

1 AN ACT concerning civil law.

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

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 (Text of Section before amendment by P.A. 100-512 and
8 100-517)

9 Sec. 7.5. Statutory exemptions. To the extent provided for
10 by the statutes referenced below, the following shall be exempt
11 from inspection and copying:

12 (a) All information determined to be confidential
13 under Section 4002 of the Technology Advancement and
14 Development Act.

15 (b) Library circulation and order records identifying
16 library users with specific materials under the Library
17 Records Confidentiality Act.

18 (c) Applications, related documents, and medical
19 records received by the Experimental Organ Transplantation
20 Procedures Board and any and all documents or other records
21 prepared by the Experimental Organ Transplantation
22 Procedures Board or its staff relating to applications it
23 has received.

1 (d) Information and records held by the Department of
2 Public Health and its authorized representatives relating
3 to known or suspected cases of sexually transmissible
4 disease or any information the disclosure of which is
5 restricted under the Illinois Sexually Transmissible
6 Disease Control Act.

7 (e) Information the disclosure of which is exempted
8 under Section 30 of the Radon Industry Licensing Act.

9 (f) Firm performance evaluations under Section 55 of
10 the Architectural, Engineering, and Land Surveying
11 Qualifications Based Selection Act.

12 (g) Information the disclosure of which is restricted
13 and exempted under Section 50 of the Illinois Prepaid
14 Tuition Act.

15 (h) Information the disclosure of which is exempted
16 under the State Officials and Employees Ethics Act, and
17 records of any lawfully created State or local inspector
18 general's office that would be exempt if created or
19 obtained by an Executive Inspector General's office under
20 that Act.

21 (i) Information contained in a local emergency energy
22 plan submitted to a municipality in accordance with a local
23 emergency energy plan ordinance that is adopted under
24 Section 11-21.5-5 of the Illinois Municipal Code.

25 (j) Information and data concerning the distribution
26 of surcharge moneys collected and remitted by carriers

1 under the Emergency Telephone System Act.

2 (k) Law enforcement officer identification information
3 or driver identification information compiled by a law
4 enforcement agency or the Department of Transportation
5 under Section 11-212 of the Illinois Vehicle Code.

6 (l) Records and information provided to a residential
7 health care facility resident sexual assault and death
8 review team or the Executive Council under the Abuse
9 Prevention Review Team Act.

10 (m) Information provided to the predatory lending
11 database created pursuant to Article 3 of the Residential
12 Real Property Disclosure Act, except to the extent
13 authorized under that Article.

14 (n) Defense budgets and petitions for certification of
15 compensation and expenses for court appointed trial
16 counsel as provided under Sections 10 and 15 of the Capital
17 Crimes Litigation Act. This subsection (n) shall apply
18 until the conclusion of the trial of the case, even if the
19 prosecution chooses not to pursue the death penalty prior
20 to trial or sentencing.

21 (o) Information that is prohibited from being
22 disclosed under Section 4 of the Illinois Health and
23 Hazardous Substances Registry Act.

24 (p) Security portions of system safety program plans,
25 investigation reports, surveys, schedules, lists, data, or
26 information compiled, collected, or prepared by or for the

1 Regional Transportation Authority under Section 2.11 of
2 the Regional Transportation Authority Act or the St. Clair
3 County Transit District under the Bi-State Transit Safety
4 Act.

5 (q) Information prohibited from being disclosed by the
6 Personnel Records Review Act.

7 (r) Information prohibited from being disclosed by the
8 Illinois School Student Records Act.

9 (s) Information the disclosure of which is restricted
10 under Section 5-108 of the Public Utilities Act.

11 (t) All identified or deidentified health information
12 in the form of health data or medical records contained in,
13 stored in, submitted to, transferred by, or released from
14 the Illinois Health Information Exchange, and identified
15 or deidentified health information in the form of health
16 data and medical records of the Illinois Health Information
17 Exchange in the possession of the Illinois Health
18 Information Exchange Authority due to its administration
19 of the Illinois Health Information Exchange. The terms
20 "identified" and "deidentified" shall be given the same
21 meaning as in the Health Insurance Portability and
22 Accountability Act of 1996, Public Law 104-191, or any
23 subsequent amendments thereto, and any regulations
24 promulgated thereunder.

25 (u) Records and information provided to an independent
26 team of experts under Brian's Law.

1 (v) Names and information of people who have applied
2 for or received Firearm Owner's Identification Cards under
3 the Firearm Owners Identification Card Act or applied for
4 or received a concealed carry license under the Firearm
5 Concealed Carry Act, unless otherwise authorized by the
6 Firearm Concealed Carry Act; and databases under the
7 Firearm Concealed Carry Act, records of the Concealed Carry
8 Licensing Review Board under the Firearm Concealed Carry
9 Act, and law enforcement agency objections under the
10 Firearm Concealed Carry Act.

11 (w) Personally identifiable information which is
12 exempted from disclosure under subsection (g) of Section
13 19.1 of the Toll Highway Act.

14 (x) Information which is exempted from disclosure
15 under Section 5-1014.3 of the Counties Code or Section
16 8-11-21 of the Illinois Municipal Code.

17 (y) Confidential information under the Adult
18 Protective Services Act and its predecessor enabling
19 statute, the Elder Abuse and Neglect Act, including
20 information about the identity and administrative finding
21 against any caregiver of a verified and substantiated
22 decision of abuse, neglect, or financial exploitation of an
23 eligible adult maintained in the Registry established
24 under Section 7.5 of the Adult Protective Services Act.

25 (z) Records and information provided to a fatality
26 review team or the Illinois Fatality Review Team Advisory

1 Council under Section 15 of the Adult Protective Services
2 Act.

3 (aa) Information which is exempted from disclosure
4 under Section 2.37 of the Wildlife Code.

5 (bb) Information which is or was prohibited from
6 disclosure by the Juvenile Court Act of 1987.

7 (cc) Recordings made under the Law Enforcement
8 Officer-Worn Body Camera Act, except to the extent
9 authorized under that Act.

10 (dd) Information that is prohibited from being
11 disclosed under Section 45 of the Condominium and Common
12 Interest Community Ombudsperson Act.

13 (ee) Information that is exempted from disclosure
14 under Section 30.1 of the Pharmacy Practice Act.

15 (ff) Information that is exempted from disclosure
16 under the Revised Uniform Unclaimed Property Act.

17 (gg) ~~(ff)~~ Information that is prohibited from being
18 disclosed under Section 7-603.5 of the Illinois Vehicle
19 Code.

20 (hh) ~~(ff)~~ Records that are exempt from disclosure under
21 Section 1A-16.7 of the Election Code.

22 (ii) ~~(ff)~~ Information which is exempted from
23 disclosure under Section 2505-800 of the Department of
24 Revenue Law of the Civil Administrative Code of Illinois.

25 (Source: P.A. 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352,
26 eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16;

1 99-863, eff. 8-19-16; 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
2 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.
3 8-28-17; 100-465, eff. 8-31-17; revised 11-2-17.)

4 (Text of Section after amendment by P.A. 100-517 but before
5 amendment by P.A. 100-512)

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6 Qualifications Based Selection Act.

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8 and exempted under Section 50 of the Illinois Prepaid
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10 (h) Information the disclosure of which is exempted
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12 records of any lawfully created State or local inspector
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17 plan submitted to a municipality in accordance with a local
18 emergency energy plan ordinance that is adopted under
19 Section 11-21.5-5 of the Illinois Municipal Code.

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21 of surcharge moneys collected and remitted by carriers
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11 counsel as provided under Sections 10 and 15 of the Capital
12 Crimes Litigation Act. This subsection (n) shall apply
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15 to trial or sentencing.

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1 Firearm Concealed Carry Act; and databases under the
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17 (ii) ~~(ff)~~ Information which is exempted from
18 disclosure under Section 2505-800 of the Department of
19 Revenue Law of the Civil Administrative Code of Illinois.

20 (jj) ~~(ff)~~ Information and reports that are required to
21 be submitted to the Department of Labor by registering day
22 and temporary labor service agencies but are exempt from
23 disclosure under subsection (a-1) of Section 45 of the Day
24 and Temporary Labor Services Act.

25 (Source: P.A. 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352,
26 eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16;

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20 (jj) ~~(ff)~~ Information and reports that are required to
21 be submitted to the Department of Labor by registering day
22 and temporary labor service agencies but are exempt from
23 disclosure under subsection (a-1) of Section 45 of the Day
24 and Temporary Labor Services Act.

25 (kk) ~~(ff)~~ Information prohibited from disclosure under
26 the Seizure and Forfeiture Reporting Act.

1 (11) Records that are exempt from disclosure under
2 Section 4.2 of the Crime Victims Compensation Act.

3 (Source: P.A. 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352,
4 eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16;
5 99-863, eff. 8-19-16; 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
6 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.
7 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,
8 eff. 6-1-18; revised 11-2-17.)

9 Section 10. The Crime Victims Compensation Act is amended
10 by changing Section 2 and by adding Section 4.2 as follows:

11 (740 ILCS 45/2) (from Ch. 70, par. 72)

12 Sec. 2. Definitions. As used in this Act, unless the
13 context otherwise requires:

14 (a) "Applicant" means any person who applies for
15 compensation under this Act or any person the Court of Claims
16 finds is entitled to compensation, including the guardian of a
17 minor or of a person under legal disability. It includes any
18 person who was a dependent of a deceased victim of a crime of
19 violence for his or her support at the time of the death of
20 that victim.

21 (b) "Court of Claims" means the Court of Claims created by
22 the Court of Claims Act.

23 (c) "Crime of violence" means and includes any offense
24 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,

1 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
2 11-11, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 11-23, 11-23.5,
3 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-4, 12-4.1,
4 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13, 12-14,
5 12-14.1, 12-15, 12-16, 12-20.5, 12-30, 20-1 or 20-1.1, or
6 Section 12-3.05 except for subdivision (a)(4) or (g)(1), or
7 subdivision (a)(4) of Section 11-14.4, of the Criminal Code of
8 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of
9 the Cemetery Protection Act, Section 125 of the Stalking No
10 Contact Order Act, Section 219 of the Civil No Contact Order
11 Act, driving under the influence as defined in Section 11-501
12 of the Illinois Vehicle Code, a violation of Section 11-401 of
13 the Illinois Vehicle Code, provided the victim was a pedestrian
14 or was operating a vehicle moved solely by human power or a
15 mobility device at the time of contact, and a violation of
16 Section 11-204.1 of the Illinois Vehicle Code; so long as the
17 offense did not occur during a civil riot, insurrection or
18 rebellion. "Crime of violence" does not include any other
19 offense or accident involving a motor vehicle except those
20 vehicle offenses specifically provided for in this paragraph.
21 "Crime of violence" does include all of the offenses
22 specifically provided for in this paragraph that occur within
23 this State but are subject to federal jurisdiction and crimes
24 involving terrorism as defined in 18 U.S.C. 2331.

25 (d) "Victim" means (1) a person killed or injured in this
26 State as a result of a crime of violence perpetrated or

1 attempted against him or her, (2) the spouse or parent of a
2 person killed or injured in this State as a result of a crime
3 of violence perpetrated or attempted against the person, (3) a
4 person killed or injured in this State while attempting to
5 assist a person against whom a crime of violence is being
6 perpetrated or attempted, if that attempt of assistance would
7 be expected of a reasonable person under the circumstances, (4)
8 a person killed or injured in this State while assisting a law
9 enforcement official apprehend a person who has perpetrated a
10 crime of violence or prevent the perpetration of any such crime
11 if that assistance was in response to the express request of
12 the law enforcement official, (5) a person who personally
13 witnessed a violent crime, (5.05) a person who will be called
14 as a witness by the prosecution to establish a necessary nexus
15 between the offender and the violent crime, (5.1) solely for
16 the purpose of compensating for pecuniary loss incurred for
17 psychological treatment of a mental or emotional condition
18 caused or aggravated by the crime, any other person under the
19 age of 18 who is the brother, sister, half brother, half
20 sister, child, or stepchild of a person killed or injured in
21 this State as a result of a crime of violence, (6) an Illinois
22 resident who is a victim of a "crime of violence" as defined in
23 this Act except, if the crime occurred outside this State, the
24 resident has the same rights under this Act as if the crime had
25 occurred in this State upon a showing that the state,
26 territory, country, or political subdivision of a country in

1 which the crime occurred does not have a compensation of
2 victims of crimes law for which that Illinois resident is
3 eligible, (7) a deceased person whose body is dismembered or
4 whose remains are desecrated as the result of a crime of
5 violence, or (8) solely for the purpose of compensating for
6 pecuniary loss incurred for psychological treatment of a mental
7 or emotional condition caused or aggravated by the crime, any
8 parent, spouse, or child under the age of 18 of a deceased
9 person whose body is dismembered or whose remains are
10 desecrated as the result of a crime of violence.

11 (e) "Dependent" means a relative of a deceased victim who
12 was wholly or partially dependent upon the victim's income at
13 the time of his or her death and shall include the child of a
14 victim born after his or her death.

15 (f) "Relative" means a spouse, parent, grandparent,
16 stepfather, stepmother, child, grandchild, brother,
17 brother-in-law, sister, sister-in-law, half brother, half
18 sister, spouse's parent, nephew, niece, uncle or aunt.

19 (g) "Child" means an unmarried son or daughter who is under
20 18 years of age and includes a stepchild, an adopted child or a
21 child born out of wedlock.

22 (h) "Pecuniary loss" means, in the case of injury,
23 appropriate medical expenses and hospital expenses including
24 expenses of medical examinations, rehabilitation, medically
25 required nursing care expenses, appropriate psychiatric care
26 or psychiatric counseling expenses, appropriate expenses for

1 care or counseling by a licensed clinical psychologist,
2 licensed clinical social worker, licensed professional
3 counselor, or licensed clinical professional counselor and
4 expenses for treatment by Christian Science practitioners and
5 nursing care appropriate thereto; transportation expenses to
6 and from medical and counseling treatment facilities;
7 prosthetic appliances, eyeglasses, and hearing aids necessary
8 or damaged as a result of the crime; costs associated with
9 trafficking tattoo removal by a person authorized or licensed
10 to perform the specific removal procedure; replacement costs
11 for clothing and bedding used as evidence; costs associated
12 with temporary lodging or relocation necessary as a result of
13 the crime, including, but not limited to, the first month's
14 rent and security deposit of the dwelling that the claimant
15 relocated to and other reasonable relocation expenses incurred
16 as a result of the violent crime; locks or windows necessary or
17 damaged as a result of the crime; the purchase, lease, or
18 rental of equipment necessary to create usability of and
19 accessibility to the victim's real and personal property, or
20 the real and personal property which is used by the victim,
21 necessary as a result of the crime; the costs of appropriate
22 crime scene clean-up; replacement services loss, to a maximum
23 of \$1,250 per month; dependents replacement services loss, to a
24 maximum of \$1,250 per month; loss of tuition paid to attend
25 grammar school or high school when the victim had been enrolled
26 as a student prior to the injury, or college or graduate school

1 when the victim had been enrolled as a day or night student
2 prior to the injury when the victim becomes unable to continue
3 attendance at school as a result of the crime of violence
4 perpetrated against him or her; loss of earnings, loss of
5 future earnings because of disability resulting from the
6 injury, and, in addition, in the case of death, expenses for
7 funeral, burial, and travel and transport for survivors of
8 homicide victims to secure bodies of deceased victims and to
9 transport bodies for burial all of which may not exceed a
10 maximum of \$7,500 and loss of support of the dependents of the
11 victim; in the case of dismemberment or desecration of a body,
12 expenses for funeral and burial, all of which may not exceed a
13 maximum of \$7,500. Loss of future earnings shall be reduced by
14 any income from substitute work actually performed by the
15 victim or by income he or she would have earned in available
16 appropriate substitute work he or she was capable of performing
17 but unreasonably failed to undertake. Loss of earnings, loss of
18 future earnings and loss of support shall be determined on the
19 basis of the victim's average net monthly earnings for the 6
20 months immediately preceding the date of the injury or on
21 \$1,250 per month, whichever is less or, in cases where the
22 absences commenced more than 3 years from the date of the
23 crime, on the basis of the net monthly earnings for the 6
24 months immediately preceding the date of the first absence, not
25 to exceed \$1,250 per month. If a divorced or legally separated
26 applicant is claiming loss of support for a minor child of the

1 deceased, the amount of support for each child shall be based
2 either on the amount of support pursuant to the judgment prior
3 to the date of the deceased victim's injury or death, or, if
4 the subject of pending litigation filed by or on behalf of the
5 divorced or legally separated applicant prior to the injury or
6 death, on the result of that litigation. Real and personal
7 property includes, but is not limited to, vehicles, houses,
8 apartments, town houses, or condominiums. Pecuniary loss does
9 not include pain and suffering or property loss or damage.

10 (i) "Replacement services loss" means expenses reasonably
11 incurred in obtaining ordinary and necessary services in lieu
12 of those the injured person would have performed, not for
13 income, but for the benefit of himself or herself or his or her
14 family, if he or she had not been injured.

15 (j) "Dependents replacement services loss" means loss
16 reasonably incurred by dependents or private legal guardians of
17 minor dependents after a victim's death in obtaining ordinary
18 and necessary services in lieu of those the victim would have
19 performed, not for income, but for their benefit, if he or she
20 had not been fatally injured.

21 (k) "Survivor" means immediate family including a parent,
22 step-father, step-mother, child, brother, sister, or spouse.

23 (l) "Parent" means a natural parent, adopted parent,
24 step-parent, or permanent legal guardian of another person.

25 (m) "Trafficking tattoo" is a tattoo which is applied to a
26 victim in connection with the commission of a violation of

1 Section 10-9 of the Criminal Code of 2012.

2 (Source: P.A. 98-435, eff. 1-1-14; 99-671, eff. 1-1-17.)

3 (740 ILCS 45/4.2 new)

4 Sec. 4.2. Cooperation in review of crime victims
5 compensation applications. A law enforcement agency in this
6 State shall, within 15 days of receipt of a written request for
7 a police report made to verify that the requirements of a crime
8 victims compensation application under Section 6.1 of this Act
9 have been met, provide the Attorney General's office with the
10 law enforcement agency's full written report of the
11 investigation of the crime for which an application for
12 compensation has been filed. The law enforcement agency may
13 redact the following from the report: names of confidential
14 sources and informants; locations from which law enforcement
15 conduct surveillance; and information related to issues of
16 national security the law enforcement agency provided to or
17 received from the United States Department of Homeland Security
18 or another federal law enforcement agency. The Attorney
19 General's office and a law enforcement agency may agree to the
20 redaction of other information in the report or to the
21 provision of necessary information in another format. Within 15
22 days of receipt of the request, a law enforcement agency shall
23 respond to a written request from the Attorney General's office
24 for additional information necessary to assist the Attorney
25 General's office in making a recommendation for compensation.

1 Records that are obtained by the Attorney General's office
2 from a law enforcement agency under this Section for purposes
3 of investigating an application for crime victim compensation
4 shall not be disclosed to the public, including the applicant,
5 by the Attorney General's office. The records, while in the
6 possession of the Attorney General's office, shall be exempt
7 from disclosure by the Attorney General's office under the
8 Freedom of Information Act.

9 Section 95. No acceleration or delay. Where this Act makes
10 changes in a statute that is represented in this Act by text
11 that is not yet or no longer in effect (for example, a Section
12 represented by multiple versions), the use of that text does
13 not accelerate or delay the taking effect of (i) the changes
14 made by this Act or (ii) provisions derived from any other
15 Public Act.