



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4394

Introduced 1/14/2026, by Rep. Daniel Didech

SYNOPSIS AS INTRODUCED:

725 ILCS 203/20

Amends the Sexual Assault Incident Procedure Act. Provides that a law enforcement officer shall inform a victim of sexual assault or sexual abuse of the right to request that any interview or statement be conducted in the presence of a law enforcement officer of a particular sex or gender, if one is reasonably available. Provides that if a law enforcement officer of the requested sex or gender is not reasonably available, the interview or statement shall proceed without unnecessary delay.

LRB104 15620 RLC 28787 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Sexual Assault Incident Procedure Act is
5 amended by changing Section 20 as follows:

6 (725 ILCS 203/20)

7 (Text of Section before amendment by P.A. 104-173)

8 Sec. 20. Reports by law enforcement officers.

9 (a) A law enforcement officer shall complete a written
10 police report upon receiving the following, regardless of
11 where the incident occurred:

12 (1) an allegation by a person that the person has been
13 sexually assaulted or sexually abused regardless of
14 jurisdiction;

15 (2) information from hospital or medical personnel
16 provided under Section 3.2 of the Criminal Identification
17 Act; or

18 (3) information from a witness who personally observed
19 what appeared to be a sexual assault or sexual abuse or
20 attempted sexual assault or sexual abuse.

21 (b) The written report shall include the following, if
22 known:

23 (1) the victim's name or other identifier;

- 1 (2) the victim's contact information;
- 2 (3) time, date, and location of offense;
- 3 (4) information provided by the victim;
- 4 (5) the suspect's description and name, if known;
- 5 (6) names of persons with information relevant to the
- 6 time before, during, or after the sexual assault or sexual
- 7 abuse, and their contact information;
- 8 (7) names of medical professionals who provided a
- 9 medical forensic examination of the victim and any
- 10 information they provided about the sexual assault or
- 11 sexual abuse;
- 12 (8) whether an Illinois State Police Sexual Assault
- 13 Evidence Collection Kit was completed, the name and
- 14 contact information for the hospital, and whether the
- 15 victim consented to testing of the Evidence Collection Kit
- 16 by law enforcement;
- 17 (9) whether a urine or blood sample was collected and
- 18 whether the victim consented to testing of a toxicology
- 19 screen by law enforcement;
- 20 (10) information the victim related to medical
- 21 professionals during a medical forensic examination which
- 22 the victim consented to disclosure to law enforcement; and
- 23 (11) other relevant information.
- 24 (c) If the sexual assault or sexual abuse occurred in
- 25 another jurisdiction, the law enforcement officer taking the
- 26 report must submit the report to the law enforcement agency

1 having jurisdiction in person or via fax or email within 24
2 hours of receiving information about the sexual assault or
3 sexual abuse.

4 (d) Within 24 hours of receiving a report from a law
5 enforcement agency in another jurisdiction in accordance with
6 subsection (c), the law enforcement agency having jurisdiction
7 shall submit a written confirmation to the law enforcement
8 agency that wrote the report. The written confirmation shall
9 contain the name and identifier of the person and confirming
10 receipt of the report and a name and contact phone number that
11 will be given to the victim. The written confirmation shall be
12 delivered in person or via fax or email.

13 (e) No law enforcement officer shall require a victim of
14 sexual assault or sexual abuse to submit to an interview.

15 (f) No law enforcement agency may refuse to complete a
16 written report as required by this Section on any ground.

17 (g) All law enforcement agencies shall ensure that all
18 officers responding to or investigating a complaint of sexual
19 assault or sexual abuse have successfully completed training
20 under Section 10.21 of the Illinois Police Training Act and
21 Section 2605-51 of the Illinois State Police Law of the Civil
22 Administrative Code of Illinois.

23 (Source: P.A. 102-538, eff. 8-20-21.)

24 (Text of Section after amendment by P.A. 104-173)

25 Sec. 20. Reports by law enforcement officers.

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2 police report upon receiving the following, regardless of
3 where the incident occurred:

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9 Act; or

10 (3) information from a witness who personally observed
11 what appeared to be a sexual assault or sexual abuse or
12 attempted sexual assault or sexual abuse.

13 (b) The written report shall include the following, if
14 known:

15 (1) the victim's name or other identifier;

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17 (3) time, date, and location of offense;

18 (4) information provided by the victim;

19 (5) the suspect's description and name, if known;

20 (6) names of persons with information relevant to the
21 time before, during, or after the sexual assault or sexual
22 abuse, and their contact information;

23 (7) names of medical professionals who provided a
24 medical forensic examination of the victim and any
25 information they provided about the sexual assault or
26 sexual abuse;

1 (8) whether an Illinois State Police Sexual Assault
2 Evidence Collection Kit was completed, the name and
3 contact information for the hospital, and whether the
4 victim consented to testing of the Evidence Collection Kit
5 by law enforcement;

6 (9) whether a urine or blood sample was collected and
7 whether the victim consented to testing of a toxicology
8 screen by law enforcement;

9 (10) information the victim related to medical
10 professionals during a medical forensic examination which
11 the victim consented to disclosure to law enforcement; and

12 (11) other relevant information.

13 (c) If the sexual assault or sexual abuse occurred in
14 another jurisdiction, the law enforcement officer taking the
15 report must submit the report to the law enforcement agency
16 having jurisdiction in person or via fax or email within 24
17 hours of receiving information about the sexual assault or
18 sexual abuse.

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20 enforcement agency in another jurisdiction in accordance with
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23 agency that wrote the report. The written confirmation shall
24 contain the name and identifier of the person and confirming
25 receipt of the report and a name and contact phone number that
26 will be given to the victim. The written confirmation shall be

1 delivered in person or via fax or email.

2 (e) No law enforcement officer shall require a victim of
3 sexual assault or sexual abuse to submit to an interview.

4 (f) No law enforcement agency may refuse to complete a
5 written report as required by this Section on any ground. A law
6 enforcement officer shall not discourage or attempt to
7 discourage a victim from filing a police report concerning
8 sexual assault or sexual abuse.

9 (g) All law enforcement agencies shall ensure that all
10 officers responding to or investigating a complaint of sexual
11 assault or sexual abuse have successfully completed training
12 under Section 10.21 of the Illinois Police Training Act and
13 Section 2605-51 of the Illinois State Police Law of the Civil
14 Administrative Code of Illinois.

15 (h) A law enforcement officer shall inform a victim of
16 sexual assault or sexual abuse of the right to request that any
17 interview or statement be conducted in the presence of a law
18 enforcement officer of a particular sex or gender, if one is
19 reasonably available. If a law enforcement officer of the
20 requested sex or gender is not reasonably available, the
21 interview or statement shall proceed without unnecessary
22 delay.

23 (Source: P.A. 104-173, eff. 1-1-26.)

24 Section 95. No acceleration or delay. Where this Act makes
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section
2 represented by multiple versions), the use of that text does
3 not accelerate or delay the taking effect of (i) the changes
4 made by this Act or (ii) provisions derived from any other
5 Public Act.