

# **LAW UPDATE**

*2020/2021*



**ILLINOIS SECRETARY OF STATE  
DEPARTMENT OF POLICE**

**Division of Administration  
Training Section**

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## 2020/2021 Law Update for Law Enforcement

### Please Note:

This training outline is written for a law enforcement audience. It does not contain every law change made during the 101st Session of the Illinois General Assembly. .

Errors and/or omissions may exist in this document. Readers are urged to review entire sections of law prior to taking enforcement action. Original source information can be found at the following Internet website:

[Illinois General Assembly Home Page \(ilga.gov\)](http://ilga.gov)

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## Illinois Vehicle Code

“VEH CD-PTSD AWARENESS SPECIAL”

**625 ILCS 5/3-421, 625 ILCS 5/6-305**

Effective Date: 06/01/2020

Public Act: [101-0611](#)

**Synopsis:**

Replaces everything after the enacting clause. Amends the Illinois Vehicle Code. Provides that, if a person has a registration plate in his or her name and seeks to reassign the registration plate to his or her spouse, the Secretary shall waive any transfer fee or vanity or personalized registration plate fee upon both spouses signing a form authorizing the reassignment of registration. Provides that, if a registrant seeks to reassign the registration plate to his or her child, the Secretary shall waive any transfer fee or vanity or personalized registration plate fee.

Provides that a person who rents a motor vehicle to another may inspect the person's driver's license through electronic or digital means. Requires a person renting a vehicle to another to verify that the driver's license of the person is unexpired (instead of comparing the signature on the driver's license to the signature on the rental agreement). Removes a requirement that a person renting a vehicle to another keep a record of when the person renting the vehicle was issued a driver's license.

**Excerpt from the Public Act not necessary.**

“VEH CD-LICENSE TO WORK ACT - NEW”

**625 ILCS 5/3-704.2, 625 ILCS 5/6-209.1 new, 625 ILCS 5/11-208.3**

Effective Date: 07/01/2020

Public Act: [101-0623](#)

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that the amendatory Act may be referred to as the License to Work Act. Deletes language providing that all notices sent to a person involved in an administrative proceeding shall state that failure to satisfy any fine or penalty shall result in the Secretary of State suspending his or her driving privileges, vehicle registration, or both. Provides that the Secretary is authorized to cancel any license or permit if the holder failed to pay any fees owed to the Secretary for the license or permit (rather than failure to pay any fees, civil penalties owed to the Illinois Commerce Commission, or taxes due upon reasonable notice and demand). Provides that a person whose driver's license was canceled, suspended, or revoked under certain

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circumstances shall have his or her driving privileges reinstated. Deletes language providing that the reporting requirements for public officials shall apply to a truant minor in need of supervision, an addicted minor, or a delinquent minor whose driver's license has been suspended. Provides for the immediate revocation of the license, permit, or driving privileges of any driver if the driver was convicted of a misdemeanor relating to a motor vehicle if the person exercised actual physical control over the vehicle during the commission of the offense. Provides that the Secretary is authorized to suspend or revoke the driving privileges of any person without a preliminary hearing if the person has been convicted of criminal trespass to vehicle if the person exercised actual physical control over the vehicle during the commission of the offense. Provides that in order to be subject to suspension or revocation for violation of specific provisions of the Liquor Control Act of 1934, a person must also be an occupant of a motor vehicle at the time of the violation. Deletes language authorizing the Secretary to suspend or revoke the driving privileges of a person without a preliminary hearing for specific adjudications or violations. Deletes language providing that the owner of a registered vehicle that has failed to pay any fine or penalty due and owing as a result of 10 or more violations shall have his or her driving privileges suspended. Repeals Sections concerning the suspension of a driver's license for theft of motor fuel and suspension of driving privileges for failure to satisfy fines or penalties for toll violations or evasions. Effective July 1, 2020.

**Excerpt from the Public Act not necessary.**

### **“VEHICLE CODE - TASK FORCES-REPORTS-REPEALS” 625 ILCS 5/11-907.1**

**Effective Date: 12/13/2019**

**Public Act [101-0606](#)**

#### **Synopsis:**

Replaces everything after the enacting clause. Amends the Rare Disease Commission Act. Changes the repeal date of the Act from January 1, 2020 to January 1, 2023. Amends the Lyme Disease Prevention and Protection Act. Provides that the Lyme Disease Task Force shall consist of 8 additional members appointed by the Speaker of the House of Representatives, Minority Leader of the House of Representatives, President of the Senate, and Minority Leader of the Senate. Amends the Illinois Vehicle Code. Requires the Move Over Task Force to submit its report to the General Assembly no later than January 1, 2021 (currently, January 1, 2020). Repeals the Task Force on January 1, 2022 (currently, January 1, 2021). Amends the Code of Criminal Procedure of 1963. Provides that the Task Force on Children of Incarcerated Parents shall submit a report of its findings and recommendations to the General Assembly and the Governor by March 1, 2020 (currently, December 31, 2019). Removes the repeal of provisions concerning Task Force membership, meetings, and

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duties. Repeals the Task Force on Children of Incarcerated Parents on July 1, 2020. Makes conforming changes. Effective immediately.

**Excerpt from the Public Act not necessary.**

### **Illinois Criminal Code**

#### **"CRIMINAL CODE - SEXUAL ASSAULT SURVIVORS" 410 ILCS 70/1a-1 new, 410 ILCS 70/5.2-1 new, 410 ILCS 70/10-1 new**

**Effective Date: 06/05/2020**

**Public Act: [101-0634](#)**

##### **Synopsis:**

Amends the Sexual Assault Survivors Emergency Treatment Act. Provides that an approved federally qualified health center may provide medical forensic services to all sexual assault survivors 13 years old or older who present for medical forensic services in relation to injuries or trauma resulting from a sexual assault during the duration, and 90 days thereafter, of a proclamation issued by the Governor declaring a disaster, or a successive proclamation regarding the same disaster, in all 102 counties due to a public health emergency. Provides that under specified circumstances a federally qualified health center's area wide sexual assault treatment plan must include a procedure for ensuring a sexual assault survivor in need of such medical or surgical services receives the services at the treatment hospital. Requires an approved federally qualified health center to post specified signage at each public entrance to its facility if it is not open 24 hours a day, 7 days a week. Provides that the changes made by this amendatory Act are repealed on June 30, 2021 and that the unamended versions of the amended sections take effect on and after July 1, 2021. Makes other changes. Effective immediately.

**Excerpt from the Public Act not necessary.**

#### **"CRIMINAL CODE - COVID-19/HORSE RACING/BATTERY" 720 ILCS 5/12-3.05**

**Effective Date: 08/07/2020**

**Public Act: [101-0651](#)**

##### **Synopsis:**

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Amends the Public Employee Disability Act. Provides that upon the occurrence of circumstances which would hinder the physical recovery from an injury of an eligible employee within the one-year period as required under the Act, the eligible employee shall be entitled to an extension of no longer than 60 days by which he or she shall continue to be paid by the employing public entity on the same basis as he or she was paid before the injury. Provides that the employing public entity may require proof of the circumstances hindering an eligible employee's physical recovery before granting the extension. Makes conforming changes. Amends the Illinois Horse Racing Act of 1975. Provides that, as a condition of obtaining an organization gaming license under the Act, an entity that has at least 10 employees on average over the 12 months preceding application for the license must negotiate and enter into a labor agreement with labor organizations that seek to represent the entity's employees. Amends the Criminal Code of 2012. Provides that battery of a merchant is aggravated battery: (i) when the merchant is performing his or her duties, including, but not limited to, relaying directions for healthcare or safety from his or her supervisor or employer or relaying health or safety guidelines, recommendations, regulations, or rules from a federal, State, or local public health agency; and (ii) during a disaster declared by the Governor, or a state of emergency declared by the mayor of the municipality in which the merchant is located, due to a public health emergency and for a period of 6 months after such declaration. Effective immediately.

**Excerpt from the Public Act not necessary.**

### **Other Illinois Statutes**

"PENCD-IMRF-DNST POL-START DATE"

**40 ILCS 5/3-111.5 new, 30 ILCS 805/8.43 new**

**Effective Date: 01/24/2020**

**Public Act: [101-0627](#)**

#### **Synopsis:**

Amends the Downstate Police Article of the Illinois Pension Code. Provides that a police officer who previously participated in the Illinois Municipal Retirement Fund (IMRF) for service as a member of the police department of a municipality and was transferred to that municipality's police pension fund upon its creation under the Downstate Police Article shall, for the purposes of determining the applicable tier of benefits under that Article, be deemed to have become a police officer and member of that municipality's police pension fund on the date that he or she first participated in IMRF as a member of the police department of that municipality, notwithstanding whether that start date was before January 1, 2011. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

**Excerpt from the Public Act not necessary.**

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### "REGULATION-TECH"

#### **235 ILCS 5/1-3.40, 235 ILCS 5/5-1, 235 ILCS 5/5-3, 235 ILCS 5/6-4**

**Effective Date:** 12/20/2019

**Public Act** [101-0615](#)

#### **Synopsis:**

Amends the Liquor Control Act of 1934. Creates a craft distiller license. Establishes fees for the license. Provides that a craft distiller license, which may only be held by a class 1 craft distiller licensee or class 2 craft distiller licensee but not held by both a class 1 craft distiller licensee and a class 2 craft distiller licensee, shall grant all rights conveyed by either: (i) a class 1 craft distiller license if the craft distiller holds a class 1 craft distiller license; or (ii) a class 2 craft distiller licensee if the craft distiller holds a class 2 craft distiller license. Removes a provision authorizing a class 1 craft distiller license or class 2 craft distiller license to be issued to a licensed distiller. Provides that a broker's license shall be required of all persons who offer to retailers to ship or cause to be shipped or to make contact with craft distillers in order that alcoholic liquors be shipped to a distributor, importing distributor, or foreign importer. Makes conforming changes. Effective immediately.

**Excerpt from the Public Act not necessary.**

### "PEN CD-COOK COUNTY-FUNDING"

#### **625 ILCS 5/2-115**

**Effective Date:** 01/01/2020

**Public Act** [101-0610](#)

#### **Synopsis:**

Amends the Illinois Pension Code. Creates the Police Officers' Pension Investment Fund and the Firefighters' Pension Investment Fund. Provides for the transfer of the assets and investment authority of downstate police and downstate firefighter pension funds to the Police Officers' Pension Investment Fund and the Firefighters' Pension Investment Fund. Contains provisions concerning the composition of the board of the investment funds; powers and duties; reporting and recordkeeping; auditing of downstate police and downstate firefighter funds; management of investments; and rulemaking. Reduces the amount of training required for trustees under the Downstate Police and Downstate Firefighter Articles. Makes changes to the calculation of certain survivor's benefits for Tier 2 police and firefighters, the calculation of "final average salary" for Tier 2 police and firefighters, and to the limitation on salary applicable to Tier 2 police and firefighters. Makes conforming and other changes. In the Illinois Municipal Retirement Fund (IMRF) Article, authorizes certain surviving spouses of annuitants to re-establish rights to a surviving spouse annuity. In the State Employee Article, provides that the alternative retirement annuity provisions apply to a Tier 2 conservation police officer, investigator for the Secretary of State, Commerce Commission police officer, or arson investigator and authorizes those persons to establish up to 8 years of eligible creditable service for past service. Authorizes a State



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Policeman to elect to establish up to 5 years of eligible creditable service under the alternative retirement annuity formula for service as a full-time law enforcement officer outside of Illinois. In the State Universities Article: makes changes concerning the retirement age for certain Tier 2 members who have at least 20 years of service as a police officer or firefighter; and provides that the chairperson of the Board shall be appointed by the Governor from among the trustees (instead of the Chairperson of the Board of Higher Education acting as chairperson of the board of trustees). In the Downstate Teacher Article: adds a member of the board of trustees to be appointed by the Governor; adds a member of the board of trustees who is a teacher and elected by the contributing members; provides that the president of the board shall be appointed by the Governor from among the trustees (instead of the Superintendent of Education serving as president of the board); and provides that not more than 4 of the 5 active teachers elected to the Board of Trustees may be active members of the same statewide teacher organization. Amends the Illinois Finance Authority Act. Adds costs incurred in connection with the transition process to the definition of "public purpose project". Authorizes the Illinois Finance Authority to make loans to the Police Officers' Pension Investment Fund and the Firefighters' Pension Investment Fund. Makes other changes. Amends the Local Government Officer Compensation Act. Provides that language reducing an elected officer's compensation to zero if he or she is receiving specified pension benefits from the Illinois Municipal Retirement Fund does not apply to a unit of local government that has adopted a specified ordinance or resolution effective prior to January 1, 2019. Amends the Illinois Vehicle Code. Provides that a Capitol Police Investigator (instead of a Capitol Police Investigator who began employment on or after January 1, 2011) may not be retained in service after he or she has reached 65 years of age. Amends the State Mandates Act to require implementation without reimbursement. Effective January 1, 2020.

**Excerpt from the Public Act not necessary.**

**"CD CORR-RELEASEE-REENTRY INFO"**

**730 ILCS 5/3-14-1, Multiple Statutes Affected Including New Acts**

**Note: At the time of publishing this House Bill passed both Chambers but had not been signed into law by the Governor. We have included this information in anticipation of this becoming law. Make sure you verify the status of this legislation before acting on any of this information.**

**Effective Date: 07/01/2021, \* multiple effective dates**

**Public Act: [HB3653](#)**

**Synopsis:**

Replaces everything after the enacting clause. Creates the Statewide Use of Force Standardization Act. Provides that it is the intent of the General Assembly to establish statewide use of force standards for law enforcement agencies. Creates the No Representation Without Population Act. Provides that State Board of Elections shall prepare redistricting population data to reflect incarcerated persons at their residential address prior to incarceration. Provides that

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this data shall be the basis of the Legislative and Representative Districts required to be created pursuant to Section 3 of Article IV of the Illinois Constitution. Provides that incarcerated populations residing at unknown geographic locations within the State shall not be used to determine the ideal population of any set of districts, wards, or precincts. Creates the Reporting of Deaths in Custody Act. Provides that the Illinois Criminal Justice Information Authority shall create a standardized form to be used for the purpose of collecting information about persons who die in custody of a law agency, a local or State correctional facility in the State, or a peace officer. Creates the Task Force on Constitutional Rights and Remedies Act. Creates the Task Force on Constitutional Rights and Remedies. Provides that the Task Force shall review available research, best practices, and effective interventions to formulate recommendations. Provides that the Task Force shall produce a report detailing the Task Force's findings and recommendations and needed resources. The Task Force shall submit a report of its findings and recommendations to the General Assembly and the Governor. Amends the Illinois Public Labor Relations Act. Provides that notwithstanding any provision of this Act, employers shall not be required to bargain over matters relating to the discipline or discharge of peace officers. Provisions in existing collective bargaining agreements that address the discipline or discharge of peace officers shall lapse by operation of law on the renewal or extension of existing collective bargaining agreements by whatever means, or the approval of a collective bargaining agreement by the corporate authorities of the employer after the effective date of this Act, without imposing a duty to bargain on employers. Amends the Criminal Code of 2012. Makes it official misconduct for an employee of a law enforcement agency to knowingly fail to turn on an officer-worn body camera or turn off an officer-worn body camera when there is a reasonable opportunity to act in a manner that is consistent with the officer-worn body camera policy of the respective law enforcement agency or when he or she knowingly uses or communicates, directly or indirectly, information acquired in the course of employment. Provides that an employee of a law enforcement agency commits misconduct when he or she knowingly misrepresents facts describing an incident in a police report or during investigations regarding the law enforcement employee's conduct. Amends the Code of Criminal Procedure of 1963. Abolishes cash bail. Provides for pretrial release and eligibility for that release. Amends various Acts to make conforming changes. Amends the Unified Code of Corrections. Changes the terms for mandatory supervised release. Makes other changes. Amends the Open Meetings Act. Provides that deliberations for decisions of the Illinois State Police Merit Board, the Illinois Law Enforcement Training Standards Board and the Certification Review Panel regarding certification and decertification of law enforcement officers are not open meetings under the Act. Amends the Freedom of Information Act. Provides that information which is prohibited from disclosure by the Illinois Police Training Act is not subject to disclosure under the Act. Provides that records contained in the Officer Professional Conduct Database, except to the extent authorized under that provision are not subject to disclosure under the Act. Amends the State Employee Indemnification Act. Includes in the definition of "employee" the members of the Certification Review Panel. Amends the State Police Act concerning discipline of Illinois State Police officers and the appointment of the Illinois State Police Merit Board. Amends the Illinois Police Training Act. Changes the misdemeanor offenses for which a law enforcement officer may be decertified. Grants the Illinois Law Enforcement Training Standards Board the power: (1) to review and ensure all law enforcement officers remain in compliance with the Act, and any administrative rules adopted under the Act; and (2) to suspend any certificate for a definite period, limit or restrict any certificate, or revoke any certificate. Creates the Illinois Law Enforcement Certification Review Panel to make recommendations to the Board on the decertification of law

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enforcement officers. Effective July 1, 2021, except for certain provisions that are effective either January 1, 2022, January 1, 2023, or January 1, 2025.

**Public Act too large. See addendum bullet points.**

**A special thanks to the Illinois FOP Labor Council and their attorneys for compiling this list of bullet points.**

**The following are highlights of HB 3653-Amendment No. 2.**

Residency can no longer be subject to bargaining in municipalities with populations over 100,000 (changed from over 1,000,000).

Adds "other first responders" to Community-Law Enforcement partnership for Deflection and Substance Use Disorder Treatment and adds new criteria for funding.

Agencies that receive funds for deflection services must add areas of training.

Attorney General Act changed. Prohibits governments from engaging in pattern or practice of conduct by officers that deprives individuals of rights under state and federal laws and constitutions. AG given the right to conduct investigations and file suit and can depose officers, file sworn statements and issue subpoenas or conduct hearings to aid the investigations. AG can file suit to obtain declaratory and injunctive relief and civil penalties up to \$25K per violation or \$50K per violation if there have been prior violations.

Conditions of pretrial release to be made available to the media when an individual is arrested.

Sworn affidavit for filing complaints against officers is removed and will also come out of any CBAs entered after January 1, 2022. Removes the requirement that false complaints be reviewed by the AG.

Prohibits ISP from obtaining certain types of military equipment.

Creates a database for pretrial collection.

Creates a review of the practice of pretrial domestic violence courts.

Prohibits local governments from retaliating against whistleblowers. It also establishes requirements for auditing officials for handling complaints and remedies that may be sought by the auditing agencies against bad actors (fines suspensions, demotions, discharge, civil and criminal prosecution). This includes agencies that investigate police accountability.

Amends Local Records Act and requires all public and nonpublic records related to police officer complaints, investigations, adjudications be permanently retained.

Establishes statewide minimum standards for mental health screenings for probationary and permanent police officers. (amends Illinois Police Training Act).

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Requires that ILETSB be notified when officer resigns during an investigation based on a felony or sex offense. (Previously required for Class 2 or greater felony).

Makes ILETSB misconduct database available to all State's Attorneys.

Creates new curriculum for new police officers re use of force, de-escalation, officer safety and high-risk traffic stops.

Creates minimum training for officers to complete every 3 years which includes training re implicit bias and racial sensitivity, emergency medical response training, crisis intervention, officer wellness and mental health, use of force, de-escalation.

New requirements for crisis intervention training.

All law enforcement groups will be required to use body cameras per a timeline which depends on the size of the municipality. Removes right of officer to review tape prior to writing incident report absent permission of officer's supervisor. Prohibits deletion of video unless unflagged after 90 days. Can be used by investigating detective and by FTO for training purposes.

Requires ISP to submit use of force information to FBI National use of Force Database.

Requires law enforcement agencies to monthly report to ISP any incident where an officer was sent to deal with a person experiencing a mental health crisis, use of force and any action resulting in death or serious injury or discharge of firearm (amends Uniform Crime Reporting Act).

Uniform Peace Officers' Disciplinary Act amended. Removes requirement that officers be informed beforehand of names on complainants. Officers no longer required to be informed of name, rank, unit, and command of officer in charge of investigation prior to interrogation. Removes complainant affidavit requirement and bars such requirements from being in CBAs.

Anonymous complaints can be filed with ILETSB re conduct alleged to violate subsection (b) of Section 6.3 of the Training Act.

Restricts Sheriff's Departments from purchasing certain military equipment.

Restricts municipalities from purchasing certain military equipment.

Campus Security Enhancement Act amended to require pretrial release conditions released to media.

Changes Insurance Code to prohibit insurance from being cancelled unless an individual violates conditions of pretrial release and release is revoked (this is related to the elimination of cash bond).

Cash bond generally replaced with pretrial release conditions.

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Reference to Crime Victim Services Division of Office of Attorney General removed and changed to Office of Attorney General.

Cash bond replaced with "conditions of pretrial release."

Secretary of State must rescind license suspensions, cancellations, and denials of renewal based on failure to pay fines.

Eliminates options for suspending driver's license for failing to pay fines for 5 or more violations.

Drivers who have automated traffic violations may no longer be told that licenses may be suspended for failure to pay fine.

Municipalities and counties no longer required to report to Secretary of State when owner failed to pay fines for 5 offenses.

Drivers who have automated traffic violations for passing school busses may no longer be told their driver's license may be suspended for failure to pay fine. Same for automated railroad grade crossings.

Snowmobile law: driving a snowmobile under the influence shall be considered a first-time offense.

Offense for resisting arrest or obstructing a peace officer, firefighter, or correctional employee is removed unless there was an initial underlying offense for the arrest.

References to forfeited bail generally changed to "conditions of pretrial release."

Use of Force changed to require consideration of the totality of the circumstances when assessing whether to use force. Also changes the reference from "has committed a forcible felony" to "just committed."

Use of Force. Prior to the use of force, officers should make reasonable efforts to identify him/herself and to warn that deadly force may be used unless the officer has grounds to believe the individual knows this.

Deadly force should not be used against a person posing a danger to him/herself unless there is imminent threat to others including the officer.

Deadly force cannot be used against individuals suspected of property offenses.

Deadly force to be used only to defend human life. Other changes direct how officers are to evaluate this.

Law enforcement agencies to protect individuals with physical, mental health, developmental or intellectual disabilities.

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Use of Force: deadly force defined as a threat of death or serious bodily injury that is imminent and defined the totality of the circumstances.

Defines use of prohibited uses of force.

Duty to perform CPR.

Duty to Intervene.

Law Enforcement Misconduct class 3 felony.

Use of Force: adds list of prohibited uses of force;

1. No restraint above shoulders with risk of asphyxiation in order to prevent destruction of evidence.
2. Defines restraint above shoulders with risk of asphyxiation.
3. Prohibits force for punishment.
4. Prohibits use of kinetic impact projectiles that target head, pelvis or back.
5. Prohibits tasers fired indiscriminately into crowds.
6. Order to disperse must be issued before pepper spray.
7. Prohibits use of deadly force to prevent an escape. Force can be used in the same way it could be used during an arrest.
8. Corrections office or police officer can use force to prevent an escape from a penal institution.
9. Deadly force cannot be used during an escape unless necessary, based on the totality of the circumstances, to prevent death or great bodily harm.

There is a duty to render aid.

There is a duty to intervene in unauthorized use of force without regard to the chain of command.

Officer misconduct is a Class 3 Felony. Misconduct includes misrepresenting facts or failing to provide facts or withholding knowledge of someone misrepresenting facts.

Cash bail to be replaced within 2 years with "conditions of pretrial release."

Pretrial conditions set at initial appearance before judge.

Officers to issue citations instead of custodial arrests for traffic and Class B and C criminal misdemeanors provided there is no threat to the community.

Officers may release a person without bringing them before a judge and issue a summons to appear within 21 days. There is a presumption in favor of pretrial release.

Judge to set pre-detention hearing as an alternative to pretrial release.

SA to notify victims of the defendant's first appearance in court.

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Defendants to be present in court for pretrial conditions (with exceptions).

Revocation process commences in county of arrest.

Defendants with felony warrants in other counties must be taken to the other county within 3 days of completed detention hearing to resolve detention status.

Non Appearance in court does not constitute intent to evade prosecution.

Presumption that the defendant has a right to pretrial release provided he/she attends court proceedings, is not a flight risk or danger. If the defendant is detained, the court must make a written finding as to why and must continue to issue a written order at each hearing.

Court may detain if the defendant fails to attend court.

A nonappearance in court is cured by appearance at the hearing to show cause.

Guidelines for judges to consider pretrial release.

Separate consideration for stalkers.

Sets conditions for revoking pretrial release.

State may contest pretrial release.

Presumption that pretrial release is appropriate.

State's duty to disclose information to defendants prior to pretrial release hearing.

Defendants can use evidence of illegal confession, search or seizure in pretrial release hearing.

In sex offense cases, victim will be given notice of pretrial release hearing and given an opportunity to be heard and file an order of protection.

Individuals in custody must be given the opportunity to make three phone calls as soon as possible after being taken into custody but no later than 3 hours after taken into custody.

Prior to executing a search warrant a supervisor must ensure body cameras are being worn and plans are made to deal with children and vulnerable people at the site.

Gives the Director of Department of Corrections the ability to give credit for prisoners serving various sentences and allows for credit to be given to prisoners who demonstrate a commitment to rehabilitation.

Work release guidelines and allows credit of prisoners engaged in self-improvement programs.

If first offense was committed before the age of 21, the individual cannot be considered a "habitual offender."

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Home detention includes curfew. Electronic monitoring is not required for home detention to be considered custodial.

Those convicted of intent to manufacture and deliver are no longer disqualified from participating in programs.

Changes made regarding which crimes are eligible/not eligible for supervised release.

Additional felonies requiring 85% of sentence. Allows, in certain cases, for inmates to serve in a transition center for 4 months or less.

24-hour confinement not required for electronic monitoring. Electronic monitoring not required for sentencing.

Chief Judge and pretrial service division is considered supervising authority for home detention.

Court given greater discretion in setting home detention parameters.

Requests to move home confinement shall not be unreasonably denied.

Felons must be in violation of electronic monitoring for 48 hours before they are considered a Class 3 felony (same for Class 3 misdemeanor).

Expands definition of victim.

Increases victim's compensation.

Victim's criminal history cannot be used against them to deny compensation.

AG investigates claims under the Victims' Compensation Act and creates timelines for doing so.

Notification of law enforcement of sexual assault (notified if victim goes to hospital for care other than sexual assault).

Training for corrections officers regarding pregnant prisoners and provides certain rights for pre-natal and postnatal prisoners.

Gives courts discretion in granting probation in mandatory minimum cases.

Allows public bodies to go into closed door meetings to deliberate certification and decertification issues.

Exempts from inspection/copying certain documents in the Officer Professional Conduct Database and the Training Standard Board.

Definition of "employee" expanded under Illinois State Employee Indemnification Act.



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Division of Internal Investigation is the investigative body for the Illinois State Police re compliance with the Illinois State Police Act.

Badges, stars, shields, cannot be issued to Board members or staff.

Merit Board has jurisdiction to certify and terminate ISP and standards and qualifications must be published.

Director of ISP can appoint current ISP employees serving as officers in CMS to ISP.

Merit Board to submit annual report to Governor and AG re officer discipline, pass rates, test, promotions, and certifications.

Automatic termination of ISP officers if convicted of felony and certain misdemeanors.

Termination of ISP officer for breach of duty to intervene or making false statements.

Training Act amended to define "full-time law enforcement officer" as one who is fulltime and off probation.

Certain members of ILETSB are ex officio members.

Creates an Illinois Law Enforcement Certification Review Panel.

Automatic decertification for officers found guilty or not contesting certain offenses.

Board investigators shall be law enforcement officers.

Discretionary decertification of officers for failing to intervene in excessive force or for making a false statement. Notice to Board required for these violations.

Proscribes Board review procedures and clear and convincing standard.

State certification is not subject to collective bargaining. Public employers not required to hire decertified officers.

Officers not certified cannot serve as a law enforcement officer in any capacity.

Officers required to report changes of name and criminal histories to Board.

Part-time officers not certified cannot function as law enforcement officers and cannot carry firearms under employer's authority.

Certification process for part-time officers.

Certification suspended when arrested or indicted on felony charge pending hearing.

Verification forms confirming compliance must be submitted every 3 years by officers.

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Board must be notified when an officer resigns during an investigation and a database will be maintained. Database can be used for Brady compliance. Hiring agencies have a duty to check the database before hiring. Database is otherwise confidential. There shall be a separate public database listing officer certification and sustained complaints that result in decertification.

Board to create process of waiver applications for local government.

Grants, revocation, denial of certification is admissible in judicial/administrative proceedings as prima facie evidence of facts stated.

Requires future sheriffs to certify their completion of law enforcement training.

**End**

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