



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5155

Introduced 2/10/2026, by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

New Act

Creates the Incarceration Demographic Data Transparency Act. Provides that for each person confined for any length of time in a State correctional institution or county jail demographic data shall be collected. Provides that the data shall consist of the race, ethnicity, and gender of confined persons. Provides that the Department of Corrections shall establish uniform statewide standards for the collection of demographic data that: (1) are consistent with applicable federal civil rights reporting requirements; (2) promote accuracy and consistency across jurisdictions; and (3) protect the dignity, privacy, and safety of confined individuals. Provides that the Department shall collect and maintain demographic data for all covered individuals confined in State correctional facilities. Provides that each county sheriff shall collect demographic data for covered individuals confined in county jails and shall submit such data to the Department in the form and manner prescribed by the Department. Provides that demographic data shall be submitted and reported at least quarterly and shall include: (1) snapshot population counts; and (2) admissions and releases occurring during the reporting period. Provides that the Department shall publish demographic data collected under the Act on a publicly accessible website in a searchable and downloadable. Provides that publicly reported data shall: (1) be aggregated and de-identified; and (2) exclude or suppress categories where disclosure would create a reasonable risk of identifying an individual. Provides that nothing in the Act authorizes the public release of personally identifiable information. Provides that the Department shall oversee implementation and compliance with the Act and provide guidance, reporting templates, and technical assistance to county sheriffs as necessary to implement the Act. Provides that the implementation of the Act is subject to appropriation. Provides that no criminal penalty shall apply to good-faith errors, technical mistakes, or omissions that are promptly corrected upon notice. Provides that the criminal penalties provided in this provision do not preclude administrative sanctions, civil penalties, injunctive relief, or other remedies authorized by law.

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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 1. Short title. This Act may be cited as the
5 Incarceration Demographic Data Transparency Act.

6 Section 5. Purpose. The purpose of this Act is to require
7 the uniform collection and public reporting of demographic
8 data for individuals confined in Illinois State correctional
9 facilities and county jails, in order to promote transparency,
10 equity, and evidence-based criminal justice policy, while
11 protecting individual privacy and safety.

12 Section 10. Definitions. In this Act:

13 "County jail" means any jail, detention center, or
14 correctional facility operated by a county sheriff for the
15 confinement of persons:

16 (1) awaiting trial or disposition; or

17 (2) serving a sentence of less than one year.

18 "Covered individual" means any person confined in a State
19 correctional facility or county jail for any length of time.

20 "Demographic data" means information regarding race,
21 ethnicity, and gender collected under Section 15 of this Act.

22 "De-identified data" means data from which all personally

1 identifying information has been removed, including, but not
2 limited to name, date of birth, booking number, and any unique
3 identifier.

4 "Department" means the Department of Corrections.

5 Section 15. Demographic data collection.

6 (a) For each covered individual, the following demographic
7 data shall be collected:

8 (1) race;

9 (2) ethnicity; and

10 (3) gender.

11 (b) The Department shall establish uniform statewide
12 standards for the collection of demographic data that:

13 (1) are consistent with applicable federal civil
14 rights reporting requirements;

15 (2) promote accuracy and consistency across
16 jurisdictions; and

17 (3) protect the dignity, privacy, and safety of
18 confined individuals.

19 (c) The standards for gender data collection shall, to the
20 extent practicable:

21 (1) permit self-identification;

22 (2) avoid forced or inaccurate classification; and

23 (3) distinguish between sex assigned at birth and
24 current gender identity.

1 Section 20. Reporting requirements.

2 (a) The Department shall collect and maintain demographic
3 data for all covered individuals confined in State
4 correctional facilities.

5 (b) Each county sheriff shall collect demographic data for
6 covered individuals confined in county jails and shall submit
7 such data to the Department in the form and manner prescribed
8 by the Department.

9 (c) Demographic data shall be submitted and reported at
10 least quarterly and shall include:

11 (1) snapshot population counts; and

12 (2) admissions and releases occurring during the
13 reporting period.

14 Section 25. Public reporting.

15 (a) The Department shall publish demographic data
16 collected under this Act on a publicly accessible website in a
17 searchable and downloadable format.

18 (b) Publicly reported data shall:

19 (1) be aggregated and de-identified; and

20 (2) exclude or suppress categories where disclosure
21 would create a reasonable risk of identifying an
22 individual.

23 (c) Nothing in this Act authorizes the public release of
24 personally identifiable information.

1 Section 30. Oversight and compliance.

2 (a) The Department shall oversee implementation and
3 compliance with this Act.

4 (b) The Department shall provide guidance, reporting
5 templates, and technical assistance to county sheriffs as
6 necessary to implement this Act.

7 Section 35. Funding. The implementation of this Act is
8 subject to appropriation. The Department shall not require
9 county compliance with reporting requirements unless
10 sufficient funding or technical support is made available by
11 the State.

12 Section 40. Rulemaking. The Department shall adopt rules
13 necessary to implement this Act no later than 12 months after
14 the effective date of the Act.

15 Section 45. Enforcement and criminal penalties.

16 (a) Any person who knowingly falsifies, alters, or
17 fabricates demographic data required to be collected or
18 reported under this Act, or who knowingly causes such
19 falsification, alteration, or fabrication, commits a Class A
20 misdemeanor.

21 (b) Any responsible official who knowingly and willfully
22 fails to submit required demographic data after receiving
23 written notice of noncompliance from the overseeing agency and

1 a reasonable opportunity to cure shall be guilty of a petty
2 offense for a first violation and a Class B misdemeanor for a
3 second or subsequent violation.

4 (c) A person commits a Class A misdemeanor if the person
5 knowingly retaliate against a covered individual or employee
6 for providing accurate information or for reporting a
7 violation of this Act.

8 (d) No criminal penalty shall apply to good-faith errors,
9 technical mistakes, or omissions that are promptly corrected
10 upon notice.

11 (e) The criminal penalties provided in this Section do not
12 preclude administrative sanctions, civil penalties, injunctive
13 relief, or other remedies authorized by law.