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EXECUTIVE BRANCH

(20 ILCS 4005/) Illinois Motor Vehicle Theft Prevention Act.

(20 ILCS 4005/1) (from Ch. 95 1/2, par. 1301)

(Section scheduled to be repealed on January 1, 2020)

Sec. 1. This Act shall be known as the Illinois Motor Vehicle Theft Prevention Act.

(Source: P.A. 86-1408.)

(20 ILCS 4005/2) (from Ch. 95 1/2, par. 1302)

(Section scheduled to be repealed on January 1, 2020)

Sec. 2. The purpose of this Act is to prevent, combat and reduce motor vehicle theft in Illinois; to improve and support motor vehicle theft law enforcement, prosecution and administration of motor vehicle theft laws by establishing statewide planning capabilities for and coordination of financial resources.

(Source: P.A. 86-1408.)

(20 ILCS 4005/3) (from Ch. 95 1/2, par. 1303)

(Section scheduled to be repealed on January 1, 2020)

Sec. 3. As used in this Act:

(a) "Authority" means the Illinois Criminal Justice Information Authority.

(b) "Council" means the Illinois Motor Vehicle Theft Prevention Council, established within the Authority by this Act.

(c) "Trust Fund" means the Motor Vehicle Theft Prevention

Trust Fund.
(Source: P.A. 86-1408.)

(20 ILCS 4005/4) (from Ch. 95 1/2, par. 1304)

(Section scheduled to be repealed on January 1, 2020)

Sec. 4. There is hereby created within the Authority the Illinois Motor Vehicle Theft Prevention Council, which shall exercise its powers, duties and responsibilities independently of the Authority. There shall be 11 members of the Council consisting of the Secretary of State or his designee, the Director of the Department of State Police, the State's Attorney of Cook County, the Superintendent of the Chicago Police Department, and the following 7 additional members each of whom shall be appointed by the Governor: a state's attorney of a county other than Cook, a chief executive law enforcement official from a jurisdiction other than the City of Chicago, 5 representatives of insurers authorized to write motor vehicle insurance in this State, all of whom shall be domiciled in this State.

The Governor from time to time shall designate the Chairman of the Council from the membership. All members of the Council appointed by the Governor shall serve at the discretion of the Governor for a term not to exceed 4 years. The initial appointed members of the Council shall serve from January 1, 1991 until the third Monday in January, 1995 or until their successors are appointed. The Council shall meet at least quarterly.

(Source: P.A. 89-277, eff. 8-10-95.)

(20 ILCS 4005/5) (from Ch. 95 1/2, par. 1305)

(Section scheduled to be repealed on January 1, 2020)

Sec. 5. Members of the Council shall serve without compensation. All members shall be reimbursed for reasonable expenses incurred in connection with their duties.

(Source: P.A. 86-1408.)

(20 ILCS 4005/6) (from Ch. 95 1/2, par. 1306)

(Section scheduled to be repealed on January 1, 2020)

Sec. 6. The Executive Director of the Authority shall employ, in accordance with the provisions of the Illinois Personnel Code, such administrative, professional, clerical and other personnel as may be required and may organize such staff as may be appropriate to effectuate the purposes of this Act.

(Source: P.A. 86-1408.)

(20 ILCS 4005/7) (from Ch. 95 1/2, par. 1307)

(Section scheduled to be repealed on January 1, 2020)

Sec. 7. The Council shall have the following powers, duties and responsibilities:

(a) To apply for, solicit, receive, establish priorities for, allocate, disburse, contract for, and spend funds that are made available to the Council from any source to effectuate the purposes of this Act.

(b) To make grants and to provide financial support for federal and State agencies, units of local government, corporations, and neighborhood, community and business organizations to effectuate the purposes of this Act.

(c) To assess the scope of the problem of motor vehicle theft, including particular areas of the State where the problem is greatest and to conduct impact analyses of State and local criminal justice policies, programs, plans and methods for combating the problem.

(d) To develop and sponsor the implementation of statewide plans and strategies to combat motor vehicle theft and to improve the administration of the motor vehicle theft laws and provide an effective forum for identification of critical problems associated with motor vehicle theft.

(e) To coordinate the development, adoption and implementation of plans and strategies relating to interagency or intergovernmental cooperation with respect to motor vehicle theft law enforcement.

(f) To promulgate rules or regulations necessary to ensure that appropriate agencies, units of government, private organizations and combinations thereof are included in the development and implementation of strategies or plans adopted pursuant to this Act and to promulgate rules or regulations as may otherwise be necessary to effectuate the purposes of this Act.

(g) To report annually, on or before April 1, 1990, to the Governor, General Assembly, and, upon request, to members of the general public on the Council's activities in the preceding year.

(h) To exercise any other powers that are reasonable, necessary or convenient to fulfill its responsibilities to carry out and to effectuate the objectives and purposes of the Council and the provisions of this Act, and to comply with the requirements of applicable federal or State laws or regulations; provided, however, that such powers shall not include the power to subpoena or arrest.

(Source: P.A. 86-1408.)

(20 ILCS 4005/8) (from Ch. 95 1/2, par. 1308)

(Section scheduled to be repealed on January 1, 2020)

Sec. 8. (a) A special fund is created in the State Treasury known as the Motor Vehicle Theft Prevention Trust Fund, which shall be administered by the Executive Director of the Authority at the direction of the Council. All interest earned from the investment or deposit of monies accumulated in the Trust Fund shall, pursuant to Section 4.1 of the State Finance Act, be deposited in the Trust Fund.

(b) Money deposited in this Trust Fund shall not be considered general revenue of the State of Illinois.

(c) Money deposited in the Trust Fund shall be used only to enhance efforts to effectuate the purposes of this Act as determined by the Council and shall not be appropriated, loaned or in any manner transferred to the General Revenue Fund of the State of Illinois.

(d) Prior to April 1, 1991, and prior to April 1 of each year thereafter, each insurer engaged in writing private passenger motor vehicle insurance coverages which are included in Class 2 and Class 3 of Section 4 of the Illinois Insurance Code, as a condition of its authority to transact business in this State, may collect and shall pay into the Trust Fund an amount equal to \$1.00, or a lesser amount determined by the Council, multiplied by the insurer's total earned car year premium on private passenger motor vehicle insurance policies providing physical damage insurance coverage written in this State during the preceding calendar year.

(e) Money in the Trust Fund shall be expended as follows:

(1) To pay the Authority's costs to administer the Trust Fund, the Council and the Trust Fund, but for this purpose in any fiscal year the amount not to exceed ten percent in any one fiscal year of the amount collected pursuant to paragraph (d) of this Section in that same fiscal year.

(2) To achieve the purposes and objectives of this Act, which may include, but not be limited to, the following:

(A) To provide financial support to law enforcement and correctional agencies, prosecutors and the judiciary for programs designed to reduce motor vehicle theft and to improve the administration of motor vehicle theft laws.

(B) To provide financial support for federal, State agencies, units of local government, corporations and neighborhood, community or business organizations for programs designed to reduce motor vehicle theft and to improve the administration of motor vehicle theft laws.

(C) To provide financial support to conduct programs designed to inform owners of motor vehicles about the financial and social costs of motor vehicle theft and to suggest to those owners methods for preventing motor vehicle theft.

(D) To provide financial support for plans, programs and projects designed to achieve the purposes of this Act.

(f) Insurers contributing to the Trust Fund shall have no property interest in the unexpended money in the Trust Fund.

which property interest shall not be retroactively changed or extinguished by the General Assembly.

(g) In the event the Trust Fund were to be discontinued and the Council were to be dissolved by act of the General Assembly or by operation of law, then, notwithstanding the provisions of Section 5 of the State Finance Act, any balance remaining therein shall be returned to the insurers writing private passenger motor vehicle insurance in proportion to their financial contributions to the Trust Fund and any assets of the Council shall be liquidated and returned in the same manner after deduction of administrative costs.

(Source: P.A. 88-452; 89-277, eff. 8-10-95.)

(20 ILCS 4005/8.5)

(Section scheduled to be repealed on January 1, 2020)

Sec. 8.5. State Police Motor Vehicle Theft Prevention Trust Fund. The State Police Motor Vehicle Theft Prevention Trust Fund is created as a trust fund in the State treasury. The State Treasurer shall be the custodian of the Trust Fund. The Trust Fund is established to receive funds from the Illinois Motor Vehicle Theft Prevention Council. All interest earned from the investment or deposit of moneys accumulated in the Trust Fund shall be deposited into the Trust Fund. Moneys in the Trust Fund shall be used by the Department of State Police for motor vehicle theft prevention purposes.

(Source: P.A. 97-116, eff. 1-1-12.)

(20 ILCS 4005/9)

Sec. 9. (Amendatory provisions; text omitted).

(Source: P.A. 86-1408; text omitted.)

(20 ILCS 4005/10)

Sec. 10. (Amendatory provisions; text omitted).

(Source: P.A. 86-1408; text omitted.)

(20 ILCS 4005/11)

Sec. 11. (Amendatory provisions; text omitted).

(Source: P.A. 86-1408; text omitted.)

(20 ILCS 4005/12)
Sec. 12. Repeal. Sections 1 through 9 and Section 11 :
repealed January 1, 2020.
(Source: P.A. 99-251, eff. 1-1-16.)

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