

AN ACT concerning State government.

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

Section 5. The Illinois State Police Act is amended by changing Section 9 as follows:

(20 ILCS 2610/9) (from Ch. 121, par. 307.9)

Sec. 9. Appointment; qualifications.

(a) Except as otherwise provided in this Section, the appointment of Illinois State Police officers shall be made from those applicants who have been certified by the Board as being qualified for appointment. All persons so appointed shall, at the time of their appointment, be not less than 21 years of age, or 20 years of age and have successfully completed an associate's degree or 60 credit hours at an accredited college or university. Any person appointed subsequent to successful completion of an associate's degree or 60 credit hours at an accredited college or university shall not have power of arrest, nor shall he or she be permitted to carry firearms, until he or she reaches 21 years of age. In addition, all persons so certified for appointment shall be of sound mind and body, be of good moral character, be citizens of the United States, have no criminal records, possess such prerequisites of training, education, and

experience as the Board may from time to time prescribe so long as persons who have an associate's degree or 60 credit hours at an accredited college or university are not disqualified, and shall be required to pass successfully such mental and physical tests and examinations as may be prescribed by the Board. A person who meets ~~All persons who meet~~ one of the following requirements is ~~are~~ deemed to have met the collegiate educational requirements:

(i) has ~~have~~ been honorably discharged and who has ~~have~~ been awarded a Southwest Asia Service Medal, Kuwait Liberation Medal (Saudi Arabia), Kuwait Liberation Medal (Kuwait), Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, ~~or~~ Global War on Terrorism Expeditionary Medal, or Inherent Resolve Campaign Medal by the United States Armed Forces;

(ii) is an active member ~~are active members~~ of the Illinois National Guard or a reserve component of the United States Armed Forces and who has ~~have~~ been awarded a Southwest Asia Service Medal, Kuwait Liberation Medal (Saudi Arabia), Kuwait Liberation Medal (Kuwait), Kosovo Campaign Medal, Korean Defense Service Medal, Afghanistan Campaign Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, ~~or~~ Global War on Terrorism Expeditionary Medal, or Inherent Resolve Campaign Medal as a result of honorable service during deployment on active

duty;

(iii) has ~~have~~ been honorably discharged who served in a combat mission by proof of hostile fire pay or imminent danger pay during deployment on active duty; ~~or~~

(iv) has ~~have~~ at least 3 years of full active and continuous United States Armed Forces military duty, which shall also include a period of active duty with the State of Illinois under Title 10 or Title 32 of the United States Code pursuant to an order of the President or the Governor of the State of Illinois, and received an honorable discharge before hiring; ~~or~~ -

(v) has successfully completed basic law enforcement training, has at least 3 years of continuous, full-time service as a peace officer with the same police department, and is currently serving as a peace officer when applying.

Preference shall be given in such appointments to persons who have honorably served in the United States Armed Forces ~~military or naval services of the United States~~. All appointees shall serve a probationary period of 12 months from the date of appointment and during that period may be discharged at the will of the Director. However, the Director may in his or her sole discretion extend the probationary period of an officer up to an additional 6 months when to do so is deemed in the best interest of the Illinois State Police. Nothing in this subsection (a) limits the Board's ability to

prescribe education prerequisites or requirements to certify Illinois State Police officers for promotion as provided in Section 10 of this Act.

(b) Notwithstanding the other provisions of this Act, after July 1, 1977 and before July 1, 1980, the Director of State Police may appoint and promote not more than 20 persons having special qualifications as special agents as he or she deems necessary to carry out the Department's objectives. Any such appointment or promotion shall be ratified by the Board.

(c) During the 90 days following March 31, 1995 (the effective date of Public Act 89-9), the Director of State Police may appoint up to 25 persons as State Police officers. These appointments shall be made in accordance with the requirements of this subsection (c) and any additional criteria that may be established by the Director, but are not subject to any other requirements of this Act. The Director may specify the initial rank for each person appointed under this subsection.

All appointments under this subsection (c) shall be made from personnel certified by the Board. A person certified by the Board and appointed by the Director under this subsection must have been employed by the Illinois Commerce Commission on November 30, 1994 in a job title subject to the Personnel Code and in a position for which the person was eligible to earn "eligible creditable service" as a "noncovered employee", as those terms are defined in Article 14 of the Illinois Pension

Code.

Persons appointed under this subsection (c) shall thereafter be subject to the same requirements and procedures as other State police officers. A person appointed under this subsection must serve a probationary period of 12 months from the date of appointment, during which he or she may be discharged at the will of the Director.

This subsection (c) does not affect or limit the Director's authority to appoint other State Police officers under subsection (a) of this Section.

(d) During the 180 days following January 1, 2022 (the effective date of Public Act 101-652), the Director of the Illinois State Police may appoint current Illinois State Police employees serving in law enforcement officer positions previously within Central Management Services as State Police officers. These appointments shall be made in accordance with the requirements of this subsection (d) and any institutional criteria that may be established by the Director, but are not subject to any other requirements of this Act. All appointments under this subsection (d) shall be made from personnel certified by the Board. A person certified by the Board and appointed by the Director under this subsection must have been employed by ~~the~~ a State agency, board, or commission on January 1, 2021 in a job title subject to the Personnel Code and in a position for which the person was eligible to earn "eligible creditable service" as a "noncovered employee", as

those terms are defined in Article 14 of the Illinois Pension Code. Persons appointed under this subsection (d) shall thereafter be subject to the same requirements, and subject to the same contractual benefits and obligations, as other State police officers. This subsection (d) does not affect or limit the Director's authority to appoint other State Police officers under subsection (a) of this Section.

(e) The Merit Board shall review Illinois State Police Cadet applicants. The Illinois State Police may provide background check and investigation material to the Board for its review pursuant to this Section. The Board shall approve and ensure that no cadet applicant is certified unless the applicant is a person of good character and has not been convicted of, or entered a plea of guilty to, a felony offense, any of the misdemeanors specified in this Section or if committed in any other state would be an offense similar to Section 11-1.50, 11-6, 11-6.5, 11-6.6, 11-9.1, 11-9.1B, 11-14, 11-14.1, 11-30, 12-2, 12-3.2, 12-3.4, 12-3.5, 16-1, 17-1, 17-2, 26.5-1, 26.5-2, 26.5-3, 28-3, 29-1, any misdemeanor in violation of any Section of Part E of Title III of the Criminal Code of 1961 or the Criminal Code of 2012, 32-4a, or 32-7 of the Criminal Code of 1961 or the Criminal Code of 2012, or subsection (a) of Section 17-32 of the Criminal Code of 1961 or the Criminal Code of 2012, to Section 5 or 5.2 of the Cannabis Control Act, or any felony or misdemeanor in violation of federal law or the law of any state that is the equivalent of

any of the offenses specified therein. The Officer Professional Conduct Database, provided for in Section 9.2 of the Illinois Police Training Act, shall be searched as part of this process. For purposes of this Section, "convicted of, or entered a plea of guilty" regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon. This includes sentences of supervision, conditional discharge, or first offender probation, or any similar disposition provided for by law.

(f) The Board shall by rule establish an application fee waiver program for any person who meets one or more of the following criteria:

(1) his or her available personal income is 200% or less of the current poverty level; or

(2) he or she is, in the discretion of the Board, unable to proceed in an action with payment of application fee and payment of that fee would result in substantial hardship to the person or the person's family.

(Source: P.A. 101-374, eff. 1-1-20; 101-652, eff. 1-1-22; 102-538, eff. 8-20-21; 102-694, eff. 1-7-22; 102-813, eff. 5-13-22; revised 8-24-22.)