



Rep. Jay Hoffman

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LRB104 08024 RLC 38166 a

1 AMENDMENT TO SENATE BILL 118

2 AMENDMENT NO. _____. Amend Senate Bill 118 by replacing
3 everything after the enacting clause with the following:

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

7 (740 ILCS 45/2)

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

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

12 (1) A victim.

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

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

1 disability.

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

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

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

11 (C) Relocation expenses.

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

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

17 The changes made to this subsection by Public Act 101-652
18 apply to actions commenced or pending on or after January 1,
19 2022.

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

22 (c) "Crime of violence" means and includes any offense
23 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
24 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
25 11-11, 11-20.1, 11-23, 11-23.5, 12-1, 12-2, 12-3, 12-3.05,
26 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-5, 12-7.1, 12-7.3, 12-7.4,

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

21 (d) "Victim" means (1) a person killed or injured in this
22 State as a result of a crime of violence perpetrated or
23 attempted against him or her, (2) the spouse, parent, or child
24 of a person killed or injured in this State as a result of a
25 crime of violence perpetrated or attempted against the person,
26 or anyone living in the dwelling of a person killed or injured

1 in a relationship that is substantially similar to that of a
2 parent, spouse, or child, (3) a person killed or injured in
3 this State while attempting to assist a person against whom a
4 crime of violence is being perpetrated or attempted, if that
5 attempt of assistance would be expected of a reasonable person
6 under the circumstances, (4) a person killed or injured in
7 this State while assisting a law enforcement official
8 apprehend a person who has perpetrated a crime of violence or
9 prevent the perpetration of any such crime if that assistance
10 was in response to the express request of the law enforcement
11 official, (5) a person who personally witnessed a violent
12 crime, (5.05) a person who will be called as a witness by the
13 prosecution to establish a necessary nexus between the
14 offender and the violent crime, (5.1) any person who is the
15 grandparent, grandchild, brother, sister, half brother, or
16 half sister of a person killed or injured in this State as a
17 result of a crime of violence, applying solely for the purpose
18 of compensating for pecuniary loss incurred for psychological
19 treatment of a mental or emotional condition caused or
20 aggravated by the crime, loss of earnings under paragraph
21 (14.5) of subsection (h) for time off from work necessary to
22 provide full time care for the injured victim, or relocation
23 if the crime occurred within the dwelling of the applicant,
24 (5.2) any person who was in a dating relationship with a person
25 killed in this State as a result of a crime of violence, solely
26 for the purpose of compensating for pecuniary loss incurred

1 for psychological treatment of a mental or emotional condition
2 caused or aggravated by the crime, (6) an Illinois resident
3 who is a victim of a "crime of violence" as defined in this Act
4 except, if the crime occurred outside this State, the resident
5 has the same rights under this Act as if the crime had occurred
6 in this State upon a showing that the state, territory,
7 country, or political subdivision of a country in which the
8 crime occurred does not have a compensation of victims of
9 crimes law for which that Illinois resident is eligible, (7)
10 the parent, spouse, or child of a deceased person whose body is
11 dismembered or whose remains are desecrated as the result of a
12 crime of violence, (8) (blank), or (9) an individual who is
13 injured or killed in an incident in which a law enforcement
14 officer's use of force caused bodily harm or death to that
15 individual.

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

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

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

3 (h) "Pecuniary loss" means:

4 (1) in the case of injury, appropriate medical
5 expenses and hospital expenses including expenses of
6 medical examinations, rehabilitation, medically required
7 nursing care expenses, appropriate psychiatric care or
8 psychiatric counseling expenses, appropriate expenses for
9 care or counseling by a licensed clinical psychologist,
10 licensed clinical social worker, licensed professional
11 counselor, or licensed clinical professional counselor and
12 expenses for treatment by Christian Science practitioners
13 and nursing care appropriate thereto;

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

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

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

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

1 was applied in connection with the commission of the
2 offense;

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

5 (7) costs associated with temporary lodging or
6 relocation necessary as a result of the crime, including,
7 but not limited to, the first 2 months' rent and security
8 deposit of the dwelling that the claimant relocated to and
9 other reasonable relocation expenses incurred as a result
10 of the violent crime;

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

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

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

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

25 (12) dependents replacement services loss, to a
26 maximum of \$1,250 per month, with this amount to be

1 divided in proportion to the amount of the actual loss
2 among those entitled to compensation;

3 (13) loss of tuition paid to attend grammar school or
4 high school when the victim had been enrolled as a student
5 prior to the injury, or college or graduate school when
6 the victim had been enrolled as a day or night student
7 prior to the injury when the victim becomes unable to
8 continue attendance at school as a result of the crime of
9 violence perpetrated against him or her;

10 (14) loss of earnings, loss of future earnings because
11 of disability resulting from the injury. Loss of future
12 earnings shall be reduced by any income from substitute
13 work actually performed by the victim or by income the
14 victim would have earned in available appropriate
15 substitute work the victim was capable of performing but
16 unreasonably failed to undertake; loss of earnings and
17 loss of future earnings shall be determined on the basis
18 of the victim's average net monthly earnings for the 6
19 months immediately preceding the date of the injury or on
20 \$2,400 per month, whichever is less, or, in cases where
21 the absences commenced more than 3 years from the date of
22 the crime, on the basis of the net monthly earnings for the
23 6 months immediately preceding the date of the first
24 absence, not to exceed \$2,400 per month;

25 (14.5) loss of earnings for applicants or loss of
26 future earnings for applicants. The applicant must

1 demonstrate that the loss of earnings is a direct result
2 of circumstances attributed to the crime including, but
3 not limited to, court appearances, funeral preparation and
4 bereavement, receipt of medical or psychological care;
5 loss of earnings and loss of future earnings shall be
6 determined on the basis of the applicant's average net
7 monthly earnings for the 6 months immediately preceding
8 the date of the injury or on \$2,400 per month, whichever is
9 less, or, in cases where the absences commenced more than
10 3 years from the date of the crime, on the basis of the net
11 monthly earnings for the 6 months immediately preceding
12 the date of the first absence, not to exceed \$2,400 per
13 month;

14 (15) loss of support of the dependents of the victim.
15 Loss of support shall be determined on the basis of the
16 victim's average net monthly earnings for the 6 months
17 immediately preceding the date of the injury or on \$2,400
18 per month, whichever is less, or, in cases where the
19 absences commenced more than 3 years from the date of the
20 crime, on the basis of the net monthly earnings for the 6
21 months immediately preceding the date of the first
22 absence, not to exceed \$2,400 per month. If a divorced or
23 legally separated applicant is claiming loss of support
24 for a minor child of the deceased, the amount of support
25 for each child shall be based either on the amount of
26 support pursuant to the judgment prior to the date of the

1 deceased victim's injury or death, or, if the subject of
2 pending litigation filed by or on behalf of the divorced
3 or legally separated applicant prior to the injury or
4 death, on the result of that litigation. Loss of support
5 for minors shall be divided in proportion to the amount of
6 the actual loss among those entitled to such compensation;

7 (16) in the case of death, expenses for reasonable
8 funeral, burial, headstone, cremation, and travel and
9 transport for survivors of homicide victims to secure
10 bodies of deceased victims and to transport bodies for
11 burial all of which may be awarded up to a maximum of
12 \$10,000 for each victim. Other individuals that have paid
13 or become obligated to pay funeral, cremation, or burial
14 expenses, including a headstone, for the deceased shall
15 share a maximum award of \$10,000, with the award divided
16 in proportion to the amount of the actual loss among those
17 entitled to compensation;

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

1 (18) ~~(19)~~ legal fees resulting from proceedings that
2 became necessary solely because of the crime, including,
3 but not limited to, establishing a legal guardian for the
4 minor victim or the minor child of a victim, or obtaining a
5 restraining order, no contact order, or order of
6 protection, awarded up to a maximum of \$3,500.

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

9 The changes made to this subsection by Public Act 101-652
10 apply to actions commenced or pending on or after January 1,
11 2022.

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

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

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

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

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

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

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

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

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

26 (r) (Blank). ~~"Independent medical evaluation" means an~~

1 ~~assessment by a mental health provider who is not currently~~
2 ~~providing treatment to the applicant and will not seek~~
3 ~~reimbursement from the program for continuing treatment after~~
4 ~~the assessment. A provider may seek reimbursement for the~~
5 ~~assessment.~~

6 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;
7 102-982, eff. 7-1-23; 103-154, eff. 6-30-23; 103-564, eff.
8 11-17-23; 103-1037, eff. 1-1-25; revised 6-23-25.)

9 (740 ILCS 45/4.1) (from Ch. 70, par. 74.1)

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

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

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

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

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

25 (5) upon failure to comply with Section 4.2, the

1 Attorney General's office shall have the power to issue
2 subpoenas to compel the production of law enforcement
3 reports maintained by law enforcement agencies; and ~~and~~

4 (6) with the consent of an applicant, request and
5 obtain supporting documentation required to verify the
6 claim, including, but not limited to, documentation from
7 hospitals, health care providers, providers of services to
8 victims or applicants, employers, insurance companies, and
9 other third parties relevant to the claim.

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

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

14 (740 ILCS 45/4.2)

15 Sec. 4.2.

16 (a) A law enforcement agency shall, within 15 days of
17 receipt of a written request for a police report made to verify
18 that the requirements of a crime victims compensation
19 application under Section 6.1 of this Act have been met,
20 provide the Attorney General's office with the law enforcement
21 agency's full written report of the investigation of the crime
22 for which an application for compensation has been filed. The
23 law enforcement agency may redact the following from the
24 report: names of confidential sources and informants;
25 locations from which law enforcement conduct surveillance; and

1 information related to issues of national security the law
2 enforcement agency provided to or received from the United
3 States Department of Homeland Security or another federal law
4 enforcement agency. The Attorney General's office and a law
5 enforcement agency may agree to the redaction of other
6 information in the report or to the provision of necessary
7 information in another format. Within 15 days of receipt of
8 the request, a law enforcement agency shall respond to a
9 written request from the Attorney General's office for
10 additional information necessary to assist the Attorney
11 General's office in making a recommendation for compensation.

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

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

25 (d) Hospitals, health care providers, providers of
26 services to victims or applicants, employers, insurance

1 companies, and other third parties relevant to the application
2 or claim shall respond in writing to the Attorney General's
3 office request for confirmation, documentation, or other
4 information under this Act within 30 days of receipt of the
5 Attorney General's office request. If the information or
6 documentation provided to the Attorney General does not
7 contain all the information the Attorney General needs to move
8 forward with review of the application or claim, the Attorney
9 General may proceed with requesting further information or
10 documentation.

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

22 (f) Law enforcement reports or other documentation
23 obtained by the Attorney General's office from an applicant,
24 victim, or third party under this Act for the purposes of
25 investigating an application for crime victim compensation
26 shall not be disclosed to the public or any individual or

1 entity, not including the individual who supplied the report
2 or documentation, by the Attorney General's office. Any
3 records obtained by the Attorney General's office to process
4 the application, including but not limited to applications,
5 documents, and photographs, shall be exempt from disclosure by
6 the Attorney General's office under the Freedom of Information
7 Act.

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

9 (740 ILCS 45/6.1) (from Ch. 70, par. 76.1)

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

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

1 disability includes a diagnosis of posttraumatic stress
2 disorder.

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

7 (b) Notification. The appropriate law enforcement
8 officials were notified within 180 days ~~72 hours~~ of the
9 perpetration of the crime allegedly causing the death or
10 injury to the victim. If the notification was made more
11 than 180 days ~~72 hours~~ after the perpetration of the crime
12 and the applicant establishes that the notice was timely
13 under the circumstances, the Attorney General and the
14 Court of Claims may extend the time for reporting to law
15 enforcement.

16 ~~For victims of offenses defined in Sections 10 9,~~
17 ~~11 1.20, 11 1.30, 11 1.40, 11 1.50, 11 1.60, 12 13, and~~
18 ~~12 14 of the Criminal Code of 1961 or the Criminal Code of~~
19 ~~2012, the appropriate law enforcement officials were~~
20 ~~notified within 7 days of the perpetration of the crime~~
21 ~~allegedly causing death or injury to the victim or, if the~~
22 ~~notification was made more than 7 days after the~~
23 ~~perpetration of the crime, the applicant establishes that~~
24 ~~the notice was timely under the circumstances.~~

25 (b-1) If, in lieu of a law enforcement report, the
26 applicant or victim has obtained an order of protection, a

1 civil no contact order, or a stalking no contact order,
2 has presented to a medical facility for medical care or
3 sexual assault evidence collection, has presented to a
4 mental health provider for mental health care or
5 evaluation ~~an independent medical evaluation~~, or is
6 engaged in a legal proceeding involving a claim that the
7 applicant or victim is a victim of human trafficking or
8 law enforcement use of force, such action shall constitute
9 appropriate notification under this Section.

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

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

1 (b-4) An applicant may provide notification to a
2 mental health provider regarding physical or psychological
3 ~~injuries of the victim or for victims of offenses defined~~
4 ~~in Sections 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50,~~
5 ~~11-1.60, 11-14.4, 12-3.2, 12-3.3, 12-3.4, 12-7.3, 12-7.4~~
6 ~~of the Criminal Code of 2012, psychological injuries~~
7 resulting from the commission of the crime for which the
8 applicant is filing an application. The provider shall
9 perform an ~~independent medical~~ evaluation and provide the
10 provider's professional opinion as to whether the injuries
11 claimed are consistent with having resulted from the
12 commission of the crime for which the applicant is filing
13 an application. A mental health provider may seek
14 reimbursement for an evaluation under this subsection if
15 the mental health provider is not currently providing
16 treatment to the applicant, and will not seek
17 reimbursement from the program for any additional
18 treatment of the applicant. Otherwise, a mental health
19 provider may conduct an evaluation under this subsection,
20 but is ineligible for reimbursement for performing the
21 evaluation.

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

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

3 (2) Contact information for the provider.

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

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

8 (5) The reported crime.

9 (6) The date and location of the crime.

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

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

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

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

24 (b-5) If a mental health provider who provides a
25 certification form pursuant to subsection (b-4) seeks
26 reimbursement from the program for treatment of the

1 applicant, or an applicant seeks reimbursement for
2 payments made to the mental health provider for treatment,
3 compensation for services provided by the mental health
4 provider shall be limited to Medicare-approved rates.
5 Pursuant to subsection (g) of Section 10.1, a mental
6 health provider may not seek reimbursement for services
7 provided to an applicant if the applicant has not
8 exhausted the benefits reasonably available under any
9 governmental, medical, or health insurance program.

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

18 (c) Cooperation. The applicant has cooperated with law
19 enforcement officials in the apprehension and prosecution
20 of the assailant. If the applicant or victim has obtained
21 an order of protection, a civil no contact order, or a
22 stalking no contact order, has presented to a medical
23 facility for medical care or sexual assault evidence
24 collection, obtained an evaluation ~~independent medical~~
25 ~~examination~~ from a mental health provider as described in
26 subsection (b-4), has taken any of the actions described

1 in subsection (b-3), or is engaged in a legal proceeding
2 involving a claim that the applicant or victim is a victim
3 of human trafficking, such action shall constitute
4 cooperation under this subsection (c). If the victim is
5 under 18 years of age at the time of the commission of the
6 offense, the following shall constitute cooperation under
7 this subsection (c):

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

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

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

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

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

1 (e) (Blank).

2 (f) (Blank).

3 (g) (Blank).

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

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

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

13 (740 ILCS 45/7.1) (from Ch. 70, par. 77.1)

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

17 (1) the name and address of the victim;

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

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

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

8 (4.5) if the victim is providing supplemental forms of
9 documentation, that documentation, the date the victim
10 obtained that other form of documentation and the type of
11 documentation;

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

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

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

20 (a) the Workers' Compensation Act,

21 (b) the Dram Shop Act,

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

24 (d) the Federal Medicare program,

25 (e) the State Public Aid program,

26 (f) Social Security Administration burial

1 benefits,

2 (g) Veterans administration burial benefits,

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

5 (i) the Criminal Victims' Escrow Account Act,

6 (j) the Sexual Assault Survivors Emergency
7 Treatment Act,

8 (k) restitution, or

9 (l) any other source;

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

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

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

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

21 (b-5) The victim or applicant may provide to the Attorney
22 General a sworn statement by the victim or applicant that
23 attests to the victim's or applicant's experience of a crime
24 or crimes of violence, in addition to documentation required
25 under this Act. If the victim or applicant has additional
26 corroborating evidence beyond those described in this Act, the

1 victim or applicant may provide the following documents: law
2 enforcement report; medical records; confirmation of sexual
3 assault evidence collection; order of protection; civil no
4 contact order, stalking no contact order; photographs; letter
5 from a service provider who serves victims of crime; affidavit
6 from a witness of the crime of violence; court record;
7 military record; or any other corroborating evidence. Such
8 documentation or statement may be used to supplement required
9 documentation to verify the incident but is not required. If
10 an applicant is seeking an exception under subsection (b) or
11 (c-1) of Section 6.1, the applicant shall provide any
12 additional documentation, information, or statement that
13 substantiates the facts stated in the application.

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

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

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

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

9 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;
10 103-1037, eff. 1-1-25.)

11 (740 ILCS 45/8.1) (from Ch. 70, par. 78.1)

12 Sec. 8.1. If an applicant does not submit all materials
13 substantiating his or her claim as requested of him or her by
14 the Attorney General, and the Attorney General is unable to
15 otherwise obtain such materials within 45 days of receiving
16 the claim, the Attorney General shall notify the applicant in
17 writing of the specific additional items of information or
18 materials required and that he or she has 45 days in which to
19 furnish those items to the Attorney General. The Attorney
20 General shall report an applicant's failure to comply within
21 45 days of the foregoing notice to the Court of Claims. No
22 award of compensation shall be made for any portion of the
23 applicant's claim that is not substantiated by the applicant.
24 An applicant may request an extension of time from the
25 Attorney General prior to the expiration of the 45-day period.

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

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

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

15 (740 ILCS 45/10.2)

16 Sec. 10.2. Emergency awards.

17 (a) If it appears, prior to taking action on an
18 application, that the claim is one for which compensation is
19 probable, and undue hardship will result to the applicant if
20 immediate payment is not made, the Attorney General may
21 recommend and the Court may make an emergency award of
22 compensation to the applicant, pending a final decision in the
23 case. The Court shall issue a voucher for payment to the
24 Comptroller of an emergency award after receiving notice of
25 the decision to grant the emergency award. If the Comptroller

1 is not able to release the voucher for payment within 10
2 business days of receiving a voucher for payment from the
3 Court, the Comptroller shall notify the Attorney General.

4 Emergency awards may be issued to the applicant for the
5 purpose of paying funeral and burial expenses directly to a
6 funeral home for expenses that have been incurred or that the
7 applicant has been quoted, and for relocation expenses
8 incurred or due to be incurred by an applicant. The amount of
9 emergency compensation shall be deducted from any final award
10 made as a result of the claim. The full amount of the emergency
11 award if no final award is made shall be repaid by the
12 applicant to the State of Illinois. If the amount of emergency
13 compensation exceeds the actual amount the applicant incurs,
14 the difference shall be repaid to the State.

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

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

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