



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB2002

Introduced 2/6/2025, by Sen. Meg Loughran Cappel

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois State Police Law, the State Finance Act, the Firearm Owners Identification Card Act, the Illinois Vehicle Code, the Criminal and Traffic Assessment Act, the Cannabis Control Act, the Illinois Controlled Substances Act, the Methamphetamine Control and Community Protection Act, the Narcotics Profit Forfeiture Act, the Unified Code of Corrections, the Sex Offender Registration Act, the Murderer and Violent Offender Against Youth Registration Act, and the Illinois False Claims Act. Makes changes to provisions concerning how certain moneys paid to the State are deposited into certain funds pertaining to the Illinois State Police. Provides that certain funds shall be dissolved after transferring the remaining balance in those funds to designated funds. Makes conforming changes. Effective September 1, 2026.

LRB104 03188 RTM 13209 b

1 AN ACT concerning finance.

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

4 Section 5. The Illinois State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing
6 Sections 2605-375, 2605-585, 2605-590, 2605-595, and 2605-605
7 as follows:

8 (20 ILCS 2605/2605-375) (was 20 ILCS 2605/55a in part)

9 Sec. 2605-375. Missing persons; Law Enforcement Agencies
10 Data System (LEADS).

11 (a) To utilize the statewide Law Enforcement Agencies Data
12 System (LEADS) for the purpose of providing electronic access
13 by authorized entities to criminal justice data repositories
14 and effecting an immediate law enforcement response to reports
15 of missing persons, including lost, missing or runaway minors,
16 lost or missing individuals with developmental or intellectual
17 disabilities, and missing endangered seniors. The Illinois
18 State Police shall implement an automatic data exchange system
19 to compile, to maintain, and to make available to other law
20 enforcement agencies for immediate dissemination data that can
21 assist appropriate agencies in recovering missing persons and
22 provide access by authorized entities to various data
23 repositories available through LEADS for criminal justice and

1 related purposes. To assist the Illinois State Police in this
2 effort, funds may be appropriated from the State Police Law
3 Enforcement Administration Fund ~~LEADS Maintenance Fund~~. Funds
4 may be appropriated from the State Police Law Enforcement
5 Administration Fund ~~LEADS Maintenance Fund~~ to the Illinois
6 State Police to finance any of its lawful purposes or
7 functions in relation to defraying the expenses associated
8 with establishing, maintaining, and supporting the issuance of
9 electronic citations.

10 (b) In exercising its duties under this Section, the
11 Illinois State Police shall provide a uniform reporting format
12 (LEADS) for the entry of pertinent information regarding the
13 report of a missing person into LEADS. The report must include
14 all of the following:

15 (1) Relevant information obtained from the
16 notification concerning the missing person, including all
17 of the following:

18 (A) a physical description of the missing person;

19 (B) the date, time, and place that the missing
20 person was last seen; and

21 (C) the missing person's address.

22 (2) Information gathered by a preliminary
23 investigation, if one was made.

24 (3) A statement by the law enforcement officer in
25 charge stating the officer's assessment of the case based
26 on the evidence and information received.

1 (b-5) The Illinois State Police shall:

2 (1) Develop and implement a policy whereby a statewide
3 or regional alert would be used in situations relating to
4 the disappearances of individuals, based on criteria and
5 in a format established by the Illinois State Police. Such
6 a format shall include, but not be limited to, the age of
7 the missing person and the suspected circumstance of the
8 disappearance.

9 (2) Notify all law enforcement agencies that reports
10 of missing persons shall be entered as soon as the minimum
11 level of data specified by the Illinois State Police is
12 available to the reporting agency and that no waiting
13 period for the entry of the data exists.

14 (3) Compile and retain information regarding lost,
15 abducted, missing, or runaway minors in a separate data
16 file, in a manner that allows that information to be used
17 by law enforcement and other agencies deemed appropriate
18 by the Director, for investigative purposes. The
19 information shall include the disposition of all reported
20 lost, abducted, missing, or runaway minor cases.

21 (4) Compile and maintain an historic data repository
22 relating to lost, abducted, missing, or runaway minors and
23 other missing persons, including, but not limited to, lost
24 or missing individuals with developmental or intellectual
25 disabilities and missing endangered seniors, in order to
26 develop and improve techniques utilized by law enforcement

1 agencies when responding to reports of missing persons.

2 (5) Create a quality control program regarding
3 confirmation of missing person data, timeliness of entries
4 of missing person reports into LEADS, and performance
5 audits of all entering agencies.

6 (c) The Illinois Law Enforcement Training Standards Board
7 shall conduct a training program for law enforcement personnel
8 of local governmental agencies in the Missing Persons
9 Identification Act.

10 (d) The Illinois State Police shall perform the duties
11 prescribed in the Missing Persons Identification Act, subject
12 to appropriation.

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

14 (20 ILCS 2605/2605-585)

15 Sec. 2605-585. Money Laundering Asset Recovery Fund.
16 Moneys and the sale proceeds distributed to the Illinois State
17 Police under paragraph (3) of Section 29B-26 of the Criminal
18 Code of 2012 shall be deposited in a special fund in the State
19 treasury to be known as the State Police Law Enforcement
20 Administration Money Laundering Asset Recovery Fund. The
21 moneys deposited in the State Police Law Enforcement
22 Administration Money Laundering Asset Recovery Fund shall be
23 appropriated to and administered by the Illinois State Police
24 for State law enforcement purposes. This Fund is dissolved
25 upon the transfer of the remaining balance from the Money

1 Laundering Asset Recovery Fund to the State Police Law
2 Enforcement Administration Fund as provided under subsection
3 (b) of Section 6z-106 of the State Finance Act. This Section is
4 repealed on January 1, 2027.

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

6 (20 ILCS 2605/2605-590)

7 Sec. 2605-590. Drug Traffic Prevention Fund. Moneys
8 deposited into the Drug Traffic Prevention Fund pursuant to
9 subsection (e) of Section 5-9-1.1 and subsection (c) of
10 Section 5-9-1.1-5 of the Unified Code of Corrections shall be
11 appropriated to and administered by the Illinois State Police
12 for funding of drug task forces and Metropolitan Enforcement
13 Groups in accordance with the Intergovernmental Drug Laws
14 Enforcement Act. The Drug Traffic Prevention Fund is dissolved
15 upon the transfer of the remaining balance from the Drug
16 Traffic Prevention Fund to the State Police Operations
17 Assistance Fund as provided under subsection (i) of Section
18 6z-82 of the State Finance Act. This Section is repealed on
19 January 1, 2027.

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

21 (20 ILCS 2605/2605-595)

22 Sec. 2605-595. State Police Firearm Services Fund.

23 (a) There is created in the State treasury a special fund
24 known as the State Police Firearm Services Fund. The Fund

1 shall receive revenue under the Firearm Concealed Carry Act,
2 the Firearm Dealer License Certification Act, Article 24 of
3 the Criminal Code of 2012, other provisions of law concerning
4 firearm offenses, and Section 5 of the Firearm Owners
5 Identification Card Act. The Fund may also receive revenue
6 from grants, pass-through grants, donations, appropriations,
7 and any other legal source.

8 (a-5) (Blank).

9 (a-10) Notwithstanding any other provision of law to the
10 contrary, and in addition to any other transfers that may be
11 provided by law, on the effective date of this amendatory Act
12 of the 104th General Assembly, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the remaining balance from the State
15 Police Firearm Enforcement Fund into the State Police Firearm
16 Services Fund. Upon completion of the transfer, the State
17 Police Firearm Enforcement Fund is dissolved, and any future
18 deposits due to that Fund and any outstanding obligations or
19 liabilities of that Fund shall pass to the State Police
20 Firearm Services Fund.

21 (a-15) The Illinois State Police may use moneys from the
22 Fund to establish task forces and, if necessary, include other
23 law enforcement agencies, under intergovernmental contracts
24 written and executed in conformity with the Intergovernmental
25 Cooperation Act.

26 (a-20) The Illinois State Police may use moneys in the

1 Fund to hire and train Illinois State Police officers and for
2 the prevention of violent crime.

3 (b) The Illinois State Police may use moneys in the Fund to
4 finance any of its lawful purposes, mandates, functions,
5 enforcement, and duties under the Firearm Owners
6 Identification Card Act, the Firearm Dealer License
7 Certification Act, Article 24 of the Criminal Code of 2012,
8 provisions of law concerning firearm offenses, and the Firearm
9 Concealed Carry Act, including the cost of sending notices of
10 expiration of Firearm Owner's Identification Cards, concealed
11 carry licenses, the prompt and efficient processing of
12 applications under the Firearm Owners Identification Card Act
13 and the Firearm Concealed Carry Act, the improved efficiency
14 and reporting of the LEADS and federal NICS law enforcement
15 data systems, and support for investigations required under
16 these Acts and law. Any surplus funds beyond what is needed to
17 comply with the aforementioned purposes shall be used by the
18 Illinois State Police to improve the Law Enforcement Agencies
19 Data System (LEADS) and criminal history background check
20 system.

21 (b-5) Any surplus in the Fund beyond what is necessary to
22 ensure compliance with subsections (a) through (b) or moneys
23 that are specifically appropriated for those purposes shall be
24 used by the Illinois State Police to award grants to assist
25 with the data reporting requirements of the Gun Trafficking
26 Information Act.

1 (c) Investment income that is attributable to the
2 investment of moneys in the Fund shall be retained in the Fund
3 for the uses specified in this Section.

4 (Source: P.A. 102-505, eff. 8-20-21; 102-538, eff. 8-20-21;
5 103-363, eff. 7-28-23.)

6 (20 ILCS 2605/2605-605)

7 Sec. 2605-605. Violent Crime Intelligence Task Force. The
8 Director of the Illinois State Police shall establish a
9 statewide multi-jurisdictional Violent Crime Intelligence Task
10 Force led by the Illinois State Police dedicated to combating
11 gun violence, gun-trafficking, and other violent crime with
12 the primary mission of preservation of life and reducing the
13 occurrence and the fear of crime. The objectives of the Task
14 Force shall include, but not be limited to, reducing and
15 preventing illegal possession and use of firearms,
16 firearm-related homicides, and other violent crimes, and
17 solving firearm-related crimes.

18 (1) The Task Force may develop and acquire information,
19 training, tools, and resources necessary to implement a
20 data-driven approach to policing, with an emphasis on
21 intelligence development.

22 (2) The Task Force may utilize information sharing,
23 partnerships, crime analysis, and evidence-based practices to
24 assist in the reduction of firearm-related shootings,
25 homicides, and gun-trafficking, including, but not limited to,

1 ballistic data, eTrace data, DNA evidence, latent
2 fingerprints, firearm training data, and National Integrated
3 Ballistic Information Network (NIBIN) data. The Task Force may
4 design a model crime gun intelligence strategy which may
5 include, but is not limited to, comprehensive collection and
6 documentation of all ballistic evidence, timely transfer of
7 NIBIN and eTrace leads to an intelligence center, which may
8 include the Division of Criminal Investigation of the Illinois
9 State Police, timely dissemination of intelligence to
10 investigators, investigative follow-up, and coordinated
11 prosecution.

12 (3) The Task Force may recognize and utilize best
13 practices of community policing and may develop potential
14 partnerships with faith-based and community organizations to
15 achieve its goals.

16 (4) The Task Force may identify and utilize best practices
17 in drug-diversion programs and other community-based services
18 to redirect low-level offenders.

19 (5) The Task Force may assist in violence suppression
20 strategies including, but not limited to, details in
21 identified locations that have shown to be the most prone to
22 gun violence and violent crime, focused deterrence against
23 violent gangs and groups considered responsible for the
24 violence in communities, and other intelligence driven methods
25 deemed necessary to interrupt cycles of violence or prevent
26 retaliation.

1 (6) In consultation with the Chief Procurement Officer,
2 the Illinois State Police may obtain contracts for software,
3 commodities, resources, and equipment to assist the Task Force
4 with achieving this Act. Any contracts necessary to support
5 the delivery of necessary software, commodities, resources,
6 and equipment are not subject to the Illinois Procurement
7 Code, except for Sections 20-60, 20-65, 20-70, and 20-160 and
8 Article 50 of that Code, provided that the Chief Procurement
9 Officer may, in writing with justification, waive any
10 certification required under Article 50 of the Illinois
11 Procurement Code.

12 (7) The Task Force shall conduct enforcement operations
13 against persons whose Firearm Owner's Identification Cards
14 have been revoked or suspended and persons who fail to comply
15 with the requirements of Section 9.5 of the Firearm Owners
16 Identification Card Act, prioritizing individuals presenting a
17 clear and present danger to themselves or to others under
18 paragraph (2) of subsection (d) of Section 8.1 of the Firearm
19 Owners Identification Card Act.

20 (8) The Task Force shall collaborate with local law
21 enforcement agencies to enforce provisions of the Firearm
22 Owners Identification Card Act, the Firearm Concealed Carry
23 Act, the Firearm Dealer License Certification Act, and Article
24 24 of the Criminal Code of 2012.

25 (9) To implement this Section, the Director of the
26 Illinois State Police may establish intergovernmental

1 agreements with law enforcement agencies in accordance with
2 the Intergovernmental Cooperation Act.

3 (10) Law enforcement agencies that participate in
4 activities described in paragraphs (7) through (9) may apply
5 to the Illinois State Police for grants from the State Police
6 Firearm Services Fund ~~State Police Firearm Enforcement Fund~~.

7 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
8 102-813, eff. 5-13-22; 103-609, eff. 7-1-24.)

9 Section 10. The State Finance Act is amended by changing
10 Sections 5.99, 5.456, 5.462, 5.530, 5.771, 5.905, 5.920,
11 5.963, 6z-82, 6z-106, 6z-127, and 8.37 as follows:

12 (30 ILCS 105/5.99) (from Ch. 127, par. 141.99)

13 Sec. 5.99. The Drug Traffic Prevention Fund. This Fund is
14 dissolved upon the transfer of the remaining balance from the
15 Drug Traffic Prevention Fund to the State Police Operations
16 Assistance Fund as provided under subsection (i) of Section
17 6z-82 of the State Finance Act. This Section is repealed on
18 January 1, 2027.

19 (Source: P.A. 82-783.)

20 (30 ILCS 105/5.456)

21 Sec. 5.456. The LEADS Maintenance Fund. This Fund is
22 dissolved upon the transfer of the remaining balance from the
23 LEADS Maintenance Fund to the State Police Law Enforcement

1 Administration Fund as provided under subsection (a-5) of
2 Section 6z-106 of the State Finance Act. This Section is
3 repealed on January 1, 2027.

4 (Source: P.A. 90-130, eff. 1-1-98; 90-655, eff. 7-30-98.)

5 (30 ILCS 105/5.462)

6 Sec. 5.462. The Offender Registration Fund. This Fund is
7 dissolved upon the transfer of the remaining balance from the
8 Offender Registration Fund to the State Police Operations
9 Assistance Fund as provided under subsection (k) of Section
10 6z-82 of the State Finance Act. This Section is repealed on
11 January 1, 2027.

12 (Source: P.A. 101-571, eff. 8-23-19.)

13 (30 ILCS 105/5.530)

14 Sec. 5.530. The State Police Wireless Service Emergency
15 Fund. This Fund is dissolved upon the transfer of the
16 remaining balance from the State Police Wireless Service
17 Emergency Fund to the State Police Operations Assistance Fund
18 as provided under subsection (j) of Section 6z-82 of the State
19 Finance Act. This Section is repealed on January 1, 2027.

20 (Source: P.A. 91-660, eff. 12-22-99; 92-16, eff. 6-28-01.)

21 (30 ILCS 105/5.771)

22 Sec. 5.771. The Money Laundering Asset Recovery Fund. This
23 Fund is dissolved upon the transfer of the remaining balance

1 from the Money Laundering Asset Recovery Fund to the State
2 Police Law Enforcement Administration Fund as provided under
3 subsection (b) of Section 6z-106 of the State Finance Act.
4 This Section is repealed on January 1, 2027.

5 (Source: P.A. 96-1234, eff. 7-23-10; 97-333, eff. 8-12-11.)

6 (30 ILCS 105/5.905)

7 Sec. 5.905. The Scott's Law Fund. This Fund is dissolved
8 upon the transfer of the remaining balance from the Scott's
9 Law Fund to the State Police Operations Assistance Fund as
10 provided under subsection (m) of Section 6z-82 of the State
11 Finance Act. This Section is repealed on January 1, 2027.

12 (Source: P.A. 101-173, eff. 1-1-20; 102-558, eff. 8-20-21.)

13 (30 ILCS 105/5.920)

14 Sec. 5.920. The State Police Whistleblower Reward and
15 Protection Fund. This Fund is dissolved upon the transfer of
16 the remaining balance from the State Police Whistleblower
17 Reward and Protection Fund to the State Police Operations
18 Assistance Fund as provided under subsection (l) of Section
19 6z-82 of the State Finance Act. This Section is repealed on
20 January 1, 2027.

21 (Source: P.A. 101-148, eff. 7-26-19; 102-558, eff. 8-20-21.)

22 (30 ILCS 105/5.963)

23 Sec. 5.963. The State Police Firearm Enforcement Fund.

1 This Fund is dissolved upon the transfer of the remaining
2 balance from the State Police Firearm Enforcement Fund to the
3 State Police Firearm Services Fund as provided under
4 subsection (a-10) of Section 2605-595 of the Illinois State
5 Police Law. This Section is repealed on January 1, 2027.

6 (Source: P.A. 102-237, eff. 1-1-22; 102-813, eff. 5-13-22;
7 103-609, eff. 7-1-24.)

8 (30 ILCS 105/6z-82)

9 Sec. 6z-82. State Police Operations Assistance Fund.

10 (a) There is created in the State treasury a special fund
11 known as the State Police Operations Assistance Fund. The Fund
12 shall receive revenue under the Criminal and Traffic
13 Assessment Act and Section 8 of the Illinois False Claims Act.
14 The Fund may also receive revenue from grants, donations,
15 appropriations, and any other legal source.

16 (a-5) This Fund may charge, collect, and receive fees or
17 moneys as described in Section 15-312 of the Illinois Vehicle
18 Code and receive all fees received by the Illinois State
19 Police under that Section. The moneys shall be used by the
20 Illinois State Police for its expenses in providing police
21 escorts and commercial vehicle enforcement activities.

22 (b) The Illinois State Police may use moneys in the Fund to
23 finance any of its lawful purposes or functions.

24 (c) Expenditures may be made from the Fund only as
25 appropriated by the General Assembly by law.

1 (d) Investment income that is attributable to the
2 investment of moneys in the Fund shall be retained in the Fund
3 for the uses specified in this Section.

4 (e) The State Police Operations Assistance Fund shall not
5 be subject to administrative chargebacks.

6 (e-5) Moneys in the Fund shall be used to cover costs
7 incurred by the criminal justice system to administer the Sex
8 Offender Registration and the Murderer and Violent Offender
9 Against Youth Registration Act. Fifty percent of the moneys
10 received from Sections 3 and 10 of the Sex Offender
11 Registration Act and Sections 10 and 60 of the Murder and
12 Violent Offender Against Youth Registration Act shall be
13 allocated by the Illinois State Police for sheriffs' offices
14 and police departments.

15 (e-10) Moneys in the Fund shall be used to produce
16 materials to educate drivers on approaching stationary
17 authorized emergency vehicles, to hire off-duty Illinois State
18 Police personnel for enforcement of Section 11-907 of the
19 Illinois Vehicle Code, and for other law enforcement purposes
20 the Director of the Illinois State Police deems necessary in
21 these efforts.

22 (f) (Blank).

23 (g) (Blank).

24 (h) (Blank). ~~June 9, 2023 (Public Act 103-34)~~

25 (i) Notwithstanding any other provision of law to the
26 contrary, and in addition to any other transfers that may be

1 provided by law, on the effective date of this amendatory Act
2 of the 104th General Assembly, or as soon thereafter as
3 practical, the State Comptroller shall direct and the State
4 Treasurer shall transfer the remaining balance from the Drug
5 Traffic Prevention Fund into the State Police Operations
6 Assistance Fund. Upon completion of the transfer, the Drug
7 Traffic Prevention Fund is dissolved, and any future deposits
8 due to that Fund and any outstanding obligations or
9 liabilities of that Fund shall pass to the State Police
10 Operations Assistance Fund.

11 (j) Notwithstanding any other provision of law to the
12 contrary, and in addition to any other transfers that may be
13 provided by law, on the effective date of this amendatory Act
14 of the 104th General Assembly, or as soon thereafter as
15 practical, the State Comptroller shall direct and the State
16 Treasurer shall transfer the remaining balance from the State
17 Police Wireless Service Emergency Fund into the State Police
18 Operations Assistance Fund. Upon completion of the transfer,
19 the State Police Wireless Service Emergency Fund is dissolved,
20 and any future deposits due to that Fund and any outstanding
21 obligations or liabilities of that Fund shall pass to the
22 State Police Operations Assistance Fund.

23 (k) Notwithstanding any other provision of law to the
24 contrary, and in addition to any other transfers that may be
25 provided by law, on the effective date of this amendatory Act
26 of the 104th General Assembly, or as soon thereafter as

1 practical, the State Comptroller shall direct and the State
2 Treasurer shall transfer the remaining balance from the
3 Offender Registration Fund into the State Police Operations
4 Assistance Fund. Upon completion of the transfer, the Offender
5 Registration Fund is dissolved, and any future deposits due to
6 that Fund and any outstanding obligations or liabilities of
7 that Fund shall pass to the State Police Operations Assistance
8 Fund.

9 (l) Notwithstanding any other provision of law to the
10 contrary, and in addition to any other transfers that may be
11 provided by law, on the effective date of this amendatory Act
12 of the 104th General Assembly, or as soon thereafter as
13 practical, the State Comptroller shall direct and the State
14 Treasurer shall transfer the remaining balance from the State
15 Police Whistleblower Reward and Protection Fund into the State
16 Police Operations Assistance Fund. Upon completion of the
17 transfer, the State Police Whistleblower Reward and Protection
18 Fund is dissolved, and any future deposits due to that Fund and
19 any outstanding obligations or liabilities of that Fund shall
20 pass to the State Police Operations Assistance Fund.

21 (m) Notwithstanding any other provision of law to the
22 contrary, and in addition to any other transfers that may be
23 provided by law, on the effective date of this amendatory Act
24 of the 104th General Assembly, or as soon thereafter as
25 practical, the State Comptroller shall direct and the State
26 Treasurer shall transfer the remaining balance from the

1 Scott's Law Fund into the State Police Operations Assistance
2 Fund. Upon completion of the transfer, the Scott's Law Fund is
3 dissolved, and any future deposits due to that Fund and any
4 outstanding obligations or liabilities of that Fund shall pass
5 to the State Police Operations Assistance Fund.

6 (Source: P.A. 102-16, eff. 6-17-21; 102-505, eff. 8-20-21;
7 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-34, eff.
8 6-9-23; 103-363, eff. 7-28-23; 103-605, eff. 7-1-24; 103-616,
9 eff. 7-1-24; revised 7-23-24.)

10 (30 ILCS 105/6z-106)

11 Sec. 6z-106. State Police Law Enforcement Administration
12 Fund.

13 (a) There is created in the State treasury a special fund
14 known as the State Police Law Enforcement Administration Fund.
15 The Fund shall receive revenue under subsection (c) of Section
16 10-5 of the Criminal and Traffic Assessment Act, ~~and~~ Section
17 500-135 of the Illinois Insurance Code, and Section 2605-375
18 of the Illinois State Police Law of the Civil Administrative
19 Code of Illinois. The Fund shall also receive the moneys
20 designated to be paid into the Fund under subsection (a-5) of
21 Section 500-135 of the Illinois Insurance Code and Section 8.6
22 of the Illinois Vehicle Hijacking and Motor Vehicle Theft
23 Prevention and Insurance Verification Act. The Fund may also
24 receive revenue from grants, donations, appropriations, and
25 any other legal source.

1 (a-5) Notwithstanding any other provision of law to the
2 contrary, and in addition to any other transfers that may be
3 provided by law, on the effective date of this amendatory Act
4 of the 104th General Assembly, or as soon thereafter as
5 practical, the State Comptroller shall direct and the State
6 Treasurer shall transfer the remaining balance from the LEADS
7 Maintenance Fund into the State Police Law Enforcement
8 Administration Fund. Upon completion of the transfer, the
9 LEADS Maintenance Fund is dissolved, and any future deposits
10 due to that Fund and any outstanding obligations or
11 liabilities of that Fund shall pass to the State Police Law
12 Enforcement Administration Fund.

13 (a-10) Notwithstanding any other provision of law to the
14 contrary, and in addition to any other transfers that may be
15 provided by law, on the effective date of this amendatory Act
16 of the 104th General Assembly, or as soon thereafter as
17 practical, the State Comptroller shall direct and the State
18 Treasurer shall transfer the remaining balance from the Money
19 Laundrying Asset Recovery Fund into the State Police Law
20 Enforcement Administration Fund. Upon completion of the
21 transfer, the Money Laundrying Asset Recovery Fund is
22 dissolved, and any future deposits due to that Fund and any
23 outstanding obligations or liabilities of that Fund shall pass
24 to the State Police Law Enforcement Administration Fund.

25 (b) The Illinois State Police may use moneys in the Fund to
26 finance any of its lawful purposes or functions, including,

1 but not limited to, training for forensic laboratory personnel
2 and other State Police personnel. The Illinois State Police
3 may also use moneys for functions in relation to defraying the
4 expenses associated with establishing, maintaining, and
5 supporting the issuance of electronic citations. However, the
6 primary purpose of the Fund shall be to finance State Police
7 cadet classes.

8 (c) Expenditures may be made from the Fund only as
9 appropriated by the General Assembly by law.

10 (d) Investment income that is attributable to the
11 investment of moneys in the Fund shall be retained in the Fund
12 for the uses specified in this Section.

13 (e) The State Police Law Enforcement Administration Fund
14 shall not be subject to administrative chargebacks.

15 (Source: P.A. 102-538, eff. 8-20-21; 103-609, eff. 7-1-24.)

16 (30 ILCS 105/6z-127)

17 Sec. 6z-127. State Police Firearm Enforcement Fund.

18 (a) The State Police Firearm Enforcement Fund is
19 established as a special fund in the State treasury. This Fund
20 is established to receive moneys from the Firearm Owners
21 Identification Card Act to enforce that Act, the Firearm
22 Concealed Carry Act, Article 24 of the Criminal Code of 2012,
23 and other firearm offenses. The Fund may also receive revenue
24 from grants, donations, appropriations, and any other legal
25 source.

1 (b) The Illinois State Police may use moneys from the Fund
2 to establish task forces and, if necessary, include other law
3 enforcement agencies, under intergovernmental contracts
4 written and executed in conformity with the Intergovernmental
5 Cooperation Act.

6 (c) The Illinois State Police may use moneys in the Fund to
7 hire and train State Police officers and for the prevention of
8 violent crime.

9 (d) The State Police Firearm Enforcement Fund is not
10 subject to administrative chargebacks.

11 (e) Law enforcement agencies that participate in Firearm
12 Owner's Identification Card revocation enforcement in the
13 Violent Crime Intelligence Task Force may apply for grants
14 from the Illinois State Police.

15 (f) Any surplus in the Fund beyond what is necessary to
16 ensure compliance with subsections (a) through (e) or moneys
17 that are specifically appropriated for those purposes shall be
18 used by the Illinois State Police to award grants to assist
19 with the data reporting requirements of the Gun Trafficking
20 Information Act.

21 (g) This Fund is dissolved upon the transfer of the
22 remaining balance from the State Police Firearm Enforcement
23 Fund to the State Police Firearm Services Fund as provided
24 under subsection (a-10) of Section 2605-595 of the Illinois
25 State Police Law. This Section is repealed on January 1, 2027.

26 (Source: P.A. 102-237, eff. 1-1-22; 102-813, eff. 5-13-22;

103-34, eff. 6-9-23; 103-609, eff. 7-1-24.)

(30 ILCS 105/8.37)

Sec. 8.37. State Police Wireless Service Emergency Fund.

(a) The State Police Wireless Service Emergency Fund is created as a special fund in the State Treasury.

(b) Grants or surcharge funds allocated to the Illinois State Police from the Statewide 9-1-1 Fund shall be deposited into the State Police Wireless Service Emergency Fund and shall be used in accordance with Section 30 of the Emergency Telephone System Act.

(c) On July 1, 1999, the State Comptroller and State Treasurer shall transfer \$1,300,000 from the General Revenue Fund to the State Police Wireless Service Emergency Fund. On June 30, 2003 the State Comptroller and State Treasurer shall transfer \$1,300,000 from the State Police Wireless Service Emergency Fund to the General Revenue Fund.

(d) This Fund is dissolved upon the transfer of the remaining balance from the State Police Wireless Service Emergency Fund to the State Police Operations Assistance Fund as provided under subsection (j) of Section 6z-82 of the State Finance Act. This Section is repealed on January 1, 2027.

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

Section 15. The Firearm Owners Identification Card Act is amended by changing Section 5 as follows:

1 (430 ILCS 65/5) (from Ch. 38, par. 83-5)

2 Sec. 5. Application and renewal.

3 (a) The Illinois State Police shall either approve or deny
4 all applications within 30 days from the date they are
5 received, except as provided in subsections (b) and (c), and
6 every applicant found qualified under Section 8 of this Act by
7 the Illinois State Police shall be entitled to a Firearm
8 Owner's Identification Card upon the payment of a \$10 fee and
9 applicable processing fees. The processing fees shall be
10 limited to charges by the State Treasurer for using the
11 electronic online payment system. Any applicant who is an
12 active duty member of the Armed Forces of the United States, a
13 member of the Illinois National Guard, or a member of the
14 Reserve Forces of the United States is exempt from the
15 application fee. \$10 ~~\$5~~ of each fee derived from the issuance
16 of a Firearm Owner's Identification Card or renewals thereof
17 shall be deposited in the State Police Firearm Services Fund
18 ~~and \$5 into the State Police Firearm Enforcement Fund.~~

19 (b) Renewal applications shall be approved or denied
20 within 60 business days, provided the applicant submitted his
21 or her renewal application prior to the expiration of his or
22 her Firearm Owner's Identification Card. If a renewal
23 application has been submitted prior to the expiration date of
24 the applicant's Firearm Owner's Identification Card, the
25 Firearm Owner's Identification Card shall remain valid while

1 the Illinois State Police processes the application, unless
2 the person is subject to or becomes subject to revocation
3 under this Act. The cost for a renewal application shall be \$10
4 and may include applicable processing fees, which shall be
5 limited to charges by the State Treasurer for using the
6 electronic online payment system, which shall be deposited
7 into the State Police Firearm Services Fund.

8 (c) If the Firearm Owner's Identification Card of a
9 licensee under the Firearm Concealed Carry Act expires during
10 the term of the licensee's concealed carry license, the
11 Firearm Owner's Identification Card and the license remain
12 valid and the licensee does not have to renew his or her
13 Firearm Owner's Identification Card during the duration of the
14 concealed carry license. Unless the Illinois State Police has
15 reason to believe the licensee is no longer eligible for the
16 card, the Illinois State Police may automatically renew the
17 licensee's Firearm Owner's Identification Card and send a
18 renewed Firearm Owner's Identification Card to the licensee.

19 (d) The Illinois State Police may adopt rules concerning
20 the use of voluntarily submitted fingerprints, as allowed by
21 State and federal law.

22 (Source: P.A. 102-237, eff. 1-1-22; 102-538, eff. 8-20-21;
23 102-813, eff. 5-13-22; 103-609, eff. 7-1-24.)

24 Section 20. The Illinois Vehicle Code is amended by
25 changing Section 11-907 as follows:

1 (625 ILCS 5/11-907)

2 (Text of Section before amendment by P.A. 103-667 and
3 103-711)

4 Sec. 11-907. Operation of vehicles and streetcars on
5 approach of authorized emergency vehicles.

6 (a) Upon the immediate approach of an authorized emergency
7 vehicle making use of audible and visual signals meeting the
8 requirements of this Code or a police vehicle properly and
9 lawfully making use of an audible or visual signal:

10 (1) the driver of every other vehicle shall yield the
11 right-of-way and shall immediately drive to a position
12 parallel to, and as close as possible to, the right-hand
13 edge or curb of the highway clear of any intersection and
14 shall, if necessary to permit the safe passage of the
15 emergency vehicle, stop and remain in such position until
16 the authorized emergency vehicle has passed, unless
17 otherwise directed by a police officer; and

18 (2) the operator of every streetcar shall immediately
19 stop such car clear of any intersection and keep it in such
20 position until the authorized emergency vehicle has
21 passed, unless otherwise directed by a police officer.

22 (b) This Section shall not operate to relieve the driver
23 of an authorized emergency vehicle from the duty to drive with
24 due regard for the safety of all persons using the highway.

25 (c) Upon approaching a stationary authorized emergency

1 vehicle, when the authorized emergency vehicle is giving a
2 signal by displaying alternately flashing red, red and white,
3 blue, or red and blue lights or amber or yellow warning lights,
4 a person who drives an approaching vehicle shall:

5 (1) proceeding with due caution, yield the
6 right-of-way by making a lane change into a lane not
7 adjacent to that of the authorized emergency vehicle, if
8 possible with due regard to safety and traffic conditions,
9 if on a highway having at least 4 lanes with not less than
10 2 lanes proceeding in the same direction as the
11 approaching vehicle; or

12 (2) if changing lanes would be impossible or unsafe,
13 proceeding with due caution, reduce the speed of the
14 vehicle, maintaining a safe speed for road conditions and
15 leaving a safe distance until safely past the stationary
16 emergency vehicles.

17 The visual signal specified under this subsection (c)
18 given by an authorized emergency vehicle is an indication to
19 drivers of approaching vehicles that a hazardous condition is
20 present when circumstances are not immediately clear. Drivers
21 of vehicles approaching a stationary emergency vehicle in any
22 lane shall heed the warning of the signal, reduce the speed of
23 the vehicle, proceed with due caution, maintain a safe speed
24 for road conditions, be prepared to stop, and leave a safe
25 distance until safely passed the stationary emergency vehicle.

26 As used in this subsection (c), "authorized emergency

1 vehicle" includes any vehicle authorized by law to be equipped
2 with oscillating, rotating, or flashing lights under Section
3 12-215 of this Code, while the owner or operator of the vehicle
4 is engaged in his or her official duties.

5 (d) A person who violates subsection (c) of this Section
6 commits a business offense punishable by a fine of not less
7 than \$250 or more than \$10,000 for a first violation, and a
8 fine of not less than \$750 or more than \$10,000 for a second or
9 subsequent violation. It is a factor in aggravation if the
10 person committed the offense while in violation of Section
11 11-501, 12-610.1, or 12-610.2 of this Code. Imposition of the
12 penalties authorized by this subsection (d) for a violation of
13 subsection (c) of this Section that results in the death of
14 another person does not preclude imposition of appropriate
15 additional civil or criminal penalties. A person who violates
16 subsection (c) and the violation results in damage to another
17 vehicle commits a Class A misdemeanor. A person who violates
18 subsection (c) and the violation results in the injury or
19 death of another person commits a Class 4 felony.

20 (e) If a violation of subsection (c) of this Section
21 results in damage to the property of another person, in
22 addition to any other penalty imposed, the person's driving
23 privileges shall be suspended for a fixed period of not less
24 than 90 days and not more than one year.

25 (f) If a violation of subsection (c) of this Section
26 results in injury to another person, in addition to any other

1 penalty imposed, the person's driving privileges shall be
2 suspended for a fixed period of not less than 180 days and not
3 more than 2 years.

4 (g) If a violation of subsection (c) of this Section
5 results in the death of another person, in addition to any
6 other penalty imposed, the person's driving privileges shall
7 be suspended for 2 years.

8 (h) The Secretary of State shall, upon receiving a record
9 of a judgment entered against a person under subsection (c) of
10 this Section:

11 (1) suspend the person's driving privileges for the
12 mandatory period; or

13 (2) extend the period of an existing suspension by the
14 appropriate mandatory period.

15 ~~(i) The Scott's Law Fund shall be a special fund in the~~
16 ~~State treasury.~~ Subject to appropriation by the General
17 Assembly and approval by the Director, the Director of the
18 Illinois State Police shall use ~~all~~ moneys in the State Police
19 Operations Assistance Fund ~~Scott's Law Fund~~ in the
20 Department's discretion to fund the production of materials to
21 educate drivers on approaching stationary authorized emergency
22 vehicles, to hire off-duty Illinois Department of State Police
23 personnel for enforcement of this Section, and for other law
24 enforcement purposes the Director deems necessary in these
25 efforts.

26 (j) For violations of this Section issued by a county or

1 municipal police officer, the assessment shall be deposited
2 into the county's or municipality's Transportation Safety
3 Highway Hire-back Fund. The county shall use the moneys in its
4 Transportation Safety Highway Hire-back Fund to hire off-duty
5 county police officers to monitor construction or maintenance
6 zones in that county on highways other than interstate
7 highways. The county, in its discretion, may also use a
8 portion of the moneys in its Transportation Safety Highway
9 Hire-back Fund to purchase equipment for county law
10 enforcement and fund the production of materials to educate
11 drivers on construction zone safe driving habits and
12 approaching stationary authorized emergency vehicles.

13 (k) In addition to other penalties imposed by this
14 Section, the court may order a person convicted of a violation
15 of subsection (c) to perform community service as determined
16 by the court.

17 (Source: P.A. 101-173, eff. 1-1-20; 102-336, eff. 1-1-22;
18 102-338, eff. 1-1-22; 102-813, eff. 5-13-22.)

19 (Text of Section after amendment by P.A. 103-667 and
20 103-711)

21 Sec. 11-907. Operation of vehicles and streetcars on
22 approach of authorized emergency vehicles.

23 (a) Upon the immediate approach of an authorized emergency
24 vehicle making use of audible and visual signals meeting the
25 requirements of this Code or a police vehicle properly and

1 lawfully making use of an audible or visual signal:

2 (1) the driver of every other vehicle shall yield the
3 right-of-way and shall immediately drive to a position
4 parallel to, and as close as possible to, the right-hand
5 edge or curb of the highway clear of any intersection and
6 shall, if necessary to permit the safe passage of the
7 emergency vehicle, stop and remain in such position until
8 the authorized emergency vehicle has passed, unless
9 otherwise directed by a police officer; and

10 (2) the operator of every streetcar shall immediately
11 stop such car clear of any intersection and keep it in such
12 position until the authorized emergency vehicle has
13 passed, unless otherwise directed by a police officer.

14 (b) This Section shall not operate to relieve the driver
15 of an authorized emergency vehicle from the duty to drive with
16 due regard for the safety of all persons using the highway.

17 (c) Upon approaching a stationary authorized emergency
18 vehicle or emergency scene, when the stationary authorized
19 emergency vehicle is giving a visual signal by displaying
20 oscillating, rotating, or flashing lights as authorized under
21 Section 12-215 of this Code, a person who drives an
22 approaching vehicle shall:

23 (1) proceeding with due caution, yield the
24 right-of-way by making a lane change into a lane not
25 adjacent to that of the authorized emergency vehicle, if
26 possible with due regard to safety and traffic conditions,

1 if on a highway having at least 4 lanes with not less than
2 2 lanes proceeding in the same direction as the
3 approaching vehicle and reduce the speed of the vehicle to
4 a speed that is reasonable and proper with regard to
5 traffic conditions and the use of the highway to avoid a
6 collision and leaving a safe distance until safely past
7 the stationary emergency vehicle; or

8 (2) if changing lanes would be impossible or unsafe,
9 proceeding with due caution, reduce the speed of the
10 vehicle to a speed that is reasonable and proper with
11 regard to traffic conditions and the use of the highway to
12 avoid a collision, maintaining a safe speed for road
13 conditions and leaving a safe distance until safely past
14 the stationary emergency vehicles.

15 The visual signal specified under this subsection (c)
16 given by a stationary authorized emergency vehicle is an
17 indication to drivers of approaching vehicles that a hazardous
18 condition is present when circumstances are not immediately
19 clear. Drivers of vehicles approaching a stationary authorized
20 emergency vehicle in any lane shall heed the warning of the
21 signal, reduce the speed of the vehicle, proceed with due
22 caution, maintain a safe speed for road conditions, be
23 prepared to stop, and leave a safe distance until safely
24 passed the stationary emergency vehicle.

25 As used in this subsection (c), "authorized emergency
26 vehicle" includes any vehicle authorized by law to be equipped

1 with oscillating, rotating, or flashing lights under Section
2 12-215 of this Code, while the owner or operator of the vehicle
3 is engaged in his or her official duties. As used in this
4 subsection (c), "emergency scene" means a location where a
5 stationary authorized emergency vehicle as defined by herein
6 is present and has activated its oscillating, rotating, or
7 flashing lights.

8 (d) A person who violates subsection (c) of this Section
9 commits a business offense punishable by a fine of not less
10 than \$250 or more than \$10,000 for a first violation, and a
11 fine of not less than \$750 or more than \$10,000 for a second or
12 subsequent violation. It is a factor in aggravation if the
13 person committed the offense while in violation of Section
14 11-501, 12-610.1, or 12-610.2 of this Code. Imposition of the
15 penalties authorized by this subsection (d) for a violation of
16 subsection (c) of this Section that results in the death of
17 another person does not preclude imposition of appropriate
18 additional civil or criminal penalties. A person who violates
19 subsection (c) and the violation results in damage to another
20 vehicle commits a Class A misdemeanor. A person who violates
21 subsection (c) and the violation results in the injury or
22 death of another person commits a Class 4 felony.

23 (e) If a violation of subsection (c) of this Section
24 results in damage to the property of another person, in
25 addition to any other penalty imposed, the person's driving
26 privileges shall be suspended for a fixed period of not less

1 than 90 days and not more than one year.

2 (f) If a violation of subsection (c) of this Section
3 results in injury to another person, in addition to any other
4 penalty imposed, the person's driving privileges shall be
5 suspended for a fixed period of not less than 180 days and not
6 more than 2 years.

7 (g) If a violation of subsection (c) of this Section
8 results in the death of another person, in addition to any
9 other penalty imposed, the person's driving privileges shall
10 be suspended for 2 years.

11 (h) The Secretary of State shall, upon receiving a record
12 of a judgment entered against a person under subsection (c) of
13 this Section:

14 (1) suspend the person's driving privileges for the
15 mandatory period; or

16 (2) extend the period of an existing suspension by the
17 appropriate mandatory period.

18 (i) ~~The Scott's Law Fund shall be a special fund in the~~
19 ~~State treasury.~~ Subject to appropriation by the General
20 Assembly and approval by the Director, the Director of the
21 Illinois State Police shall use ~~all~~ moneys in the State Police
22 Operations Assistance Fund ~~Scott's Law Fund~~ in the
23 Department's discretion to fund the production of materials to
24 educate drivers on approaching stationary authorized emergency
25 vehicles, to hire off-duty Illinois State Police personnel for
26 enforcement of this Section, and for other law enforcement

1 purposes the Director deems necessary in these efforts.

2 (j) For violations of this Section issued by a county or
3 municipal police officer, the assessment shall be deposited
4 into the county's or municipality's Transportation Safety
5 Highway Hire-back Fund. The county shall use the moneys in its
6 Transportation Safety Highway Hire-back Fund to hire off-duty
7 county police officers to monitor construction or maintenance
8 zones in that county on highways other than interstate
9 highways. The county, in its discretion, may also use a
10 portion of the moneys in its Transportation Safety Highway
11 Hire-back Fund to purchase equipment for county law
12 enforcement and fund the production of materials to educate
13 drivers on construction zone safe driving habits and
14 approaching stationary authorized emergency vehicles.

15 (k) In addition to other penalties imposed by this
16 Section, the court may order a person convicted of a violation
17 of subsection (c) to perform community service as determined
18 by the court.

19 (Source: P.A. 102-336, eff. 1-1-22; 102-338, eff. 1-1-22;
20 102-813, eff. 5-13-22; 103-667, eff. 1-1-25; 103-711, eff.
21 1-1-25; revised 8-15-24.)

22 Section 25. The Criminal and Traffic Assessment Act is
23 amended by changing Section 15-70 as follows:

24 (705 ILCS 135/15-70)

1 (Text of Section before amendment by P.A. 103-730)

2 Sec. 15-70. Conditional assessments. In addition to
3 payments under one of the Schedule of Assessments 1 through 13
4 of this Act, the court shall also order payment of any of the
5 following conditional assessment amounts for each sentenced
6 violation in the case to which a conditional assessment is
7 applicable, which shall be collected and remitted by the Clerk
8 of the Circuit Court as provided in this Section:

9 (1) arson, residential arson, or aggravated arson,
10 \$500 per conviction to the State Treasurer for deposit
11 into the Fire Prevention Fund;

12 (2) child pornography under Section 11-20.1 of the
13 Criminal Code of 1961 or the Criminal Code of 2012, \$500
14 per conviction, unless more than one agency is responsible
15 for the arrest in which case the amount shall be remitted
16 to each unit of government equally:

17 (A) if the arresting agency is an agency of a unit
18 of local government, \$500 to the treasurer of the unit
19 of local government for deposit into the unit of local
20 government's General Fund, except that if the Illinois
21 State Police provides digital or electronic forensic
22 examination assistance, or both, to the arresting
23 agency then \$100 to the State Treasurer for deposit
24 into the State Crime Laboratory Fund; or

25 (B) if the arresting agency is the Illinois State
26 Police, \$500 to the State Treasurer for deposit into

1 the State Crime Laboratory Fund;

2 (3) crime laboratory drug analysis for a drug-related
3 offense involving possession or delivery of cannabis or
4 possession or delivery of a controlled substance as
5 defined in the Cannabis Control Act, the Illinois
6 Controlled Substances Act, or the Methamphetamine Control
7 and Community Protection Act, \$100 reimbursement for
8 laboratory analysis, as set forth in subsection (f) of
9 Section 5-9-1.4 of the Unified Code of Corrections;

10 (4) DNA analysis, \$250 on each conviction in which it
11 was used to the State Treasurer for deposit into the State
12 Crime Laboratory Fund as set forth in Section 5-9-1.4 of
13 the Unified Code of Corrections;

14 (5) DUI analysis, \$150 on each sentenced violation in
15 which it was used as set forth in subsection (f) of Section
16 5-9-1.9 of the Unified Code of Corrections;

17 (6) drug-related offense involving possession or
18 delivery of cannabis or possession or delivery of a
19 controlled substance, other than methamphetamine, as
20 defined in the Cannabis Control Act or the Illinois
21 Controlled Substances Act, an amount not less than the
22 full street value of the cannabis or controlled substance
23 seized for each conviction to be disbursed as follows:

24 (A) 12.5% of the street value assessment shall be
25 paid into the Youth Drug Abuse Prevention Fund, to be
26 used by the Department of Human Services for the

1 funding of programs and services for drug-abuse
2 treatment, and prevention and education services;

3 (B) 37.5% to the county in which the charge was
4 prosecuted, to be deposited into the county General
5 Fund;

6 (C) 50% to the treasurer of the arresting law
7 enforcement agency of the municipality or county, or
8 to the State Treasurer if the arresting agency was a
9 state agency, to be deposited as provided in
10 subsection (c) of Section 10-5;

11 (D) if the arrest was made in combination with
12 multiple law enforcement agencies, the clerk shall
13 equitably allocate the portion in subparagraph (C) of
14 this paragraph (6) among the law enforcement agencies
15 involved in the arrest;

16 (6.5) Kane County or Will County, in felony,
17 misdemeanor, local or county ordinance, traffic, or
18 conservation cases, up to \$30 as set by the county board
19 under Section 5-1101.3 of the Counties Code upon the entry
20 of a judgment of conviction, an order of supervision, or a
21 sentence of probation without entry of judgment under
22 Section 10 of the Cannabis Control Act, Section 410 of the
23 Illinois Controlled Substances Act, Section 70 of the
24 Methamphetamine Control and Community Protection Act,
25 Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 of
26 the Criminal Code of 1961 or the Criminal Code of 2012,

1 Section 10-102 of the Illinois Alcoholism and Other Drug
2 Dependency Act, or Section 10 of the Steroid Control Act;
3 except in local or county ordinance, traffic, and
4 conservation cases, if fines are paid in full without a
5 court appearance, then the assessment shall not be imposed
6 or collected. Distribution of assessments collected under
7 this paragraph (6.5) shall be as provided in Section
8 5-1101.3 of the Counties Code;

9 (7) methamphetamine-related offense involving
10 possession or delivery of methamphetamine or any salt of
11 an optical isomer of methamphetamine or possession of a
12 methamphetamine manufacturing material as set forth in
13 Section 10 of the Methamphetamine Control and Community
14 Protection Act with the intent to manufacture a substance
15 containing methamphetamine or salt of an optical isomer of
16 methamphetamine, an amount not less than the full street
17 value of the methamphetamine or salt of an optical isomer
18 of methamphetamine or methamphetamine manufacturing
19 materials seized for each conviction to be disbursed as
20 follows:

21 (A) 12.5% of the street value assessment shall be
22 paid into the Youth Drug Abuse Prevention Fund, to be
23 used by the Department of Human Services for the
24 funding of programs and services for drug-abuse
25 treatment, and prevention and education services;

26 (B) 37.5% to the county in which the charge was

1 prosecuted, to be deposited into the county General
2 Fund;

3 (C) 50% to the treasurer of the arresting law
4 enforcement agency of the municipality or county, or
5 to the State Treasurer if the arresting agency was a
6 state agency, to be deposited as provided in
7 subsection (c) of Section 10-5;

8 (D) if the arrest was made in combination with
9 multiple law enforcement agencies, the clerk shall
10 equitably allocate the portion in subparagraph (C) of
11 this paragraph (6) among the law enforcement agencies
12 involved in the arrest;

13 (8) order of protection violation under Section 12-3.4
14 of the Criminal Code of 2012, \$200 for each conviction to
15 the county treasurer for deposit into the Probation and
16 Court Services Fund for implementation of a domestic
17 violence surveillance program and any other assessments or
18 fees imposed under Section 5-9-1.16 of the Unified Code of
19 Corrections;

20 (9) order of protection violation, \$25 for each
21 violation to the State Treasurer, for deposit into the
22 Domestic Violence Abuser Services Fund;

23 (10) prosecution by the State's Attorney of a:

24 (A) petty or business offense, \$4 to the county
25 treasurer of which \$2 deposited into the State's
26 Attorney Records Automation Fund and \$2 into the

1 Public Defender Records Automation Fund;

2 (B) conservation or traffic offense, \$2 to the
3 county treasurer for deposit into the State's Attorney
4 Records Automation Fund;

5 (11) speeding in a construction zone violation, \$250
6 to the State Treasurer for deposit into the Transportation
7 Safety Highway Hire-back Fund, unless (i) the violation
8 occurred on a highway other than an interstate highway and
9 (ii) a county police officer wrote the ticket for the
10 violation, in which case to the county treasurer for
11 deposit into that county's Transportation Safety Highway
12 Hire-back Fund;

13 (12) supervision disposition on an offense under the
14 Illinois Vehicle Code or similar provision of a local
15 ordinance, 50 cents, unless waived by the court, into the
16 Prisoner Review Board Vehicle and Equipment Fund;

17 (13) victim and offender are family or household
18 members as defined in Section 103 of the Illinois Domestic
19 Violence Act of 1986 and offender pleads guilty or no
20 contest to or is convicted of murder, voluntary
21 manslaughter, involuntary manslaughter, burglary,
22 residential burglary, criminal trespass to residence,
23 criminal trespass to vehicle, criminal trespass to land,
24 criminal damage to property, telephone harassment,
25 kidnapping, aggravated kidnaping, unlawful restraint,
26 forcible detention, child abduction, indecent solicitation

1 of a child, sexual relations between siblings,
2 exploitation of a child, child pornography, assault,
3 aggravated assault, battery, aggravated battery, heinous
4 battery, aggravated battery of a child, domestic battery,
5 reckless conduct, intimidation, criminal sexual assault,
6 predatory criminal sexual assault of a child, aggravated
7 criminal sexual assault, criminal sexual abuse, aggravated
8 criminal sexual abuse, violation of an order of
9 protection, disorderly conduct, endangering the life or
10 health of a child, child abandonment, contributing to
11 dependency or neglect of child, or cruelty to children and
12 others, \$200 for each sentenced violation to the State
13 Treasurer for deposit as follows: (i) for sexual assault,
14 as defined in Section 5-9-1.7 of the Unified Code of
15 Corrections, when the offender and victim are family
16 members, one-half to the Domestic Violence Shelter and
17 Service Fund, and one-half to the Sexual Assault Services
18 Fund; (ii) for the remaining offenses to the Domestic
19 Violence Shelter and Service Fund;

20 (14) violation of Section 11-501 of the Illinois
21 Vehicle Code, Section 5-7 of the Snowmobile Registration
22 and Safety Act, Section 5-16 of the Boat Registration and
23 Safety Act, or a similar provision, whose operation of a
24 motor vehicle, snowmobile, or watercraft while in
25 violation of Section 11-501, Section 5-7 of the Snowmobile
26 Registration and Safety Act, Section 5-16 of the Boat

1 Registration and Safety Act, or a similar provision
2 proximately caused an incident resulting in an appropriate
3 emergency response, \$1,000 maximum to the public agency
4 that provided an emergency response related to the
5 person's violation, or as provided in subsection (c) of
6 Section 10-5 if the arresting agency was a State agency,
7 unless more than one agency was responsible for the
8 arrest, in which case the amount shall be remitted to each
9 unit of government equally;

10 (15) violation of Section 401, 407, or 407.2 of the
11 Illinois Controlled Substances Act that proximately caused
12 any incident resulting in an appropriate drug-related
13 emergency response, \$1,000 as reimbursement for the
14 emergency response to the law enforcement agency that made
15 the arrest, or as provided in subsection (c) of Section
16 10-5 if the arresting agency was a State agency, unless
17 more than one agency was responsible for the arrest, in
18 which case the amount shall be remitted to each unit of
19 government equally;

20 (16) violation of reckless driving, aggravated
21 reckless driving, or driving 26 miles per hour or more in
22 excess of the speed limit that triggered an emergency
23 response, \$1,000 maximum reimbursement for the emergency
24 response to be distributed in its entirety to a public
25 agency that provided an emergency response related to the
26 person's violation, or as provided in subsection (c) of

1 Section 10-5 if the arresting agency was a State agency,
2 unless more than one agency was responsible for the
3 arrest, in which case the amount shall be remitted to each
4 unit of government equally;

5 (17) violation based upon each plea of guilty,
6 stipulation of facts, or finding of guilt resulting in a
7 judgment of conviction or order of supervision for an
8 offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of
9 the Criminal Code of 2012 that results in the imposition
10 of a fine, to be distributed as follows:

11 (A) \$50 to the county treasurer for deposit into
12 the Circuit Court Clerk Operation and Administrative
13 Fund to cover the costs in administering this
14 paragraph (17);

15 (B) \$300 to the State Treasurer who shall deposit
16 the portion as follows:

17 (i) if the arresting or investigating agency
18 is the Illinois State Police, into the State
19 Police Law Enforcement Administration Fund;

20 (ii) if the arresting or investigating agency
21 is the Department of Natural Resources, into the
22 Conservation Police Operations Assistance Fund;

23 (iii) if the arresting or investigating agency
24 is the Secretary of State, into the Secretary of
25 State Police Services Fund;

26 (iv) if the arresting or investigating agency

1 is the Illinois Commerce Commission, into the
2 Transportation Regulatory Fund; or

3 (v) if more than one of the State agencies in
4 this subparagraph (B) is the arresting or
5 investigating agency, then equal shares with the
6 shares deposited as provided in the applicable
7 items (i) through (iv) of this subparagraph (B);
8 and

9 (C) the remainder for deposit into the Specialized
10 Services for Survivors of Human Trafficking Fund;

11 (18) weapons violation under Section 24-1.1, 24-1.2,
12 or 24-1.5 of the Criminal Code of 1961 or the Criminal Code
13 of 2012, \$100 for each conviction to the State Treasurer
14 for deposit into the Trauma Center Fund; and

15 (19) violation of subsection (c) of Section 11-907 of
16 the Illinois Vehicle Code, \$250 to the State Treasurer for
17 deposit into the State Police Operations Assistance Fund
18 ~~Scott's Law Fund~~, unless a county or municipal police
19 officer wrote the ticket for the violation, in which case
20 to the county treasurer for deposit into that county's or
21 municipality's Transportation Safety Highway Hire-back
22 Fund to be used as provided in subsection (j) of Section
23 11-907 of the Illinois Vehicle Code.

24 Except for traffic violations, fines and assessments, such
25 as fees or administrative costs authorized in this Section,
26 shall not be ordered or imposed on a minor subject to Article

1 III, IV, or V of the Juvenile Court Act of 1987, or a minor
2 under the age of 18 transferred to adult court or excluded from
3 juvenile court jurisdiction under Article V of the Juvenile
4 Court Act of 1987, or the minor's parent, guardian, or legal
5 custodian.

6 (Source: P.A. 102-145, eff. 7-23-21; 102-505, eff. 8-20-21;
7 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-379, eff.
8 7-28-23.)

9 (Text of Section after amendment by P.A. 103-730)

10 Sec. 15-70. Conditional assessments. In addition to
11 payments under one of the Schedule of Assessments 1 through 13
12 of this Act, the court shall also order payment of any of the
13 following conditional assessment amounts for each sentenced
14 violation in the case to which a conditional assessment is
15 applicable, which shall be collected and remitted by the Clerk
16 of the Circuit Court as provided in this Section:

17 (1) arson, residential arson, or aggravated arson,
18 \$500 per conviction to the State Treasurer for deposit
19 into the Fire Prevention Fund;

20 (2) child pornography under Section 11-20.1 of the
21 Criminal Code of 1961 or the Criminal Code of 2012, \$500
22 per conviction, unless more than one agency is responsible
23 for the arrest in which case the amount shall be remitted
24 to each unit of government equally:

25 (A) if the arresting agency is an agency of a unit

1 of local government, \$500 to the treasurer of the unit
2 of local government for deposit into the unit of local
3 government's General Fund, except that if the Illinois
4 State Police provides digital or electronic forensic
5 examination assistance, or both, to the arresting
6 agency then \$100 to the State Treasurer for deposit
7 into the State Crime Laboratory Fund; or

8 (B) if the arresting agency is the Illinois State
9 Police, \$500 to the State Treasurer for deposit into
10 the State Crime Laboratory Fund;

11 (3) crime laboratory drug analysis for a drug-related
12 offense involving possession or delivery of cannabis or
13 possession or delivery of a controlled substance as
14 defined in the Cannabis Control Act, the Illinois
15 Controlled Substances Act, or the Methamphetamine Control
16 and Community Protection Act, \$100 reimbursement for
17 laboratory analysis, as set forth in subsection (f) of
18 Section 5-9-1.4 of the Unified Code of Corrections;

19 (4) DNA analysis, \$250 on each conviction in which it
20 was used to the State Treasurer for deposit into the State
21 Crime Laboratory Fund as set forth in Section 5-9-1.4 of
22 the Unified Code of Corrections;

23 (5) DUI analysis, \$150 on each sentenced violation in
24 which it was used as set forth in subsection (f) of Section
25 5-9-1.9 of the Unified Code of Corrections;

26 (6) drug-related offense involving possession or

1 delivery of cannabis or possession or delivery of a
2 controlled substance, other than methamphetamine, as
3 defined in the Cannabis Control Act or the Illinois
4 Controlled Substances Act, an amount not less than the
5 full street value of the cannabis or controlled substance
6 seized for each conviction to be disbursed as follows:

7 (A) 12.5% of the street value assessment shall be
8 paid into the Youth Drug Abuse Prevention Fund, to be
9 used by the Department of Human Services for the
10 funding of programs and services for drug-abuse
11 treatment, and prevention and education services;

12 (B) 37.5% to the county in which the charge was
13 prosecuted, to be deposited into the county General
14 Fund;

15 (C) 50% to the treasurer of the arresting law
16 enforcement agency of the municipality or county, or
17 to the State Treasurer if the arresting agency was a
18 state agency, to be deposited as provided in
19 subsection (c) of Section 10-5;

20 (D) if the arrest was made in combination with
21 multiple law enforcement agencies, the clerk shall
22 equitably allocate the portion in subparagraph (C) of
23 this paragraph (6) among the law enforcement agencies
24 involved in the arrest;

25 (6.5) Kane County or Will County, in felony,
26 misdemeanor, local or county ordinance, traffic, or

1 conservation cases, up to \$30 as set by the county board
2 under Section 5-1101.3 of the Counties Code upon the entry
3 of a judgment of conviction, an order of supervision, or a
4 sentence of probation without entry of judgment under
5 Section 10 of the Cannabis Control Act, Section 410 of the
6 Illinois Controlled Substances Act, Section 70 of the
7 Methamphetamine Control and Community Protection Act,
8 Section 12-4.3 or paragraph (1) of subsection (b)
9 ~~subdivision (b) (1)~~ of Section 12-3.05 of the Criminal Code
10 of 1961 or the Criminal Code of 2012, Section 10-102 of the
11 Illinois Alcoholism and Other Drug Dependency Act, or
12 Section 10 of the Steroid Control Act; except in local or
13 county ordinance, traffic, and conservation cases, if
14 fines are paid in full without a court appearance, then
15 the assessment shall not be imposed or collected.
16 Distribution of assessments collected under this paragraph
17 (6.5) shall be as provided in Section 5-1101.3 of the
18 Counties Code;

19 (7) methamphetamine-related offense involving
20 possession or delivery of methamphetamine or any salt of
21 an optical isomer of methamphetamine or possession of a
22 methamphetamine manufacturing material as set forth in
23 Section 10 of the Methamphetamine Control and Community
24 Protection Act with the intent to manufacture a substance
25 containing methamphetamine or salt of an optical isomer of
26 methamphetamine, an amount not less than the full street

1 value of the methamphetamine or salt of an optical isomer
2 of methamphetamine or methamphetamine manufacturing
3 materials seized for each conviction to be disbursed as
4 follows:

5 (A) 12.5% of the street value assessment shall be
6 paid into the Youth Drug Abuse Prevention Fund, to be
7 used by the Department of Human Services for the
8 funding of programs and services for drug-abuse
9 treatment, and prevention and education services;

10 (B) 37.5% to the county in which the charge was
11 prosecuted, to be deposited into the county General
12 Fund;

13 (C) 50% to the treasurer of the arresting law
14 enforcement agency of the municipality or county, or
15 to the State Treasurer if the arresting agency was a
16 state agency, to be deposited as provided in
17 subsection (c) of Section 10-5;

18 (D) if the arrest was made in combination with
19 multiple law enforcement agencies, the clerk shall
20 equitably allocate the portion in subparagraph (C) of
21 this paragraph (6) among the law enforcement agencies
22 involved in the arrest;

23 (8) order of protection violation under Section 12-3.4
24 of the Criminal Code of 2012, \$200 for each conviction to
25 the county treasurer for deposit into the Probation and
26 Court Services Fund for implementation of a domestic

1 violence surveillance program and any other assessments or
2 fees imposed under Section 5-9-1.16 of the Unified Code of
3 Corrections;

4 (9) order of protection violation, \$25 for each
5 violation to the State Treasurer, for deposit into the
6 Domestic Violence Abuser Services Fund;

7 (10) prosecution by the State's Attorney of a:

8 (A) petty or business offense, \$4 to the county
9 treasurer of which \$2 deposited into the State's
10 Attorney Records Automation Fund and \$2 into the
11 Public Defender Records Automation Fund;

12 (B) conservation or traffic offense, \$2 to the
13 county treasurer for deposit into the State's Attorney
14 Records Automation Fund;

15 (11) speeding in a construction zone violation, \$250
16 to the State Treasurer for deposit into the Transportation
17 Safety Highway Hire-back Fund, unless (i) the violation
18 occurred on a highway other than an interstate highway and
19 (ii) a county police officer wrote the ticket for the
20 violation, in which case to the county treasurer for
21 deposit into that county's Transportation Safety Highway
22 Hire-back Fund;

23 (12) supervision disposition on an offense under the
24 Illinois Vehicle Code or similar provision of a local
25 ordinance, 50 cents, unless waived by the court, into the
26 Prisoner Review Board Vehicle and Equipment Fund;

1 (13) victim and offender are family or household
2 members as defined in Section 103 of the Illinois Domestic
3 Violence Act of 1986 and offender pleads guilty or no
4 contest to or is convicted of murder, voluntary
5 manslaughter, involuntary manslaughter, burglary,
6 residential burglary, criminal trespass to residence,
7 criminal trespass to vehicle, criminal trespass to land,
8 criminal damage to property, telephone harassment,
9 kidnapping, aggravated kidnapping, unlawful restraint,
10 forcible detention, child abduction, indecent solicitation
11 of a child, sexual relations between siblings,
12 exploitation of a child, child pornography, assault,
13 aggravated assault, battery, aggravated battery, heinous
14 battery, aggravated battery of a child, domestic battery,
15 reckless conduct, intimidation, criminal sexual assault,
16 predatory criminal sexual assault of a child, aggravated
17 criminal sexual assault, criminal sexual abuse, aggravated
18 criminal sexual abuse, violation of an order of
19 protection, disorderly conduct, endangering the life or
20 health of a child, child abandonment, contributing to
21 dependency or neglect of child, or cruelty to children and
22 others, \$200 for each sentenced violation to the State
23 Treasurer for deposit as follows: (i) for sexual assault,
24 as defined in Section 5-9-1.7 of the Unified Code of
25 Corrections, when the offender and victim are family
26 members, one-half to the Domestic Violence Shelter and

1 Service Fund, and one-half to the Sexual Assault Services
2 Fund; (ii) for the remaining offenses to the Domestic
3 Violence Shelter and Service Fund;

4 (14) violation of Section 11-501 of the Illinois
5 Vehicle Code, Section 5-7 of the Snowmobile Registration
6 and Safety Act, Section 5-16 of the Boat Registration and
7 Safety Act, or a similar provision, whose operation of a
8 motor vehicle, snowmobile, or watercraft while in
9 violation of Section 11-501, Section 5-7 of the Snowmobile
10 Registration and Safety Act, Section 5-16 of the Boat
11 Registration and Safety Act, or a similar provision
12 proximately caused an incident resulting in an appropriate
13 emergency response, \$1,000 maximum to the public agency
14 that provided an emergency response related to the
15 person's violation, or as provided in subsection (c) of
16 Section 10-5 if the arresting agency was a State agency,
17 unless more than one agency was responsible for the
18 arrest, in which case the amount shall be remitted to each
19 unit of government equally;

20 (15) violation of Section 401, 407, or 407.2 of the
21 Illinois Controlled Substances Act that proximately caused
22 any incident resulting in an appropriate drug-related
23 emergency response, \$1,000 as reimbursement for the
24 emergency response to the law enforcement agency that made
25 the arrest, or as provided in subsection (c) of Section
26 10-5 if the arresting agency was a State agency, unless

1 more than one agency was responsible for the arrest, in
2 which case the amount shall be remitted to each unit of
3 government equally;

4 (16) violation of reckless driving, aggravated
5 reckless driving, or driving 26 miles per hour or more in
6 excess of the speed limit that triggered an emergency
7 response, \$1,000 maximum reimbursement for the emergency
8 response to be distributed in its entirety to a public
9 agency that provided an emergency response related to the
10 person's violation, or as provided in subsection (c) of
11 Section 10-5 if the arresting agency was a State agency,
12 unless more than one agency was responsible for the
13 arrest, in which case the amount shall be remitted to each
14 unit of government equally;

15 (17) violation based upon each plea of guilty,
16 stipulation of facts, or finding of guilt resulting in a
17 judgment of conviction or order of supervision for an
18 offense under Section 10-9, 11-14.1, 11-14.3, or 11-18 of
19 the Criminal Code of 2012 that results in the imposition
20 of a fine, to be distributed as follows:

21 (A) \$50 to the county treasurer for deposit into
22 the Circuit Court Clerk Operation and Administrative
23 Fund to cover the costs in administering this
24 paragraph (17);

25 (B) \$300 to the State Treasurer who shall deposit
26 the portion as follows:

1 (i) if the arresting or investigating agency
2 is the Illinois State Police, into the State
3 Police Law Enforcement Administration Fund;

4 (ii) if the arresting or investigating agency
5 is the Department of Natural Resources, into the
6 Conservation Police Operations Assistance Fund;

7 (iii) if the arresting or investigating agency
8 is the Secretary of State, into the Secretary of
9 State Police Services Fund;

10 (iv) if the arresting or investigating agency
11 is the Illinois Commerce Commission, into the
12 Transportation Regulatory Fund; or

13 (v) if more than one of the State agencies in
14 this subparagraph (B) is the arresting or
15 investigating agency, then equal shares with the
16 shares deposited as provided in the applicable
17 items (i) through (iv) of this subparagraph (B);
18 and

19 (C) the remainder for deposit into the Specialized
20 Services for Survivors of Human Trafficking Fund;

21 (18) weapons violation under Section 24-1.1, 24-1.2,
22 or 24-1.5 of the Criminal Code of 1961 or the Criminal Code
23 of 2012, \$100 for each conviction to the State Treasurer
24 for deposit into the Trauma Center Fund; ~~and~~

25 (19) violation of subsection (c) of Section 11-907 of
26 the Illinois Vehicle Code, \$250 to the State Treasurer for

1 deposit into the State Police Operations Assistance Fund
2 ~~Scott's Law Fund~~, unless a county or municipal police
3 officer wrote the ticket for the violation, in which case
4 to the county treasurer for deposit into that county's or
5 municipality's Transportation Safety Highway Hire-back
6 Fund to be used as provided in subsection (j) of Section
7 11-907 of the Illinois Vehicle Code; and.

8 (20) violation of Section 15-109.1 of the Illinois
9 Vehicle Code, \$150 to be distributed as follows:

10 (A) 50% to the county treasurer for deposit into
11 the county general fund; and

12 (B) 50% to the treasurer of the arresting law
13 enforcement agency of the municipality or county or to
14 the State Treasurer, if the arresting agency was a
15 State agency, to be deposited as provided in
16 subsection (c) of Section 10-5.

17 Except for traffic violations, fines, and assessments,
18 such as fees or administrative costs authorized in this
19 Section, shall not be ordered or imposed on a minor subject to
20 Article III, IV, or V of the Juvenile Court Act of 1987, or a
21 minor under the age of 18 transferred to adult court or
22 excluded from juvenile court jurisdiction under Article V of
23 the Juvenile Court Act of 1987, or the minor's parent,
24 guardian, or legal custodian.

25 (Source: P.A. 102-145, eff. 7-23-21; 102-505, eff. 8-20-21;
26 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 103-379, eff.

1 7-28-23; 103-730, eff. 1-1-25; revised 10-21-24.)

2 Section 30. The Criminal Code of 2012 is amended by
3 changing Section 29B-26 as follows:

4 (720 ILCS 5/29B-26)

5 Sec. 29B-26. Distribution of proceeds. All moneys and the
6 sale proceeds of all other property forfeited and seized under
7 this Article shall be distributed as follows:

8 (1) 65% shall be distributed to the metropolitan
9 enforcement group, local, municipal, county, or State law
10 enforcement agency or agencies that conducted or
11 participated in the investigation resulting in the
12 forfeiture. The distribution shall bear a reasonable
13 relationship to the degree of direct participation of the
14 law enforcement agency in the effort resulting in the
15 forfeiture, taking into account the total value of the
16 property forfeited and the total law enforcement effort
17 with respect to the violation of the law upon which the
18 forfeiture is based. Amounts distributed to the agency or
19 agencies shall be used for the enforcement of laws.

20 (2) (i) 12.5% shall be distributed to the Office of the
21 State's Attorney of the county in which the prosecution
22 resulting in the forfeiture was instituted, deposited in a
23 special fund in the county treasury and appropriated to
24 the State's Attorney for use in the enforcement of laws.

1 In counties over 3,000,000 population, 25% shall be
2 distributed to the Office of the State's Attorney for use
3 in the enforcement of laws. If the prosecution is
4 undertaken solely by the Attorney General, the portion
5 provided under this subparagraph (i) shall be distributed
6 to the Attorney General for use in the enforcement of
7 laws.

8 (ii) 12.5% shall be distributed to the Office of the
9 State's Attorneys Appellate Prosecutor and deposited in
10 the Narcotics Profit Forfeiture Fund of that office to be
11 used for additional expenses incurred in the
12 investigation, prosecution, and appeal of cases arising
13 under laws. The Office of the State's Attorneys Appellate
14 Prosecutor shall not receive distribution from cases
15 brought in counties with over 3,000,000 population.

16 (3) 10% shall be retained by the Illinois State Police
17 for expenses related to the administration and sale of
18 seized and forfeited property.

19 Moneys and the sale proceeds distributed to the Illinois
20 State Police under this Article shall be deposited into ~~in~~ the
21 State Police Law Enforcement Administration Money Laundering
22 ~~Asset Recovery~~ Fund created in the State treasury and shall be
23 used by the Illinois State Police for State law enforcement
24 purposes. All moneys and sale proceeds of property forfeited
25 and seized under this Article and distributed according to
26 this Section may also be used to purchase opioid antagonists

1 as defined in Section 5-23 of the Substance Use Disorder Act.

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

3 Section 35. The Cannabis Control Act is amended by
4 changing Sections 8 and 10.2 as follows:

5 (720 ILCS 550/8) (from Ch. 56 1/2, par. 708)

6 Sec. 8. Except as otherwise provided in the Cannabis
7 Regulation and Tax Act and the Industrial Hemp Act, it is
8 unlawful for any person knowingly to produce the Cannabis
9 sativa plant or to possess such plants unless production or
10 possession has been authorized pursuant to the provisions of
11 Section 11 or 15.2 of the Act. Any person who violates this
12 Section with respect to production or possession of:

13 (a) Not more than 5 plants is guilty of a civil
14 violation punishable by a minimum fine of \$100 and a
15 maximum fine of \$200. The proceeds of the fine are payable
16 to the clerk of the circuit court. Within 30 days after the
17 deposit of the fine, the clerk shall distribute the
18 proceeds of the fine as follows:

19 (1) \$10 of the fine to the circuit clerk and \$10 of
20 the fine to the law enforcement agency that issued the
21 citation; the proceeds of each \$10 fine distributed to
22 the circuit clerk and each \$10 fine distributed to the
23 law enforcement agency that issued the citation for
24 the violation shall be used to defer the cost of

1 automatic expungements under paragraph (2.5) of
2 subsection (a) of Section 5.2 of the Criminal
3 Identification Act;

4 (2) \$15 to the county to fund drug addiction
5 services;

6 (3) \$10 to the Office of the State's Attorneys
7 Appellate Prosecutor for use in training programs;

8 (4) \$10 to the State's Attorney; and

9 (5) any remainder of the fine to the law
10 enforcement agency that issued the citation for the
11 violation.

12 With respect to funds designated for the Illinois
13 State Police, the moneys shall be remitted by the circuit
14 court clerk to the State Treasurer within one month after
15 receipt for deposit into the State Police Operations
16 Assistance Fund. With respect to funds designated for the
17 Department of Natural Resources, the Department of Natural
18 Resources shall deposit the moneys into the Conservation
19 Police Operations Assistance Fund.

20 (b) More than 5, but not more than 20 plants, is guilty
21 of a Class 4 felony.

22 (c) More than 20, but not more than 50 plants, is
23 guilty of a Class 3 felony.

24 (d) More than 50, but not more than 200 plants, is
25 guilty of a Class 2 felony for which a fine not to exceed
26 \$100,000 may be imposed and for which liability for the

1 cost of conducting the investigation and eradicating such
2 plants may be assessed. Compensation for expenses incurred
3 in the enforcement of this provision shall be transmitted
4 to and deposited in the treasurer's office at the level of
5 government represented by the Illinois law enforcement
6 agency whose officers or employees conducted the
7 investigation or caused the arrest or arrests leading to
8 the prosecution, to be subsequently made available to that
9 law enforcement agency as expendable receipts for use in
10 the enforcement of laws regulating controlled substances
11 and cannabis. If such seizure was made by a combination of
12 law enforcement personnel representing different levels of
13 government, the court levying the assessment shall
14 determine the allocation of such assessment. The proceeds
15 of assessment awarded to the State treasury shall be
16 deposited in a special fund known as the State Police
17 Operations Assistance Fund ~~Drug Traffic Prevention Fund~~.

18 (e) More than 200 plants is guilty of a Class 1 felony
19 for which a fine not to exceed \$100,000 may be imposed and
20 for which liability for the cost of conducting the
21 investigation and eradicating such plants may be assessed.
22 Compensation for expenses incurred in the enforcement of
23 this provision shall be transmitted to and deposited in
24 the treasurer's office at the level of government
25 represented by the Illinois law enforcement agency whose
26 officers or employees conducted the investigation or

1 caused the arrest or arrests leading to the prosecution,
2 to be subsequently made available to that law enforcement
3 agency as expendable receipts for use in the enforcement
4 of laws regulating controlled substances and cannabis. If
5 such seizure was made by a combination of law enforcement
6 personnel representing different levels of government, the
7 court levying the assessment shall determine the
8 allocation of such assessment. The proceeds of assessment
9 awarded to the State treasury shall be deposited in a
10 special fund known as the State Police Operations
11 Assistance Fund ~~Drug Traffic Prevention Fund~~.

12 (Source: P.A. 101-27, eff. 6-25-19; 101-593, eff. 12-4-19;
13 102-145, eff. 7-23-21; 102-538, eff. 8-20-21; 102-813, eff.
14 5-13-22.)

15 (720 ILCS 550/10.2) (from Ch. 56 1/2, par. 710.2)

16 Sec. 10.2. (a) Twelve and one-half percent of all amounts
17 collected as fines pursuant to the provisions of this Act
18 shall be paid into the Youth Drug Abuse Prevention Fund, which
19 is hereby created in the State treasury, to be used by the
20 Department of Human Services for the funding of programs and
21 services for drug-abuse treatment, and prevention and
22 education services, for juveniles.

23 (b) Eighty-seven and one-half percent of the proceeds of
24 all fines received under the provisions of this Act shall be
25 transmitted to and deposited in the treasurer's office at the

1 level of government as follows:

2 (1) If such seizure was made by a combination of law
3 enforcement personnel representing differing units of
4 local government, the court levying the fine shall
5 equitably allocate 50% of the fine among these units of
6 local government and shall allocate 37 1/2% to the county
7 general corporate fund. In the event that the seizure was
8 made by law enforcement personnel representing a unit of
9 local government from a municipality where the number of
10 inhabitants exceeds 2 million in population, the court
11 levying the fine shall allocate 87 1/2% of the fine to that
12 unit of local government. If the seizure was made by a
13 combination of law enforcement personnel representing
14 differing units of local government, and at least one of
15 those units represents a municipality where the number of
16 inhabitants exceeds 2 million in population, the court
17 shall equitably allocate 87 1/2% of the proceeds of the
18 fines received among the differing units of local
19 government.

20 (2) If such seizure was made by State law enforcement
21 personnel, then the court shall allocate 37 1/2% to the
22 State treasury and 50% to the county general corporate
23 fund.

24 (3) If a State law enforcement agency in combination
25 with a law enforcement agency or agencies of a unit or
26 units of local government conducted the seizure, the court

1 shall equitably allocate 37 1/2% of the fines to or among
2 the law enforcement agency or agencies of the unit or
3 units of local government which conducted the seizure and
4 shall allocate 50% to the county general corporate fund.

5 (c) The proceeds of all fines allocated to the law
6 enforcement agency or agencies of the unit or units of local
7 government pursuant to subsection (b) shall be made available
8 to that law enforcement agency as expendable receipts for use
9 in the enforcement of laws regulating controlled substances
10 and cannabis. The proceeds of fines awarded to the State
11 treasury shall be deposited in a special fund known as the
12 State Police Operations Assistance Fund ~~Drug Traffic~~
13 ~~Prevention Fund~~, except that amounts distributed to the
14 Secretary of State shall be deposited into the Secretary of
15 State Evidence Fund to be used as provided in Section 2-115 of
16 the Illinois Vehicle Code. Monies from this fund may be used by
17 the Illinois State Police for use in the enforcement of laws
18 regulating controlled substances and cannabis; to satisfy
19 funding provisions of the Intergovernmental Drug Laws
20 Enforcement Act; to defray costs and expenses associated with
21 returning violators of this Act, the Illinois Controlled
22 Substances Act, and the Methamphetamine Control and Community
23 Protection Act only, as provided in such Acts, when punishment
24 of the crime shall be confinement of the criminal in the
25 penitentiary; and all other monies shall be paid into the
26 general revenue fund in the State treasury.

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

2 Section 40. The Illinois Controlled Substances Act is
3 amended by changing Section 413 as follows:

4 (720 ILCS 570/413) (from Ch. 56 1/2, par. 1413)

5 (Text of Section before amendment by P.A. 103-881)

6 Sec. 413. (a) Twelve and one-half percent of all amounts
7 collected as fines pursuant to the provisions of this Article
8 shall be paid into the Youth Drug Abuse Prevention Fund, which
9 is hereby created in the State treasury, to be used by the
10 Department for the funding of programs and services for
11 drug-abuse treatment, and prevention and education services,
12 for juveniles.

13 (b) Eighty-seven and one-half percent of the proceeds of
14 all fines received under the provisions of this Article shall
15 be transmitted to and deposited in the treasurer's office at
16 the level of government as follows:

17 (1) If such seizure was made by a combination of law
18 enforcement personnel representing differing units of
19 local government, the court levying the fine shall
20 equitably allocate 50% of the fine among these units of
21 local government and shall allocate 37 1/2% to the county
22 general corporate fund. In the event that the seizure was
23 made by law enforcement personnel representing a unit of
24 local government from a municipality where the number of

1 inhabitants exceeds 2 million in population, the court
2 levying the fine shall allocate 87 1/2% of the fine to that
3 unit of local government. If the seizure was made by a
4 combination of law enforcement personnel representing
5 differing units of local government, and at least one of
6 those units represents a municipality where the number of
7 inhabitants exceeds 2 million in population, the court
8 shall equitably allocate 87 1/2% of the proceeds of the
9 fines received among the differing units of local
10 government.

11 (2) If such seizure was made by State law enforcement
12 personnel, then the court shall allocate 37 1/2% to the
13 State treasury and 50% to the county general corporate
14 fund.

15 (3) If a State law enforcement agency in combination
16 with a law enforcement agency or agencies of a unit or
17 units of local government conducted the seizure, the court
18 shall equitably allocate 37 1/2% of the fines to or among
19 the law enforcement agency or agencies of the unit or
20 units of local government which conducted the seizure and
21 shall allocate 50% to the county general corporate fund.

22 (c) The proceeds of all fines allocated to the law
23 enforcement agency or agencies of the unit or units of local
24 government pursuant to subsection (b) shall be made available
25 to that law enforcement agency as expendable receipts for use
26 in the enforcement of laws regulating cannabis,

1 methamphetamine, and other controlled substances. The proceeds
2 of fines awarded to the State treasury shall be deposited in a
3 special fund known as the State Police Operations Assistance
4 Fund ~~Drug Traffic Prevention Fund~~, except that amounts
5 distributed to the Secretary of State shall be deposited into
6 the Secretary of State Evidence Fund to be used as provided in
7 Section 2-115 of the Illinois Vehicle Code. Monies from this
8 fund may be used by the Illinois State Police or use in the
9 enforcement of laws regulating cannabis, methamphetamine, and
10 other controlled substances; to satisfy funding provisions of
11 the Intergovernmental Drug Laws Enforcement Act; to defray
12 costs and expenses associated with returning violators of the
13 Cannabis Control Act and this Act only, as provided in those
14 Acts, when punishment of the crime shall be confinement of the
15 criminal in the penitentiary; and all other monies shall be
16 paid into the general revenue fund in the State treasury.

17 (Source: P.A. 97-334, eff. 1-1-12.)

18 (Text of Section after amendment by P.A. 103-881)

19 Sec. 413. (a) Twelve and one-half percent of all amounts
20 collected as fines pursuant to the provisions of this Article
21 shall be paid into the Youth Drug Abuse Prevention Fund, which
22 is hereby created in the State treasury, to be used by the
23 Department for the funding of programs and services for
24 substance use disorder treatment, and prevention and education
25 services, for juveniles.

1 (b) Eighty-seven and one-half percent of the proceeds of
2 all fines received under the provisions of this Article shall
3 be transmitted to and deposited in the treasurer's office at
4 the level of government as follows:

5 (1) If such seizure was made by a combination of law
6 enforcement personnel representing differing units of
7 local government, the court levying the fine shall
8 equitably allocate 50% of the fine among these units of
9 local government and shall allocate 37 1/2% to the county
10 general corporate fund. In the event that the seizure was
11 made by law enforcement personnel representing a unit of
12 local government from a municipality where the number of
13 inhabitants exceeds 2 million in population, the court
14 levying the fine shall allocate 87 1/2% of the fine to that
15 unit of local government. If the seizure was made by a
16 combination of law enforcement personnel representing
17 differing units of local government, and at least one of
18 those units represents a municipality where the number of
19 inhabitants exceeds 2 million in population, the court
20 shall equitably allocate 87 1/2% of the proceeds of the
21 fines received among the differing units of local
22 government.

23 (2) If such seizure was made by State law enforcement
24 personnel, then the court shall allocate 37 1/2% to the
25 State treasury and 50% to the county general corporate
26 fund.

1 (3) If a State law enforcement agency in combination
2 with a law enforcement agency or agencies of a unit or
3 units of local government conducted the seizure, the court
4 shall equitably allocate 37 1/2% of the fines to or among
5 the law enforcement agency or agencies of the unit or
6 units of local government which conducted the seizure and
7 shall allocate 50% to the county general corporate fund.

8 (c) The proceeds of all fines allocated to the law
9 enforcement agency or agencies of the unit or units of local
10 government pursuant to subsection (b) shall be made available
11 to that law enforcement agency as expendable receipts for use
12 in the enforcement of laws regulating cannabis,
13 methamphetamine, and other controlled substances. The proceeds
14 of fines awarded to the State treasury shall be deposited in a
15 special fund known as the State Police Operations Assistance
16 Fund ~~Drug Traffic Prevention Fund~~, except that amounts
17 distributed to the Secretary of State shall be deposited into
18 the Secretary of State Evidence Fund to be used as provided in
19 Section 2-115 of the Illinois Vehicle Code. Monies from this
20 fund may be used by the Illinois State Police or use in the
21 enforcement of laws regulating cannabis, methamphetamine, and
22 other controlled substances; to satisfy funding provisions of
23 the Intergovernmental Drug Laws Enforcement Act; to defray
24 costs and expenses associated with returning violators of the
25 Cannabis Control Act and this Act only, as provided in those
26 Acts, when punishment of the crime shall be confinement of the

1 criminal in the penitentiary; and all other monies shall be
2 paid into the general revenue fund in the State treasury.

3 (Source: P.A. 103-881, eff. 1-1-25.)

4 Section 45. The Methamphetamine Control and Community
5 Protection Act is amended by changing Section 95 as follows:

6 (720 ILCS 646/95)

7 Sec. 95. Youth Drug Abuse Prevention Fund.

8 (a) Twelve and one-half percent of all amounts collected
9 as fines pursuant to the provisions of this Article shall be
10 paid into the Youth Drug Abuse Prevention Fund created by the
11 Controlled Substances Act in the State treasury, to be used by
12 the Department for the funding of programs and services for
13 drug-abuse treatment, and prevention and education services,
14 for juveniles.

15 (b) Eighty-seven and one-half percent of the proceeds of
16 all fines received under the provisions of this Act shall be
17 transmitted to and deposited into the State treasury and
18 distributed as follows:

19 (1) If such seizure was made by a combination of law
20 enforcement personnel representing differing units of
21 local government, the court levying the fine shall
22 equitably allocate 50% of the fine among these units of
23 local government and shall allocate 37.5% to the county
24 general corporate fund. If the seizure was made by law

1 enforcement personnel representing a unit of local
2 government from a municipality where the number of
3 inhabitants exceeds 2 million in population, the court
4 levying the fine shall allocate 87.5% of the fine to that
5 unit of local government. If the seizure was made by a
6 combination of law enforcement personnel representing
7 differing units of local government and if at least one of
8 those units represents a municipality where the number of
9 inhabitants exceeds 2 million in population, the court
10 shall equitably allocate 87.5% of the proceeds of the
11 fines received among the differing units of local
12 government.

13 (2) If such seizure was made by State law enforcement
14 personnel, then the court shall allocate 37.5% to the
15 State treasury and 50% to the county general corporate
16 fund.

17 (3) If a State law enforcement agency in combination
18 with any law enforcement agency or agencies of a unit or
19 units of local government conducted the seizure, the court
20 shall equitably allocate 37.5% of the fines to or among
21 the law enforcement agency or agencies of the unit or
22 units of local government that conducted the seizure and
23 shall allocate 50% to the county general corporate fund.

24 (c) The proceeds of all fines allocated to the law
25 enforcement agency or agencies of the unit or units of local
26 government pursuant to subsection (b) shall be made available

1 to that law enforcement agency as expendable receipts for use
2 in the enforcement of laws regulating controlled substances
3 and cannabis. The proceeds of fines awarded to the State
4 treasury shall be deposited in a special fund known as the
5 State Police Operations Assistance Fund ~~Drug—Traffic~~
6 ~~Prevention—Fund~~, except that amounts distributed to the
7 Secretary of State shall be deposited into the Secretary of
8 State Evidence Fund to be used as provided in Section 2-115 of
9 the Illinois Vehicle Code. Moneys from this Fund may be used by
10 the Illinois State Police for use in the enforcement of laws
11 regulating controlled substances and cannabis; to satisfy
12 funding provisions of the Intergovernmental Drug Laws
13 Enforcement Act; to defray costs and expenses associated with
14 returning violators of the Cannabis Control Act and this Act
15 only, as provided in those Acts, when punishment of the crime
16 shall be confinement of the criminal in the penitentiary; and
17 all other moneys shall be paid into the General Revenue Fund in
18 the State treasury.

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

20 Section 50. The Narcotics Profit Forfeiture Act is amended
21 by changing Sections 5 and 5.2 as follows:

22 (725 ILCS 175/5) (from Ch. 56 1/2, par. 1655)

23 Sec. 5. (a) A person who commits the offense of narcotics
24 racketeering shall:

1 (1) be guilty of a Class 1 felony; and

2 (2) be subject to a fine of up to \$250,000.

3 A person who commits the offense of narcotics racketeering
4 or who violates Section 3 of the Drug Paraphernalia Control
5 Act shall forfeit to the State of Illinois: (A) any profits or
6 proceeds and any property or property interest he has acquired
7 or maintained in violation of this Act or Section 3 of the Drug
8 Paraphernalia Control Act or has used to facilitate a
9 violation of this Act that the court determines, after a
10 forfeiture hearing, under subsection (b) of this Section to
11 have been acquired or maintained as a result of narcotics
12 racketeering or violating Section 3 of the Drug Paraphernalia
13 Control Act, or used to facilitate narcotics racketeering; and
14 (B) any interest in, security of, claim against, or property
15 or contractual right of any kind affording a source of
16 influence over, any enterprise which he has established,
17 operated, controlled, conducted, or participated in the
18 conduct of, in violation of this Act or Section 3 of the Drug
19 Paraphernalia Control Act, that the court determines, after a
20 forfeiture hearing, under subsection (b) of this Section to
21 have been acquired or maintained as a result of narcotics
22 racketeering or violating Section 3 of the Drug Paraphernalia
23 Control Act or used to facilitate narcotics racketeering.

24 (b) The court shall, upon petition by the Attorney General
25 or State's Attorney, at any time subsequent to the filing of an
26 information or return of an indictment, conduct a hearing to

1 determine whether any property or property interest is subject
2 to forfeiture under this Act. At the forfeiture hearing the
3 people shall have the burden of establishing, by a
4 preponderance of the evidence, that property or property
5 interests are subject to forfeiture under this Act. There is a
6 rebuttable presumption at such hearing that any property or
7 property interest of a person charged by information or
8 indictment with narcotics racketeering or who is convicted of
9 a violation of Section 3 of the Drug Paraphernalia Control Act
10 is subject to forfeiture under this Section if the State
11 establishes by a preponderance of the evidence that:

12 (1) such property or property interest was acquired by
13 such person during the period of the violation of this Act
14 or Section 3 of the Drug Paraphernalia Control Act or
15 within a reasonable time after such period; and

16 (2) there was no likely source for such property or
17 property interest other than the violation of this Act or
18 Section 3 of the Drug Paraphernalia Control Act.

19 (c) In an action brought by the People of the State of
20 Illinois under this Act, wherein any restraining order,
21 injunction or prohibition or any other action in connection
22 with any property or property interest subject to forfeiture
23 under this Act is sought, the circuit court which shall
24 preside over the trial of the person or persons charged with
25 narcotics racketeering as defined in Section 4 of this Act or
26 violating Section 3 of the Drug Paraphernalia Control Act

1 shall first determine whether there is probable cause to
2 believe that the person or persons so charged has committed
3 the offense of narcotics racketeering as defined in Section 4
4 of this Act or a violation of Section 3 of the Drug
5 Paraphernalia Control Act and whether the property or property
6 interest is subject to forfeiture pursuant to this Act.

7 In order to make such a determination, prior to entering
8 any such order, the court shall conduct a hearing without a
9 jury, wherein the People shall establish that there is: (i)
10 probable cause that the person or persons so charged have
11 committed the offense of narcotics racketeering or violating
12 Section 3 of the Drug Paraphernalia Control Act and (ii)
13 probable cause that any property or property interest may be
14 subject to forfeiture pursuant to this Act. Such hearing may
15 be conducted simultaneously with a preliminary hearing, if the
16 prosecution is commenced by information or complaint, or by
17 motion of the People, at any stage in the proceedings. The
18 court may accept a finding of probable cause at a preliminary
19 hearing following the filing of an information charging the
20 offense of narcotics racketeering as defined in Section 4 of
21 this Act or the return of an indictment by a grand jury
22 charging the offense of narcotics racketeering as defined in
23 Section 4 of this Act or after a charge is filed for violating
24 Section 3 of the Drug Paraphernalia Control Act as sufficient
25 evidence of probable cause as provided in item (i) above.

26 Upon such a finding, the circuit court shall enter such

1 restraining order, injunction or prohibition, or shall take
2 such other action in connection with any such property or
3 property interest subject to forfeiture under this Act, as is
4 necessary to insure that such property is not removed from the
5 jurisdiction of the court, concealed, destroyed or otherwise
6 disposed of by the owner of that property or property interest
7 prior to a forfeiture hearing under subsection (b) of this
8 Section. The Attorney General or State's Attorney shall file a
9 certified copy of such restraining order, injunction or other
10 prohibition with the recorder of deeds or registrar of titles
11 of each county where any such property of the defendant may be
12 located. No such injunction, restraining order or other
13 prohibition shall affect the rights of any bona fide
14 purchaser, mortgagee, judgment creditor or other lien holder
15 arising prior to the date of such filing.

16 The court may, at any time, upon verified petition by the
17 defendant, conduct a hearing to release all or portions of any
18 such property or interest which the court previously
19 determined to be subject to forfeiture or subject to any
20 restraining order, injunction, or prohibition or other action.
21 The court may release such property to the defendant for good
22 cause shown and within the sound discretion of the court.

23 (d) Prosecution under this Act may be commenced by the
24 Attorney General or a State's Attorney.

25 (e) Upon an order of forfeiture being entered pursuant to
26 subsection (b) of this Section, the court shall authorize the

1 Attorney General to seize any property or property interest
2 declared forfeited under this Act and under such terms and
3 conditions as the court shall deem proper. Any property or
4 property interest that has been the subject of an entered
5 restraining order, injunction or prohibition or any other
6 action filed under subsection (c) shall be forfeited unless
7 the claimant can show by a preponderance of the evidence that
8 the property or property interest has not been acquired or
9 maintained as a result of narcotics racketeering or has not
10 been used to facilitate narcotics racketeering.

11 (f) The Attorney General or his designee is authorized to
12 sell all property forfeited and seized pursuant to this Act,
13 unless such property is required by law to be destroyed or is
14 harmful to the public, and, after the deduction of all
15 requisite expenses of administration and sale, shall
16 distribute the proceeds of such sale, along with any moneys
17 forfeited or seized, in accordance with subsection (g) or (h),
18 whichever is applicable.

19 (g) All monies and the sale proceeds of all other property
20 forfeited and seized pursuant to this Act shall be distributed
21 as follows:

22 (1) An amount equal to 50% shall be distributed to the
23 unit of local government whose officers or employees
24 conducted the investigation into narcotics racketeering
25 and caused the arrest or arrests and prosecution leading
26 to the forfeiture. Amounts distributed to units of local

1 government shall be used for enforcement of laws governing
2 narcotics activity or for public education in the
3 community or schools in the prevention or detection of the
4 abuse of drugs or alcohol. In the event, however, that the
5 investigation, arrest or arrests and prosecution leading
6 to the forfeiture were undertaken solely by a State
7 agency, the portion provided hereunder shall be paid into
8 the State Police Operations Assistance Fund ~~Drug Traffic~~
9 ~~Prevention Fund~~ in the State treasury to be used for
10 enforcement of laws governing narcotics activity.

11 (2) An amount equal to 12.5% shall be distributed to
12 the county in which the prosecution resulting in the
13 forfeiture was instituted, deposited in a special fund in
14 the county treasury and appropriated to the State's
15 Attorney for use in the enforcement of laws governing
16 narcotics activity or for public education in the
17 community or schools in the prevention or detection of the
18 abuse of drugs or alcohol.

19 An amount equal to 12.5% shall be distributed to the
20 Office of the State's Attorneys Appellate Prosecutor and
21 deposited in the Narcotics Profit Forfeiture Fund, which
22 is hereby created in the State treasury, to be used by the
23 Office of the State's Attorneys Appellate Prosecutor for
24 additional expenses incurred in prosecuting appeals
25 arising under this Act. Any amounts remaining in the Fund
26 after all additional expenses have been paid shall be used

1 by the Office to reduce the participating county
2 contributions to the Office on a pro-rated basis as
3 determined by the board of governors of the Office of the
4 State's Attorneys Appellate Prosecutor based on the
5 populations of the participating counties.

6 (3) An amount equal to 25% shall be paid into the State
7 Police Operations Assistance Fund ~~Drug Traffic Prevention~~
8 ~~Fund~~ in the State treasury to be used by the Illinois State
9 Police for funding Metropolitan Enforcement Groups created
10 pursuant to the Intergovernmental Drug Laws Enforcement
11 Act. Any amounts remaining in the Fund after full funding
12 of Metropolitan Enforcement Groups shall be used for
13 enforcement, by the State or any unit of local government,
14 of laws governing narcotics activity or for public
15 education in the community or schools in the prevention or
16 detection of the abuse of drugs or alcohol.

17 (h) Where the investigation or indictment for the offense
18 of narcotics racketeering or a violation of Section 3 of the
19 Drug Paraphernalia Control Act has occurred under the
20 provisions of the Statewide Grand Jury Act, all monies and the
21 sale proceeds of all other property shall be distributed as
22 follows:

23 (1) 60% shall be distributed to the metropolitan
24 enforcement group, local, municipal, county, or State law
25 enforcement agency or agencies which conducted or
26 participated in the investigation resulting in the

1 forfeiture. The distribution shall bear a reasonable
2 relationship to the degree of direct participation of the
3 law enforcement agency in the effort resulting in the
4 forfeiture, taking into account the total value of the
5 property forfeited and the total law enforcement effort
6 with respect to the violation of the law on which the
7 forfeiture is based. Amounts distributed to the agency or
8 agencies shall be used for the enforcement of laws
9 governing cannabis and controlled substances or for public
10 education in the community or schools in the prevention or
11 detection of the abuse of drugs or alcohol.

12 (2) 25% shall be distributed by the Attorney General
13 as grants to drug education, treatment and prevention
14 programs licensed or approved by the Department of Human
15 Services. In making these grants, the Attorney General
16 shall take into account the plans and service priorities
17 of, and the needs identified by, the Department of Human
18 Services.

19 (3) 15% shall be distributed to the Attorney General
20 and the State's Attorney, if any, participating in the
21 prosecution resulting in the forfeiture. The distribution
22 shall bear a reasonable relationship to the degree of
23 direct participation in the prosecution of the offense,
24 taking into account the total value of the property
25 forfeited and the total amount of time spent in preparing
26 and presenting the case, the complexity of the case and

1 other similar factors. Amounts distributed to the Attorney
2 General under this paragraph shall be retained in a fund
3 held by the State Treasurer as ex-officio custodian to be
4 designated as the Statewide Grand Jury Prosecution Fund
5 and paid out upon the direction of the Attorney General
6 for expenses incurred in criminal prosecutions arising
7 under the Statewide Grand Jury Act. Amounts distributed to
8 a State's Attorney shall be deposited in a special fund in
9 the county treasury and appropriated to the State's
10 Attorney for use in the enforcement of laws governing
11 narcotics activity or for public education in the
12 community or schools in the prevention or detection of the
13 abuse of drugs or alcohol.

14 (i) All monies deposited pursuant to this Act in the State
15 Police Operations Assistance Fund ~~Drug Traffic Prevention Fund~~
16 established under Section 5-9-1.2 of the Unified Code of
17 Corrections are appropriated, on a continuing basis, to the
18 Illinois State Police to be used for funding Metropolitan
19 Enforcement Groups created pursuant to the Intergovernmental
20 Drug Laws Enforcement Act or otherwise for the enforcement of
21 laws governing narcotics activity or for public education in
22 the community or schools in the prevention or detection of the
23 abuse of drugs or alcohol.

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

25 (725 ILCS 175/5.2) (from Ch. 56 1/2, par. 1655.2)

1 Sec. 5.2. (a) Twelve and one-half percent of all amounts
2 collected as fines pursuant to the provisions of this Act
3 shall be paid into the Youth Drug Abuse Prevention Fund, which
4 is hereby created in the State treasury, to be used by the
5 Department of Human Services for the funding of programs and
6 services for drug-abuse treatment, and prevention and
7 education services, for juveniles.

8 (b) Eighty-seven and one-half percent of the proceeds of
9 all fines received under the provisions of this Act shall be
10 transmitted to and deposited in the treasurer's office at the
11 level of government as follows:

12 (1) If such seizure was made by a combination of law
13 enforcement personnel representing differing units of
14 local government, the court levying the fine shall
15 equitably allocate 50% of the fine among these units of
16 local government and shall allocate 37 1/2% to the county
17 general corporate fund. In the event that the seizure was
18 made by law enforcement personnel representing a unit of
19 local government from a municipality where the number of
20 inhabitants exceeds 2 million in population, the court
21 levying the fine shall allocate 87 1/2% of the fine to that
22 unit of local government. If the seizure was made by a
23 combination of law enforcement personnel representing
24 differing units of local government, and at least one of
25 those units represents a municipality where the number of
26 inhabitants exceeds 2 million in population, the court

1 shall equitably allocate 87 1/2% of the proceeds of the
2 fines received among the differing units of local
3 government.

4 (2) If such seizure was made by State law enforcement
5 personnel, then the court shall allocate 37 1/2% to the
6 State treasury and 50% to the county general corporate
7 fund.

8 (3) If a State law enforcement agency in combination
9 with a law enforcement agency or agencies of a unit or
10 units of local government conducted the seizure, the court
11 shall equitably allocate 37 1/2% of the fines to or among
12 the law enforcement agency or agencies of the unit or
13 units of local government which conducted the seizure and
14 shall allocate 50% to the county general corporate fund.

15 (c) The proceeds of all fines allocated to the law
16 enforcement agency or agencies of the unit or units of local
17 government pursuant to subsection (b) shall be made available
18 to that law enforcement agency as expendable receipts for use
19 in the enforcement of laws regulating controlled substances
20 and cannabis. The proceeds of fines awarded to the State
21 treasury shall be deposited in a special fund known as the
22 State Police Operations Assistance Fund ~~Drug—Traffic~~
23 ~~Prevention Fund~~. Monies from this fund may be used by the
24 Illinois State Police for use in the enforcement of laws
25 regulating controlled substances and cannabis; to satisfy
26 funding provisions of the Intergovernmental Drug Laws

1 Enforcement Act; to defray costs and expenses associated with
2 returning violators of the Cannabis Control Act and the
3 Illinois Controlled Substances Act only, as provided in those
4 Acts, when punishment of the crime shall be confinement of the
5 criminal in the penitentiary; and all other monies shall be
6 paid into the general revenue fund in the State treasury.

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

8 Section 55. The Unified Code of Corrections is amended by
9 changing Section 5-9-1.2 as follows:

10 (730 ILCS 5/5-9-1.2) (from Ch. 38, par. 1005-9-1.2)

11 Sec. 5-9-1.2. (a) Twelve and one-half percent of all
12 amounts collected as fines pursuant to Section 5-9-1.1 shall
13 be paid into the Youth Drug Abuse Prevention Fund, which is
14 hereby created in the State treasury, to be used by the
15 Department of Human Services for the funding of programs and
16 services for drug-abuse treatment, and prevention and
17 education services, for juveniles.

18 (b) Eighty-seven and one-half percent of the proceeds of
19 all fines received pursuant to Section 5-9-1.1 shall be
20 transmitted to and deposited in the treasurer's office at the
21 level of government as follows:

22 (1) If such seizure was made by a combination of law
23 enforcement personnel representing differing units of
24 local government, the court levying the fine shall

1 equitably allocate 50% of the fine among these units of
2 local government and shall allocate 37 1/2% to the county
3 general corporate fund. In the event that the seizure was
4 made by law enforcement personnel representing a unit of
5 local government from a municipality where the number of
6 inhabitants exceeds 2 million in population, the court
7 levying the fine shall allocate 87 1/2% of the fine to that
8 unit of local government. If the seizure was made by a
9 combination of law enforcement personnel representing
10 differing units of local government, and at least one of
11 those units represents a municipality where the number of
12 inhabitants exceeds 2 million in population, the court
13 shall equitably allocate 87 1/2% of the proceeds of the
14 fines received among the differing units of local
15 government.

16 (2) If such seizure was made by State law enforcement
17 personnel, then the court shall allocate 37 1/2% to the
18 State treasury and 50% to the county general corporate
19 fund.

20 (3) If a State law enforcement agency in combination
21 with a law enforcement agency or agencies of a unit or
22 units of local government conducted the seizure, the court
23 shall equitably allocate 37 1/2% of the fines to or among
24 the law enforcement agency or agencies of the unit or
25 units of local government which conducted the seizure and
26 shall allocate 50% to the county general corporate fund.

1 (c) The proceeds of all fines allocated to the law
2 enforcement agency or agencies of the unit or units of local
3 government pursuant to subsection (b) shall be made available
4 to that law enforcement agency as expendable receipts for use
5 in the enforcement of laws regulating controlled substances
6 and cannabis. The proceeds of fines awarded to the State
7 treasury shall be deposited in a special fund known as the
8 State Police Operations Assistance Fund ~~Drug Traffic~~
9 ~~Prevention Fund~~. Monies from this fund may be used by the
10 Illinois State Police for use in the enforcement of laws
11 regulating controlled substances and cannabis; to satisfy
12 funding provisions of the Intergovernmental Drug Laws
13 Enforcement Act; and to defray costs and expenses associated
14 with returning violators of the Cannabis Control Act, the
15 Illinois Controlled Substances Act, and the Methamphetamine
16 Control and Community Protection Act only, as provided in
17 those Acts, when punishment of the crime shall be confinement
18 of the criminal in the penitentiary. Moneys in the State
19 Police Operations Assistance Fund ~~Drug Traffic Prevention Fund~~
20 deposited from fines awarded as a direct result of enforcement
21 efforts of the Illinois Conservation Police may be used by the
22 Department of Natural Resources Office of Law Enforcement for
23 use in enforcing laws regulating controlled substances and
24 cannabis on Department of Natural Resources regulated lands
25 and waterways. All other monies shall be paid into the general
26 revenue fund in the State treasury.

1 (d) There is created in the State treasury the
2 Methamphetamine Law Enforcement Fund. Moneys in the Fund shall
3 be equitably allocated to local law enforcement agencies to:

4 (1) reimburse those agencies for the costs of securing and
5 cleaning up sites and facilities used for the illegal
6 manufacture of methamphetamine; (2) defray the costs of
7 employing full-time or part-time peace officers from a
8 Metropolitan Enforcement Group or other local drug task force,
9 including overtime costs for those officers; and (3) defray
10 the costs associated with medical or dental expenses incurred
11 by the county resulting from the incarceration of
12 methamphetamine addicts in the county jail or County
13 Department of Corrections.

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

15 Section 60. The Sex Offender Registration Act is amended
16 by changing Sections 3, 10, and 11 as follows:

17 (730 ILCS 150/3)

18 Sec. 3. Duty to register.

19 (a) A sex offender, as defined in Section 2 of this Act, or
20 sexual predator shall, within the time period prescribed in
21 subsections (b) and (c), register in person and provide
22 accurate information as required by the Illinois State Police.
23 Such information shall include a current photograph, current
24 address, current place of employment, the sex offender's or

1 sexual predator's telephone number, including cellular
2 telephone number, the employer's telephone number, school
3 attended, all e-mail addresses, instant messaging identities,
4 chat room identities, and other Internet communications
5 identities that the sex offender uses or plans to use, all
6 Uniform Resource Locators (URLs) registered or used by the sex
7 offender, all blogs and other Internet sites maintained by the
8 sex offender or to which the sex offender has uploaded any
9 content or posted any messages or information, extensions of
10 the time period for registering as provided in this Article
11 and, if an extension was granted, the reason why the extension
12 was granted and the date the sex offender was notified of the
13 extension. The information shall also include a copy of the
14 terms and conditions of parole or release signed by the sex
15 offender and given to the sex offender by his or her
16 supervising officer or aftercare specialist, the county of
17 conviction, license plate numbers for every vehicle registered
18 in the name of the sex offender, the age of the sex offender at
19 the time of the commission of the offense, the age of the
20 victim at the time of the commission of the offense, and any
21 distinguishing marks located on the body of the sex offender.
22 A sex offender convicted under Section 11-6, 11-20.1,
23 11-20.1B, 11-20.3, or 11-21 of the Criminal Code of 1961 or the
24 Criminal Code of 2012 shall provide all Internet protocol (IP)
25 addresses in his or her residence, registered in his or her
26 name, accessible at his or her place of employment, or

1 otherwise under his or her control or custody. If the sex
2 offender is a child sex offender as defined in Section 11-9.3
3 or 11-9.4 of the Criminal Code of 1961 or the Criminal Code of
4 2012, the sex offender shall report to the registering agency
5 whether he or she is living in a household with a child under
6 18 years of age who is not his or her own child, provided that
7 his or her own child is not the victim of the sex offense. The
8 sex offender or sexual predator shall register:

9 (1) with the chief of police in the municipality in
10 which he or she resides or is temporarily domiciled for a
11 period of time of 3 or more days, unless the municipality
12 is the City of Chicago, in which case he or she shall
13 register at a fixed location designated by the
14 Superintendent of the Chicago Police Department; or

15 (2) with the sheriff in the county in which he or she
16 resides or is temporarily domiciled for a period of time
17 of 3 or more days in an unincorporated area or, if
18 incorporated, no police chief exists.

19 If the sex offender or sexual predator is employed at or
20 attends an institution of higher education, he or she shall
21 also register:

22 (i) with:

23 (A) the chief of police in the municipality in
24 which he or she is employed at or attends an
25 institution of higher education, unless the
26 municipality is the City of Chicago, in which case he

1 or she shall register at a fixed location designated
2 by the Superintendent of the Chicago Police
3 Department; or

4 (B) the sheriff in the county in which he or she is
5 employed or attends an institution of higher education
6 located in an unincorporated area, or if incorporated,
7 no police chief exists; and

8 (ii) with the public safety or security director of
9 the institution of higher education which he or she is
10 employed at or attends.

11 The registration fees shall only apply to the municipality
12 or county of primary registration, and not to campus
13 registration.

14 For purposes of this Article, the place of residence or
15 temporary domicile is defined as any and all places where the
16 sex offender resides for an aggregate period of time of 3 or
17 more days during any calendar year. Any person required to
18 register under this Article who lacks a fixed address or
19 temporary domicile must notify, in person, the agency of
20 jurisdiction of his or her last known address within 3 days
21 after ceasing to have a fixed residence.

22 A sex offender or sexual predator who is temporarily
23 absent from his or her current address of registration for 3 or
24 more days shall notify the law enforcement agency having
25 jurisdiction of his or her current registration, including the
26 itinerary for travel, in the manner provided in Section 6 of

1 this Act for notification to the law enforcement agency having
2 jurisdiction of change of address.

3 Any person who lacks a fixed residence must report weekly,
4 in person, with the sheriff's office of the county in which he
5 or she is located in an unincorporated area, or with the chief
6 of police in the municipality in which he or she is located.
7 The agency of jurisdiction will document each weekly
8 registration to include all the locations where the person has
9 stayed during the past 7 days.

10 The sex offender or sexual predator shall provide accurate
11 information as required by the Illinois State Police. That
12 information shall include the sex offender's or sexual
13 predator's current place of employment.

14 (a-5) An out-of-state student or out-of-state employee
15 shall, within 3 days after beginning school or employment in
16 this State, register in person and provide accurate
17 information as required by the Illinois State Police. Such
18 information will include current place of employment, school
19 attended, and address in state of residence. A sex offender
20 convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or
21 11-21 of the Criminal Code of 1961 or the Criminal Code of 2012
22 shall provide all Internet protocol (IP) addresses in his or
23 her residence, registered in his or her name, accessible at
24 his or her place of employment, or otherwise under his or her
25 control or custody. The out-of-state student or out-of-state
26 employee shall register:

1 (1) with:

2 (A) the chief of police in the municipality in
3 which he or she attends school or is employed for a
4 period of time of 5 or more days or for an aggregate
5 period of time of more than 30 days during any calendar
6 year, unless the municipality is the City of Chicago,
7 in which case he or she shall register at a fixed
8 location designated by the Superintendent of the
9 Chicago Police Department; or

10 (B) the sheriff in the county in which he or she
11 attends school or is employed for a period of time of 5
12 or more days or for an aggregate period of time of more
13 than 30 days during any calendar year in an
14 unincorporated area or, if incorporated, no police
15 chief exists; and

16 (2) with the public safety or security director of the
17 institution of higher education he or she is employed at
18 or attends for a period of time of 5 or more days or for an
19 aggregate period of time of more than 30 days during a
20 calendar year.

21 The registration fees shall only apply to the municipality
22 or county of primary registration, and not to campus
23 registration.

24 The out-of-state student or out-of-state employee shall
25 provide accurate information as required by the Illinois State
26 Police. That information shall include the out-of-state

1 student's current place of school attendance or the
2 out-of-state employee's current place of employment.

3 (a-10) Any law enforcement agency registering sex
4 offenders or sexual predators in accordance with subsections
5 (a) or (a-5) of this Section shall forward to the Attorney
6 General a copy of sex offender registration forms from persons
7 convicted under Section 11-6, 11-20.1, 11-20.1B, 11-20.3, or
8 11-21 of the Criminal Code of 1961 or the Criminal Code of
9 2012, including periodic and annual registrations under
10 Section 6 of this Act.

11 (b) Any sex offender, as defined in Section 2 of this Act,
12 or sexual predator, regardless of any initial, prior, or other
13 registration, shall, within 3 days of beginning school, or
14 establishing a residence, place of employment, or temporary
15 domicile in any county, register in person as set forth in
16 subsection (a) or (a-5).

17 (c) The registration for any person required to register
18 under this Article shall be as follows:

19 (1) Any person registered under the Habitual Child Sex
20 Offender Registration Act or the Child Sex Offender
21 Registration Act prior to January 1, 1996, shall be deemed
22 initially registered as of January 1, 1996; however, this
23 shall not be construed to extend the duration of
24 registration set forth in Section 7.

25 (2) Except as provided in subsection (c)(2.1) or
26 (c)(4), any person convicted or adjudicated prior to

1 January 1, 1996, whose liability for registration under
2 Section 7 has not expired, shall register in person prior
3 to January 31, 1996.

4 (2.1) A sex offender or sexual predator, who has never
5 previously been required to register under this Act, has a
6 duty to register if the person has been convicted of any
7 felony offense after July 1, 2011. A person who previously
8 was required to register under this Act for a period of 10
9 years and successfully completed that registration period
10 has a duty to register if: (i) the person has been
11 convicted of any felony offense after July 1, 2011, and
12 (ii) the offense for which the 10 year registration was
13 served currently requires a registration period of more
14 than 10 years. Notification of an offender's duty to
15 register under this subsection shall be pursuant to
16 Section 5-7 of this Act.

17 (2.5) Except as provided in subsection (c)(4), any
18 person who has not been notified of his or her
19 responsibility to register shall be notified by a criminal
20 justice entity of his or her responsibility to register.
21 Upon notification the person must then register within 3
22 days of notification of his or her requirement to
23 register. Except as provided in subsection (c)(2.1), if
24 notification is not made within the offender's 10 year
25 registration requirement, and the Illinois State Police
26 determines no evidence exists or indicates the offender

1 attempted to avoid registration, the offender will no
2 longer be required to register under this Act.

3 (3) Except as provided in subsection (c)(4), any
4 person convicted on or after January 1, 1996, shall
5 register in person within 3 days after the entry of the
6 sentencing order based upon his or her conviction.

7 (4) Any person unable to comply with the registration
8 requirements of this Article because he or she is
9 confined, institutionalized, or imprisoned in Illinois on
10 or after January 1, 1996, shall register in person within
11 3 days of discharge, parole or release.

12 (5) The person shall provide positive identification
13 and documentation that substantiates proof of residence at
14 the registering address.

15 (6) The person shall pay a \$100 initial registration
16 fee and a \$100 annual renewal fee to the registering law
17 enforcement agency having jurisdiction. The registering
18 agency may waive the registration fee if it determines
19 that the person is indigent and unable to pay the
20 registration fee. Thirty-five dollars for the initial
21 registration fee and \$35 of the annual renewal fee shall
22 be retained and used by the registering agency for
23 official purposes. Having retained \$35 of the initial
24 registration fee and \$35 of the annual renewal fee, the
25 registering agency shall remit the remainder of the fee to
26 State agencies within 30 days of receipt for deposit into

1 the State funds as follows:

2 (A) Five dollars of the initial registration fee
3 and \$5 of the annual fee shall be remitted to the State
4 Treasurer who shall deposit the moneys into the Sex
5 Offender Management Board Fund under Section 19 of the
6 Sex Offender Management Board Act. Money deposited
7 into the Sex Offender Management Board Fund shall be
8 administered by the Sex Offender Management Board and
9 shall be used by the Board to comply with the
10 provisions of the Sex Offender Management Board Act.

11 (B) Thirty dollars of the initial registration fee
12 and \$30 of the annual renewal fee shall be remitted to
13 the Illinois State Police which shall deposit the
14 moneys into the State Police Operations Assistance
15 Fund ~~Offender Registration Fund~~.

16 (C) Thirty dollars of the initial registration fee
17 and \$30 of the annual renewal fee shall be remitted to
18 the Attorney General who shall deposit the moneys into
19 the Attorney General Sex Offender Awareness, Training,
20 and Education Fund. Moneys deposited into the Fund
21 shall be used by the Attorney General to administer
22 the I-SORT program and to alert and educate the
23 public, victims, and witnesses of their rights under
24 various victim notification laws and for training law
25 enforcement agencies, State's Attorneys, and medical
26 providers of their legal duties concerning the

1 prosecution and investigation of sex offenses.

2 The registering agency shall establish procedures to
3 document the receipt and remittance of the \$100 initial
4 registration fee and \$100 annual renewal fee.

5 (d) Within 3 days after obtaining or changing employment
6 and, if employed on January 1, 2000, within 5 days after that
7 date, a person required to register under this Section must
8 report, in person to the law enforcement agency having
9 jurisdiction, the business name and address where he or she is
10 employed. If the person has multiple businesses or work
11 locations, every business and work location must be reported
12 to the law enforcement agency having jurisdiction.

13 (Source: P.A. 101-571, eff. 8-23-19; 102-538, eff. 8-20-21.)

14 (730 ILCS 150/10) (from Ch. 38, par. 230)

15 Sec. 10. Penalty.

16 (a) Any person who is required to register under this
17 Article who violates any of the provisions of this Article and
18 any person who is required to register under this Article who
19 seeks to change his or her name under Article XXI of the Code
20 of Civil Procedure is guilty of a Class 3 felony, unless, as
21 provided under Section 21-101 of the Code of Civil Procedure,
22 that person verifies under oath that the petition for the name
23 change is due to marriage, religious beliefs, status as a
24 victim of trafficking or gender-related identity as defined by
25 the Illinois Human Rights Act. Any person who is convicted for

1 a violation of this Act for a second or subsequent time is
2 guilty of a Class 2 felony, unless, as provided under Section
3 21-101 of the Code of Civil Procedure, that person verifies
4 under oath that the petition for the name change is due to
5 marriage, religious beliefs, status as a victim of trafficking
6 or gender-related identity as defined by the Illinois Human
7 Rights Act. Any person who is required to register under this
8 Article who knowingly or willfully gives material information
9 required by this Article that is false is guilty of a Class 3
10 felony. Any person convicted of a violation of any provision
11 of this Article shall, in addition to any other penalty
12 required by law, be required to serve a minimum period of 7
13 days confinement in the local county jail. The court shall
14 impose a mandatory minimum fine of \$500 for failure to comply
15 with any provision of this Article. These fines shall be
16 deposited in the State Police Operations Assistance Fund
17 ~~Offender Registration Fund~~. Any sex offender, as defined in
18 Section 2 of this Act, or sexual predator who violates any
19 provision of this Article may be arrested and tried in any
20 Illinois county where the sex offender can be located. The
21 local police department or sheriff's office is not required to
22 determine whether the person is living within its
23 jurisdiction.

24 (b) Any person, not covered by privilege under Part 8 of
25 Article VIII of the Code of Civil Procedure or the Illinois
26 Supreme Court's Rules of Professional Conduct, who has reason

1 to believe that a sexual predator is not complying, or has not
2 complied, with the requirements of this Article and who, with
3 the intent to assist the sexual predator in eluding a law
4 enforcement agency that is seeking to find the sexual predator
5 to question the sexual predator about, or to arrest the sexual
6 predator for, his or her noncompliance with the requirements
7 of this Article is guilty of a Class 3 felony if he or she:

8 (1) provides false information to the law enforcement
9 agency having jurisdiction about the sexual predator's
10 noncompliance with the requirements of this Article, and,
11 if known, the whereabouts of the sexual predator;

12 (2) harbors, or attempts to harbor, or assists another
13 person in harboring or attempting to harbor, the sexual
14 predator; or

15 (3) conceals or attempts to conceal, or assists
16 another person in concealing or attempting to conceal, the
17 sexual predator.

18 (c) Subsection (b) does not apply if the sexual predator
19 is incarcerated in or is in the custody of a State correctional
20 facility, a private correctional facility, a county or
21 municipal jail, a State mental health facility or a State
22 treatment and detention facility, or a federal correctional
23 facility.

24 (d) Subsections (a) and (b) do not apply if the sex
25 offender accurately registered his or her Internet protocol
26 address under this Act, and the address subsequently changed

1 without his or her knowledge or intent.

2 (Source: P.A. 101-571, eff. 8-23-19; 102-1133, eff. 1-1-24.)

3 (730 ILCS 150/11)

4 Sec. 11. Offender Registration Fund.

5 (a) There is created the Offender Registration Fund
6 (formerly known as the Sex Offender Registration Fund). Moneys
7 in the Fund shall be used to cover costs incurred by the
8 criminal justice system to administer this Article and the
9 Murderer and Violent Offender Against Youth Registration Act,
10 and for purposes as authorized under this Section. The
11 Illinois State Police shall establish and promulgate rules and
12 procedures regarding the administration of this Fund. Fifty
13 percent of the moneys in the Fund shall be allocated by the
14 Department for sheriffs' offices and police departments. The
15 remaining moneys in the Fund received under Public Act 101-571
16 shall be allocated to the Illinois State Police for education
17 and administration of the Act.

18 (b) This Fund is dissolved upon the transfer of the
19 remaining balance from the Offender Registration Fund to the
20 State Police Operations Assistance Fund as provided under
21 subsection (k) of Section 6z-82 of the State Finance Act. This
22 Section is repealed on January 1, 2027.

23 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 6-9-23;
24 103-616, eff. 7-1-24.)

1 Section 65. The Murderer and Violent Offender Against
2 Youth Registration Act is amended by changing Sections 10 and
3 60 as follows:

4 (730 ILCS 154/10)

5 Sec. 10. Duty to register.

6 (a) A violent offender against youth shall, within the
7 time period prescribed in subsections (b) and (c), register in
8 person and provide accurate information as required by the
9 Illinois State Police. Such information shall include a
10 current photograph, current address, current place of
11 employment, the employer's telephone number, school attended,
12 extensions of the time period for registering as provided in
13 this Act and, if an extension was granted, the reason why the
14 extension was granted and the date the violent offender
15 against youth was notified of the extension. A person who has
16 been adjudicated a juvenile delinquent for an act which, if
17 committed by an adult, would be a violent offense against
18 youth shall register as an adult violent offender against
19 youth within 10 days after attaining 17 years of age. The
20 violent offender against youth shall register:

21 (1) with the chief of police in the municipality in
22 which he or she resides or is temporarily domiciled for a
23 period of time of 5 or more days, unless the municipality
24 is the City of Chicago, in which case he or she shall
25 register at a fixed location designated by the

1 Superintendent of the Chicago Police Department; or

2 (2) with the sheriff in the county in which he or she
3 resides or is temporarily domiciled for a period of time
4 of 5 or more days in an unincorporated area or, if
5 incorporated, no police chief exists.

6 If the violent offender against youth is employed at or
7 attends an institution of higher education, he or she shall
8 register:

9 (i) with the chief of police in the municipality in
10 which he or she is employed at or attends an institution of
11 higher education, unless the municipality is the City of
12 Chicago, in which case he or she shall register at a fixed
13 location designated by the Superintendent of the Chicago
14 Police Department; or

15 (ii) with the sheriff in the county in which he or she
16 is employed or attends an institution of higher education
17 located in an unincorporated area, or if incorporated, no
18 police chief exists.

19 For purposes of this Act, the place of residence or
20 temporary domicile is defined as any and all places where the
21 violent offender against youth resides for an aggregate period
22 of time of 5 or more days during any calendar year. Any person
23 required to register under this Act who lacks a fixed address
24 or temporary domicile must notify, in person, the agency of
25 jurisdiction of his or her last known address within 5 days
26 after ceasing to have a fixed residence.

1 Any person who lacks a fixed residence must report weekly,
2 in person, with the sheriff's office of the county in which he
3 or she is located in an unincorporated area, or with the chief
4 of police in the municipality in which he or she is located.
5 The agency of jurisdiction will document each weekly
6 registration to include all the locations where the person has
7 stayed during the past 7 days.

8 The violent offender against youth shall provide accurate
9 information as required by the Illinois State Police. That
10 information shall include the current place of employment of
11 the violent offender against youth.

12 (a-5) An out-of-state student or out-of-state employee
13 shall, within 5 days after beginning school or employment in
14 this State, register in person and provide accurate
15 information as required by the Illinois State Police. Such
16 information will include current place of employment, school
17 attended, and address in state of residence. The out-of-state
18 student or out-of-state employee shall register:

19 (1) with the chief of police in the municipality in
20 which he or she attends school or is employed for a period
21 of time of 5 or more days or for an aggregate period of
22 time of more than 30 days during any calendar year, unless
23 the municipality is the City of Chicago, in which case he
24 or she shall register at a fixed location designated by
25 the Superintendent of the Chicago Police Department; or

26 (2) with the sheriff in the county in which he or she

1 attends school or is employed for a period of time of 5 or
2 more days or for an aggregate period of time of more than
3 30 days during any calendar year in an unincorporated area
4 or, if incorporated, no police chief exists.

5 The out-of-state student or out-of-state employee shall
6 provide accurate information as required by the Illinois State
7 Police. That information shall include the out-of-state
8 student's current place of school attendance or the
9 out-of-state employee's current place of employment.

10 (b) Any violent offender against youth regardless of any
11 initial, prior, or other registration, shall, within 5 days of
12 beginning school, or establishing a residence, place of
13 employment, or temporary domicile in any county, register in
14 person as set forth in subsection (a) or (a-5).

15 (c) The registration for any person required to register
16 under this Act shall be as follows:

17 (1) Except as provided in paragraph (3) of this
18 subsection (c), any person who has not been notified of
19 his or her responsibility to register shall be notified by
20 a criminal justice entity of his or her responsibility to
21 register. Upon notification the person must then register
22 within 5 days of notification of his or her requirement to
23 register. If notification is not made within the
24 offender's 10 year registration requirement, and the
25 Illinois State Police determines no evidence exists or
26 indicates the offender attempted to avoid registration,

1 the offender will no longer be required to register under
2 this Act.

3 (2) Except as provided in paragraph (3) of this
4 subsection (c), any person convicted on or after the
5 effective date of this Act shall register in person within
6 5 days after the entry of the sentencing order based upon
7 his or her conviction.

8 (3) Any person unable to comply with the registration
9 requirements of this Act because he or she is confined,
10 institutionalized, or imprisoned in Illinois on or after
11 the effective date of this Act shall register in person
12 within 5 days of discharge, parole or release.

13 (4) The person shall provide positive identification
14 and documentation that substantiates proof of residence at
15 the registering address.

16 (5) The person shall pay a \$20 initial registration
17 fee and a \$10 annual renewal fee. The fees shall be
18 deposited into the State Police Operations Assistance Fund
19 ~~Offender Registration Fund~~. The fees shall be used by the
20 registering agency for official purposes. The agency shall
21 establish procedures to document receipt and use of the
22 funds. The law enforcement agency having jurisdiction may
23 waive the registration fee if it determines that the
24 person is indigent and unable to pay the registration fee.

25 (d) Within 5 days after obtaining or changing employment,
26 a person required to register under this Section must report,

1 in person to the law enforcement agency having jurisdiction,
2 the business name and address where he or she is employed. If
3 the person has multiple businesses or work locations, every
4 business and work location must be reported to the law
5 enforcement agency having jurisdiction.

6 (Source: P.A. 101-571, eff. 8-23-19; 102-538, eff. 8-20-21.)

7 (730 ILCS 154/60)

8 Sec. 60. Penalty. Any person who is required to register
9 under this Act who violates any of the provisions of this Act
10 and any person who is required to register under this Act who
11 seeks to change his or her name under Article XXI of the Code
12 of Civil Procedure is guilty of a Class 3 felony unless, as
13 provided under Section 21-101 of the Code of Civil Procedure,
14 that person verifies under oath that the petition for the name
15 change is due to marriage, religious beliefs, status as a
16 victim of trafficking or gender-related identity as defined by
17 the Illinois Human Rights Act. Any person who is convicted for
18 a violation of this Act for a second or subsequent time is
19 guilty of a Class 2 felony unless, as provided under Section
20 21-101 of the Code of Civil Procedure, that person verifies
21 under oath that the petition for the name change is due to
22 marriage, religious beliefs, status as a victim of trafficking
23 or gender-related identity as defined by the Illinois Human
24 Rights Act. Any person who is required to register under this
25 Act who knowingly or willfully gives material information

1 required by this Act that is false is guilty of a Class 3
2 felony. Any person convicted of a violation of any provision
3 of this Act shall, in addition to any other penalty required by
4 law, be required to serve a minimum period of 7 days
5 confinement in the local county jail. The court shall impose a
6 mandatory minimum fine of \$500 for failure to comply with any
7 provision of this Act. These fines shall be deposited into the
8 State Police Operations Assistance Fund ~~Offender Registration~~
9 ~~Fund~~. Any violent offender against youth who violates any
10 provision of this Act may be arrested and tried in any Illinois
11 county where the violent offender against youth can be
12 located. The local police department or sheriff's office is
13 not required to determine whether the person is living within
14 its jurisdiction.

15 (Source: P.A. 101-571, eff. 8-23-19; 102-1133, eff. 1-1-24.)

16 Section 70. The Illinois False Claims Act is amended by
17 changing Section 8 as follows:

18 (740 ILCS 175/8) (from Ch. 127, par. 4108)

19 Sec. 8. Funds; Grants.

20 (a) There is hereby created the State Whistleblower Reward
21 and Protection Fund to be held outside of the State Treasury
22 with the State Treasurer as custodian. All proceeds of an
23 action or settlement of a claim brought under this Act shall be
24 deposited in the Fund. Any attorneys' fees, expenses, and

1 costs paid by or awarded against any defendant pursuant to
2 Section 4 of this Act shall not be considered part of the
3 proceeds to be deposited in the Fund.

4 (b) For all cases resolved before October 1, 2023, monies
5 in the Fund shall be allocated as follows: One-sixth of the
6 monies shall be paid to the Attorney General Whistleblower
7 Reward and Protection Fund, which is hereby created as a
8 special fund in the State Treasury, and one-sixth of the
9 monies shall be paid to the State Police Operations Assistance
10 Fund ~~State Police Whistleblower Reward and Protection Fund,~~
11 which is hereby created as a special fund in the State
12 Treasury, for State law enforcement purposes. The remaining
13 two-thirds of the monies in the Fund shall be used for payment
14 of awards to Qui Tam plaintiffs and as otherwise specified in
15 this Act, with any remainder to the General Revenue Fund. The
16 Attorney General shall direct the State Treasurer to make
17 disbursement of funds.

18 (c) For all cases resolved on or after October 1, 2023,
19 monies in the Fund shall be allocated as follows: One-third of
20 the monies shall be paid to the Attorney General Whistleblower
21 Reward and Protection Fund. The remaining two-thirds of the
22 monies in the Fund shall be used for payment of awards to Qui
23 Tam plaintiffs and as otherwise specified in this Act, with
24 any remainder to the General Revenue Fund. The Attorney
25 General shall direct the State Treasurer to make disbursement
26 of funds.

1 (d) The State Police Whistleblower Reward and Protection
2 Fund is dissolved upon the transfer of the remaining balance
3 from the State Police Whistleblower Reward and Protection Fund
4 to the State Police Operations Assistance Fund as provided
5 under subsection (1) of Section 6z-82 of the State Finance
6 Act.

7 (Source: P.A. 103-145, eff. 10-1-23.)

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

15 Section 99. Effective date. This Act takes effect
16 September 1, 2026.

1 INDEX

2 Statutes amended in order of appearance

3	20 ILCS 2605/2605-375	was 20 ILCS 2605/55a in part
4	20 ILCS 2605/2605-585	
5	20 ILCS 2605/2605-590	
6	20 ILCS 2605/2605-595	
7	20 ILCS 2605/2605-605	
8	30 ILCS 105/5.99	from Ch. 127, par. 141.99
9	30 ILCS 105/5.456	
10	30 ILCS 105/5.462	
11	30 ILCS 105/5.530	
12	30 ILCS 105/5.771	
13	30 ILCS 105/5.905	
14	30 ILCS 105/5.920	
15	30 ILCS 105/5.963	
16	30 ILCS 105/6z-82	
17	30 ILCS 105/6z-106	
18	30 ILCS 105/6z-127	
19	30 ILCS 105/8.37	
20	430 ILCS 65/5	from Ch. 38, par. 83-5
21	625 ILCS 5/11-907	
22	705 ILCS 135/15-70	
23	720 ILCS 5/29B-26	
24	720 ILCS 550/8	from Ch. 56 1/2, par. 708
25	720 ILCS 550/10.2	from Ch. 56 1/2, par. 710.2

1	720 ILCS 570/413	from Ch. 56 1/2, par. 1413
2	720 ILCS 646/95	
3	725 ILCS 175/5	from Ch. 56 1/2, par. 1655
4	725 ILCS 175/5.2	from Ch. 56 1/2, par. 1655.2
5	730 ILCS 5/5-9-1.2	from Ch. 38, par. 1005-9-1.2
6	730 ILCS 150/3	
7	730 ILCS 150/10	from Ch. 38, par. 230
8	730 ILCS 150/11	
9	730 ILCS 154/10	
10	730 ILCS 154/60	
11	740 ILCS 175/8	from Ch. 127, par. 4108