

AN ACT concerning government.

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

Section 5. The Criminal Identification Act is amended by changing Section 2.1 as follows:

(20 ILCS 2630/2.1) (from Ch. 38, par. 206-2.1)

(Text of Section before amendment by P.A. 104-459)

Sec. 2.1. For the purpose of maintaining complete and accurate criminal records of the Illinois State Police, it is necessary for all policing bodies of this State, the clerk of the circuit court, the Illinois Department of Corrections, the sheriff of each county, and State's Attorney of each county to submit certain criminal arrest, charge, and disposition information to the Illinois State Police for filing at the earliest time possible. Unless otherwise noted herein, it shall be the duty of all policing bodies of this State, the clerk of the circuit court, the Illinois Department of Corrections, the sheriff of each county, and the State's Attorney of each county to report such information as provided in this Section, both in the form and manner required by the Illinois State Police and within 30 days of the criminal history event. Specifically:

(a) Arrest Information. All agencies making arrests

for offenses which are required by statute to be collected, maintained or disseminated by the Illinois State Police shall be responsible for furnishing daily to the Illinois State Police fingerprints, charges and descriptions of all persons who are arrested for such offenses. All such agencies shall also notify the Illinois State Police of all decisions by the arresting agency not to refer such arrests for prosecution. With approval of the Illinois State Police, an agency making such arrests may enter into arrangements with other agencies for the purpose of furnishing daily such fingerprints, charges and descriptions to the Illinois State Police upon its behalf.

(a-5) Pretrial Services Information. With the approval of the Illinois State Police, pretrial services agencies, as defined in Section 0.02 of the Pretrial Services Act, may furnish fingerprints, charges, and descriptions to the Illinois State Police in the same manner as agencies making arrests under subsection (a).

(b) Charge Information. The State's Attorney of each county shall notify the Illinois State Police of all charges filed and all petitions filed alleging that a minor is delinquent, including all those added subsequent to the filing of a case, and whether charges were not filed in cases for which the Illinois State Police has received information required to be reported pursuant to paragraph (a) of this Section. With approval of the Illinois State

Police, the State's Attorney may enter into arrangements with other agencies for the purpose of furnishing the information required by this subsection (b) to the Illinois State Police upon the State's Attorney's behalf.

(c) Disposition Information. The clerk of the circuit court of each county shall furnish the Illinois State Police, in the form and manner required by the Supreme Court, with all final dispositions of cases for which the Illinois State Police has received information required to be reported pursuant to paragraph (a) or (d) of this Section. Such information shall include, for each charge, all (1) judgments of not guilty, judgments of guilty including the sentence pronounced by the court with statutory citations to the relevant sentencing provision, findings that a minor is delinquent and any sentence made based on those findings, discharges and dismissals in the court; (2) reviewing court orders filed with the clerk of the circuit court which reverse or remand a reported conviction or findings that a minor is delinquent or that vacate or modify a sentence or sentence made following a trial that a minor is delinquent; (3) continuances to a date certain in furtherance of an order of supervision granted under Section 5-6-1 of the Unified Code of Corrections or an order of probation granted under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the

Methamphetamine Control and Community Protection Act, Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Substance Use Disorder Act, Section 10 of the Steroid Control Act, or Section 5-615 of the Juvenile Court Act of 1987; (4) judgments or court orders terminating or revoking a sentence to or juvenile disposition of probation, supervision or conditional discharge and any resentencing or new court orders entered by a juvenile court relating to the disposition of a minor's case involving delinquency after such revocation; and (5) in any case in which a firearm is alleged to have been used in the commission of an offense, the serial number of any firearm involved in the case, or if the serial number was obliterated, as provided by the State's Attorney to the clerk of the circuit court at the time of disposition.

(d) Fingerprints After Sentencing.

(1) After the court pronounces sentence, sentences a minor following a trial in which a minor was found to be delinquent or issues an order of supervision or an order of probation granted under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act,

Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Substance Use Disorder Act, Section 10 of the Steroid Control Act, or Section 5-615 of the Juvenile Court Act of 1987 for any offense which is required by statute to be collected, maintained, or disseminated by the Illinois State Police, the State's Attorney of each county shall ask the court to order a law enforcement agency to fingerprint immediately all persons appearing before the court who have not previously been fingerprinted for the same case. The court shall so order the requested fingerprinting, if it determines that any such person has not previously been fingerprinted for the same case. The law enforcement agency shall submit such fingerprints to the Illinois State Police daily.

(2) After the court pronounces sentence or makes a disposition of a case following a finding of delinquency for any offense which is not required by statute to be collected, maintained, or disseminated by the Illinois State Police, the prosecuting attorney may ask the court to order a law enforcement agency to fingerprint immediately all persons appearing before the court who have not previously been fingerprinted

for the same case. The court may so order the requested fingerprinting, if it determines that any so sentenced person has not previously been fingerprinted for the same case. The law enforcement agency may retain such fingerprints in its files.

(e) Corrections Information. The Illinois Department of Corrections and the sheriff of each county shall furnish the Illinois State Police with all information concerning the receipt, escape, execution, death, release, pardon, parole, commutation of sentence, granting of executive clemency or discharge of an individual who has been sentenced or committed to the agency's custody for any offenses which are mandated by statute to be collected, maintained or disseminated by the Illinois State Police. For an individual who has been charged with any such offense and who escapes from custody or dies while in custody, all information concerning the receipt and escape or death, whichever is appropriate, shall also be so furnished to the Illinois State Police.

(Source: P.A. 104-5, eff. 1-1-26.)

(Text of Section after amendment by P.A. 104-459)

Sec. 2.1. For the purpose of maintaining complete and accurate criminal records of the Illinois State Police, it is necessary for all policing bodies of this State, the clerk of the circuit court, the Illinois Department of Corrections, the

sheriff of each county, and State's Attorney of each county to submit certain criminal arrest, charge, and disposition information to the Illinois State Police for filing at the earliest time possible. Unless otherwise noted herein, it shall be the duty of all policing bodies of this State, the clerk of the circuit court, the Illinois Department of Corrections, the sheriff of each county, and the State's Attorney of each county to report such information as provided in this Section, both in the form and manner required by the Illinois State Police and within 30 days of the criminal history event. Specifically:

(a) Arrest Information. All agencies making arrests for offenses which are required by statute to be collected, maintained or disseminated by the Illinois State Police shall be responsible for furnishing daily to the Illinois State Police fingerprints, charges and descriptions of all persons who are arrested for such offenses. All such agencies shall also notify the Illinois State Police of all decisions by the arresting agency not to refer such arrests for prosecution. With approval of the Illinois State Police, an agency making such arrests may enter into arrangements with other agencies for the purpose of furnishing daily such fingerprints, charges and descriptions to the Illinois State Police upon its behalf.

(a-5) Pretrial Services Information. With the approval of the Illinois State Police, pretrial services agencies,

as defined in Section 0.02 of the Pretrial Services Act, may furnish fingerprints, charges, and descriptions to the Illinois State Police in the same manner as agencies making arrests under subsection (a).

(b) Charge Information. The State's Attorney of each county shall notify the Illinois State Police of all charges filed and all petitions filed alleging that a minor is delinquent, including all those added subsequent to the filing of a case, and whether charges were not filed in cases for which the Illinois State Police has received information required to be reported pursuant to paragraph (a) of this Section. With approval of the Illinois State Police, the State's Attorney may enter into arrangements with other agencies for the purpose of furnishing the information required by this subsection (b) to the Illinois State Police upon the State's Attorney's behalf.

(c) Disposition Information. The clerk of the circuit court of each county shall furnish the Illinois State Police, in the form and manner required by the Supreme Court, with all final dispositions of cases for which the Illinois State Police has received information required to be reported pursuant to paragraph (a) or (d) of this Section. Such information shall include, for each charge, all (1) judgments of not guilty, judgments of guilty including the sentence pronounced by the court with statutory citations to the relevant sentencing provision,

findings that a minor is delinquent and any sentence made based on those findings, discharges and dismissals in the court; (2) reviewing court orders filed with the clerk of the circuit court which reverse or remand a reported conviction or findings that a minor is delinquent or that vacate or modify a sentence or sentence made following a trial that a minor is delinquent; (3) continuances to a date certain in furtherance of an order of supervision granted under Section 5-6-1 of the Unified Code of Corrections or an order of probation granted under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Substance Use Disorder Act, Section 10 of the Steroid Control Act, or Section 5-615 of the Juvenile Court Act of 1987; (4) judgments or court orders terminating or revoking a sentence to or juvenile disposition of probation, supervision or conditional discharge, judgment or court orders of discharge from probation or conditional discharge, and any resentencing or new court orders entered by a juvenile court relating to the disposition of a minor's case involving delinquency after such

revocation; and (5) in any case in which a firearm is alleged to have been used in the commission of an offense, the serial number of any firearm involved in the case, or if the serial number was obliterated, as provided by the State's Attorney to the clerk of the circuit court at the time of disposition. The Illinois State Police may provide reports of cases with missing disposition information to the clerk of the circuit court. Each clerk of the circuit court receiving a report of cases with missing disposition information shall respond within 30 days after receiving the report unless the volume of records in the report renders that timeline impracticable.

(d) Fingerprints After Sentencing.

(1) After the court pronounces sentence, sentences a minor following a trial in which a minor was found to be delinquent or issues an order of supervision or an order of probation granted under Section 10 of the Cannabis Control Act, Section 410 of the Illinois Controlled Substances Act, Section 70 of the Methamphetamine Control and Community Protection Act, Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of the Criminal Code of 1961 or the Criminal Code of 2012, Section 10-102 of the Illinois Alcoholism and Other Drug Dependency Act, Section 40-10 of the Substance Use Disorder Act, Section 10 of the Steroid Control Act, or Section 5-615 of the

Juvenile Court Act of 1987 for any offense which is required by statute to be collected, maintained, or disseminated by the Illinois State Police, the State's Attorney of each county shall ask the court to order a law enforcement agency to fingerprint immediately all persons appearing before the court who have not previously been fingerprinted for the same case. The court shall so order the requested fingerprinting, if it determines that any such person has not previously been fingerprinted for the same case. The law enforcement agency shall submit such fingerprints to the Illinois State Police daily.

(2) After the court pronounces sentence or makes a disposition of a case following a finding of delinquency for any offense which is not required by statute to be collected, maintained, or disseminated by the Illinois State Police, the prosecuting attorney may ask the court to order a law enforcement agency to fingerprint immediately all persons appearing before the court who have not previously been fingerprinted for the same case. The court may so order the requested fingerprinting, if it determines that any so sentenced person has not previously been fingerprinted for the same case. The law enforcement agency may retain such fingerprints in its files.

(e) Corrections Information. The Illinois Department

of Corrections and the sheriff of each county shall furnish the Illinois State Police with all information concerning the receipt, escape, execution, death, release, pardon, parole, commutation of sentence, granting of executive clemency or discharge of an individual who has been sentenced or committed to the agency's custody for any offenses which are mandated by statute to be collected, maintained or disseminated by the Illinois State Police. For an individual who has been charged with any such offense and who escapes from custody or dies while in custody, all information concerning the receipt and escape or death, whichever is appropriate, shall also be so furnished to the Illinois State Police.

(f) Any entity required to report information concerning criminal arrests, charges, and dispositions pursuant to Section 2.1 or 5 of this Act shall respond to any notice advising the entity of missing or incomplete information or an error in the reporting of the information as follows:

(1) Responses shall be made within 30 days after the notice from the Illinois State Police unless the volume of records in the report renders that timeline impracticable.

(2) Responses shall include the missing or incomplete information, correction of the error or an explanation detailing the reason the information

cannot be provided or corrected, and an estimated timeframe for compliance.

(Source: P.A. 104-5, eff. 1-1-26; 104-459, eff. 6-1-26.)

Section 10. The Pretrial Services Act is amended by adding Section 7.5 as follows:

(725 ILCS 185/7.5 new)

Sec. 7.5. Collaboration. Pretrial services agencies may collaborate with the policing bodies of this State, the clerks of the circuit court, the sheriffs, and the State's Attorneys to assist in maintaining complete and accurate criminal records of the Illinois State Police under the Criminal Identification Act.

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