

LAW UPDATE

2017/2018



ILLINOIS SECRETARY OF STATE DEPARTMENT OF POLICE

Division of Administration
Training Section

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Illinois Vehicle Code

“TOLL HIGHWAY VEH-GVWR” 625 ILCS 5/1-105, 12-215

Effective Date: 08/11/2017

Public Act: [100-0062](#)

Synopsis:

Amends the definition of "authorized emergency vehicle" to include vehicles of the Illinois State Toll Highway Authority with a gross vehicle weight rating of 9,000 pounds or more and those identified as Highway Emergency Lane Patrol (rather than vehicles of the Illinois State Toll Highway Authority identified as Highway Emergency Lane Patrol). Allows vehicles of the Illinois State Toll Highway Authority with a gross vehicle weight of 9,000 pounds or more to use red or white oscillating, rotating, or flashing lights.

“Junk Vehicle/Remittance Agent/Titles/Dealer Bonding” 625 ILCS 5/1-134.1, 171.01a, 3-107, 116,203, 802, 905, 5-101, 102, 503, 305

Effective Date: 01/01/2018

Public Act: [100-0450](#)

Synopsis:

Adds to the definition of "junk vehicle" and "remittance agent". Provides that a certificate of title issued by the Secretary of State shall contain the names and fax numbers or electronic addresses of any lienholders (rather than only the names of the lienholders) and the certificate's expiration date. Provides that the Secretary may issue a certificate of title to an out-of-state resident if the out-of-state resident is a bona fide purchaser of a vehicle or a manufactured home from a dealer licensed in this State and the licensed dealer is no longer operating as a licensed dealer and does not properly transfer the title application to the bona fide purchaser prior to the licensed dealer's business closure. Adds to the special license plates a person may reclassify without a replacement plate fee beginning with the 2019 (rather than 2018) registration year.

Provides that the bond amount required to be deposited with the Secretary for each applicant who intends to act as a remittance agent shall be \$20,000 (rather than \$10,000). Provides that an application for a new vehicle dealer's license or a used vehicle dealer's license shall contain a bond or certificate of deposit in the amount of \$50,000 (rather than \$20,000). Creates provisions concerning rental-purchase agreement vehicle programs. Provides that a licensee that has faithfully and continuously complied with conditions of the bond requirement for new vehicle dealers and used vehicle dealers under the Illinois Vehicle Code for a period of 60 (rather than 36) consecutive months after the effective date of the bill shall be exempt from any further bond requirements under those provisions.

“PARTS/LICENSES/SCHOOLS”
625 ILCS 5/1-118, 6-201, 401

Effective Date: 08/25/2017

Public Act: [100-0409](#)

Synopsis:

Adds to the definition of "essential parts" a bed, front bumper, rear bumper, and, for motorcycles, fairings, fuel tanks, and forks. Removes other items from the definition. Provides that the Secretary of State may cancel any license or permit upon determining that the holder has assisted an out-of-state resident in acquiring an Illinois driver's license or identification card by providing or allowing the out-of-state resident to use his or her Illinois address of residence and is complicit in distributing and forwarding the Illinois driver's license or identification card to the out-of-state resident. Provides that operating a driver training school without a license issued by the Secretary of State is a Class A misdemeanor for a first offense and a Class 4 felony for a second or subsequent offense.

Provides that an automotive parts recycler, scrap processor, repairer, or rebuilder with a business license issued by a municipality that has been revoked or nonrenewed due to fraud or misconduct committed against the municipality within 3 years preceding the effective date of the bill or on or after the effective date of the bill shall not be eligible for a license or license renewal to conduct business as an automotive parts recycler, scrap processor, repairer, or rebuilder under the Code. Provides that no later than 30 days after the effective date of the bill, a municipality that has revoked or nonrenewed the business license of an automotive parts recycler, scrap processor, repairer, or rebuilder shall notify the Secretary of State of the revocation or nonrenewal and shall notify any other municipality in which the former licensee is known to conduct business that the former licensee's business license has been revoked due to fraud or misconduct committed against the municipality. Provides that an application to conduct business as an automotive parts recycler, scrap processor, repairer, or rebuilder shall include a statement indicating if the applicant has been subject to the revocation or nonrenewal of a business license due to fraud or misconduct committed against the municipality. Provides that an automotive parts recycler, scrap processor, repairer, or rebuilder shall be fined \$1,000 for each day it conducts business in this State with a revoked or nonrenewed business license. Limits the concurrent exercise of power by home rule units with regard to municipalities revoking or not renewing the business license of an automotive parts recycler, scrap processor, repairer, or rebuilder.

“VEH-LOW-SPEED ELECTRIC BICYCLE”
625 ILCS 5/1-140.10, 625 ILCS 5/11-1516, 625 ILCS 5/11-1517 (new)

Effective Date: 01/01/2018

Public Act: [100-0209](#)

Synopsis:

Amends the Illinois Vehicle Code. Changes the definition of "low-speed electric bicycle". Provides that provisions of a Chapter in the Code that govern bicycles shall apply to low-speed electric

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bicycles. Provides that each low-speed electric bicycle operating in this State shall comply with equipment and manufacturing requirements adopted by the United States Consumer Product Safety Commission and each Class 3 low-speed electric bicycle shall be equipped with a speedometer that displays the speed the bicycle is traveling in miles per hour. Provides that beginning on or after January 1, 2018, every manufacturer and distributor of low-speed electric bicycles shall apply a label that is permanently affixed to the bicycle containing a classification number, the bicycle's top assisted speed, and the bicycle's motor wattage. Provides that no person shall knowingly modify the speed capability or engagement of a low-speed electric bicycle without replacing the required label. Provides that a Class 2 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the brakes are applied. Provides that a Class 1 low-speed electric bicycle and a Class 3 low-speed electric bicycle shall operate in a manner so that the electric motor is disengaged or ceases to function when the rider stops pedaling. Provides that a person may operate a low-speed electric bicycle upon any bicycle path unless the municipality, county, or local authority with jurisdiction prohibits the use of the bicycles or a specific class on that path. Provides that a person may operate a Class 3 low-speed electric bicycle only if he or she is 16 years of age or older. Provides that a person who is less than 16 years of age may ride as a passenger on a Class 3 low-speed electric bicycle that is designed to accommodate passengers.

Further amends the Illinois Vehicle Code. Provides that the power of local authorities to regulate bicycles includes low-speed electric bicycles and low-speed gas bicycles.

"ACCIDENT REPORT & DATA"

5 ILCS 140/7.5, 625 ILCS 5/1-146.5 (new), 11-408, 411, 412, 414, 417 (new)

Effective Date: 01/01/2018

Public Act: [100-0096](#)

Synopsis:

Removes provisions providing that a written motor vehicle accident report is privileged as to the Secretary of State and the Department of Transportation and shall be held confidential. Provides that the Department may provide for in-depth investigations of accidents involving Department employees or other motor vehicle accidents (rather than investigations of only motor vehicle accidents) by individuals or special investigation groups. Provides that an accident report required to be made in writing shall be made on an approved (rather than appropriate) form or in an approved electronic format provided by the Administrator. Provides that upon written request, the Department shall furnish copies of a written accident report or any supplemental reports to a federal, State, or local agency that is engaged in highway safety research and study and to any person or entity that has a contractual relationship with the Department or a federal, State, or local agency to complete a highway safety research and study for the Department or the federal, State, or local agency. Provides that upon written request, the Department shall furnish motor vehicle accident data to a federal, State, or local agency, the Secretary of State, the Illinois Commerce Commission, or any other person or entity that has a contractual agreement with the Department or a federal, State, or local agency to complete a highway safety research and study for the Department or the federal, State, or local agency. Defines "motor vehicle accident data". Makes conforming changes.

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Removes prohibition against the Secretary of State from disclosing notations of accident involvement maintained on individual driving records.

"VEH CD-REMOTE STARTER"

625 ILCS 5/170.01d (new), 11-1401, 11-1429

Effective Date: 08/25/2017

Public Act: [100-0435](#)

Synopsis:

Amends the Illinois Vehicle Code. Provides an exception for a law enforcement officer or an operator of an authorized emergency vehicle performing his or her official duties to a provision prohibiting a person from leaving a vehicle unattended without first stopping the engine and removing the key from the ignition. Provides that an unattended vehicle shall not include an unattended locked motor vehicle with the engine running after being started by a remote starter system. Defines "remote starter system". Makes conforming changes. Effective immediately.

"SOS-EMAIL NOTIFICATION"

625 ILCS 5/3-104, 405, 6-106, 7-604

Effective Date: 01/01/2018

Public Act: [100-0145](#)

Synopsis:

Provides that an application for a certificate of title, vehicle registration, and license or instruction permit shall include, if available, a person's email address. Provides that in preparation for selection of random samples for verification of a liability insurance policy, the Secretary of State may send to owners of randomly selected motor vehicles requests for information about their motor vehicles and liability insurance coverage electronically or, if electronic means are unavailable, via U.S. mail.

"SALVAGE CERTIFICATE"

625 ILCS 5/3-117.1, 117.3 (new), 5-104.3

Effective Date: 11/09/2017

Public Act: [100-0104](#)

Synopsis:

Provides that an insurance company may, after completing a record search for any owner of a vehicle or a lienholder of record, obtain free of any lien a junking certificate in the insurance company's name by submitting an application to the Secretary of State. Restricts the conditions in which an insurance company or a salvage dealer may obtain free of any lien a junking certificate or a salvage certificate. Provides that, subject to the provided conditions, an insurance company

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or salvage dealer may obtain free of any lien a salvage certificate for any vehicle under the insurance company's name by submitting an application to the Secretary of State. Defines "model year". Provides that a salvage dealer may, after completing a record search for any owner of a vehicle or a lienholder of record, obtain a junking certificate or a salvage certificate by submitting an application to the Secretary. Defines "salvage dealer". Provides that a vehicle owner or a lienholder may send notice of dispute of title within 30 days after notice of transfer of title is sent by the insurance company or salvage dealer to the owner or lienholder. Provides that no dealer licensed under the Code shall sell a vehicle for which a rebuilt title has been issued from another jurisdiction without first obtaining an Illinois certificate of title with a "REBUILT" notation under the Code. Adds penalty provisions.

"EXCESS WEIGHT AG EXEMPT"

625 ILCS 5/3-401, 15-301

Effective Date: 08/11/2017

Public Act: [100-0070](#)

Synopsis:

Provides that upon a declaration by the Governor that an emergency harvest situation exists, a special permit issued by the Department of Transportation shall be required from September 1 through December 31 during harvest season emergencies for a vehicle that exceeds the maximum axle weight and gross limits or a vehicle that exceeds its registered gross weight, provided that the vehicle's axle weight and gross weight do not both exceed 10% above the maximum specified limits, and does not exceed the vehicle's registered gross weight by 10%. Provides that all other restrictions that apply to permits issued shall apply during the declared time period and no fee shall be charged for the issuance of those permits. Provides that the permits issued by the Department are only valid on federal and State highways under the jurisdiction of the Department, except interstate highways. Provides that with respect to highways under the jurisdiction of local authorities, the local authorities may, at their discretion, waive special permit requirements during harvest season emergencies, and set a divisible load weight limit not to exceed 10% of a vehicle's registered gross weight, provided that the vehicle's axle weight and gross weight do not exceed 10% above the maximum specified limits. Provides that any vehicle operating under an emergency harvest permit shall not be in violation of a Section concerning the effect of provisions within the original and renewal of registration Article of the Illinois Vehicle Code.

"VOLUNTEERISM PLATES"

625 ILCS 5/3-699.14

Effective Date: 01/01/2018

Public Act: [100-0057](#)

Synopsis:

Amends the Illinois Vehicle Code to allow for the issuance volunteerism special license plate decals by the Illinois Department of Human Services. Provides for the original fee, renewal fees,

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and fee distribution for the volunteerism decals issued by the Illinois Department of Human Services.

"HORSEMEN COUNCIL PLATE"

625 ILCS 5/3-699.14, 30 ILCS 105/5.875 (new)

Effective Date: 01/01/2018

Public Act: [100-0078](#)

Synopsis:

Creates the Horsemen's Council of Illinois Fund as a special fund in the State treasury. Amends the Illinois Vehicle Code to allow for the issuance of decals for Universal special license plates by the Horsemen's Council of Illinois. Provides for the original fee, renewal fees, and fee distribution for Universal special license plates with decals issued by the Horsemen's Council of Illinois.

"US COAST GUARD PLATES"

625 ILCS 5/3-699.15 (new)

Effective Date: 08/11/2017

Public Act: [100-0073](#)

Synopsis:

Provides for the issuance of U.S. Coast Guard license plates. Provides that an applicant shall pay \$26 for the original issuance of the plate, in addition to any appropriate registration fees. Of this fee, \$11 shall be deposited into the Illinois Veterans' Homes Fund and \$15 shall be deposited into the Secretary of State Special License Plate Fund. Provides that for each registration renewal period, an applicant shall pay a \$26 fee in addition to any appropriate registration fees. Of this fee, \$24 shall be deposited into the Illinois Veterans' Homes Fund and \$2 shall be deposited into the Secretary of State Special License Plate Fund.

"VEH CD-MANDATORY VEH INSURANCE"

625 ILCS 5/3-707, 625 ILCS 5/7-601

Effective Date: 01/01/2018

Public Act: [100-0202](#)

Synopsis:

Amends the Illinois Vehicle Code. Reinforces that no person shall operate, register, or maintain registration of a motor vehicle in this State unless the motor vehicle is covered by a liability insurance policy.

“LABOR & STORAGE LIENS-NOTICES”
625 ILCS 5/4-203, 4-216(new)

Effective Date: 11/22/2017

Public Act: [100-0311](#)

Synopsis:

Amends the Labor and Storage Lien Act and the Labor and Storage Lien (Small Amount) Act. Provides that a person, firm, or private corporation seeking to impose fees in connection with the furnishing of storage for a vehicle shall provide notice of the fees to the lienholder of record. Provides that the notice shall be sent return receipt requested and that the entity seeking to impose fees shall furnish a copy of the certified mail receipt to the lienholder upon request. Provides that the notification requirements apply in addition to any owner and lienholder notice requirements under the Illinois Vehicle Code relating to the removal or towing of an abandoned, lost, stolen, or unclaimed vehicle. Provides penalties for noncompliance. Provides that notwithstanding any provision to the contrary, a person, firm, or private corporation seeking to impose storage fees for a vehicle in its possession may not foreclose or otherwise enforce its lien unless it first complies with specified notification requirements. Provides that storage fees may be paid by, among other methods, debit card and credit card. Makes corresponding changes in the Illinois Vehicle Code. Further amends the Illinois Vehicle Code. Provides that a towed vehicle must be returned to, among other entities, a lienholder, within 30 minutes if requested during business hours. Effective immediately.

Provides that if the vehicle that is incurring fees is registered in a state other than Illinois, the assessment and accrual of storage fees may commence on the date that the request for lienholder information is filed by the commercial vehicle relocater or other private towing service with the applicable administrative agency or office in that state if specified conditions are met. Provides that provisions in the Labor and Storage Lien Act and the Labor and Storage Lien (Small Amount) Act do not apply to a municipality with 1,000,000 or more inhabitants that is seeking to impose storage fees for a vehicle in its possession.

Provides that lienholders shall be provided with the opportunity to inspect a vehicle on the premises where the vehicle is stored within 2 business days of the lienholder's request. Provides that certain notices shall be provided to lienholders of record within 2 business days rather than within one business day.

“DHS-CONOR'S LAW”
20 ILCS 2605/2605-54 (new), 50 ILCS 705/10.17-5 (new)
625 ILCS 5/4-203

Effective Date: 06/01/2018

Public Act: 100-0537

Synopsis:

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Amends the Illinois Police Training Act. Provides that Illinois Law Enforcement Training Standards Board shall create a model policy to train law enforcement officers to respond to a person arrested while under the influence of alcohol or drugs and the eventual release of that person from custody. Provides that the Board shall create a separate model policy for the release of persons arrested under the influence of alcohol or drugs who are under the age of 21 years of age. Provides that this policy shall include, but not be limited to, language requiring the arresting officer to make a reasonable attempt to contact a responsible adult who is willing to take custody of the person who is under the influence of alcohol or drugs. Amends the Civil Administrative Code of Illinois Department of State Police Law. Provides that the Department of State Police shall adopt a policy and provide training to State Police officers concerning response and care for persons under the influence of alcohol or drugs. Provides that the policy shall be consistent with the Alcoholism and Other Drug Abuse and Dependency Act and shall provide guidance for the arrest of persons under the influence of alcohol or drugs, proper medical attention if warranted, and care and release of those persons from custody. Provides that the policy shall provide guidance concerning the release of persons arrested under the influence of alcohol or drugs who are under the age of 21 years of age which shall include, but not be limited to, language requiring the arresting officer to make a reasonable attempt to contact a responsible adult who is willing to take custody of the person who is under the influence of alcohol or drugs. Amends the Illinois Vehicle Code. Provides that whenever a peace officer reasonably believes that a person under arrest for a violation of driving while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds or any combination thereof or a similar provision of a local ordinance is likely, upon release, to commit a subsequent violation, or a similar provision of a local ordinance, the arresting officer shall have the vehicle which the person was operating at the time of the arrest impounded for a period of 12 hours after the time of arrest (rather than for not more than 12 hours)

“REAL ID COMPLIANT CARDS”

15 ILCS 335/1A, 335/2, 335/4D, 335/5, 335/8, 625 ILCS 5/6-100, 100.5 (new), 103, 106, 115, 121

Effective Date: 08/22/2017

Public Act: [100-0248](#)

Synopsis:

Amends the Illinois Identification Card Act. Provides that the Secretary of State shall refuse to issue a REAL ID compliant identification card to any person who has been issued a REAL ID compliant driver's license under the Illinois Vehicle Code. Provides that any person may surrender a REAL ID compliant driver's license in order to become eligible to obtain a REAL ID compliant identification card. Provides that the Secretary may issue both REAL ID compliant identification cards and non-compliant identification cards, and may permit applicants to designate which type of identification card they wish to receive. Provides that all provisions applicable to non-compliant identification cards shall also apply to REAL ID compliant identification cards, except where the provisions are inconsistent with the REAL ID Act and implementing regulations. Requires the Secretary to establish by rule the date on which issuance of REAL ID compliant identification cards will begin. Provides for the issuance of confidential identification cards as either REAL ID compliant identification cards or non-compliant identification cards. Provides that every identification card or Illinois Person with a Disability Identification Card issued to an applicant who is not a United States citizen or permanent resident shall be marked "Limited Term" and shall expire, if the earliest among other potential expiration

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dates, one year from the date of issuance of a Limited Term REAL ID compliant identification card. Amends the Illinois Vehicle Code to make similar changes concerning issuance of driver's licenses. Defines terms. Makes conforming changes. Provides that non-compliant identification cards and driver's licenses shall be marked "Not for Federal Identification" instead of "Not Acceptable for Federal Purposes".

"REPORT TO SOS-DUI" 625 ILCS 5/6-204

Effective Date: 08/11/2017

Public Act: [100-0074](#)

Synopsis:

Provides that public officials shall report to the Secretary of State when an individual has been adjudicated under the Juvenile Court Act or the Juvenile Court Act of 1987 and has committed a violation of a provision in the Snowmobile Registration and Safety Act or the Boat Registration and Safety Act relating to the offense of operating a snowmobile or a watercraft while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof. Provides that public officials shall forward a report on any disposition of court supervision for an individual's violation of a provision in the Snowmobile Registration and Safety Act or the Boat Registration and Safety Act relating to the offense of operating a snowmobile or a watercraft while under the influence of alcohol, other drug or drugs, intoxicating compound or compounds, or combination thereof.

"VEH CD-MISCELLANEOUS" 625 ILCS 5/6-205, 625 ILCS 5/6-500

Effective Date: 08/18/2017

Public Act: [100-0223](#)

Synopsis:

Provides that the Secretary of State shall immediately revoke the license, permit, or driving privileges of any driver who commits overtaking or passing of a school bus when the driver, in committing the violation, is involved in a motor vehicle accident that results in death to another and the violation is a proximate cause of the death. Adds to the definition of "medical examiner's certificate" an electronic submission of results of an examination conducted by a medical examiner listed on the National Registry of Certified Medical Examiners to the Federal Motor Carrier Safety Administration of a driver to medically qualify him or her to drive. Provides that beginning June 22, 2018, the Secretary shall post to a Commercial Driver License Information System driver record within one business day of electronic receipt from the Federal Motor Carrier Safety Administration certain information about a driver who has certified himself or herself as non-excepted interstate. Provides that the Secretary may waive a general knowledge test waiver for an applicant of a commercial learner's permit if the applicant: (1) is a current resident of this State; (2) is a current or former member of the military services; (3) within one year prior to the application, has been regularly employed in a military position that requires the operation of large trucks; (4) has received formal military training in the operation of a vehicle similar to the

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commercial motor vehicle the applicant expects to operate; and (5) provides the Secretary with a general knowledge test waiver form certifying that the applicant qualifies for the general knowledge test waiver. Makes conforming changes.

"AGG DUI-DEATH-LIMITATION" 625 ILCS 5/6-303

Effective Date: 01/01/2018

Public Act: [100-0149](#)

Synopsis:

Amends the Illinois Vehicle Code. Provides that the penalties for driving or being in actual physical control of a motor vehicle on any highway of this State at a time when the person's driver's license, permit or privilege to do so or the privilege to obtain a driver's license or permit is revoked or suspended because of a violation of the reckless homicide statute also applies to aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of the death of another person. Amends the Criminal Code of 2012. Provides that a prosecution for aggravated driving under the influence of alcohol, other drug or drugs, or intoxicating compound or compounds, or any combination thereof when the violation was a proximate cause of the death of another person may be commenced at any time.

"ORDINANCE-AUTONOMOS VEH" 625 ILCS 5/11-208

Effective Date: 06/01/2018

Public Act: [100-0352](#)

Synopsis:

Provides that a unit of local government, including a home rule unit, may not enact an ordinance prohibiting the use of Automated Driving System equipped vehicles on its roadways. Defines "Automated Driving System equipped vehicle". Limits the concurrent exercise of home rule powers.

"TRANSPORTATION-TECH" 625 ILCS 5/11-216 (new)

Effective Date: 01/01/2018

Public Act: [100-0357](#)

Synopsis:

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Amends the Illinois Vehicle Code. Provides that the Secretary of State shall include in its commercial drivers license curriculum and study guide information on the human trafficking problem in this State.

"BICYCLES-MISC"

625 ILCS 5/11-703, 707, 709.1, 1505, 1507

Effective Date: 08/07/2017

Public Act: [100-0359](#)

Synopsis:

Provides that a driver of a motor vehicle may overtake and pass to the left of a bicycle proceeding in the same direction on a portion of a highway designated as a no-passing zone when: (1) the bicycle is traveling at a speed of less than half of the posted speed limit of the highway; (2) the driver is able to overtake and pass the bicycle without exceeding the posted speed limit of the highway; and (3) there is sufficient distance to the left of the centerline of the highway for the motor vehicle to meet the overtaking and passing requirements in the Code. Provides that the rear of a bicycle may be equipped with a lamp emitting a steady or flashing red light (rather than only a red light) visible from a distance of 500 feet in addition to or instead of a red reflector (rather than in addition to a red reflector).

"DEALERSHIP-WINDSHIELD"

625 ILCS 5/12-503

Effective Date: 01/01/2018

Public Act: [100-0346](#)

Synopsis:

Provides that no new or used motor vehicle dealer shall permit a driver to drive a motor vehicle offered for sale or lease off premises where the motor vehicle is being offered for sale or lease, including when the driver is test driving the vehicle, with signs, decals, paperwork, or other material on the front windshield or on the windows immediately adjacent to each side of the driver that would obstruct the driver's view. Defines "test driving".

"VEH CD-POLICE&FIRE VEHS-SIREN"

625 ILCS 5/12-601

Effective Date: 01/01/2018

Public Act: [100-0182](#)

Synopsis:

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Amends the Illinois Vehicle Code. Provides that a vehicle operated by a fire chief or the Director or Coordinator of a municipal or county emergency services and disaster agency may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet.

"VEH CD-SCHOOL BUS-IDENTIFICATION" 625 ILCS 5/12-806

Effective Date: 01/01/2018

Public Act: [100-0277](#)

Synopsis:

Amends the Illinois Vehicle Code. Provides that whenever a school district, religious organization, vendor of school busses, or a school bus company whose main source of income is contracting with a school district or religious organization for the provision of transportation services in connection with the activities of a school district or religious organization, discards through either sale or donation, a school bus to an individual or entity, the recipient of the school bus shall be responsible for immediately removing, covering, or concealing the "SCHOOL BUS" signs and any other insignia or words indicating the vehicle is a school bus, rendering inoperable or removing entirely the stop signal arm and flashing signal system, and painting the bus a color different from those required under the Code.

"VEH CD-SCHOOL BUS-ACTIVITY" 625 ILCS 5/12-825 (new)

Effective Date: 01/01/2018

Public Act: [100-0241](#)

Synopsis:

Amends the Illinois Vehicle Code. Provides that a school bus that operates under the added provision may be used for the transportation of passengers other than students enrolled in grade 12 or below for activities that do not involve either a public or private educational institution if the school bus driver or school bus owner (rather than solely the school bus driver) complies with certain conditions.

"VEH CD-VEH SAFETY TEST" 625 ILCS 5/13-109

Effective Date: 08/18/2017

Public Act: [100-0160](#)

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Synopsis:

Amends the Illinois Vehicle Code. Provides that a truck tractor in combination with a semitrailer shall be subject to a safety test at an official testing station at least every 12 months (rather than 6 months).

“LENGTH AND SIZE REQ”

625 ILCS 5/15-107, 605 ILCS 5/9-113.02

Effective Date: 01/01/2018

Public Act: [100-0343](#)

Synopsis:

Provides that the maximum length of a truck tractor in combination with a semitrailer may not exceed 65 feet (rather than 55 feet) overall dimension on all non-State highways. Removes the requirement that truck tractor-semitrailer combinations must have no more than a maximum 55 feet overall wheel base on Class III roadways and other non-designated State highways. Provides that the distance between the kingpin and the axle of a semitrailer longer than 48 feet, in combination with a truck tractor, may not exceed 42 feet 6 inches, unless the trailer or semitrailer is used for the transport of livestock.

Provides that any agency or instrumentality of the State of Illinois or unit of local government may seek recovery for the cost of the repair of damaged or destroyed highways, highway structures, or traffic-control devices that result from operating, driving, or moving a truck tractor-semitrailer combination exceeding 55 feet in overall dimension. Amends the Illinois Vehicle Code. Provides that an agency or instrumentality of the State of Illinois or any unit of local government shall not be required to widen or otherwise alter a non-State highway, Class III highway, or other non-designated State highway constructed before the effective date of the bill to accommodate the increase in dimension of a truck tractor-semitrailer combination.

“FIRE&EMRGNCY VEH-WEIGHT”

625 ILCS 5/15-101, 111

Effective Date: 01/01/2018

Public Act: [100-0366](#)

Synopsis:

Provides that except for weight limits on Class I highways under a Chapter in the Code governing size, weight, load, and permits, the provisions under that Chapter governing size, weight, and load (rather than size and load) do not apply to fire apparatus or emergency vehicles (rather than only fire apparatus). Provides weight limits for a fire apparatus designed to be used in emergency conditions to transport personnel and equipment, and used to support the suppression of fires and mitigation of other hazardous situations, on a Class I highway.

"CARRIER-AUTHORITY NUMBER"

625 ILCS 5/18c-4701

Effective Date: 08/25/2017

Public Act: [100-0369](#)

Synopsis:

Provides that an interstate carrier operating intrastate may operate a motor vehicle upon the public roads of this State without the intrastate authority number (rather than the authority number) painted or affixed on the cab or power unit. Provides that the added provision does not apply to household goods carriers.

"INS-ELECTRONIC VERIFY"

5 ILCS 140/7.5, 20 ILCS 3930/7, 4005/1, 2, 3, 4, 6, 7, 8, 8.5, 12, 30 ILCS 105/5, 5.295, 625 ILCS 5/4 -109, 7-603.5 (new), 604, 607

Effective Date: 01/01/2018

Public Act: [100-0373](#)

Synopsis:

Provides that the Secretary of State may implement an electronic motor vehicle liability insurance policy verification program to verify insurance coverage of motor vehicles required to be operated with liability insurance under the Code. Provides for information that an insurance company authorized to sell motor vehicle liability insurance in this State shall make available upon request to the Secretary. Provides that if the Secretary implements the program, he or she shall verify insurance coverage at least twice per calendar year and, if unable to verify coverage, shall provide the vehicle owner written notice allowing the owner 30 calendar days to provide proof of insurance on the date of the attempted verification or proof that the vehicle is inoperable. If the vehicle owner provides proof of insurance, the Secretary may verify the proof with the vehicle owner's insurance company. If the vehicle owner fails to respond to the notice or is unable to provide proof of coverage or proof that the vehicle is inoperable, the Secretary shall suspend the vehicle's registration. Amends the Freedom of Information Act. Makes conforming changes. Amends the Illinois Motor Vehicle Theft Prevention Act. Changes the title of the Act to the Illinois Motor Vehicle Theft Prevention and Insurance Verification Act. Provides that the Secretary of State shall appoint members of the Council (rather than the Governor) and the Director of the Department of State Police shall be the Chairman of the Council. Provides that the Council shall provide funding to the Secretary for the creation, implementation, and maintenance of an electronic motor vehicle liability insurance policy verification program. Makes conforming changes. Amends the State Finance Act to make conforming changes.

Further amends the Illinois Motor Vehicle Theft Prevention Act. Provides that the Director of the Secretary of State Department of Police (rather than the Director of State Police) shall be the

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Chairman of the Illinois Motor Vehicle Theft Prevention and Insurance Verification Council. Provides that the Secretary of State (rather than the Director of State Police) shall employ administrative, professional, clerical, and other personnel to effectuate the purposes of the Act. Provides that on or before January 1, 2019 (rather than April 1, 1992), the Council shall report annually to the Governor, General Assembly, and, upon request, to members of the general public on the Council's activities in the preceding year. Provides that the Motor Vehicle Theft Prevention and Insurance Verification Trust Fund shall be administered by the Secretary (rather than the Director of State Police) at the direction of the Council. Provides that money in the Trust Fund shall be used, amongst other purposes, to pay the Secretary's costs to administer the Council and the Trust Fund and to provide funding to the Secretary's Vehicle Services Department for the creation, implementation, and maintenance of an electronic motor vehicle liability insurance policy verification program by allocating no more than 75% of each dollar collected for the first calendar year after the effective date of the bill and no more than 50% of each dollar collected for every other year after the first calendar year. Provides that the Secretary shall distribute the funds to the Vehicle Services Department at the beginning of each calendar year. Further amends the Illinois Vehicle Code. Provides that the development and implementation of an electronic motor vehicle liability insurance policy verification program shall be consistent with the standards and procedures of a nationwide organization whose primary membership consists of individual insurance companies and insurance trade associations. Provides that the program shall include a requirement that the Secretary may consult with members of the insurance industry during the implementation of the program, including, but not limited to, during the drafting process for adopting any rules that may be necessary to implement or manage the program and a requirement that commercial lines of automobile insurance are excluded from the program, but may voluntarily report insurance coverage to the State. Provides that an insurer identified by an electronic motor vehicle liability insurance policy program as insuring less than 1,000 vehicles per year shall be exempt from the reporting requirements of the program.

Provides that the Illinois Motor Vehicle Theft Prevention and Insurance Verification Council shall make grants to deter and investigate recyclable metal theft and to law enforcement agencies to assist in the prosecution of recyclable metal theft.

Illinois Criminal Code/Other

"Seizure and Forfeiture Reporting Act"

New Act

Effective Date: 07/01/2018

Public Act: [100-0512](#)

Synopsis:

Creates the Seizure and Forfeiture Reporting Act. Provides that various forfeiture statutes are subject to reporting by law enforcement agencies concerning the name of the law enforcement agency that seized the property, the date of the seizure, the type of property seized, including a building, vehicle, boat, cash, negotiable security, or firearm, except reporting is not required for seizures of contraband including alcohol, gambling devices, drug paraphernalia, and controlled

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substances, a description of the property seized and the estimated value of the property and if the property is a conveyance, the description shall include the make, model, year, and vehicle identification number or serial number, and the location where the seizure occurred. Provides that the Department of State Police shall establish and maintain on its official website a public database that includes annual aggregate data for each law enforcement agency that reports seizures of property that receives distributions of forfeiture proceeds subject to reporting under the Act, or reports expenditures. Provides that the aggregate data shall include, for each law enforcement agency: (1) the total number of asset seizures reported by each agency during the calendar year; (2) the monetary value of all currency or its equivalent seized by the agency during the calendar year; (3) the number of conveyances seized by the agency during the calendar year, and the aggregate estimated value; (4) the aggregate estimated value of all other property seized by the agency during the calendar year; (5) the monetary value of distributions by the Department of State Police of forfeited currency or auction proceeds from forfeited property to the agency during the calendar year; (6) the total amount of the law enforcement agency's expenditures of forfeiture proceeds during the calendar year. Makes other changes. Makes conforming changes to various Acts.

"Illinois TRUST Act"

New Act

Effective Date: 08/28/2017

Public Act: [100-0463](#)

Synopsis:

Creates the Illinois TRUST Act. Prohibits law enforcement agencies and officials from detaining or continuing to detain an individual solely on the basis of an immigration detainer or non-judicial immigration warrant or from otherwise complying with an immigration detainer or non-judicial immigration warrant. Provides for law enforcement training on compliance with the Illinois TRUST Act. Defines terms.

"POLICE TRAINING"

50 ILCS 705/7, 50 ILCS 705/10.17

Effective Date: 01/01/2018

Public Act: [100-0247](#)

Synopsis:

Amends the Illinois Police Training Act. Provides that the curriculum for probationary officers and in-service training requirements shall include mental health awareness and response (in the introduced bill, crisis intervention team training for probationary police officers employed by law enforcement agencies located in counties of more than 3,000,000 inhabitants). Provides that the Illinois Law Enforcement Training Standards Board shall create an introductory course incorporating adult learning models that provides law enforcement officers with an awareness of mental health issues including a history of the mental health system, types of mental health illness including signs and symptoms of mental illness and common treatments and medications,

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and the potential interactions law enforcement officers may have on a regular basis with these individuals, their families, and service providers including de-escalating a potential crisis situation (in the introduced bill, the Board shall conduct Crisis Intervention Team training programs that identify signs and behaviors of domestic violence victims and perpetrators, to de-escalate situations involving individuals who appear to have a mental illness and situations involving domestic violence, and connect persons in crisis to treatment, emergency assistance, or other necessary services). Provides that this course, in addition to other traditional learning settings, may be made available in an electronic format. Deletes language in the introduced bill providing that beginning January 1, 2018, all probationary officers employed by law enforcement agencies located in counties of more than 3,000,000 inhabitants, including probationary part-time officers and university police officers, shall be required to complete Crisis Intervention Team training as part of initial minimum basic training requirements. Makes other technical changes.

“POLICE SHOOTING-DRUG TEST” **50 ILCS 727/1-25 (new)**

Effective Date: 08/25/2017

Public Act: [100-0389](#)

Synopsis:

Amends the Police and Community Relations Improvement Act. Provides that each law enforcement agency shall adopt a written policy regarding drug and alcohol testing following an officer-involved shooting. Provides that the written policy adopted by the law enforcement agency must include the following requirements: (1) each law enforcement officer who is involved in an officer-involved shooting must submit to drug and alcohol testing; and (2) the drug and alcohol testing must be completed as soon as practicable after the officer-involved shooting but no later than the end of the involved officer's shift or tour of duty. Defines "officer-involved shooting" as any instance when a law enforcement officer discharges his or her firearm, causing injury or death to a person or persons, during the performance of his or her official duties or in the line of duty.

“MUNI-PD COLLEGE REQUIREMENTS” **65 ILCS 5/10-2.1-6**

Effective Date: 09/08/2017

Public Act: [100-0467](#)

Synopsis:

Amends the Illinois Municipal Code. Provides that the requirement that a police applicant possess an associate's degree may also be waived if the applicant has successfully received credit for a minimum of 60 credit hours toward a bachelor's degree from an accredited college or university (currently, this requirement may be waived only if the applicant has served for 24 months of active duty or 180 days combat duty in the United States Armed Forces).

"SCH CD-BOOKING STATIONS"
105 ILCS 5/10-20.60 (new)

Effective Date: 08/18/2017
Public Act: [100-0204](#)

Synopsis:

Amends the School Code. Provides that there shall be no student booking station established or maintained on the grounds of any school. Provides that the prohibition shall be applied to student booking stations only, and does not prohibit or affect the establishment or maintenance of any place operated by or under the control of law enforcement personnel, school resource officers, or other security personnel that does not also qualify as a student booking station. Provides that the prohibition does not affect or limit the powers afforded law enforcement officers to perform their duties within schools as otherwise prescribed by law. Allows the use of temporary detention spaces under certain circumstances. Defines "student booking station".

"MISSING CHILD RPT-HOTLINE INFO"
325 ILCS 40/7.2

Effective Date: 01/01/2018
Public Act: 100-0438

Synopsis:

Amends the Intergovernmental Missing Child Recovery Act of 1984. Provides that at the time of first contact with an individual making a report of a missing child who is under 18 years of age, the local law enforcement agency shall provide the individual with information, the contents of which shall be prepared by the Office of the Attorney General and posted on its website, that includes, but is not limited to, the following: (i) the 24-hour toll-free telephone numbers for the National Center for Missing and Exploited Children and the National Runaway Safeline; and (ii) a description of the services provided to families of missing children by the National Center for Missing and Exploited Children and the National Runaway Safeline. Provides that the information may be provided by the local law enforcement agency in a format that includes, but is not limited to, written materials for distribution or a posting on the official website of the local law enforcement agency.

"CRIM CD-LIMITATION-SEX OFFENSE"
720 ILCS 5/3-6

Effective Date: 08/11/2017
Public Act: [100-0080](#)

Synopsis:

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Amends the Criminal Code of 2012. Provides that when the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual abuse, or criminal sexual abuse may be commenced at any time regardless as to whether corroborating physical evidence is available or an individual who is required to report an alleged or suspected commission of any of these offenses under the Abused and Neglected Child Reporting Act fails to do so. Makes conforming changes.

“Involuntary Servitude/Trafficking Extended Limitation” **720 ILCS 5/3-6**

Effective Date: 08/24/2017

Public Act: [100-0318](#)

Synopsis:

Amends the Criminal Code of 2012. Provides that when the victim is under 18 years of age at the time of the offense, a prosecution for involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons and related offenses may be commenced within 25 years (rather than one year) of the victim attaining the age of 18 years. Deletes provision that however, in no such case shall the time period for prosecution expire sooner than 3 years after the commission of the offense.

“CRIM PRO-PROTECTIVE ORDERS” **720 ILCS 5/12-3.8 (new), 720 ILCS 5/12-3.9 (new)**

Effective Date: 01/01/2018

Public Act: [100-0199](#)

Synopsis:

Amends the Code of Criminal Procedure of 1963. Revises and consolidates provisions regarding obtaining and issuing orders of protection, protective orders, and no contact orders. Repeals various provisions in the domestic violence order of protection provisions as part of the revision and consolidation. Creates a criminal offense for violation of a civil no contact order and for violation of a stalking no contact order. Makes a first violation a Class A misdemeanor and a second or subsequent a Class 4 felony. Makes conforming changes

Provides that a civil no contact order or stalking no contact order issued by a state, tribal, or territorial court shall be deemed valid if the issuing court had jurisdiction over the parties and matter under the law of the state, tribe or territory. Provides that a defendant who directed the actions of a third party to violate a civil no contact order or stalking no contact order under the principles of accountability under the Criminal Code of 2012 as if the same had been personally done by the defendant, without regard to the mental state of the third party acting at the direction of the defendant. Provides that a petitioner or the State's Attorney on the petitioner's behalf may file a motion to vacate or modify a permanent stalking no contact order 2 years or more after the expiration of the defendant's sentence. Deletes language providing that the petitioner shall not be

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denied a stalking no contact order because the petitioner is a minor. Makes other technical changes.

“CRIM CD-HATE CRIME-CIVIL PNLTY”

720 ILCS 5/12-7.1

Effective Date: 01/01/2018

Public Act: [100-0197](#)

Synopsis:

Amends the Criminal Code of 2012. Provides that a person also commits hate crime when, by reason of the actual or perceived race, color, creed, religion, ancestry, gender, sexual orientation, physical or mental disability, or national origin of another individual or group of individuals, regardless of the existence of any other motivating factor or factors, he or she commits intimidation, stalking, cyberstalking, or transmission of obscene messages. Provides that independent of any criminal prosecution or the result of a criminal prosecution, any person suffering intimidation, stalking, cyberstalking, disorderly conduct, transmission of obscene messages, harassment by telephone, or harassment through electronic communications may bring a civil action for damages, injunction or other appropriate relief. Provides that the Attorney General may bring an action for civil damages for a hate crime in the name of the People of the State. Provides that the court shall impose a civil penalty of \$25,000 for each violation of the hate crime statute.

Provides that the Attorney General may bring a civil action as a result of a hate crime after consulting with the local State's Attorney. Provides that the court may (rather than shall) impose a civil penalty up to (rather than of) \$25,000 for each hate crime violation.

limits a hate crime committed by intimidation to: (A) intimidation committed by the infliction of physical harm on the person threatened or any other person or on property; (B) subjecting any person to physical confinement or restraint; or (C) committing a felony or Class A misdemeanor; (2) provides that after consulting with the local State's Attorney, the Attorney General may bring a civil action in the name of the People of the State for an injunction or other equitable relief for a hate crime; and (3) provides that the Attorney General may request and the court may impose a civil penalty up to \$25,000 for each violation of the hate crime statute.

“CRIM CD-ILLEGAL ELECTRONIC MON”

720 ILCS 5/12-7.5

Effective Date: 01/01/2018

Public Act: [100-0166](#)

Synopsis:

Amends the Criminal Code of 2012. Provides that person also commits cyberstalking when he or she knowingly, surreptitiously, and without lawful justification, installs or otherwise places electronic monitoring software or spyware on an electronic communication device as a means to harass another person and: (1) at any time transmits a threat of immediate or future bodily harm,

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sexual assault, confinement, or restraint and the threat is directed towards that person or a family member of that person; (2) places that person or a family member of that person in reasonable apprehension of immediate or future bodily harm, sexual assault, confinement, or restraint; or (3) at any time knowingly solicits the commission of an act by any person which would be a violation of this Code directed towards that person or a family member of that person. Provides exemptions. Defines "electronic communication device" and "electronic monitoring software or spyware".

"CRIM CD-PARTIC GANG ACTIVITY"

720 ILCS 5/25-5

Effective Date: 01/01/2018

Public Act: [100-0279](#)

Synopsis:

Amends the Criminal Code of 2012. Changes the offense of unlawful contact with streetgang members to unlawful participation in streetgang related activity. Provides that a person commits the offense when he or she knowingly commits any act in furtherance of streetgang related activity (rather than has direct or indirect contact with a streetgang member). Provides that a violation is a Class A misdemeanor.

"GROOMING & TRAVELING MEET CHILD"

720 ILCS 4026/10, 720 ILCS 5/11-9.3, 25, 26, 730 ILCS 150/2

Effective Date: 08/25/2017

Public Act: [100-0428](#)

Synopsis:

Amends the Criminal Code of 2012. In the statute concerning grooming, defines "child" as a person under 17 years of age. Changes the statute concerning traveling to meet a minor. Changes the offense to traveling to meet a child. Defines "child" as a person under 17 years of age. Amends the Sex Offender Management Board Act and the Sex Offender Registration Act to make conforming changes.

“Law Enforcement Criminal Sexual Assault Investigation Act” **New Act, 50 ILCS 705/7.7**

Effective Date: 01/01/2018

Public Act: [100-0515](#)

Synopsis:

Creates the Law Enforcement Criminal Sexual Assault Investigation Act. Provides that each law enforcement agency shall have a written policy regarding the investigation of officer-involved criminal sexual assault that involves a law enforcement officer employed by that law enforcement agency. Provides that each officer-involved criminal sexual assault investigation shall be conducted by at least 2 investigators or an entity comprised of at least 2 investigators, one of whom shall be the lead investigator. Provides that the lead investigator shall attend a training course offered by the Illinois Law Enforcement Training Standards Board as a sexual assault investigator, or similar training approved by the Illinois Law Enforcement Training Standards Board or the Department of State Police, or similar training provided at an Illinois Law Enforcement Training Standards Board certified school. Provides that no investigator involved in the investigation may be employed by the law enforcement agency that employs the officer involved in the officer-involved criminal sexual assault, unless the investigator is employed by the Department of State Police or a municipality with a population of over 1,000,000 and is not assigned to the same division or unit as the officer involved in the criminal sexual assault. Provides that the investigators conducting the investigation shall, in an expeditious manner, provide a complete report to the State's Attorney of the county in which the officer-involved criminal sexual assault occurred. Provides that the Act does not prohibit a law enforcement agency from conducting an internal investigation into the officer-involved criminal sexual assault if the internal investigation does not interfere with the investigation. Provides that compensation for participation in an investigation of an officer-involved criminal sexual assault under the Act may be determined in an intergovernmental or interagency agreement. Provides that no investigator of an officer-involved criminal sexual assault may be employed by the law enforcement agency that employs the officer involved in the criminal sexual assault, unless the investigator is employed by the Department of State Police or a municipality with a population over 1,000,000 and is not assigned to the same division or unit as the officer involved in the criminal sexual assault (rather than unless the investigator is employed by the Department of State Police). Provides that upon receipt of an allegation or complaint of an officer-involved criminal sexual assault, a municipality with a population over 1,000,000 shall promptly notify an independent agency, created by ordinance of the municipality, tasked with investigating incidents of police misconduct. Defines terms.

“INFECTIOUS DISEASE TESTING” **Infectious Disease Testing Act (new)**

Effective Date: 08/22/2017

Public Act: [100-0270](#)

Synopsis:

Creates the Infectious Disease Testing Act. Provides that an individual shall be required to submit, and informed consent shall not be required, to a test to detect an infectious disease upon the request of a health care provider, employee of a health facility, PHRN, EMR, EMT, EMT-I, A-

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EMT, paramedic, firefighter, or law enforcement officer who, accidentally or in the line of duty, comes into direct skin or mucous membrane contact with the blood or bodily fluids of the individual that is of a nature that may transmit an infectious disease, as determined by a physician in his or her medical judgment. Defines terms.