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OFFICE OF THE
BOARD OF COMMISSIONERS OF COOK COUNTY

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TONI PRECKWINKLE
PRESIDENT

MATTHEW B. DELEON
SECRETARY TO THE BOARD

JANUARY 29, 2013

NOTICE AND AGENDA

There will be a meeting of the **Legislation and Intergovernmental Relations** Committee of the Board of Commissioners of Cook County on **Monday, February 4, 2013** at the hour of **11:30 A.M.** in the Board Room, Room 569, County Building, 118 North Clark Street, Chicago, Illinois to consider the following:

321598 CHIEF PROCUREMENT OFFICER (APPOINTMENT). Transmitting a Communication, dated December 31, 2012 from Toni Preckwinkle, President, Cook County Board of Commissioners.

I hereby appoint Interim Chief Procurement Officer, Shannon E. Andrews to the position of Chief Procurement Officer for Cook County.

Shannon E. Andrews most recently served as the Director of the County's Contract Compliance Department and prior to joining the County; Ms. Andrews served as a Deputy Procurement Officer for the City of Chicago.

Ms. Andrews' executive public procurement experience in entities comparable in size to Cook County as well as her operational, legislative and procurement policy experience provide a critical skill set that will be an asset to Cook County, the Office of Chief Procurement Officer, and the user departments and agencies that rely on that office.

I submit this communication for your approval.

***Referred to the Committee on Legislation and Intergovernmental Relations on 01-16-13.**



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321599 WELLER CREEK DRAINAGE DISTRICT (APPOINTMENT). Transmitting a Communication, dated January 10, 2013 from Toni Preckwinkle, President, Cook County Board of Commissioners.

I hereby appoint Gregory C. O'Brien to the Weller Creek Drainage District, to fill the vacancy left by James Skelly for a term to begin immediately and expire on September 6, 2014.

I submit this communication for your approval.

***Referred to the Committee on Legislation and Intergovernmental Relations on 01-16-13.**

321621 REPORT OF LOST, STOLEN, DESTROYED OR TRANSFERRED FIRE ARMS ORDINANCE (PROPOSED ORDINANCE). Transmitting a Communication from Toni Preckwinkle, President, and Jesus G. Garcia, John P. Daley, Edwin Reyes and Larry Suffredin, Cook County Board of Commissioners.

**REPORT OF LOST, STOLEN, DESTROYED OR TRANSFERRED
FIREARMS ORDINANCE**

WHEREAS, the State of Illinois has already enacted several laws to regulate the possession of firearms, but the State does not require all firearm owners to report to the local authorities when firearms are lost, stolen, destroyed or transferred; and

WHEREAS, a report by Mayors Against Illegal Guns, a coalition of over 300 mayors that targets illegal guns nationwide, indicates that lost and stolen firearm reporting laws "can help law enforcement more easily identify and prosecute gun traffickers"; and

WHEREAS, a report by the International Association of Chiefs of Police, recommends that state and local governments mandate reporting of lost and stolen firearms in order to enhance law enforcement entities' ability to recover those guns and reduce gun violence; and

WHEREAS, laws requiring the reporting of lost, stolen, destroyed or transferred firearms provide a tool for law enforcement to detect the behavior of criminals and gun traffickers who transfer or falsely claim that their guns have been lost or stolen and used by others to commit crimes; and

WHEREAS, it is within Cook County's home rule authority to require persons who own or possess firearms within Cook County to report the loss, theft, destruction or transfer of the firearm in order to provide for the public health, safety and welfare of persons in Cook County; and

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WHEREAS, Cook County and the State of Illinois should pass legislation mandating the reporting of lost, stolen, destroyed or transferred firearms to County and other local law enforcement entities.

NOW, THEREFORE, BE IT ORDAINED, by the Cook County Board of Commissioners, that Chapter 58, Offenses and Miscellaneous Provisions, Article VII., Report of Lost or Stolen Firearms, Section 58-185 through Section 58-195, of the Cook County Code is hereby enacted as follows:

Sec. 58-185. – Short Title. This article shall be known as the "Report of Lost, Stolen, Destroyed or Transferred Firearms Ordinance" of Cook County, Illinois.

Sec. 58-186. – Purpose. Requiring persons who own or possess firearms within Cook County to promptly report to the Cook County Sheriff the loss, theft, destruction or transfer of firearms will enable Cook County law enforcement agencies or the Sheriff's Office to timely investigate the loss or theft, protect the public and help improve the public health and safety of all persons in Cook County.

Sec. 58-187. – Definitions. The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

County means the County of Cook.

Firearm means any pistol, revolver, rifle, shotgun, machine gun, handgun, assault weapon or other device that fits within the definition of "firearm" contained in the Illinois Firearm Owners Identification Card Act (430 ILCS 65/1.1 et seq.) or any successor statute.

Local law enforcement agency means any political subdivision of the State or an agency of a political subdivision that exists primarily to deter and detect crime and enforce criminal laws, statutes and ordinances.

Sheriff means the Sheriff's Office of Cook County, Illinois.

Sec. 58-188. - Applicability. This article shall apply to:

- (a) Any person residing in Cook County who owns or possesses a firearm; and
- (b) Any person who owns or possesses a firearm and resides outside of Cook County-who loses, destroys, transfers or suffers a theft of the firearm in Cook County.

Sec. 58-189. – Report of Transferred, Destroyed, Lost or Stolen Firearms.

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(a) Any person residing in Cook County who owns or possesses a firearm shall report the transfer, destruction, loss or theft of the firearm to the Cook County Sheriff's Office on a form prescribed by the Cook County Sheriff within 48 hours of the time he or she knew or should have known that the firearm was transferred, lost or stolen, regardless of the location of where the firearm was transferred, destroyed, lost or stolen.

(b) Any person residing outside Cook County who owns or possesses a firearm shall report the transfer, destruction, loss or theft of the firearm to the Cook County Sheriff's Office on a form prescribed by the Cook County Sheriff within 48 hours of the time he or she knew or should have known that the firearm was transferred, destroyed, lost or stolen in Cook County.

(c) A person reporting transfer, destruction, loss or theft of a firearm shall report the following information:

- (1) Owner Name;
- (2) Owner Address;
- (3) Owner Firearm Owner's Identification Card number;
- (4) Date of Purchase;
- (5) Place of Purchase;
- (6) Firearm Type;
- (7) Firearm Serial Number;
- (8) Date of Transfer, loss, theft or destruction;
- (9) If transferred, the name and address of the transferee; and
- (10) Transferee Firearm Owner's Identification Card number.

Sec. 58-190. – Exempt from Reporting Requirements. The reporting provisions in Sec. 58-189 do not apply to the following persons:

(a) Sworn law enforcement officials while engaged in their official duties; and

(b) Members of the Armed Forces of the United States or the National Guard while engaged in their official duties.

Sec. 58-191. – Violations; Penalties.

(a) Any person violating or failing to truthfully comply with sections 58-189 (a), 58-189 (b) or 58-189 (c) of this article shall be issued a notice of violation and shall be subject to a mandatory fine of \$1,000.00 for the first violation; \$1,500.00 for the second violation and \$2,000 for each subsequent violation in addition to any other fines or penalties applicable from any Federal, State or local laws or ordinances.

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(b) If any fine is imposed pursuant to this section, such fine shall constitute a debt due and owing to the County. If the fine is not paid within 30 days after the expiration of the time within which judicial or administrative review of the adverse determination may be sought, or within 30 days after an action seeking review has been resolved in favor of the County, the Sheriff, Director of the Department of Revenue or the State's Attorney may seek to obtain judgment on the debt and enforce such judgment against the person fined.

Sec. 58-192. – Enforcement; Rules and Regulations.

(a) The Sheriff is authorized to enforce the provisions of this article.

(b) The Sheriff is authorized to adopt, promulgate and enforce rules and regulations for the implementation of this article and to prescribe all forms and the information required thereon that is not otherwise required in this article.

(c) The Sheriff shall receive, collect and file the reports of the transfer, loss, destruction or theft of firearms and cooperate or make available to law enforcement agencies the reports, for the purpose of investigative efforts.

(d) The Sheriff shall determine whether a person to whom a firearm is transferred has a valid Firearm Owner's Identification Card issued by the Illinois State Police. If the Sheriff determines the transferee does not possess a valid Firearm Owner's Identification Card or the transferee's Firearm Owner's Identification Card has been revoked, the Sheriff shall have the authority to recover the Firearm Owner's Identification Card and any and all firearms under the custody and control of the transferee.

(e) The Sheriff is authorized to cooperate with the state, other County agencies and other law enforcement entities to facilitate the implementation of this article.

Sec. 58-193. –Administrative adjudication.

Any person issued a notice of violation pursuant to this article may request an administrative hearing in accordance with Chapter 2, Administration, Article IX, Administrative Hearings of this Code.

Sec. 58-194. – Severability.

If any section, subsection, paragraph, sentence or clause of this article or the application thereof to any person is for any reason deemed to be invalid or unconstitutional, such decision shall not affect, impair or invalidate any remaining section, subsection, paragraph, sentence or clause hereof or the application of this article to any other person.

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Sec. 58-195. - Effective date.

This ordinance from which this article is derived shall take effect six months after its passage and publication.

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that the County Clerk publishes a copy of this ordinance within 30 days after adoption in one or more daily newspapers published in Cook County; and

BE IT FURTHER ORDAINED, by the Cook County Board of Commissioners, that the County Clerk submits a copy of this ordinance within 30 days after adoption to the Department of State Police.

***Referred to the Committee on Legislation and Intergovernmental Relations on 01-16-13.**


Matthew B. DeLeon, Secretary

Chairman: Suffredin
Vice-Chairman: Fritchey
Members: Committee of the Whole