AN ACT concerning State government.

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

Section 5. The Crime Victims Compensation Act is amended by changing Sections 2, 4.1, 4.2, 6.1, 7.1, 8.1, and 10.2 as follows:

(740 ILCS 45/2)

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

(a) "Applicant" means any of the following claiming compensation under this Act:

(1) A victim.

(2) If the victim was a guardian or primary caregiver to an adult who is physically or mentally incapacitated, that adult who is physically or mentally incapacitated.

(3) A guardian of a minor or of a person under legal disability.

(4) A person who, at the time the crime occurred, resided in the same dwelling as the victim, solely for the purpose of compensating for any of the following:

(A) Pecuniary loss incurred for psychological treatment of a mental or emotional condition caused or aggravated by the crime.

(B) Loss of earnings under paragraph (14.5) of subsection (h) for time off from work necessary to provide full time care for the injured victim.

(C) Relocation expenses.

(5) A person who assumes a legal obligation or voluntarily pays for a victim's medical or funeral or burial expenses.

(6) Any other person the Court of Claims or the Attorney General finds is entitled to compensation.

The changes made to this subsection by Public Act 101-652 apply to actions commenced or pending on or after January 1, 2022.

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

(c) "Crime of violence" means and includes any offense defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1, 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-11, 11-20.1, 11-23, 11-23.5, 12-1, 12-2, 12-3, 12-3.05, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-20.5, 20-1 or 20-1.1, or Section 12-3.05 except for subdivision (a)(4) or (g)(1), or subdivision (a)(4) of Section 11-14.4, of the Criminal Code of 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of the Cemetery Protection Act, Section 125 of the Stalking No Contact Order Act, Section 219 of the Civil No Contact Order Act, driving under the influence as defined in Section 11-501 of the Illinois Vehicle Code, a violation of Section 11-401 of the Illinois Vehicle Code, provided the victim was a pedestrian or was operating a vehicle moved solely by human power or a mobility device at the time of contact, and a violation of Section 11-204.1 of the Illinois Vehicle Code; so long as the offense did not occur during a civil riot, insurrection or rebellion. "Crime of violence" does not include any other offense or crash involving a motor vehicle except those vehicle offenses specifically provided for in this paragraph. "Crime of violence" does include all of the offenses specifically provided for in this paragraph that occur within this State but are subject to federal jurisdiction and crimes involving terrorism as defined in 18 U.S.C. 2331.

(d) "Victim" means (1) a person killed or injured in this State as a result of a crime of violence perpetrated or attempted against him or her, (2) the spouse, parent, or child of a person killed or injured in this State as a result of a crime of violence perpetrated or attempted against the person, or anyone living in the dwelling of a person killed or injured in a relationship that is substantially similar to that of a parent, spouse, or child, (3) a person killed or injured in this State while attempting to assist a person against whom a crime of violence is being perpetrated or attempted, if that attempt of assistance would be expected of a reasonable person under the circumstances, (4) a person killed or injured in this State while assisting a law enforcement official apprehend a person who has perpetrated a crime of violence or prevent the perpetration of any such crime if that assistance was in response to the express request of the law enforcement official, (5) a person who personally witnessed a violent crime, (5.05) a person who will be called as a witness by the prosecution to establish a necessary nexus between the offender and the violent crime, (5.1) any person who is the grandparent, grandchild, brother, sister, half brother, or half sister of a person killed or injured in this State as a result of a crime of violence, applying solely for the purpose of compensating for pecuniary loss incurred for psychological treatment of a mental or emotional condition caused or aggravated by the crime, loss of earnings under paragraph (14.5) of subsection (h) for time off from work necessary to provide full time care for the injured victim, or relocation if the crime occurred within the dwelling of the applicant, (5.2) any person who was in a dating relationship with a person killed in this State as a result of a crime of violence, solely for the purpose of compensating for pecuniary loss incurred for psychological treatment of a mental or emotional condition caused or aggravated by the crime, (6) an Illinois resident who is a victim of a "crime of violence" as defined in this Act except, if the crime occurred outside this State, the resident has the same rights under this Act as if the crime had occurred in this State upon a showing that the state, territory, country, or political subdivision of a country in which the crime occurred does not have a compensation of victims of crimes law for which that Illinois resident is eligible, (7) the parent, spouse, or child of a deceased person whose body is dismembered or whose remains are desecrated as the result of a crime of violence, (8) (blank), or (9) an individual who is injured or killed in an incident in which a law enforcement officer's use of force caused bodily harm or death to that individual.

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

(f) "Relative" means a spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, brother-in-law, sister, sister-in-law, half brother, half sister, spouse's parent, nephew, niece, uncle, aunt, or anyone living in the dwelling of a person killed or injured in a relationship that is substantially similar to that of a parent, spouse, or child.

(g) "Child" means a son or daughter and includes a stepchild, an adopted child or a child born out of wedlock.

(h) "Pecuniary loss" means:

(1) in the case of injury, appropriate medical expenses and hospital expenses including expenses of medical examinations, rehabilitation, medically required nursing care expenses, appropriate psychiatric care or

psychiatric counseling expenses, appropriate expenses for care or counseling by a licensed clinical psychologist, licensed clinical social worker, licensed professional counselor, or licensed clinical professional counselor and expenses for treatment by Christian Science practitioners and nursing care appropriate thereto;

(2) transportation expenses to and from medical and counseling treatment facilities;

(3) prosthetic appliances, eyeglasses, and hearing aids necessary or damaged as a result of the crime;

(4) expenses incurred for the towing and storage of a victim's vehicle in connection with a crime of violence, to a maximum of $1,000;

(5) costs associated with trafficking tattoo removal by a person authorized or licensed to perform the specific removal procedure; for victims of offenses defined in Section 10-9 of the Criminal Code of 2012, the victim shall submit a statement under oath on a form prescribed by the Attorney General attesting that the removed tattoo was applied in connection with the commission of the offense;

(6) replacement costs for clothing and bedding used as evidence;

(7) costs associated with temporary lodging or relocation necessary as a result of the crime, including, but not limited to, the first 2 months' rent and security

deposit of the dwelling that the claimant relocated to and other reasonable relocation expenses incurred as a result of the violent crime;

(8) locks, doors, or windows necessary or damaged as a result of the crime;

(9) the purchase, lease, or rental of equipment necessary to create usability of and accessibility to the victim's real and personal property, or the real and personal property which is used by the victim, necessary as a result of the crime; "real and personal property" includes, but is not limited to, vehicles, houses, apartments, townhouses, or condominiums;

(10) the costs of appropriate crime scene clean-up;

(11) replacement services loss, to a maximum of $1,250 per month, with this amount to be divided in proportion to the amount of the actual loss among those entitled to compensation;

(12) dependents replacement services loss, to a maximum of $1,250 per month, with this amount to be divided in proportion to the amount of the actual loss among those entitled to compensation;

(13) loss of tuition paid to attend grammar school or high school when the victim had been enrolled as a student prior to the injury, or college or graduate school when the victim had been enrolled as a day or night student prior to the injury when the victim becomes unable to

continue attendance at school as a result of the crime of violence perpetrated against him or her;

(14) loss of earnings, loss of future earnings because of disability resulting from the injury. Loss of future earnings shall be reduced by any income from substitute work actually performed by the victim or by income the victim would have earned in available appropriate substitute work the victim was capable of performing but unreasonably failed to undertake; loss of earnings and loss of future earnings shall be determined on the basis of the victim's average net monthly earnings for the 6 months immediately preceding the date of the injury or on $2,400 per month, whichever is less, or, in cases where the absences commenced more than 3 years from the date of the crime, on the basis of the net monthly earnings for the 6 months immediately preceding the date of the first absence, not to exceed $2,400 per month;

(14.5) loss of earnings for applicants or loss of future earnings for applicants. The applicant must demonstrate that the loss of earnings is a direct result of circumstances attributed to the crime including, but not limited to, court appearances, funeral preparation and bereavement, receipt of medical or psychological care; loss of earnings and loss of future earnings shall be determined on the basis of the applicant's average net monthly earnings for the 6 months immediately preceding the date of the injury or on $2,400 per month, whichever is less, or, in cases where the absences commenced more than 3 years from the date of the crime, on the basis of the net monthly earnings for the 6 months immediately preceding the date of the first absence, not to exceed $2,400 per month;

(15) loss of support of the dependents of the victim. Loss of support shall be determined on the basis of the victim's average net monthly earnings for the 6 months immediately preceding the date of the injury or on $2,400 per month, whichever is less, or, in cases where the absences commenced more than 3 years from the date of the crime, on the basis of the net monthly earnings for the 6 months immediately preceding the date of the first absence, not to exceed $2,400 per month. If a divorced or legally separated applicant is claiming loss of support for a minor child of the deceased, the amount of support for each child shall be based either on the amount of support pursuant to the judgment prior to the date of the deceased victim's injury or death, or, if the subject of pending litigation filed by or on behalf of the divorced or legally separated applicant prior to the injury or death, on the result of that litigation. Loss of support for minors shall be divided in proportion to the amount of the actual loss among those entitled to such compensation;

(16) in the case of death, expenses for reasonable

funeral, burial, headstone, cremation, and travel and transport for survivors of homicide victims to secure bodies of deceased victims and to transport bodies for burial all of which may be awarded up to a maximum of $10,000 for each victim. Other individuals that have paid or become obligated to pay funeral, cremation, or burial expenses, including a headstone, for the deceased shall share a maximum award of $10,000, with the award divided in proportion to the amount of the actual loss among those entitled to compensation;

(17) in the case of dismemberment or desecration of a body, expenses for reasonable funeral, burial, headstone, and cremation, all of which may be awarded up to a maximum of $10,000 for each victim. Other individuals that have paid or become obligated to pay funeral, cremation, or burial expenses, including a headstone, for the deceased shall share a maximum award of $10,000, with the award divided in proportion to the amount of the actual loss among those entitled to compensation; and

(18) ~~(19)~~ legal fees resulting from proceedings that became necessary solely because of the crime, including, but not limited to, establishing a legal guardian for the minor victim or the minor child of a victim, or obtaining a restraining order, no contact order, or order of protection, awarded up to a maximum of $3,500.

"Pecuniary loss" does not include pain and suffering or property loss or damage.

The changes made to this subsection by Public Act 101-652 apply to actions commenced or pending on or after January 1, 2022.

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

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

(k) "Survivor" means immediate family including a parent, stepfather, stepmother, child, brother, sister, or spouse.

(l) "Parent" means a natural parent, adopted parent, stepparent, or permanent legal guardian of another person.

(m) "Trafficking tattoo" is a tattoo which is applied to a victim in connection with the commission of a violation of Section 10-9 of the Criminal Code of 2012.

(n) "Dwelling" means a person's primary home. A person may be required to provide verification or proof of residence including, but not limited to, a lease agreement, utility bill, license registration, document showing the mailing address, pay stub, tax form, or notarized statement.

(o) "Dating relationship" means a current, continuous, romantic, courtship, or engagement relationship, often characterized by actions of an intimate or sexual nature or an expectation of affection. "Dating relationship" does not include a casual acquaintanceship or ordinary fraternization between persons in a business or social context.

(p) "Medical facility" means a facility for the delivery of health services. "Medical facility" includes, but is not limited to, a hospital, public health center, outpatient medical facility, federally qualified health center, migrant health center, community health center, or State correctional institution.

(q) "Mental health provider" means a licensed clinical psychologist, a licensed clinical social worker, a licensed professional counselor, or a licensed clinical professional counselor as defined in the Mental Health and Developmental Disabilities Code.

(r) (Blank). ~~"Independent medical evaluation" means an assessment by a mental health provider who is not currently providing treatment to the applicant and will not seek reimbursement from the program for continuing treatment after the assessment. A provider may seek reimbursement for the assessment.~~

(Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23; 102-982, eff. 7-1-23; 103-154, eff. 6-30-23; 103-564, eff.

11-17-23; 103-1037, eff. 1-1-25; revised 6-23-25.)

(740 ILCS 45/4.1) (from Ch. 70, par. 74.1)

Sec. 4.1. In addition to other powers and duties set forth in this Act and other powers exercised by the Attorney General, the Attorney General shall:

(1) investigate all claims and prepare and present an investigatory report and a draft award determination to the Court of Claims for a review period of 28 business days;

(2) upon conclusion of the review by the Court of Claims, provide the applicant with a compensation determination letter;

(3) prescribe and furnish all applications and other forms required to be filed in the office of the Attorney General by the terms of this Act;

(4) represent the interests of the State of Illinois in any hearing before the Court of Claims; ~~and~~

(5) upon failure to comply with Section 4.2, the Attorney General's office shall have the power to issue subpoenas to compel the production of law enforcement reports maintained by law enforcement agencies; and ~~.~~

(6) with the consent of an applicant, request and obtain supporting documentation required to verify the claim, including, but not limited to, documentation from hospitals, health care providers, providers of services to

victims or applicants, employers, insurance companies, and other third parties relevant to the claim.

The changes made to this Section by this amendatory Act of the 101st General Assembly apply to actions commenced or pending on or after January 1, 2022.

(Source: P.A. 102-27, eff. 6-25-21; 103-1037, eff. 8-9-24.)

(740 ILCS 45/4.2)

Sec. 4.2.

(a) A law enforcement agency shall, within 15 days of receipt of a written request for a police report made to verify that the requirements of a crime victims compensation application under Section 6.1 of this Act have been met, provide the Attorney General's office with the law enforcement agency's full written report of the investigation of the crime for which an application for compensation has been filed. The law enforcement agency may redact the following from the report: names of confidential sources and informants; locations from which law enforcement conduct surveillance; and information related to issues of national security the law enforcement agency provided to or received from the United States Department of Homeland Security or another federal law enforcement agency. The Attorney General's office and a law enforcement agency may agree to the redaction of other information in the report or to the provision of necessary information in another format. Within 15 days of receipt of the request, a law enforcement agency shall respond to a written request from the Attorney General's office for additional information necessary to assist the Attorney General's office in making a recommendation for compensation.

(b) An applicant may obtain and provide a law enforcement report to the Attorney General and the Attorney General may proceed with the review of the application. If the copy of the law enforcement report provided by the applicant does not contain all the information the Attorney General needs to move forward with the review of the application, the Attorney General may proceed with requesting from the law enforcement agency the full written report of the investigation.

(c) Records that are obtained by the Attorney General's office from a law enforcement agency under this Section for purposes of investigating an application for crime victim compensation shall not be disclosed to the public, including the applicant, by the Attorney General's office.

(d) Hospitals, health care providers, providers of services to victims or applicants, employers, insurance companies, and other third parties relevant to the application or claim shall respond in writing to the Attorney General's office request for confirmation, documentation, or other information under this Act within 30 days of receipt of the Attorney General's office request. If the information or documentation provided to the Attorney General does not contain all the information the Attorney General needs to move forward with review of the application or claim, the Attorney General may proceed with requesting further information or documentation.

(e) An applicant may obtain and attach to the application documentation from hospitals, health care providers, providers of services, employers, insurance companies, and other third parties relevant to the claim and the Attorney General may proceed with the review of the application. If the documentation provided by the applicant with the application does not contain all the information the Attorney General needs to move forward with the review of the application, the Attorney General may proceed with requesting from the applicant or from applicable third parties additional documentation or information.

(f) Law enforcement reports or other documentation obtained by the Attorney General's office from an applicant, victim, or third party under this Act for the purposes of investigating an application for crime victim compensation shall not be disclosed to the public or any individual or entity, not including the individual who supplied the report or documentation, by the Attorney General's office. Any records obtained by the Attorney General's office to process the application, including but not limited to applications, documents, and photographs, shall be exempt from disclosure by the Attorney General's office under the Freedom of Information Act.

(Source: P.A. 103-1037, eff. 1-1-25.)

(740 ILCS 45/6.1) (from Ch. 70, par. 76.1)

Sec. 6.1. Right to compensation. A person is entitled to compensation under this Act if:

(a) Timing. Within 5 years of the occurrence of the crime, or within one year after a criminal charge of a person for an offense, upon which the claim is based, the applicant presents an application, under oath, to the Attorney General that is filed with the Court of Claims and on a form prescribed in accordance with Section 7.1 furnished by the Attorney General. If the person entitled to compensation is under 18 years of age or under other legal disability at the time of the occurrence or is determined by a court to be under a legal disability as a result of the occurrence, he or she may present the application required by this subsection within 3 years after he or she attains the age of 18 years or the disability is removed, as the case may be. Legal disability includes a diagnosis of posttraumatic stress disorder.

(a-1) The Attorney General and the Court of Claims may accept an application presented after the period provided in subsection (a) if the Attorney General determines that the applicant had good cause for a delay.

(b) Notification. The appropriate law enforcement officials were notified within 30 days ~~72 hours~~ of the perpetration of the crime allegedly causing the death or injury to the victim. If the notification was made more than 30 days ~~72 hours~~ after the perpetration of the crime and the applicant establishes that the notice was timely under the circumstances, the Attorney General and the Court of Claims may extend the time for reporting to law enforcement.

~~For victims of offenses defined in Sections 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, and 12-14 of the Criminal Code of 1961 or the Criminal Code of 2012, the appropriate law enforcement officials were notified within 7 days of the perpetration of the crime allegedly causing death or injury to the victim or, if the notification was made more than 7 days after the perpetration of the crime, the applicant establishes that the notice was timely under the circumstances.~~

(b-1) If, in lieu of a law enforcement report, the applicant or victim has obtained an order of protection, a civil no contact order, or a stalking no contact order, has presented to a medical facility for medical care or sexual assault evidence collection, has presented to a mental health provider for mental health care or evaluation ~~an independent medical evaluation~~, or is engaged in a legal proceeding involving a claim that the applicant or victim is a victim of human trafficking or law enforcement use of force, such action shall constitute appropriate notification under this Section.

(b-2) For purposes of notification under this Act, a victim who presents to a medical facility or mental health provider shall provide information sufficient to fulfill the requirements of this Section, except that the victim shall not be required to identify the offender to the medical or mental health provider.

(b-3) An applicant who is filing a claim that a law enforcement officer's use of force caused injury or death, may fulfill the notification requirement by complying with subsection (b), filing a complaint with the Illinois Law Enforcement Training Standards Board, filing a lawsuit against a law enforcement officer or department, or presenting evidence that the victim has obtained a settlement or a verdict in a civil suit. An application filed by an individual presenting evidence of a verdict in a civil suit must be filed within one year after the resolution of the civil suit.

(b-4) An applicant may provide notification to a mental health provider regarding physical or psychological injuries ~~of the victim or for victims of offenses defined in Sections 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-14.4, 12-3.2, 12-3.3, 12-3.4, 12-7.3, 12-7.4 of the Criminal Code of 2012, psychological injuries~~ resulting from the commission of the crime for which the applicant is filing an application. The provider shall perform an ~~independent medical~~ evaluation and provide the provider's professional opinion as to whether the injuries claimed are consistent with having resulted from the commission of the crime for which the applicant is filing an application. A mental health provider may seek reimbursement for an evaluation under this subsection if the mental health provider is not currently providing treatment to the applicant, and will not seek reimbursement from the program for any additional treatment of the applicant. Otherwise, a mental health provider may conduct an evaluation under this subsection, but is ineligible for reimbursement for performing the evaluation.

Upon completion of the ~~independent medical~~ evaluation, the mental health provider shall complete a certification form, signed under oath. The form shall be provided by the Office of the Attorney General, be available on its website, and contain the following:

(1) The provider's name, title, license number and place of employment.

(2) Contact information for the provider.

(3) The provider's relationship with the applicant.

(4) The date the crime was reported to the provider.

(5) The reported crime.

(6) The date and location of the crime.

(7) If there are physical injuries, what injuries that the mental health provider can attest to being present on the day of the reporting if they are consistent with the crime reported to the provider.

(8) If there are psychological injuries, whether the provider in his or her professional opinion believes that the injuries presented on the day of the reporting are consistent with the crime reported to the provider.

(9) A detailed summary of the incident, as reported.

(10) Any documentation ~~or photos~~ that relates ~~relate~~ to the crime of violence for which the applicant is seeking reimbursement.

(b-5) If a mental health provider who provides a certification form pursuant to subsection (b-4) seeks reimbursement from the program for treatment of the applicant, or an applicant seeks reimbursement for payments made to the mental health provider for treatment, compensation for services provided by the mental health provider shall be limited to Medicare-approved rates. Pursuant to subsection (g) of Section 10.1, a mental health provider may not seek reimbursement for services provided to an applicant if the applicant has not exhausted the benefits reasonably available under any governmental, medical, or health insurance program.

(b-6) If an applicant was receiving treatment from a mental health provider before the commission of the crime, and the mental health provider provides a certification form pursuant to subsection (b-4), the mental health provider may only seek reimbursement from the program for treatment that is in addition to the treatment the applicant was already receiving before the commission of the crime.

(c) Cooperation. The applicant has cooperated with law enforcement officials in the apprehension and prosecution of the assailant. If the applicant or victim has obtained an order of protection, a civil no contact order, or a stalking no contact order, has presented to a medical facility for medical care or sexual assault evidence collection, obtained an evaluation ~~independent medical examination~~ from a mental health provider as described in subsection (b-4), has taken any of the actions described in subsection (b-3), or is engaged in a legal proceeding involving a claim that the applicant or victim is a victim of human trafficking, such action shall constitute cooperation under this subsection (c). If the victim is under 18 years of age at the time of the commission of the offense, the following shall constitute cooperation under this subsection (c):

(1) the applicant or the victim files a police report with a law enforcement agency;

(2) a mandated reporter reports the crime to law enforcement; or

(3) a person with firsthand knowledge of the crime reports the crime to law enforcement.

In evaluating cooperation, the Attorney General and Court of Claims may consider the victim's age, physical condition, psychological state, cultural or linguistic barriers, and compelling health and safety concerns, including, but not limited to, a reasonable fear of retaliation or harm that would jeopardize the well-being of the victim or the victim's family, and giving due consideration to the degree of cooperation that the victim or derivative victim is capable of in light of the presence of any of these factors, or any other factor the Attorney General considers relevant.

(d) If the applicant is not barred from receiving compensation under Section 10.1.

(e) (Blank).

(f) (Blank).

(g) (Blank).

Furnishing an evaluation as described in subsection (b-4) or furnishing another document as evidence of notification or cooperation under this Section may not be construed to waive any confidentiality or privilege that may exist between the victim or applicant and a third party.

The changes made to this Section by this amendatory Act of the 101st General Assembly apply to actions commenced or pending on or after January 1, 2022.

(Source: P.A. 102-27, eff. 6-25-21; 103-1037, eff. 1-1-25.)

(740 ILCS 45/7.1) (from Ch. 70, par. 77.1)

Sec. 7.1. (a) The application form furnished by the Office of the Attorney General and published on its website shall include fields for the applicant to set out:

(1) the name and address of the victim;

(2) if the victim is deceased, the name and address of the applicant and his or her relationship to the victim, the names and addresses of other persons dependent on the victim for their support and the extent to which each is so dependent, and other persons who may be entitled to compensation for a pecuniary loss;

(3) the date and nature of the crime on which the application for compensation is based;

(4) the date and place where notification under Section 6.1 was given and to whom, or the date and place of issuance of an order of protection, no contact order, evidence of a legal proceeding involving human trafficking, or in cases of a law enforcement officer's use of force, another form of documentation allowable under Section 6.1;

(4.5) if the victim is providing supplemental forms of documentation, that documentation, the date the victim obtained that other form of documentation and the type of documentation;

(5) the nature and extent of the injuries sustained by the victim, and the names and addresses of those giving medical and hospitalization treatment to the victim;

(6) the pecuniary loss to the applicant and to such other persons as are specified under item (2) resulting from the injury or death;

(7) the amount of benefits, payments, or awards, if any, payable under:

(a) the Workers' Compensation Act,

(b) the Dram Shop Act,

(c) any claim, demand, or cause of action based upon the crime-related injury or death,

(d) the Federal Medicare program,

(e) the State Public Aid program,

(f) Social Security Administration burial benefits,

(g) Veterans administration burial benefits,

(h) life, health, accident, vehicle, towing, or liability insurance,

(i) the Criminal Victims' Escrow Account Act,

(j) the Sexual Assault Survivors Emergency Treatment Act,

(k) restitution, or

(l) any other source;

(8) releases authorizing the surrender to the Court of Claims or Attorney General of reports, documents and other information relating to the matters specified under this Act and rules promulgated in accordance with the Act;

(9) such other information as the Court of Claims or the Attorney General reasonably requires; ~~.~~

(10) whether the applicant is applying for an emergency award under Section 10.2.

(b) The Attorney General may require that materials substantiating the facts stated in the application be submitted with that application.

(b-5) The victim or applicant may provide to the Attorney General a sworn statement by the victim or applicant that attests to the victim's or applicant's experience of a crime or crimes of violence, in addition to documentation required under this Act. If the victim or applicant has additional corroborating evidence beyond those described in this Act, the victim or applicant may provide the following documents: law enforcement report; medical records; confirmation of sexual assault evidence collection; order of protection; civil no contact order, stalking no contact order; photographs; letter from a service provider who serves victims of crime; affidavit from a witness of the crime of violence; court record; military record; or any other corroborating evidence. Such documentation or statement may be used to supplement required documentation to verify the incident but is not required. If an applicant is seeking an exception under subsection (b) or (c-1) of Section 6.1, the applicant shall provide any additional documentation, information, or statement that substantiates the facts stated in the application.

(c) An applicant, on his or her own motion, may file an amended application or additional substantiating materials to correct inadvertent errors or omissions at any time before the original application has been disposed of by the Court of Claims or the Attorney General. In either case, the filing of additional information or of an amended application shall be considered for the purpose of this Act to have been filed at the same time as the original application.

For claims submitted on or after January 1, 2022, an amended application or additional substantiating materials to correct inadvertent errors or omissions may be filed at any time before the original application is disposed of by the Attorney General or the Court of Claims.

(d) Determinations submitted by the Attorney General to the Court of Claims shall be available to the Court of Claims for review. The Attorney General shall provide the sources and evidence relied upon as a basis for a compensation determination.

(e) The changes made to this Section by this amendatory Act of the 101st General Assembly apply to actions commenced

or pending on or after January 1, 2022.
(Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23; 103-1037, eff. 1-1-25.)

(740 ILCS 45/8.1) (from Ch. 70, par. 78.1)

Sec. 8.1. If an applicant does not submit all materials substantiating his or her claim as requested of him or her by the Attorney General, and the Attorney General is unable to otherwise obtain such materials within 45 days of receiving the claim, the Attorney General shall notify the applicant in writing of the specific additional items of information or materials required and that he or she has 45 days in which to furnish those items to the Attorney General. The Attorney General shall report an applicant's failure to comply within 45 days of the foregoing notice to the Court of Claims. No award of compensation shall be made for any portion of the applicant's claim that is not substantiated by the applicant. An applicant may request an extension of time from the Attorney General prior to the expiration of the 45-day period.

After an application has been filed, an applicant's failure to respond to communication from the Office of the Attorney General or the Court of Claims or a failure to provide necessary documentation to substantiate the request for compensation may result in the claim being closed without compensation. An applicant may submit to have the claim reopened when the applicant is able to provide missing information and communicate regarding the claim.

Failure to update the Office of the Attorney General with changes to the applicant's contact information after the application is submitted to the Office of the Attorney General may result in applications that are not filed with the Court of Claims or claims that are closed without compensation.

(Source: P.A. 102-27, eff. 1-1-22; 103-1037, eff. 1-1-25.)

(740 ILCS 45/10.2)

Sec. 10.2. Emergency awards.

(a) If it appears, prior to taking action on an application, that the claim is one for which compensation is probable, and undue hardship will result to the applicant if immediate payment is not made, the Attorney General may recommend and the Court may make an emergency award of compensation to the applicant, pending a final decision in the case. The Court shall issue a voucher for payment to the Comptroller of an emergency award after receiving notice of the decision to grant the emergency award. If the Comptroller is not able to release the voucher for payment within 10 business days of receiving a voucher for payment from the Court, the Comptroller shall notify the Court of Claims. Emergency awards may be issued to the applicant for the purpose of paying funeral and burial expenses directly to a funeral home for expenses that have been incurred or that the applicant has been quoted, and for relocation expenses incurred or due to be incurred by an applicant. The amount of emergency compensation shall be deducted from any final award made as a result of the claim. The full amount of the emergency award if no final award is made shall be repaid by the applicant to the State of Illinois. If the amount of emergency compensation exceeds the actual amount the applicant incurs, the difference shall be repaid to the State.

(b) Emergency award applicants must satisfy all requirements under Section 6.1 of this Act.

(c) The Office of the Attorney General shall include a designated section in the application form described in Section 7.1 for the applicant to request an emergency award.

(Source: P.A. 102-27, eff. 1-1-22.)