the date upon which such person becomes such an employee. Effective immediately.

Last Action: Referred to House Rules 2/01/10

HB 5184[VEHICLE CODE-AUTOMATED TRAFFIC LAW](#)

Rep. Darlene Senger

Amends the Illinois Vehicle Code. Provides that an ordinance that provides for the administrative adjudication of automated traffic law (red light) violations shall require that all determinations by a technician employed or contracted by the municipality or county that a motor vehicle committed an automated traffic law violation must be reviewed and approved by a sworn law enforcement officer of the municipality or county issuing the violation. Provides that for automated traffic law enforcement systems installed on or after January 1, 2011, "recorded images" means a video recording showing the motor vehicle and, on at least one image or portion of the recording, clearly identifying the registration plate number of the motor vehicle (instead of the video recording and several other specified types of photographs or electronic images). Provides that if a municipality or county contracts with a private entity for the administration, enforcement, or both of red light violations, the private entity may not collect any fees or charge an additional fee payable to the private entity associated with a red light violation. Effective July 1, 2010.

Last Action: Re-Referred to House Rules 3/15/10
