



Sen. Julie A. Morrison

Filed: 5/4/2026

10400SB3506sam001

LRB104 19574 RLC 37309 a

1 AMENDMENT TO SENATE BILL 3506

2 AMENDMENT NO. _____. Amend Senate Bill 3506 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Sexual Assault Survivors Emergency
5 Treatment Act is amended by changing Sections 1a, 2, 5, and 6.5
6 as follows:

7 (410 ILCS 70/1a) (from Ch. 111 1/2, par. 87-1a)

8 Sec. 1a. Definitions.

9 (a) In this Act:

10 "Acute sexual assault" means a sexual assault that has
11 recently occurred. For patients under the age of 13, "acute
12 sexual assault" means a sexual assault that has occurred
13 within the past 72 hours. For patients 13 years old or older,
14 "acute sexual assault" means a sexual assault that has
15 occurred within the past 168 hours.

16 "Adult" means any person over the age of 18, or legally

1 emancipated in accordance with the Emancipation of Minors Act,
2 or by reason of marriage or entry into a branch of the United
3 States armed services.

4 "Advanced practice registered nurse" has the meaning
5 provided in Section 50-10 of the Nurse Practice Act.

6 "Ambulance provider" means an individual or entity that
7 owns and operates a business or service using ambulances or
8 emergency medical services vehicles to transport emergency
9 patients.

10 "Approved pediatric health care facility" means a health
11 care facility, other than a hospital, with a sexual assault
12 treatment plan approved by the Department to provide medical
13 forensic examinations to sexual assault survivors under the
14 age of 18 who present with a complaint of acute sexual assault.

15 "Areawide sexual assault treatment plan" means a plan,
16 developed by hospitals or by hospitals and approved pediatric
17 health care facilities in a community or area to be served,
18 which provides for medical forensic examinations to acute
19 sexual assault survivors that shall be made available by each
20 of the participating hospitals and approved pediatric health
21 care facilities.

22 "Assent" means the expressed willingness to participate in
23 an activity or give permission.

24 "Board-certified child abuse pediatrician" means a
25 physician certified by the American Board of Pediatrics in
26 child abuse pediatrics.

1 "Board-eligible child abuse pediatrician" means a
2 physician who has completed the requirements set forth by the
3 American Board of Pediatrics to take the examination for
4 certification in child abuse pediatrics.

5 "Decisional capacity" means the ability to understand and
6 appreciate the nature and consequences of a decision regarding
7 medical treatment or evidence collection and the ability to
8 reach and communicate an informed decision in the matter as
9 determined by a physician, an advanced practice registered
10 nurse, or a physician assistant.

11 "Department" means the Department of Public Health.

12 "Distant site" has the meaning given to that term in
13 Section 5 of the Telehealth Act.

14 "Emergency contraception" means medication as approved by
15 the federal Food and Drug Administration (FDA) that can
16 significantly reduce the risk of pregnancy if taken within 72
17 hours after sexual assault.

18 "Follow-up healthcare" means healthcare services related
19 to a sexual assault, including laboratory services and
20 pharmacy services, rendered within 180 days of the initial
21 visit as a result of the sexual assault.

22 "Guardian" means a court appointed guardian of the person.
23 "Guardian" includes the DCFS Guardianship Administrator or the
24 DCFS Guardianship Administrator's authorized agent for a minor
25 in temporary custody or guardianship of the Department of
26 Children and Family Services, pursuant to a court order

1 entered in proceedings occurring under the Juvenile Court Act
2 of 1987. "Guardian" also includes a short-term guardian
3 appointed for an adult in accordance with Section 11a-3.2 of
4 the Probate Act of 1975.

5 "Health care professional" means a physician, a physician
6 assistant, a sexual assault forensic examiner, an advanced
7 practice registered nurse, a registered professional nurse, a
8 licensed practical nurse, or a sexual assault nurse examiner.

9 "Hospital" means a hospital licensed under the Hospital
10 Licensing Act or operated under the University of Illinois
11 Hospital Act, any outpatient center included in the hospital's
12 sexual assault treatment plan where hospital employees provide
13 medical forensic examinations, and an out-of-state hospital
14 that has consented to the jurisdiction of the Department under
15 Section 2.06.

16 "Illinois State Police Sexual Assault Evidence Collection
17 Kit" means a prepackaged set of materials and forms to be used
18 for the collection of evidence relating to sexual assault. The
19 standardized evidence collection kit for the State of Illinois
20 shall be the Illinois State Police Sexual Assault Evidence
21 Collection Kit.

22 "Law enforcement agency having jurisdiction" means the law
23 enforcement agency in the jurisdiction where an alleged sexual
24 assault or sexual abuse occurred.

25 "Licensed practical nurse" has the meaning provided in
26 Section 50-10 of the Nurse Practice Act.

1 "Medical forensic examination" means health care delivered
2 to patients ~~in the care of a qualified medical provider~~
3 ~~working~~ at a treatment hospital, treatment hospital with
4 approved pediatric transfer, or an approved pediatric health
5 care facility that is either: (i) performed by a qualified
6 medical provider, or (ii) performed by a trained provider and
7 precepted by a qualified medical provider. A "medical "Medical
8 forensic examination" may be assisted with the use of a
9 TeleSANE interactive telecommunications system and includes,
10 but is not limited to, taking a medical history, performing
11 photo documentation, performing a physical and anogenital
12 examination, assessing the patient for evidence collection,
13 collecting evidence in accordance with a statewide sexual
14 assault evidence collection program administered by the
15 Illinois State Police using the Illinois State Police Sexual
16 Assault Evidence Collection Kit, if appropriate, assessing the
17 patient for drug-facilitated or alcohol-facilitated sexual
18 assault, providing an evaluation of and care for sexually
19 transmitted infection and human immunodeficiency virus (HIV),
20 pregnancy risk evaluation and care, and discharge and
21 follow-up healthcare planning.

22 "Minor" means any person under the age of 18 years, unless
23 legally emancipated in accordance with the Emancipation of
24 Minors Act, or by reason of marriage or entry into a branch of
25 the United States armed services.

26 "Originating site" has the meaning given to that term in

1 Section 5 of the Telehealth Act.

2 "Originating site provider" means a trained provider or
3 qualified medical provider at the originating site.

4 "Pediatric health care facility" means a clinic or
5 physician's office that provides medical services to patients
6 under the age of 18.

7 "Pediatric sexual assault survivor" means a person under
8 the age of 13 who presents for a medical forensic examination
9 in relation to injuries or trauma resulting from a sexual
10 assault.

11 "Precept" means to provide direct and active clinical
12 oversight to a trained provider during the performance of a
13 medical forensic examination in a clinical setting, whether
14 in- person or via a TeleSANE interactive telecommunications
15 system.

16 "Photo documentation" means digital photographs or
17 colposcope videos stored and backed up securely in the
18 original file format.

19 "Physician" means a person licensed to practice medicine
20 in all its branches.

21 "Physician assistant" has the meaning provided in Section
22 4 of the Physician Assistant Practice Act of 1987.

23 "Qualified medical provider" means a board-certified child
24 abuse pediatrician, board-eligible child abuse pediatrician, a
25 sexual assault forensic examiner, or a sexual assault nurse
26 examiner who has access to photo documentation tools, and who

1 participates in peer review.

2 "Registered Professional Nurse" has the meaning provided
3 in Section 50-10 of the Nurse Practice Act.

4 "Sexual assault" means:

5 (1) an act of sexual conduct; as used in this
6 paragraph, "sexual conduct" has the meaning provided under
7 Section 11-0.1 of the Criminal Code of 2012; or

8 (2) any act of sexual penetration; as used in this
9 paragraph, "sexual penetration" has the meaning provided
10 under Section 11-0.1 of the Criminal Code of 2012 and
11 includes, without limitation, acts prohibited under
12 Sections 11-1.20 through 11-1.60 of the Criminal Code of
13 2012.

14 "Sexual assault forensic examiner" means a physician or
15 physician assistant who has completed training that meets or
16 is substantially similar to the Sexual Assault Nurse Examiner
17 Education Guidelines established by the International
18 Association of Forensic Nurses.

19 "Sexual assault nurse examiner" means an advanced practice
20 registered nurse or registered professional nurse who is
21 designated as Adult/Adolescent, Pediatric/Adolescent, or both,
22 according to the population of survivors the nurse is
23 qualified to treat and:

24 (1) is certified as a Sexual Assault Nurse Examiner by
25 the International Association of Forensic Nurses; or

26 (2) has completed training that meets the Sexual

1 Assault Nurse Examiner Education Guidelines established by
2 the International Association of Forensic Nurses and is
3 approved by the Sexual Assault Nurse Examiner Program
4 Coordinator.

5 "Sexual Assault Nurse Examiner Program Coordinator" means
6 an advanced practice registered nurse or a registered
7 professional nurse that is a qualified medical provider, and
8 who is the employee at Attorney General's Office who oversees
9 the Sexual Assault Nurse Examiner Program.

10 "Sexual assault services voucher" means a document
11 generated by a hospital or approved pediatric health care
12 facility where the sexual assault survivor first presents and
13 that may be used to seek payment for any ambulance services, a
14 medical forensic examination, medical care and treatment as
15 defined by 77 Ill. Adm. Code Part 545, laboratory services,
16 pharmacy services, and follow-up healthcare provided as a
17 result of the sexual assault.

18 "Sexual assault survivor" means a person who presents for
19 a medical forensic examination or medical care and treatment
20 in relation to injuries or trauma resulting from a sexual
21 assault.

22 "Sexual assault transfer plan" means a written plan
23 developed by a hospital and approved by the Department, which
24 describes the hospital's procedures for transferring acute
25 sexual assault survivors to another hospital, and an approved
26 pediatric health care facility, if applicable, in order to

1 receive medical forensic examinations performed by qualified
2 medical providers.

3 "Sexual assault treatment plan" means a written plan that
4 describes the procedures and protocols for providing medical
5 forensic examinations to acute sexual assault survivors who
6 present themselves for such services performed by qualified
7 medical providers, either directly or through transfer from a
8 hospital or an approved pediatric health care facility.

9 "TeleSANE Interactive Telecommunications System" has the
10 meaning given to the term "interactive telecommunications
11 system" in Section 5 of the Telehealth Act. As used in this
12 Act, "TeleSANE interactive telecommunications system" does not
13 include an audio-only telephone system.

14 "Trained provider" means a health care professional who is
15 training to become a qualified medical provider and has
16 completed didactic training that has been reviewed and
17 approved by the SANE Program Coordinator at the Attorney
18 General's Office.

19 "Transfer hospital" means a hospital with a sexual assault
20 transfer plan approved by the Department.

21 "Transfer services" means the appropriate medical
22 screening examination and necessary stabilizing treatment
23 prior to the transfer of a sexual assault survivor to another
24 hospital or an approved pediatric health care facility
25 pursuant to a sexual assault treatment plan or areawide sexual
26 assault treatment plan.

1 "Treatment hospital" means a hospital with a sexual
2 assault treatment plan approved by the Department to provide
3 medical forensic examinations to acute sexual assault
4 survivors.

5 "Treatment hospital with approved pediatric transfer"
6 means a hospital with a treatment plan approved by the
7 Department to provide medical forensic examinations to sexual
8 assault survivors 13 years old or older who present with a
9 complaint of acute sexual assault.

10 (b) This Section is effective on and after January 1,
11 2024.

12 (Source: P.A. 103-154, eff. 6-30-23; 104-386, eff. 1-1-26.)

13 (410 ILCS 70/2) (from Ch. 111 1/2, par. 87-2)

14 Sec. 2. Hospital and approved pediatric health care
15 facility requirements for sexual assault plans.

16 (a) Hospital services for sexual assault survivors. Every
17 hospital required to be licensed by the Department pursuant to
18 the Hospital Licensing Act, or operated under the University
19 of Illinois Hospital Act that provides general medical and
20 surgical hospital services shall provide either: (i) transfer
21 services to ~~all~~ acute sexual assault survivors, (ii) medical
22 forensic examinations to ~~all~~ acute sexual assault survivors,
23 or (iii) transfer services to pediatric acute sexual assault
24 survivors and medical forensic examinations to acute sexual
25 assault survivors 13 years old or older, in accordance with

1 rules adopted by the Department.

2 (b) Hospitals; plan to either treat or transfer acute
3 sexual assault survivors. In addition, every such hospital,
4 regardless of whether or not a request is made for
5 reimbursement, shall submit to the Department a plan to
6 provide either: (i) transfer services to ~~all~~ acute sexual
7 assault survivors, (ii) medical forensic examinations to ~~all~~
8 acute sexual assault survivors, or (iii) transfer services to
9 pediatric acute sexual assault survivors and medical forensic
10 examinations to acute sexual assault survivors 13 years old or
11 older within the time frame established by the Department. The
12 Department shall approve such plan ~~for either (i) transfer~~
13 ~~services to all acute sexual assault survivors, (ii) medical~~
14 ~~forensic examinations to all acute sexual assault survivors,~~
15 ~~or (iii) transfer services to pediatric acute sexual assault~~
16 ~~survivors and medical forensic examinations to acute sexual~~
17 ~~assault survivors 13 years old or older,~~ if it finds that the
18 implementation of the proposed plan would provide (1) ~~(i)~~
19 transfer services or (2) ~~(ii)~~ medical forensic examinations
20 for acute sexual assault survivors in accordance with the
21 requirements of this Act and provide sufficient protections
22 from the risk of pregnancy to acute sexual assault survivors.

23 (b-5) Hospitals located near public universities.
24 Hospitals located in counties with a population of less than
25 1,000,000 and within a 20-mile radius of a 4-year public
26 university shall submit an areawide sexual assault treatment

1 plan that is approved by the Department. The approved areawide
2 plan shall include at least one treatment hospital or
3 treatment hospital with approved pediatric transfer within the
4 20-mile radius of the 4-year public university.

5 (c) Treatment hospitals with approved pediatric transfer.
6 A treatment hospital with approved pediatric transfer must
7 submit an areawide treatment plan under Section 3 of this Act
8 that includes a written agreement with a treatment hospital
9 stating that the treatment hospital will provide medical
10 forensic examinations to pediatric sexual assault survivors
11 transferred from the treatment hospital with approved
12 pediatric transfer. The areawide treatment plan may also
13 include an approved pediatric health care facility.

14 (d) Training requirements for emergency department health
15 care professionals at treatment hospitals and treatment
16 hospitals with approved pediatric transfer. After July 1, 2020
17 or once a treatment hospital or a treatment hospital with
18 approved pediatric transfer certifies compliance with
19 subsection (a-3) of Section 5, whichever occurs first, each
20 treatment hospital and treatment hospital with approved
21 pediatric transfer shall ensure that emergency department
22 physicians, physician assistants, advanced practice registered
23 nurses, and registered professional nurses providing clinical
24 services, who do not meet the definition of a qualified
25 medical provider in Section 1a of this Act, receive a minimum
26 of 2 hours of continuing education on responding to acute

1 sexual assault survivors every 2 years. Protocols for training
2 shall be included in the hospital's sexual assault treatment
3 plan. Sexual assault training provided under this subsection
4 may be provided in person or online and shall include, but not
5 be limited to:

6 (1) information provided on the provision of a medical
7 forensic examination;

8 (2) information on the use of the Illinois State
9 Police Sexual Assault Evidence Collection Kit;

10 (3) information on sexual assault epidemiology,
11 neurobiology of trauma, drug-facilitated sexual assault,
12 child sexual abuse, and Illinois sexual assault-related
13 laws; and

14 (4) information on the hospital's sexual
15 assault-related policies and procedures. The online
16 training made available by the Office of the Attorney
17 General under subsection (b) of Section 10 may be used to
18 comply with this subsection.

19 (e) Hospital sexual assault transfer plans.

20 (1) A transfer hospital must submit an areawide
21 treatment plan under Section 3 of this Act that includes a
22 written agreement with a treatment hospital stating that
23 the treatment hospital will provide medical forensic
24 examinations to all sexual assault survivors transferred
25 from the transfer hospital. The areawide treatment plan
26 may also include an approved pediatric health care

1 facility.

2 Notwithstanding anything to the contrary in this
3 paragraph, the areawide treatment plan may include a
4 written agreement with a treatment hospital with approved
5 pediatric transfer that is geographically closer than
6 other hospitals providing medical forensic examinations to
7 sexual assault survivors 13 years of age or older stating
8 that the treatment hospital with approved pediatric
9 transfer will provide medical forensic examinations to
10 sexual assault survivors 13 years of age or older who are
11 transferred from the transfer hospital. If the areawide
12 treatment plan includes a written agreement with a
13 treatment hospital with approved pediatric transfer, it
14 must also include a written agreement with a treatment
15 hospital stating that the treatment hospital will provide
16 medical forensic examinations to sexual assault survivors
17 under 13 years of age who are transferred from the
18 transfer hospital.

19 (2) Notwithstanding anything to the contrary in this
20 subsection, the Department may approve a sexual assault
21 transfer plan for the provision of medical forensic
22 examinations if:

23 (A) ~~(1)~~ a treatment hospital with approved
24 pediatric transfer has agreed, as part of an areawide
25 treatment plan, to accept acute sexual assault
26 survivors 13 years of age or older from the proposed

1 transfer hospital, if the treatment hospital with
2 approved pediatric transfer is geographically closer
3 to the transfer hospital than a treatment hospital or
4 another treatment hospital with approved pediatric
5 transfer and such transfer is not unduly burdensome on
6 the sexual assault survivor; and

7 (B) ~~(2)~~ a treatment hospital has agreed, as a part
8 of an areawide treatment plan, to accept acute sexual
9 assault survivors under 13 years of age from the
10 proposed transfer hospital and transfer to the
11 treatment hospital would not unduly burden the sexual
12 assault survivor.

13 (e-5) Unduly burdensome transfers. The Department may not
14 approve a sexual assault transfer plan unless a treatment
15 hospital has agreed, as a part of an areawide treatment plan,
16 to accept acute sexual assault survivors from the proposed
17 transfer hospital and a transfer to the treatment hospital
18 would not unduly burden the sexual assault survivor.

19 In determining whether a ~~to approve a sexual assault~~
20 ~~transfer plan under this subsection, the Department shall~~
21 ~~evaluate whether the~~ proposed plan would result in unduly
22 burdensome patient transfers. ~~To avoid unduly burdensome~~
23 ~~patient transfers,~~ the Department shall consider the following
24 factors in approving or denying the proposed sexual assault
25 transfer plan:

26 (1) geographic proximity to the treatment hospital or

1 treatment hospital with approved pediatric transfer, with
2 priority given to sexual assault transfer plans which
3 transfer acute sexual assault survivors to the
4 geographically closest treatment hospital or treatment
5 hospital with approved pediatric transfer that has the
6 capacity to provide ease of transfer to and accept acute
7 sexual assault survivors from the proposed transfer
8 hospital and is willing to provide them medical forensic
9 examinations;

10 (2) the existence of an areawide treatment plan to
11 provide medical forensic examinations to acute sexual
12 assault survivors in the region;

13 (3) the average daily, monthly, and annual number of
14 sexual assault survivors who presented and received
15 medical forensic examinations;

16 (4) the number of qualified medical providers employed
17 at the hospital;

18 (5) the existence of other agreements between transfer
19 hospitals and other acute care hospitals related to
20 patient referral and transfer, communication, patient
21 medical records, and emergency and non-emergency patient
22 transportation;

23 (6) the number of transfer hospitals with which a
24 treatment hospital has a transfer agreement and its
25 capacity to enter into additional transfer agreements, for
26 which special consideration shall be given to treatment

1 hospitals currently providing medical forensic
2 examinations to acute sexual assault survivors; and

3 (7) the provisions in the plan for initial
4 transportation to the treatment hospital or treatment
5 hospital with approved pediatric transfer, as well as
6 appropriate return transportation, which should include
7 hospital-facilitated and survivor-facilitated options to
8 attempt to minimize survivor wait times while also taking
9 into consideration extenuating factors outside the
10 hospital's control, including, but not limited to, which
11 facility is responsible for arranging transportation,
12 transportation options, and hospital-specific factors
13 influencing survivor wait time, including, but not limited
14 to, discharge planning and arranging hospital-facilitated
15 transportation in a manner that minimizes the amount of
16 time a survivor waits for transportation under the
17 proposed plan.

18 In approving or denying the proposed sexual assault
19 transfer plan, the Department may also consider other factors,
20 including, but not limited to, hospital capacity, emergency
21 department patient volume, communication, and transportation
22 capacity.

23 ~~Hospitals located in counties with a population of less~~
24 ~~than 1,000,000 and within a 20-mile radius of a 4-year public~~
25 ~~university shall submit an areawide sexual assault treatment~~
26 ~~plan that is approved by the Department. The approved areawide~~

1 ~~plan shall include at least one treatment hospital or~~
2 ~~treatment hospital with approved pediatric transfer within the~~
3 ~~20-mile radius of the 4-year public university.~~

4 ~~A transfer must be in accordance with federal and State~~
5 ~~laws and local ordinances.~~

6 ~~A treatment hospital with approved pediatric transfer must~~
7 ~~submit an areawide treatment plan under Section 3 of this Act~~
8 ~~that includes a written agreement with a treatment hospital~~
9 ~~stating that the treatment hospital will provide medical~~
10 ~~forensic examinations to pediatric sexual assault survivors~~
11 ~~transferred from the treatment hospital with approved~~
12 ~~pedsiatric transfer. The areawide treatment plan may also~~
13 ~~include an approved pediatric health care facility.~~

14 ~~A transfer hospital must submit an areawide treatment plan~~
15 ~~under Section 3 of this Act that includes a written agreement~~
16 ~~with a treatment hospital stating that the treatment hospital~~
17 ~~will provide medical forensic examinations to all sexual~~
18 ~~assault survivors transferred from the transfer hospital. The~~
19 ~~areawide treatment plan may also include an approved pediatric~~
20 ~~health care facility. Notwithstanding anything to the contrary~~
21 ~~in this paragraph, the areawide treatment plan may include a~~
22 ~~written agreement with a treatment hospital with approved~~
23 ~~pedsiatric transfer that is geographically closer than other~~
24 ~~hospitals providing medical forensic examinations to sexual~~
25 ~~assault survivors 13 years of age or older stating that the~~
26 ~~treatment hospital with approved pediatric transfer will~~

1 ~~provide medical forensic examinations to sexual assault~~
2 ~~survivors 13 years of age or older who are transferred from the~~
3 ~~transfer hospital. If the areawide treatment plan includes a~~
4 ~~written agreement with a treatment hospital with approved~~
5 ~~pediatric transfer, it must also include a written agreement~~
6 ~~with a treatment hospital stating that the treatment hospital~~
7 ~~will provide medical forensic examinations to sexual assault~~
8 ~~survivors under 13 years of age who are transferred from the~~
9 ~~transfer hospital.~~

10 ~~Beginning January 1, 2019, each treatment hospital and~~
11 ~~treatment hospital with approved pediatric transfer shall~~
12 ~~ensure that emergency department attending physicians,~~
13 ~~physician assistants, advanced practice registered nurses, and~~
14 ~~registered professional nurses providing clinical services,~~
15 ~~who do not meet the definition of a qualified medical provider~~
16 ~~in Section 1a of this Act, receive a minimum of 2 hours of~~
17 ~~sexual assault training by July 1, 2020 or until the treatment~~
18 ~~hospital or treatment hospital with approved pediatric~~
19 ~~transfer certifies to the Department, in a form and manner~~
20 ~~prescribed by the Department, that it employs or contracts~~
21 ~~with a qualified medical provider in accordance with~~
22 ~~subsection (a 7) of Section 5, whichever occurs first.~~

23 ~~After July 1, 2020 or once a treatment hospital or a~~
24 ~~treatment hospital with approved pediatric transfer certifies~~
25 ~~compliance with subsection (a 7) of Section 5, whichever~~
26 ~~occurs first, each treatment hospital and treatment hospital~~

1 ~~with approved pediatric transfer shall ensure that emergency~~
2 ~~department attending physicians, physician assistants,~~
3 ~~advanced practice registered nurses, and registered~~
4 ~~professional nurses providing clinical services, who do not~~
5 ~~meet the definition of a qualified medical provider in Section~~
6 ~~1a of this Act, receive a minimum of 2 hours of continuing~~
7 ~~education on responding to acute sexual assault survivors~~
8 ~~every 2 years. Protocols for training shall be included in the~~
9 ~~hospital's sexual assault treatment plan.~~

10 ~~Sexual assault training provided under this subsection may~~
11 ~~be provided in person or online and shall include, but not be~~
12 ~~limited to:~~

13 ~~(1) information provided on the provision of a medical~~
14 ~~forensic examination;~~

15 ~~(2) information on the use of the Illinois State~~
16 ~~Police Sexual Assault Evidence Collection Kit;~~

17 ~~(3) information on sexual assault epidemiology,~~
18 ~~neurobiology of trauma, drug facilitated sexual assault,~~
19 ~~child sexual abuse, and Illinois sexual assault related~~
20 ~~laws; and~~

21 ~~(4) information on the hospital's sexual~~
22 ~~assault related policies and procedures.~~

23 ~~The online training made available by the Office of the~~
24 ~~Attorney General under subsection (b) of Section 10 may be~~
25 ~~used to comply with this subsection.~~

26 ~~(a 5) A hospital must submit a plan to provide either (i)~~

1 ~~transfer services to all acute sexual assault survivors, (ii)~~
2 ~~medical forensic examinations to all acute sexual assault~~
3 ~~survivors, or (iii) transfer services to pediatric acute~~
4 ~~sexual assault survivors and medical forensic examinations to~~
5 ~~sexual assault survivors 13 years old or older as required in~~
6 ~~subsection (a) of this Section within 60 days of the~~
7 ~~Department's request. Failure to submit a plan as described in~~
8 ~~this subsection shall subject a hospital to the imposition of~~
9 ~~a fine by the Department. The Department may impose a fine of~~
10 ~~up to \$500 per day until the hospital submits a plan as~~
11 ~~described in this subsection.~~

12 ~~(a-10) Upon receipt of a plan as described in subsection~~
13 ~~(a-5), the Department shall notify the hospital whether or not~~
14 ~~the plan is acceptable. If the Department determines that the~~
15 ~~plan is unacceptable, the hospital must submit a modified plan~~
16 ~~within 10 days of service of the notification. If the~~
17 ~~Department determines that the modified plan is unacceptable,~~
18 ~~or if the hospital fails to submit a modified plan within 10~~
19 ~~days, the Department may impose a fine of up to \$500 per day~~
20 ~~until an acceptable plan has been submitted, as determined by~~
21 ~~the Department.~~

22 (e-10) Plans submitted by approved pediatric health care
23 facilities. ~~(b)~~ An approved pediatric health care facility may
24 provide medical forensic examinations, in accordance with
25 rules adopted by the Department, to acute sexual assault
26 survivors under the age of 18 who present for medical forensic

1 examinations in relation to injuries or trauma resulting from
2 a sexual assault. These services shall be provided by a
3 qualified medical provider.

4 A pediatric health care facility must participate in or
5 submit an areawide treatment plan under Section 3 of this Act
6 that includes a treatment hospital. If a pediatric health care
7 facility does not provide certain medical or surgical services
8 that are provided by hospitals, the areawide sexual assault
9 treatment plan must include a procedure for ensuring a sexual
10 assault survivor in need of such medical or surgical services
11 receives the services at the treatment hospital. The areawide
12 treatment plan may also include a treatment hospital with
13 approved pediatric transfer.

14 The Department shall review a proposed sexual assault
15 treatment plan submitted by a pediatric health care facility
16 within 60 days after receipt of the plan. If the Department
17 finds that the proposed plan meets the minimum requirements
18 set forth in Section 5 of this Act and that implementation of
19 the proposed plan would provide medical forensic examinations
20 for acute sexual assault survivors under the age of 18, then
21 the Department shall approve the plan. If the Department does
22 not approve a plan, then the Department shall notify the
23 pediatric health care facility that the proposed plan has not
24 been approved. The pediatric health care facility shall have
25 30 days to submit a revised plan. The Department shall review
26 the revised plan within 30 days after receipt of the plan and

1 notify the pediatric health care facility whether the revised
2 plan is approved or rejected. A pediatric health care facility
3 may not provide medical forensic examinations to sexual
4 assault survivors under the age of 18 who present with a
5 complaint of acute sexual assault until the Department has
6 approved a treatment plan.

7 If an approved pediatric health care facility is not open
8 24 hours a day, 7 days a week, it shall post signage at each
9 public entrance to its facility that:

10 (1) is at least 14 inches by 14 inches in size;

11 (2) directs those seeking services as follows: "If
12 closed, call 911 for services or go to the closest
13 hospital emergency department, (insert name) located at
14 (insert address).";

15 (3) lists the approved pediatric health care
16 facility's hours of operation;

17 (4) lists the street address of the building;

18 (5) has a black background with white bold capital
19 lettering in a clear and easy to read font that is at least
20 72-point type, and with "call 911" in at least 125-point
21 type;

22 (6) is posted clearly and conspicuously on or adjacent
23 to the door at each entrance and, if building materials
24 allow, is posted internally for viewing through glass; if
25 posted externally, the sign shall be made of
26 weather-resistant and theft-resistant materials,

1 non-removable, and adhered permanently to the building;
2 and

3 (7) has lighting that is part of the sign itself or is
4 lit with a dedicated light that fully illuminates the
5 sign.

6 A copy of the proposed sign must be submitted to the
7 Department and approved as part of the approved pediatric
8 health care facility's sexual assault treatment plan.

9 (f) Memorandum of understanding with a rape crisis center
10 required. ~~(e)~~ Each treatment hospital, treatment hospital with
11 approved pediatric transfer, and approved pediatric health
12 care facility must enter into a memorandum of understanding
13 with a rape crisis center for medical advocacy services, if
14 these services are available to the treatment hospital,
15 treatment hospital with approved pediatric transfer, or
16 approved pediatric health care facility. With the consent of
17 the sexual assault survivor, a rape crisis counselor shall
18 remain in the exam room during the collection for forensic
19 evidence.

20 (g) Compliance with mandated reporter laws. ~~(d)~~ Every
21 hospital and approved pediatric health care facility's sexual
22 assault treatment plan or sexual assault transfer plan shall
23 include procedures for complying with mandatory reporting
24 requirements pursuant to (1) the Abused and Neglected Child
25 Reporting Act; (2) the Abused and Neglected Long Term Care
26 Facility Residents Reporting Act; (3) the Adult Protective

1 Services Act; and (4) ~~(iv)~~ the Criminal Identification Act.

2 (h) Data reporting. ~~(e)~~ Each treatment hospital, treatment
3 hospital with approved pediatric transfer, and approved
4 pediatric health care facility shall submit to the Department
5 every 6 months, in a manner prescribed by the Department, the
6 following information:

7 (1) The total number of patients who presented with a
8 complaint of sexual assault.

9 (2) The total number of Illinois State Police Sexual
10 Assault Evidence Collection Kits:

11 (A) offered to (i) all acute sexual assault
12 survivors and (ii) pediatric acute sexual assault
13 survivors pursuant to paragraph (1.5) of subsection
14 (a-5) of Section 5;

15 (B) completed for (i) all acute sexual assault
16 survivors and (ii) pediatric acute sexual assault
17 survivors; and

18 (C) declined by (i) all acute sexual assault
19 survivors and (ii) pediatric acute sexual assault
20 survivors.

21 This information shall be made available on the
22 Department's website.

23 (i) Use of TeleSANE. Beginning June 1, 2027, a hospital or
24 approved pediatric health care facility may submit, in
25 addition or as an addendum to the sexual assault treatment
26 plan submitted pursuant to this Section or an areawide sexual

1 assault treatment plan pursuant to Section 3 of this Act, a
2 plan for the use of a TeleSANE interactive telecommunications
3 system. A sexual assault treatment plan or areawide sexual
4 assault treatment plan that includes TeleSANE and is approved
5 by the Department allows a qualified medical provider at a
6 distant site to precept medical forensic examinations for
7 sexual assault survivors age 13 years old or older in
8 accordance with this Act and rules established by the
9 Department. A TeleSANE interactive telecommunications system
10 may also be used for contacting an expert for consultation or a
11 second opinion.

12 (i-2) TeleSANE plan requirements. If a sexual assault
13 treatment plan or areawide treatment plan includes the use of
14 a TeleSANE interactive telecommunications system, then the
15 plan submitted to the Department shall include, at minimum,
16 the following additional information:

17 (1) Hospitals shall submit a plan to provide medical
18 forensic examinations to acute sexual assault survivors 13
19 years old or older while either: (i) transferring pediatric
20 acute sexual assault survivors, or (ii) providing medical
21 forensic examinations without the use of a TeleSANE
22 interactive telecommunications system to pediatric acute
23 sexual assault survivors. Approved pediatric health care
24 facilities shall submit a staffing plan to provide medical
25 forensic examinations to acute sexual assault survivors
26 age 13 years old or older.

1 (2) The plan shall indicate the number of trained
2 providers and distant site qualified medical providers who
3 have met the following training qualifications. Trained
4 providers must complete: (i) didactic training that has
5 been reviewed and approved by the SANE Program Coordinator
6 at the Attorney General's Office; and (ii) at least one
7 medical forensic examination precepted in-person by a
8 qualified medical provider prior to performing medical
9 forensic examinations using a TeleSANE interactive
10 telecommunications system. Training for both originating
11 and distant site health care professionals shall include
12 at least one mock medical forensic examination using the
13 TeleSANE interactive telecommunications system described
14 in the plan, even if the originating site provider is a
15 qualified medical provider. A mock examination for a
16 trained provider using the TeleSANE interactive
17 communications system must be precepted by a qualified
18 medical provider who attests to the trained provider's
19 ability to perform medical forensic examinations using the
20 TeleSANE interactive communications system. Hospitals and
21 approved pediatric health care facilities are responsible
22 for maintaining accurate records of each trained provider
23 and distant site qualified medical provider who is part of
24 their plan.

25 (3) The plan shall include policies and protocols for
26 selecting specific technology platforms or vendors, a plan

1 for regular technology checks, and protocols in the event
2 of a failure of the TeleSANE interactive
3 telecommunications system.

4 (4) The plan shall include protocols and policies to:

5 (i) maintain a secure network to host the TeleSANE
6 interactive telecommunications system; (ii) protect
7 patient privacy, including at the distant site; and (iii)
8 ensure that medical forensic examinations are not
9 recorded. Delivered services must adhere to all federal
10 and State privacy, security, and confidentiality laws,
11 rules, or regulations, including, but not limited to, the
12 Health Insurance Portability and Accountability Act of
13 1996 and the Mental Health and Developmental Disabilities
14 Confidentiality Act.

15 (5) A plan to provide a medical forensic examination
16 to an acute sexual assault survivor if the survivor wants
17 evidence collected, but does not consent to the use of a
18 TeleSANE interactive telecommunications system.

19 (6) A plan to educate the community, including local
20 law enforcement and rape crisis advocates, about medical
21 forensic examinations that use a TeleSANE interactive
22 telecommunications system.

23 (i-3) Approval of a TeleSANE plan. The Department shall
24 approve a sexual assault treatment plan or areawide sexual
25 assault treatment plan that includes the use of a TeleSANE
26 interactive telecommunications system if the following

1 requirements are met: (i) a hospital or approved pediatric
2 health care facility submits all information required under
3 subsection (i-2) of this Section, (ii) the Department finds
4 that the sexual assault treatment plan or areawide sexual
5 assault treatment plan complies with the applicable provisions
6 of the Telehealth Act, and (iii) implementation of the sexual
7 assault treatment plan or areawide sexual assault treatment
8 plan would provide appropriately precepted medical forensic
9 examinations for acute sexual assault survivors in accordance
10 with the requirements of this Act and rules adopted by the
11 Department.

12 (j) ~~(f)~~ This Section is effective on and after January 1,
13 2026.

14 (Source: P.A. 104-386, eff. 1-1-26.)

15 (410 ILCS 70/5) (from Ch. 111 1/2, par. 87-5)

16 Sec. 5. Minimum requirements for medical forensic
17 examinations provided to sexual assault survivors by hospitals
18 and approved pediatric health care facilities.

19 (a) Staffing requirements. ~~Every hospital and approved~~
20 ~~pediatric health care facility providing medical forensic~~
21 ~~examinations to acute sexual assault survivors under this Act~~
22 ~~shall, as minimum requirements for such services, provide the~~
23 ~~services set forth in subsection (a-5).~~ A qualified medical
24 provider must provide the services set forth in subsection
25 (a-2) ~~(a-5)~~ as ordered by a physician, an advanced practice

1 registered nurse, or a physician assistant. A medical
2 screening examination shall be performed, prior to a medical
3 forensic examination by a ~~the attending~~ physician, an advanced
4 practice registered nurse, or a physician assistant.

5 (a-2) Medical forensic examinations and related services.

6 ~~(a-5)~~ A treatment hospital, a treatment hospital with approved
7 pediatric transfer, or an approved pediatric health care
8 facility shall provide the following services in accordance
9 with subsections (a) ~~, and~~ (b) , and (c):

10 (1) Appropriate medical forensic examinations without
11 delay, in a private, age-appropriate or
12 developmentally-appropriate space, required to ensure the
13 health, safety, and welfare of a sexual assault survivor
14 and which may be used as evidence in a criminal proceeding
15 against a person accused of the sexual assault, in a
16 proceeding under the Juvenile Court Act of 1987, or in an
17 investigation under the Abused and Neglected Child
18 Reporting Act.

19 Records of medical forensic examinations, including
20 results of examinations and tests, the Illinois State
21 Police Medical Forensic Documentation Forms, the Illinois
22 State Police Patient Discharge Materials, and the Illinois
23 State Police Patient Consent: Collect and Test Evidence or
24 Collect and Hold Evidence Form, shall be maintained by the
25 hospital or approved pediatric health care facility as
26 part of the patient's electronic medical record.

1 Records of medical forensic examinations of sexual
2 assault survivors under the age of 18 shall be retained by
3 the hospital for a period of 60 years after the sexual
4 assault survivor reaches the age of 18. Records of medical
5 forensic examinations of sexual assault survivors 18 years
6 of age or older shall be retained by the hospital for a
7 period of 20 years after the date the record was created.

8 Records of medical forensic examinations may only be
9 disseminated in accordance with Section 6.5 of this Act
10 and other State and federal law.

11 (2) ~~(1.5)~~ An offer to complete the Illinois State
12 Police Sexual Assault Evidence Collection Kit for any
13 acute sexual assault survivor. If the offer to complete
14 the Illinois State Police Sexual Assault Evidence
15 Collection Kit is accepted by the survivor, then evidence
16 collection shall be completed based on the qualified
17 medical provider's clinical discretion, best practices for
18 evidence collection, and information provided by the
19 sexual assault survivor. A patient may decline any portion
20 of the Illinois State Police Sexual Assault Evidence Kit,
21 but if any evidence is collected, then that shall
22 constitute evidence collection being completed for the
23 purposes of this Section and subsection (e) of Section 2.
24 Nothing in this Section is intended to prohibit a
25 qualified medical provider from offering, on the
26 provider's own accord or in response to a survivor

1 request, an Illinois State Police Sexual Assault Evidence
2 Collection Kit to a sexual assault survivor who presents
3 at a treatment hospital, treatment hospital with approved
4 pediatric transfer, or approved pediatric health care
5 facility with a nonacute complaint of sexual assault
6 according to the qualified medical provider's clinical
7 discretion based on best practices for indications for
8 evidence collection.

9 (A) Appropriate oral and written information
10 concerning evidence-based guidelines for the
11 appropriateness of evidence collection depending on
12 the sexual development of the sexual assault survivor,
13 the type of sexual assault, and the timing of the
14 sexual assault shall be provided to the sexual assault
15 survivor.

16 The information required under this subparagraph
17 shall be provided to the sexual assault survivor by a
18 qualified medical provider either in person or via a
19 virtual or telephone consultation.

20 The written information provided shall be the
21 information created in accordance with Section 10 of
22 this Act.

23 (B) A sexual assault nurse examiner conducting an
24 examination using the Illinois State Police Sexual
25 Assault Evidence Collection Kit may do so without the
26 presence or participation of a physician.

1 (3) ~~(2)~~ Appropriate oral and written information
2 concerning the possibility of infection, sexually
3 transmitted infection, including an evaluation of the
4 sexual assault survivor's risk of contracting human
5 immunodeficiency virus (HIV) from sexual assault, and
6 pregnancy resulting from sexual assault.

7 (4) ~~(3)~~ Appropriate oral and written information
8 concerning accepted medical procedures, laboratory tests,
9 medication, and possible contraindications of such
10 medication available for the prevention or treatment of
11 infection or disease resulting from sexual assault.

12 (5) ~~(3.5)~~ After a medical evidentiary or physical
13 examination, access to a shower at no cost, unless
14 showering facilities are unavailable.

15 (6) ~~(4)~~ An amount of medication, including HIV
16 prophylaxis, for treatment at the hospital or approved
17 pediatric health care facility and after discharge as is
18 deemed appropriate by a ~~the attending~~ physician, an
19 advanced practice registered nurse, or a physician
20 assistant in accordance with the Centers for Disease
21 Control and Prevention guidelines and consistent with the
22 hospital's or approved pediatric health care facility's
23 current approved protocol for sexual assault survivors.

24 (7) ~~(5)~~ Photo documentation of the sexual assault
25 survivor's injuries, anatomy involved in the assault, or
26 other visible evidence on the sexual assault survivor's

1 body to supplement the medical forensic history and
2 written documentation of physical findings and evidence
3 beginning July 1, 2019. Photo documentation does not
4 replace written documentation of the injury.

5 (8) ~~(6)~~ Written and oral instructions indicating the
6 need for follow-up examinations and laboratory tests after
7 the sexual assault to determine the presence or absence of
8 sexually transmitted infection.

9 (9) ~~(7)~~ Referral by hospital or approved pediatric
10 health care facility personnel for appropriate counseling.

11 (10) ~~(8)~~ Medical advocacy services provided by a rape
12 crisis counselor whose communications are protected under
13 Section 8-802.1 of the Code of Civil Procedure, if there
14 is a memorandum of understanding between the hospital or
15 approved pediatric health care facility and a rape crisis
16 center. With the consent of the sexual assault survivor, a
17 rape crisis counselor shall remain in the exam room during
18 the medical forensic examination.

19 (11) ~~(9)~~ Written information regarding services
20 provided by a Children's Advocacy Center and rape crisis
21 center, if applicable.

22 (12) ~~(10)~~ A treatment hospital, a treatment hospital
23 with approved pediatric transfer, an out-of-state hospital
24 as defined in Section 5.4, or an approved pediatric health
25 care facility shall comply with the rules relating to the
26 collection and tracking of sexual assault evidence adopted

1 by the Illinois State Police under Section 50 of the
2 Sexual Assault Evidence Submission Act.

3 (13) ~~(11)~~ Written information regarding the Illinois
4 State Police sexual assault evidence tracking system.

5 (a-3) 90 minute requirement for qualified medical
6 providers. ~~(a-7)~~ Every hospital with a treatment plan approved
7 by the Department and every approved pediatric health care
8 facility shall employ or contract with a qualified medical
9 provider to initiate a medical forensic examination to a
10 sexual assault survivor within 90 minutes of a concern arising
11 at the hospital or facility of acute sexual assault. The
12 provision of a medical forensic examination by a qualified
13 medical provider shall not delay the provision of life-saving
14 medical care.

15 (b) Consent to medical forensic examination. Before a
16 medical forensic examination is provided, the decisional
17 capacity of the sexual assault survivor shall be assessed. A
18 sexual assault survivor who lacks decisional capacity cannot
19 consent to a medical forensic examination ~~consent must be~~
20 ~~obtained in accordance with this Section. Evidence collection~~
21 ~~shall not be completed without first obtaining consent.~~

22 (1) Sexual assault survivor determined to have
23 decisional capacity. A medical forensic examination may be
24 provided in accordance with this Section to any ~~Any person~~
25 ~~able to consent who is a~~ sexual assault survivor who is
26 determined to have decisional capacity ~~seeks a medical~~

1 ~~forensic examination or follow-up healthcare under this~~
2 ~~Act shall be provided such services~~ without the consent of
3 any parent, guardian, or power of attorney for health care
4 ~~custodian, surrogate, or agent.~~

5 (2) The sexual assault survivor is a minor and lacks
6 decisional capacity. If a minor sexual assault survivor
7 ~~under the age of 18~~ is unable to consent due to lack of
8 decisional capacity, the ~~to~~ a medical forensic
9 examination, ~~the examination~~ may be provided, with: (A)
10 ~~the consent of the survivor's parent, guardian, or health~~
11 ~~care power of attorney and with~~ the assent of the ~~sexual~~
12 ~~assault survivor,~~ and (B) consent given by one of the
13 following authorized decision makers:

14 (i) The survivor's parent.

15 (ii) The survivor's guardian. If a minor is in
16 temporary custody or guardianship of the Department of
17 Children and Family Services pursuant to a court order
18 entered in proceedings occurring under the Juvenile
19 Court Act of 1987, the DCFS Guardianship
20 Administrator, or the DCFS Guardianship
21 Administrator's authorized agent, may consent to a
22 medical forensic examination under this Act.

23 (iii) The survivor's spouse.

24 (iv) The survivor's power of attorney for health
25 care.

26 If the sexual assault survivor's parent, guardian,

1 spouse, or power of attorney for health care, are
2 unavailable or unwilling to consent to the medical
3 forensic examination, then law enforcement may obtain a
4 search warrant pursuant to Article 108 of the Code of
5 Criminal Procedure of 1963 directing that a medical
6 forensic examination, as defined in Section 1a, be
7 conducted, with the assent of the sexual assault survivor.

8 (3) The sexual assault survivor is an adult and lacks
9 decisional capacity. If an adult sexual assault survivor
10 is unable to consent due to lack of decisional capacity, a
11 medical forensic examination, ~~the examination~~ may be
12 provided, with: (A) the assent of the survivor, and (B)
13 consent given by one of the following authorized decision
14 makers:

15 (i) The survivor's guardian.

16 (ii) The survivor's spouse.

17 (iii) The survivor's power of attorney for health
18 care.

19 If the survivor's guardian, spouse, or ~~consent of the~~
20 ~~survivor's guardian or health care~~ power of attorney for
21 health care, is unavailable or unwilling to consent, law
22 enforcement may obtain a search warrant pursuant to Article
23 108 of the Code of Criminal Procedure of 1963 directing that a
24 medical forensic examination, as defined in Section 1a, be
25 conducted ~~and~~ with the assent of the sexual assault survivor.

26 (b-2) Treatment of unconscious patients. Notwithstanding

1 any other provision of the law, a medical forensic examination
2 may be administered to an unconscious patient, without their
3 assent, if the following conditions are met: (i) the qualified
4 medical provider, in accordance with subsection (a),
5 determines there is reasonable suspicion of sexual assault;
6 (ii) consent cannot be obtained under the circumstances,
7 including when evidence may be lost; and (iii) based on the
8 clinical judgment of a qualified medical provider, in
9 accordance with subsection (a), the unconscious patient is not
10 expected to regain consciousness within the recommended window
11 for evidence collection for acute sexual assault. If these
12 conditions are met, written authorization for a medical
13 forensic examination to be performed on an unconscious patient
14 may be provided by a qualified medical provider and a
15 physician, advanced practice registered nurse, or physician
16 assistant.

17 (c) Consent to follow-up health care.

18 (1) Adult survivors. Any adult sexual assault survivor
19 who is determined to have decisional capacity may consent
20 to follow-up health care.

21 (2) Minor survivors. Follow-up health care for minors
22 shall be provided in accordance with the Consent by Minors
23 to Health Care Services Act.

24 (d) Vouchers. ~~(b-5)~~ Every hospital or approved pediatric
25 health care facility providing medical forensic examinations
26 to acute sexual assault survivors shall issue a voucher to any

1 sexual assault survivor who is eligible to receive one in
2 accordance with Section 5.2 of this Act. The hospital or
3 approved pediatric health care facility shall make a copy of
4 the voucher and place it in the medical record of the sexual
5 assault survivor. The hospital or approved pediatric health
6 care facility shall provide a copy of the voucher to the sexual
7 assault survivor after discharge upon request.

8 (e) Limitation of physician-patient relationship after
9 discharge. ~~(e)~~ Nothing in this Section creates a
10 physician-patient relationship that extends beyond discharge
11 from the hospital or approved pediatric health care facility.

12 (f) Liability. Any health care professional or health care
13 institution, including any hospital or approved pediatric
14 health care facility, who, in good faith, acts with due care in
15 accordance with this Section is immune to: (i) any civil or
16 other claim based on lack of consent; (ii) any criminal
17 prosecution; or (iii) discipline for unprofessional conduct.

18 (g) ~~(d)~~ This Section is effective on and after January 1,
19 2024.

20 (Source: P.A. 104-386, eff. 1-1-26.)

21 (410 ILCS 70/6.5)

22 Sec. 6.5. Written consent to the release of sexual assault
23 evidence for testing.

24 (a) Upon the completion of a medical forensic examination,
25 the health care professional providing the medical forensic

1 examination shall provide the patient the opportunity to sign
2 a written consent to allow law enforcement to submit the
3 sexual assault evidence for testing, if collected. The written
4 consent shall be on a form included in the sexual assault
5 evidence collection kit and posted on the Illinois State
6 Police website. The consent form shall include whether the
7 survivor consents to the release of information about the
8 sexual assault to law enforcement. A sexual assault survivor
9 who lacks decisional capacity cannot provide consent under
10 this Section.

11 (1) The sexual assault survivor is determined to have
12 decisional capacity. A sexual assault survivor who is
13 determined to have decisional capacity ~~A survivor 13 years~~
14 ~~of age or older~~ may sign the written consent to release the
15 evidence for testing.

16 (2) The sexual assault survivor is a minor and lacks
17 decisional capacity. If the survivor is a minor who lacks
18 decisional capacity ~~is under 13 years of age~~, the written
19 consent to release the sexual assault evidence for testing
20 may be signed by the sexual assault survivor's parent;~~;~~
21 guardian; spouse, if married; or ~~;~~ ~~or agent acting under a~~
22 ~~health care~~ power of attorney for health care. If a
23 parent, guardian, spouse, or ~~health care~~ power of attorney
24 for health care is not available or unwilling to release
25 evidence, then a State's Attorney acting in his or her
26 capacity to investigate or prosecute a violation of the

1 criminal laws of this State, or the Attorney General,
2 acting in his or her capacity to investigate or prosecute
3 a violation of the criminal laws of this State, may
4 petition the court to authorize its release for testing.
5 Hearings on such petitions shall be ex parte and not
6 require notice to, nor the appearance in court, of any
7 other party. Any such petition shall state why there is
8 reasonable suspicion to believe that:

9 (i) the sexual assault survivor is a minor and
10 cannot consent to the release of evidence for testing;

11 (ii) a medical forensic examination was provided
12 to such minor;

13 (iii) such medical forensic examination resulted
14 in the collection of evidence from such minor which
15 could lead to the identification of the perpetrator of
16 the sexual assault or sexual abuse; and

17 (iv) reasonable efforts have been made to obtain
18 written consent for the release of said evidence from
19 a parent, guardian, spouse, or power of attorney for
20 health care, but they were unavailable or unwilling to
21 release the evidence for testing.

22 (3) The sexual assault survivor is an adult and lacks
23 decisional capacity. If the survivor is an adult who lacks
24 decisional capacity, the written consent to release the
25 sexual assault evidence for testing may be signed by the
26 sexual assault survivor's guardian; spouse, if married; or

1 ~~has a guardian of the person, a health care surrogate, or~~
2 ~~an agent acting under a health care power of attorney for~~
3 ~~health care. , the consent of the guardian, surrogate, or~~
4 ~~agent is not required to release evidence and information~~
5 ~~concerning the sexual assault or sexual abuse. If the~~
6 ~~adult is unable to provide~~

7 If a guardian, spouse, or power of attorney for health
8 care is unavailable or unwilling to release the
9 information, then a State's Attorney, acting in his or her
10 capacity to investigate or prosecute a violation of the
11 criminal laws of this state, or the Attorney General,
12 having assumed the role of criminal prosecutor for such
13 matters, may petition the court to authorize its release
14 for testing. Hearings on such petitions shall be ex parte
15 and not require notice to, nor the appearance in court, of
16 any other party. Any such petition shall state why there
17 is reasonable suspicion to believe that:

18 (i) the sexual assault survivor is unable to
19 consent to the release of the evidence for testing;

20 (ii) a medical forensic examination was provided
21 to such sexual assault survivor;

22 (iii) such medical forensic examination resulted
23 in the collection of evidence from such sexual assault
24 survivor which could lead to the identification of the
25 perpetrator of the sexual assault or sexual abuse; and

26 (iv) reasonable efforts have been made to obtain

1 written consent for the release of said evidence from
2 ~~and information and~~ a guardian, spouse ~~surrogate~~, or
3 ~~agent under a health care~~ power of attorney for health
4 care, but they were ~~is~~ unavailable or unwilling to
5 release the evidence for testing ~~information, then an~~
6 ~~investigating law enforcement officer may authorize~~
7 ~~the release.~~

8 (b) With the exception of willful or wanton misconduct,
9 any ~~(4) Any~~ health care professional or health care
10 institution, including any hospital or approved pediatric
11 health care facility, who provides evidence or information to
12 a law enforcement officer under a written consent as specified
13 in this Section is immune from any civil, ~~or~~ professional, or
14 other liability or actions that might arise from those
15 actions, ~~with the exception of willful or wanton misconduct.~~
16 The immunity provision applies only if all of the requirements
17 of this Section are met.

18 (c) ~~(b)~~ The hospital or approved pediatric health care
19 facility shall keep a copy of a signed or unsigned written
20 consent form in the patient's medical record.

21 (d) ~~(e)~~ If a written consent to allow law enforcement to
22 hold the sexual assault evidence is signed at the completion
23 of the medical forensic examination, the hospital or approved
24 pediatric health care facility shall include the following
25 information in its discharge instructions:

26 (1) the sexual assault evidence will be stored for 10

1 years from the completion of an Illinois State Police
2 Sexual Assault Evidence Collection Kit, or 10 years from
3 the age of 18 years, whichever is longer;

4 (2) a person authorized to consent to the testing of
5 the sexual assault evidence may sign a written consent to
6 allow law enforcement to test the sexual assault evidence
7 at any time during that 10-year period for an adult
8 victim, or until a minor victim turns 28 years of age by
9 (A) contacting the law enforcement agency having
10 jurisdiction, or if unknown, the law enforcement agency
11 contacted by the hospital or approved pediatric health
12 care facility under Section 3.2 of the Criminal
13 Identification Act; or (B) by working with an advocate at
14 a rape crisis center;

15 (3) the name, address, and phone number of the law
16 enforcement agency having jurisdiction, or if unknown the
17 name, address, and phone number of the law enforcement
18 agency contacted by the hospital or approved pediatric
19 health care facility under Section 3.2 of the Criminal
20 Identification Act; and

21 (4) the name and phone number of a local rape crisis
22 center.

23 (e) ~~(d)~~ This Section is effective on and after January 1,
24 2024.

25 (Source: P.A. 104-386, eff. 1-1-26.)

1 Section 10. The Juvenile Court Act of 1987 is amended by
2 changing Section 5-905 as follows:

3 (705 ILCS 405/5-905)

4 Sec. 5-905. Law enforcement records.

5 (1) Law Enforcement Records. Inspection and copying of law
6 enforcement records maintained by law enforcement agencies
7 that relate to a minor who has been investigated, arrested, or
8 taken into custody before the minor's 18th birthday shall be
9 restricted to the following and when necessary for the
10 discharge of their official duties:

11 (a) A judge of the circuit court and members of the
12 staff of the court designated by the judge;

13 (b) Law enforcement officers, probation officers or
14 prosecutors or their staff, or, when necessary for the
15 discharge of its official duties in connection with a
16 particular investigation of the conduct of a law
17 enforcement officer, an independent agency or its staff
18 created by ordinance and charged by a unit of local
19 government with the duty of investigating the conduct of
20 law enforcement officers;

21 (c) The minor, the minor's parents or legal guardian
22 and their attorneys, ~~but only when the juvenile has been~~
23 ~~charged with an offense;~~

24 (d) Adult and Juvenile Prisoner Review Boards;

25 (e) Authorized military personnel;

1 (f) Persons engaged in bona fide research, with the
2 permission of the judge of juvenile court and the chief
3 executive of the agency that prepared the particular
4 recording: provided that publication of such research
5 results in no disclosure of a minor's identity and
6 protects the confidentiality of the record;

7 (g) Individuals responsible for supervising or
8 providing temporary or permanent care and custody of
9 minors pursuant to orders of the juvenile court or
10 directives from officials of the Department of Children
11 and Family Services or the Department of Human Services
12 who certify in writing that the information will not be
13 disclosed to any other party except as provided under law
14 or order of court;

15 (h) The appropriate school official only if the agency
16 or officer believes that there is an imminent threat of
17 physical harm to students, school personnel, or others who
18 are present in the school or on school grounds.

19 (A) Inspection and copying shall be limited to
20 law enforcement records transmitted to the appropriate
21 school official or officials whom the school has
22 determined to have a legitimate educational or safety
23 interest by a local law enforcement agency under a
24 reciprocal reporting system established and maintained
25 between the school district and the local law
26 enforcement agency under Section 10-20.14 of the

1 School Code concerning a minor enrolled in a school
2 within the school district who has been arrested or
3 taken into custody for any of the following offenses:

4 (i) any violation of Article 24 of the
5 Criminal Code of 1961 or the Criminal Code of
6 2012;

7 (ii) a violation of the Illinois Controlled
8 Substances Act;

9 (iii) a violation of the Cannabis Control Act;

10 (iv) a forcible felony as defined in Section
11 2-8 of the Criminal Code of 1961 or the Criminal
12 Code of 2012;

13 (v) a violation of the Methamphetamine Control
14 and Community Protection Act;

15 (vi) a violation of Section 1-2 of the
16 Harassing and Obscene Communications Act;

17 (vii) a violation of the Hazing Act; or

18 (viii) a violation of Section 12-1, 12-2,
19 12-3, 12-3.05, 12-3.1, 12-3.2, 12-3.4, 12-3.5,
20 12-5, 12-7.3, 12-7.4, 12-7.5, 25-1, or 25-5 of the
21 Criminal Code of 1961 or the Criminal Code of
22 2012.

23 The information derived from the law enforcement
24 records shall be kept separate from and shall not
25 become a part of the official school record of that
26 child and shall not be a public record. The

1 information shall be used solely by the appropriate
2 school official or officials whom the school has
3 determined to have a legitimate educational or safety
4 interest to aid in the proper rehabilitation of the
5 child and to protect the safety of students and
6 employees in the school. If the designated law
7 enforcement and school officials deem it to be in the
8 best interest of the minor, the student may be
9 referred to in-school or community based social
10 services if those services are available.
11 "Rehabilitation services" may include interventions by
12 school support personnel, evaluation for eligibility
13 for special education, referrals to community-based
14 agencies such as youth services, behavioral healthcare
15 service providers, drug and alcohol prevention or
16 treatment programs, and other interventions as deemed
17 appropriate for the student.

18 (B) Any information provided to appropriate school
19 officials whom the school has determined to have a
20 legitimate educational or safety interest by local law
21 enforcement officials about a minor who is the subject
22 of a current police investigation that is directly
23 related to school safety shall consist of oral
24 information only, and not written law enforcement
25 records, and shall be used solely by the appropriate
26 school official or officials to protect the safety of

1 students and employees in the school and aid in the
2 proper rehabilitation of the child. The information
3 derived orally from the local law enforcement
4 officials shall be kept separate from and shall not
5 become a part of the official school record of the
6 child and shall not be a public record. This
7 limitation on the use of information about a minor who
8 is the subject of a current police investigation shall
9 in no way limit the use of this information by
10 prosecutors in pursuing criminal charges arising out
11 of the information disclosed during a police
12 investigation of the minor. For purposes of this
13 paragraph, "investigation" means an official
14 systematic inquiry by a law enforcement agency into
15 actual or suspected criminal activity;

16 (i) The president of a park district. Inspection and
17 copying shall be limited to law enforcement records
18 transmitted to the president of the park district by the
19 Illinois State Police under Section 8-23 of the Park
20 District Code or Section 16a-5 of the Chicago Park
21 District Act concerning a person who is seeking employment
22 with that park district and who has been adjudicated a
23 juvenile delinquent for any of the offenses listed in
24 subsection (c) of Section 8-23 of the Park District Code
25 or subsection (c) of Section 16a-5 of the Chicago Park
26 District Act; ;

1 (j) Victims and their attorneys, except in cases of
2 multiple minor victims or multiple victims of sex offenses
3 in which case the information identifying the
4 nonrequesting victims shall be redacted.

5 (2) Information identifying victims and alleged victims of
6 sex offenses, shall not be disclosed or open to public
7 inspection under any circumstances. Nothing in this Section
8 shall prohibit the victim or alleged victim of any sex offense
9 from voluntarily disclosing this identity.

10 (2.5) If the minor is a victim of aggravated battery,
11 battery, attempted first degree murder, or other non-sexual
12 violent offense, the identity of the victim may be disclosed
13 to appropriate school officials, for the purpose of preventing
14 foreseeable future violence involving minors, by a local law
15 enforcement agency pursuant to an agreement established
16 between the school district and a local law enforcement agency
17 subject to the approval by the presiding judge of the juvenile
18 court.

19 (3) Relevant information, reports and records shall be
20 made available to the Department of Juvenile Justice when a
21 juvenile offender has been placed in the custody of the
22 Department of Juvenile Justice.

23 (4) Nothing in this Section shall prohibit the inspection
24 or disclosure to victims and witnesses of photographs
25 contained in the records of law enforcement agencies when the
26 inspection or disclosure is conducted in the presence of a law

1 enforcement officer for purposes of identification or
2 apprehension of any person in the course of any criminal
3 investigation or prosecution.

4 (5) The records of law enforcement officers, or of an
5 independent agency created by ordinance and charged by a unit
6 of local government with the duty of investigating the conduct
7 of law enforcement officers, concerning all minors under 18
8 years of age must be maintained separate from the records of
9 adults and may not be open to public inspection or their
10 contents disclosed to the public except by order of the court
11 or when the institution of criminal proceedings has been
12 permitted under Section 5-130 or 5-805 or required under
13 Section 5-130 or 5-805 or such a person has been convicted of a
14 crime and is the subject of pre-sentence investigation or when
15 provided by law.

16 (6) Except as otherwise provided in this subsection (6),
17 law enforcement officers, and personnel of an independent
18 agency created by ordinance and charged by a unit of local
19 government with the duty of investigating the conduct of law
20 enforcement officers, may not disclose the identity of any
21 minor in releasing information to the general public as to the
22 arrest, investigation or disposition of any case involving a
23 minor. Any victim or parent or legal guardian of a victim may
24 petition the court to disclose the name and address of the
25 minor and the minor's parents or legal guardian, or both. Upon
26 a finding by clear and convincing evidence that the disclosure

1 is either necessary for the victim to pursue a civil remedy
2 against the minor or the minor's parents or legal guardian, or
3 both, or to protect the victim's person or property from the
4 minor, then the court may order the disclosure of the
5 information to the victim or to the parent or legal guardian of
6 the victim only for the purpose of the victim pursuing a civil
7 remedy against the minor or the minor's parents or legal
8 guardian, or both, or to protect the victim's person or
9 property from the minor.

10 (7) Nothing contained in this Section shall prohibit law
11 enforcement agencies when acting in their official capacity
12 from communicating with each other by letter, memorandum,
13 teletype or intelligence alert bulletin or other means the
14 identity or other relevant information pertaining to a person
15 under 18 years of age. The information provided under this
16 subsection (7) shall remain confidential and shall not be
17 publicly disclosed, except as otherwise allowed by law.

18 (8) No person shall disclose information under this
19 Section except when acting in the person's official capacity
20 and as provided by law or order of court.

21 (9) The changes made to this Section by Public Act 98-61
22 apply to law enforcement records of a minor who has been
23 arrested or taken into custody on or after January 1, 2014 (the
24 effective date of Public Act 98-61).

25 (10) Nothing contained in this Section shall prohibit law
26 enforcement agencies from disclosing law enforcement reports

1 and records to the Attorney General for the purposes of
2 complying with the Crime Victims Compensation Act.

3 (Source: P.A. 103-22, eff. 8-8-23; 103-1037, eff. 8-9-24.)

4 Section 15. The Rights of Crime Victims and Witnesses Act
5 is amended by changing Sections 3, 4, 4.5, and 8.5 as follows:

6 (725 ILCS 120/3) (from Ch. 38, par. 1403)

7 Sec. 3. The terms used in this Act shall have the following
8 meanings:

9 (a) "Crime victim" or "victim" means: (1) any natural
10 person determined by the prosecutor or the court to have
11 suffered direct physical or psychological harm as a result of
12 a violent crime perpetrated or attempted against that person
13 or direct physical or psychological harm as a result of (i) a
14 violation of Section 11-501 of the Illinois Vehicle Code or
15 similar provision of a local ordinance or (ii) a violation of
16 Section 9-3 of the Criminal Code of 1961 or the Criminal Code
17 of 2012; (2) in the case of a crime victim who is under 18
18 years of age or an adult victim who is incompetent or
19 incapacitated, both parents, legal guardians, foster parents,
20 or a single adult representative; (3) in the case of an adult
21 deceased victim, 2 representatives who may be the spouse,
22 parent, child or sibling of the victim, or the representative
23 of the victim's estate; and (4) an immediate family member of a
24 victim under clause (1) of this paragraph (a) chosen by the

1 victim. If the victim is 18 years of age or over, the victim
2 may choose any person to be the victim's representative. In no
3 event shall the defendant or any person who aided and abetted
4 in the commission of the crime be considered a victim, a crime
5 victim, or a representative of the victim.

6 A board, agency, or other governmental entity making
7 decisions regarding an offender's release, sentence reduction,
8 or clemency can determine additional persons are victims for
9 the purpose of its proceedings.

10 (a-3) "Advocate" means a person whose communications with
11 the victim are privileged under Section 8-802.1 or 8-802.2 of
12 the Code of Civil Procedure, or Section 227 of the Illinois
13 Domestic Violence Act of 1986.

14 (a-5) "Confer" means to consult together, share
15 information, compare opinions and carry on a discussion or
16 deliberation.

17 (a-6) "DNA database" means a collection of DNA profiles
18 from forensic casework or specimens from anonymous,
19 identified, and unidentified sources that is created to search
20 DNA records against each other to develop investigative leads
21 among forensic cases.

22 (a-7) "Sentence" includes, but is not limited to, the
23 imposition of sentence, a request for a reduction in sentence,
24 parole, mandatory supervised release, aftercare release, early
25 release, inpatient treatment, outpatient treatment,
26 conditional release after a finding that the defendant is not

1 guilty by reason of insanity, clemency, or a proposal that
2 would reduce the defendant's sentence or result in the
3 defendant's release. "Early release" refers to a discretionary
4 release.

5 (a-9) "Sentencing" includes, but is not limited to, the
6 imposition of sentence and a request for a reduction in
7 sentence, parole, mandatory supervised release, aftercare
8 release, early release, consideration of inpatient treatment
9 or outpatient treatment, or conditional release after a
10 finding that the defendant is not guilty by reason of
11 insanity.

12 (a-10) "Status hearing" means a hearing designed to
13 provide information to the court, at which no motion of a
14 substantive nature and no constitutional or statutory right of
15 a crime victim is implicated or at issue.

16 (b) "Witness" means: any person who personally observed
17 the commission of a crime and who will testify on behalf of the
18 State of Illinois; or a person who will be called by the
19 prosecution to give testimony establishing a necessary nexus
20 between the offender and the violent crime.

21 (c) "Violent crime" means: (1) any felony in which force
22 or threat of force was used against the victim; (2) any offense
23 involving sexual exploitation, sexual conduct, or sexual
24 penetration; (3) a violation of Section 11-20.1, 11-20.1B,
25 11-20.3, 11-23, or 11-23.5 of the Criminal Code of 1961 or the
26 Criminal Code of 2012; (4) domestic battery or stalking; (5)

1 violation of an order of protection, a civil no contact order,
2 or a stalking no contact order; (6) any misdemeanor which
3 results in death or great bodily harm to the victim; or (7) any
4 violation of Section 9-3 of the Criminal Code of 1961 or the
5 Criminal Code of 2012, or Section 11-501 of the Illinois
6 Vehicle Code, or a similar provision of a local ordinance, if
7 the violation resulted in personal injury or death. "Violent
8 crime" includes any action committed by a juvenile that would
9 be a violent crime if committed by an adult. For the purposes
10 of this paragraph, "personal injury" shall include any Type A
11 injury as indicated on the traffic crash report completed by a
12 law enforcement officer that requires immediate professional
13 attention in either a doctor's office or medical facility. A
14 type A injury shall include severely bleeding wounds,
15 distorted extremities, and injuries that require the injured
16 party to be carried from the scene.

17 (d) (Blank).

18 (e) "Court proceedings" includes, but is not limited to,
19 the preliminary hearing, any post-arraignment hearing the
20 effect of which may be the release of the defendant from
21 custody or to alter the conditions of pretrial release,
22 including determinations made under subsection (g) or (j) of
23 Section 110-6 of the Code of Criminal Procedure of 1963,
24 change of plea hearing, the trial, any pretrial or post-trial
25 hearing, sentencing, any oral argument or hearing before an
26 Illinois appellate court, any hearing under the Mental Health

1 and Developmental Disabilities Code or Section 5-2-4 of the
2 Unified Code of Corrections after a finding that the defendant
3 is not guilty by reason of insanity, including a hearing for
4 conditional release, any hearing related to a modification of
5 sentence, probation revocation hearing, aftercare release or
6 parole hearings, post-conviction relief proceedings, habeas
7 corpus proceedings and clemency proceedings related to the
8 defendant's conviction or sentence. For purposes of the
9 victim's right to be present, "court proceedings" does not
10 include (1) grand jury proceedings, (2) status hearings, or
11 (3) the issuance of an order or decision of an Illinois court
12 that dismisses a charge, reverses a conviction, reduces a
13 sentence, or releases an offender under a court rule.

14 (f) "Concerned citizen" includes relatives of the victim,
15 friends of the victim, witnesses to the crime, or any other
16 person associated with the victim or prisoner.

17 (g) "Victim's attorney" means an attorney retained by the
18 victim for the purposes of asserting the victim's
19 constitutional and statutory rights. An attorney retained by
20 the victim means an attorney who is hired to represent the
21 victim at the victim's expense or an attorney who has agreed to
22 provide pro bono representation. Nothing in this statute
23 creates a right to counsel at public expense for a victim.

24 (h) "Support person" means a person chosen by a victim to
25 be present at court proceedings.

26 (Source: P.A. 103-792, eff. 1-1-25; 104-173, eff. 1-1-26.)

1 (725 ILCS 120/4)

2 Sec. 4. Rights of crime victims.

3 (a) Crime victims shall have the following rights:

4 (1) The right to be treated with fairness and respect
5 for their dignity and privacy and to be free from
6 harassment, intimidation, and abuse throughout the
7 criminal justice process.

8 (1.1) (Blank). ~~When a person reports being a crime~~
9 ~~victim as defined in Section 3, the right to be treated~~
10 ~~with fairness and respect during the investigatory~~
11 ~~process, including the right to be free from deception,~~
12 ~~which is the knowing communication of false facts about~~
13 ~~evidence.~~

14 (1.5) The right to notice and to a hearing before a
15 court ruling on a request for access to any of the victim's
16 records, information, or communications which are
17 privileged or confidential by law.

18 (1.6) (Blank). ~~Except as otherwise provided in Section~~
19 ~~9.5 of the Criminal Identification Act or Section 3-3013~~
20 ~~of the Counties Code, whenever a person's DNA profile is~~
21 ~~collected due to the person being a victim of a crime, as~~
22 ~~identified by law enforcement, that specific profile~~
23 ~~collected in conjunction with that criminal investigation~~
24 ~~shall not be entered into any DNA database. Nothing in~~
25 ~~this paragraph (1.6) shall be interpreted to contradict~~

1 ~~rules and regulations developed by the Federal Bureau of~~
2 ~~Investigation relating to the National DNA Index System or~~
3 ~~Combined DNA Index System.~~

4 (2) The right to timely notification of all court
5 proceedings. Timely notification shall include 7 days'
6 notice of all court proceedings.

7 (3) The right to communicate with the prosecution.

8 (4) The right to be heard at any post-arraignment
9 court proceeding in which a right of the victim is at issue
10 and any court proceeding involving a post-arraignment
11 release decision, plea, or sentencing.

12 (5) The right to be notified of the conviction, the
13 sentence, the imprisonment, and the release of the
14 accused.

15 (6) The right to the timely disposition of the case
16 following the arrest of the accused.

17 (7) The right to be reasonably protected from the
18 accused through the criminal justice process.

19 (7.5) The right to have the safety of the victim and
20 the victim's family considered in determining whether to
21 release the defendant and setting conditions of release
22 after arrest and conviction.

23 (8) The right to be present at the trial and all other
24 court proceedings on the same basis as the accused, unless
25 the victim is to testify and the court determines that the
26 victim's testimony would be materially affected if the

1 victim hears other testimony at the trial.

2 (9) The right to have present at all court
3 proceedings, including proceedings under the Juvenile
4 Court Act of 1987, subject to the rules of evidence, an
5 advocate and other support person of the victim's choice.

6 (10) The right to restitution.

7 (b) Any law enforcement agency that investigates an
8 offense committed in this State shall provide a crime victim
9 with a written statement and explanation of the rights of
10 crime victims under Public Act 99-413 ~~this amendatory Act of~~
11 ~~the 99th General Assembly~~ within 48 hours of law enforcement's
12 initial contact with a victim. The statement shall include
13 information about crime victim compensation, including how to
14 contact the Office of the Illinois Attorney General to file a
15 claim, and appropriate referrals to local and State programs
16 that provide victim services. The content of the statement
17 shall be provided to law enforcement by the Attorney General.
18 Law enforcement shall also provide a crime victim with a
19 sign-off sheet that the victim shall sign and date as an
20 acknowledgement that he or she has been furnished with
21 information and an explanation of the rights of crime victims
22 and compensation set forth in this Act.

23 (b-5) Upon the request of the victim, the law enforcement
24 agency having jurisdiction shall provide a free copy of the
25 police report concerning the victim's incident, as soon as
26 practicable, but in no event later than 5 business days from

1 the request. Nothing in this subsection shall be interpreted
2 to contradict the requirements of the Juvenile Court Act of
3 1987.

4 (c) The Clerk of the Circuit Court shall post the rights of
5 crime victims set forth in Article I, Section 8.1(a) of the
6 Illinois Constitution and subsection (a) of this Section
7 within 3 feet of the door to any courtroom where criminal
8 proceedings are conducted. The clerk may also post the rights
9 in other locations in the courthouse.

10 (d) At any point, the victim has the right to retain a
11 victim's attorney who may be present during all stages of any
12 interview, investigation, or other interaction with
13 representatives of the criminal justice system. Treatment of
14 the victim should not be affected or altered in any way as a
15 result of the victim's decision to exercise this right.

16 (Source: P.A. 103-792, eff. 1-1-25; 104-173, eff. 1-1-26;
17 104-326, eff. 1-1-26; revised 11-21-25.)

18 (725 ILCS 120/4.5)

19 Sec. 4.5. Procedures to implement the rights of crime
20 victims. To afford crime victims their rights, law
21 enforcement, prosecutors, judges, and corrections will provide
22 information, as appropriate, of the following procedures:

23 (a) At the request of the crime victim, law enforcement
24 authorities investigating the case shall provide notice of the
25 status of the investigation, except where the State's Attorney

1 determines that disclosure of such information would
2 unreasonably interfere with the investigation, until such time
3 as the alleged assailant is apprehended or the investigation
4 is closed.

5 When a person reports being a crime victim, as defined in
6 Section 3, the person shall have the right to be treated with
7 fairness and respect during the investigatory process,
8 including the right to be free from deception, which is the
9 knowing communication of false facts about evidence.

10 (a-5) When law enforcement authorities reopen a closed
11 case to resume investigating, they shall provide notice of the
12 reopening of the case, except where the State's Attorney
13 determines that disclosure of such information would
14 unreasonably interfere with the investigation.

15 (a-6) The Prisoner Review Board shall publish on its
16 official public website and provide to registered victims
17 information regarding how to submit a victim impact statement.
18 The Prisoner Review Board shall consider victim impact
19 statements from any registered victims. Any registered victim,
20 including a person who has had a final, plenary,
21 non-emergency, or emergency protective order granted against
22 the petitioner or parole candidate under Article 112A of the
23 Code of Criminal Procedure of 1963, the Illinois Domestic
24 Violence Act of 1986, the Stalking No Contact Order Act, or the
25 Civil No Contact Order Act, may present victim statements that
26 the Prisoner Review Board shall consider in its deliberations.

1 (b) The office of the State's Attorney:

2 (1) shall provide notice of the filing of an
3 information, the return of an indictment, or the filing of
4 a petition to adjudicate a minor as a delinquent for a
5 violent crime;

6 (2) shall provide 7 days' notice of the date, time,
7 expected purpose, and place of court proceedings; of any
8 change in the date, time, expected purpose, and place of
9 court proceedings; and of any cancellation of court
10 proceedings. For preliminary hearings and hearings
11 regarding pretrial release or that alter the conditions of
12 pretrial release only, if giving the victim 7 days' notice
13 is impossible, fewer days may be timely, so long as the
14 notice is provided as soon as practicable and in advance
15 of the proceeding. Notice shall be provided in sufficient
16 time, wherever possible, for the victim to make
17 arrangements to attend or to prevent an unnecessary
18 appearance at court proceedings;

19 (3) or victim advocate personnel shall provide
20 information of social services and financial assistance
21 available for victims of crime, including information of
22 how to apply for these services and assistance;

23 (3.5) or victim advocate personnel shall provide
24 information about available victim services, including
25 referrals to programs, counselors, and agencies that
26 assist a victim to deal with trauma, loss, and grief;

1 (4) shall assist in having any stolen or other
2 personal property held by law enforcement authorities for
3 evidentiary or other purposes returned as expeditiously as
4 possible, pursuant to the procedures set out in Section
5 115-9 of the Code of Criminal Procedure of 1963;

6 (5) or victim advocate personnel shall provide
7 appropriate employer intercession services to ensure that
8 employers of victims will cooperate with the criminal
9 justice system in order to minimize an employee's loss of
10 pay and other benefits resulting from court appearances;

11 (6) shall provide, whenever possible, a secure waiting
12 area during court proceedings that does not require
13 victims to be in close proximity to defendants or
14 juveniles accused of a violent crime, and their families
15 and friends;

16 (7) shall provide notice to the crime victim of the
17 right to have a translator present at all court
18 proceedings and, in compliance with the federal Americans
19 with Disabilities Act of 1990, the right to communications
20 access through a sign language interpreter or by other
21 means;

22 (8) (blank);

23 (8.5) shall inform the victim of the right to be
24 present at all court proceedings, unless the victim is to
25 testify and the court determines that the victim's
26 testimony would be materially affected if the victim hears

1 other testimony at trial;

2 (9) shall inform the victim of the right to have
3 present at all court proceedings, subject to the rules of
4 evidence and confidentiality, an advocate and other
5 support person of the victim's choice;

6 (9.3) shall inform the victim of the right to retain
7 an attorney, at the victim's own expense, who, upon
8 written notice filed with the clerk of the court and
9 State's Attorney, is to receive copies of all notices,
10 motions, and court orders filed thereafter in the case, in
11 the same manner as if the victim were a named party in the
12 case;

13 (9.5) shall inform the victim of (A) the victim's
14 right under Section 6 of this Act to make a statement at
15 the sentencing hearing; (B) the right of the victim's
16 spouse, guardian, parent, grandparent, and other immediate
17 family and household members under Section 6 of this Act
18 to present a statement at sentencing; and (C) if a
19 presentence report is to be prepared, the right of the
20 victim's spouse, guardian, parent, grandparent, and other
21 immediate family and household members to submit
22 information to the preparer of the presentence report
23 about the effect the offense has had on the victim and the
24 person;

25 (10) at the sentencing shall make a good faith attempt
26 to explain the minimum amount of time during which the

1 defendant may actually be physically imprisoned. The
2 Office of the State's Attorney shall further notify the
3 crime victim of the right to request from the Prisoner
4 Review Board or Department of Juvenile Justice information
5 concerning the release of the defendant;

6 (11) shall request restitution at sentencing and as
7 part of a plea agreement if the victim requests
8 restitution;

9 (12) shall, upon the court entering a verdict of not
10 guilty by reason of insanity, inform the victim of the
11 notification services available from the Department of
12 Human Services, including the statewide telephone number,
13 under subparagraph (d) (2) of this Section;

14 (13) shall provide notice within a reasonable time
15 after receipt of notice from the custodian, of the release
16 of the defendant on pretrial release or personal
17 recognizance or the release from detention of a minor who
18 has been detained;

19 (14) shall explain in nontechnical language the
20 details of any plea or verdict of a defendant, or any
21 adjudication of a juvenile as a delinquent;

22 (15) shall make all reasonable efforts to consult with
23 the crime victim before the Office of the State's Attorney
24 makes an offer of a plea bargain to the defendant or enters
25 into negotiations with the defendant concerning a possible
26 plea agreement, and shall consider the written statement,

1 if prepared prior to entering into a plea agreement. The
2 right to consult with the prosecutor does not include the
3 right to veto a plea agreement or to insist the case go to
4 trial. If the State's Attorney has not consulted with the
5 victim prior to making an offer or entering into plea
6 negotiations with the defendant, the Office of the State's
7 Attorney shall notify the victim of the offer or the
8 negotiations within 2 business days and confer with the
9 victim;

10 (16) shall provide notice of the ultimate disposition
11 of the cases arising from an indictment or an information,
12 or a petition to have a juvenile adjudicated as a
13 delinquent for a violent crime;

14 (17) shall provide notice of any appeal taken by the
15 defendant and information on how to contact the
16 appropriate agency handling the appeal, and how to request
17 notice of any hearing, oral argument, or decision of an
18 appellate court;

19 (18) shall provide timely notice of any request for
20 post-conviction review filed by the defendant under
21 Article 122 of the Code of Criminal Procedure of 1963, and
22 of the date, time and place of any hearing concerning the
23 petition. Whenever possible, notice of the hearing shall
24 be given within 48 hours of the court's scheduling of the
25 hearing;

26 (19) shall forward a copy of any statement presented

1 under Section 6 to the Prisoner Review Board or Department
2 of Juvenile Justice to be considered in making a
3 determination under Section 3-2.5-85 or subsection (b) of
4 Section 3-3-8 of the Unified Code of Corrections;

5 (20) shall, within a reasonable time, offer to meet
6 with the crime victim regarding the decision of the
7 State's Attorney not to charge an offense, and shall meet
8 with the victim, if the victim agrees. The victim has a
9 right to have an attorney, advocate, and other support
10 person of the victim's choice attend this meeting with the
11 victim; and

12 (21) shall give the crime victim timely notice of any
13 decision not to pursue charges and consider the safety of
14 the victim when deciding how to give such notice.

15 (c) The court shall ensure that the rights of the victim
16 are afforded.

17 (c-5) The following procedures shall be followed to afford
18 victims the rights guaranteed by Article I, Section 8.1 of the
19 Illinois Constitution:

20 (1) Written notice. A victim may complete a written
21 notice of victim ~~intent to assert~~ rights on a form
22 prepared by the Office of the Attorney General and
23 provided to the victim by the State's Attorney. The victim
24 may at any time provide a revised written notice to the
25 State's Attorney. The State's Attorney shall file the
26 written notice with the court. At the beginning of any

1 court proceeding in which the right of a victim may be at
2 issue, the court and prosecutor shall review the written
3 notice to determine whether a ~~the~~ victim ~~has asserted the~~
4 right ~~that~~ may be at issue.

5 (2) Victim's retained attorney. A victim's attorney
6 shall file an entry of appearance limited to assertion of
7 the victim's rights. Upon the filing of the entry of
8 appearance and service on the State's Attorney and the
9 defendant, the attorney is to receive copies of all
10 notices, motions and court orders filed thereafter in the
11 case.

12 (3) Standing. The victim has standing to assert the
13 rights enumerated in subsection (a) of Article I, Section
14 8.1 of the Illinois Constitution and the statutory rights
15 under ~~Section 4~~ of this Act in any court exercising
16 jurisdiction over the criminal case. The prosecuting
17 attorney, a victim, or the victim's retained attorney may
18 assert the victim's rights. The defendant in the criminal
19 case has no standing to assert a right of the victim in any
20 court proceeding, including on appeal.

21 (4) Assertion of and enforcement of rights.

22 (A) The prosecuting attorney shall assert a
23 victim's right or request enforcement of a right by
24 filing a motion or by orally asserting the right or
25 requesting enforcement in open court in the criminal
26 case outside the presence of the jury. The prosecuting

1 attorney shall consult with the victim and the
2 victim's attorney regarding the assertion or
3 enforcement of a right. If the prosecuting attorney
4 decides not to assert or enforce a victim's right, the
5 prosecuting attorney shall notify the victim or the
6 victim's attorney in sufficient time to allow the
7 victim or the victim's attorney to assert the right or
8 to seek enforcement of a right.

9 (B) If the prosecuting attorney elects not to
10 assert a victim's right or to seek enforcement of a
11 right, the victim or the victim's attorney may assert
12 the victim's right or request enforcement of a right
13 by filing a motion or by orally asserting the right or
14 requesting enforcement in open court in the criminal
15 case outside the presence of the jury.

16 (C) If the prosecuting attorney asserts a victim's
17 right or seeks enforcement of a right, unless the
18 prosecuting attorney objects or the trial court does
19 not allow it, the victim or the victim's attorney may
20 be heard regarding the prosecuting attorney's motion
21 or may file a simultaneous motion to assert or request
22 enforcement of the victim's right. If the victim or
23 the victim's attorney was not allowed to be heard at
24 the hearing regarding the prosecuting attorney's
25 motion, and the court denies the prosecuting
26 attorney's assertion of the right or denies the

1 request for enforcement of a right, the victim or
2 victim's attorney may file a motion to assert the
3 victim's right or to request enforcement of the right
4 within 10 days of the court's ruling. The motion need
5 not demonstrate the grounds for a motion for
6 reconsideration. The court shall rule on the merits of
7 the motion.

8 (D) The court shall take up and decide any motion
9 or request asserting or seeking enforcement of a
10 victim's right without delay, unless a specific time
11 period is specified by law or court rule. The reasons
12 for any decision denying the motion or request shall
13 be clearly stated on the record.

14 (E) No later than January 1, 2023, the Office of
15 the Attorney General shall:

16 (i) designate an administrative authority
17 within the Office of the Attorney General to
18 receive and investigate complaints relating to the
19 provision or violation of the rights of a crime
20 victim as described in Article I, Section 8.1 of
21 the Illinois Constitution and in this Act;

22 (ii) create and administer a course of
23 training for employees and offices of the State of
24 Illinois that fail to comply with provisions of
25 Illinois law pertaining to the treatment of crime
26 victims as described in Article I, Section 8.1 of

1 the Illinois Constitution and in this Act as
2 required by the court under Section 5 of this Act;
3 and

4 (iii) have the authority to make
5 recommendations to employees and offices of the
6 State of Illinois to respond more effectively to
7 the needs of crime victims, including regarding
8 the violation of the rights of a crime victim.

9 (F) Crime victims' rights may also be asserted by
10 filing a complaint for mandamus, injunctive, or
11 declaratory relief in the jurisdiction in which the
12 victim's right is being violated or where the crime is
13 being prosecuted. For complaints or motions filed by
14 or on behalf of the victim, the clerk of court shall
15 waive filing fees that would otherwise be owed by the
16 victim for any court filing with the purpose of
17 enforcing crime victims' rights. If the court denies
18 the relief sought by the victim, the reasons for the
19 denial shall be clearly stated on the record in the
20 transcript of the proceedings, in a written opinion,
21 or in the docket entry, and the victim may appeal the
22 circuit court's decision to the appellate court. The
23 court shall issue prompt rulings regarding victims'
24 rights. Proceedings seeking to enforce victims' rights
25 shall not be stayed or subject to unreasonable delay
26 via continuances.

1 (5) Violation of rights and remedies.

2 (A) If the court determines that a victim's right
3 has been violated, the court shall determine the
4 appropriate remedy for the violation of the victim's
5 right by hearing from the victim and the parties,
6 considering all factors relevant to the issue, and
7 then awarding appropriate relief to the victim.

8 (A-5) Consideration of an issue of a substantive
9 nature or an issue that implicates the constitutional
10 or statutory right of a victim at a court proceeding
11 labeled as a status hearing shall constitute a per se
12 violation of a victim's right.

13 (B) The appropriate remedy shall include only
14 actions necessary to provide the victim the right to
15 which the victim was entitled. Remedies may include,
16 but are not limited to: injunctive relief requiring
17 the victim's right to be afforded; declaratory
18 judgment recognizing or clarifying the victim's
19 rights; a writ of mandamus; and may include reopening
20 previously held proceedings; however, in no event
21 shall the court vacate a conviction. Any remedy shall
22 be tailored to provide the victim an appropriate
23 remedy without violating any constitutional right of
24 the defendant. In no event shall the appropriate
25 remedy to the victim be a new trial or damages.

26 The court shall impose a mandatory training course

1 provided by the Attorney General for the employee under
2 item (ii) of subparagraph (E) of paragraph (4), which must
3 be successfully completed within 6 months of the entry of
4 the court order.

5 This paragraph (5) takes effect January 2, 2023.

6 (6) Right to be heard. Whenever a victim has the right
7 to be heard, the court shall allow the victim to exercise
8 the right in any reasonable manner the victim chooses.

9 (7) Right to attend trial.

10 (A) A party must file a written motion to exclude a
11 victim from trial at least 60 days prior to the date
12 set for trial. The motion must state with specificity
13 the reason exclusion is necessary to protect a
14 constitutional right of the party, and must contain an
15 offer of proof. The court shall rule on the motion
16 within 30 days. If the motion is granted, the court
17 shall set forth on the record the facts that support
18 its finding that the victim's testimony will be
19 materially affected if the victim hears other
20 testimony at trial.

21 (B) A victim, as defined in Section 3, shall not be
22 excluded from any part of the trial unless the
23 procedure in subparagraph (A) of this paragraph (7)
24 was timely followed.

25 (8) Right to have advocate and support person present
26 at court proceedings.

1 (A) A party who intends to call an advocate as a
2 witness at trial must seek permission of the court
3 before the subpoena is issued. The party must file a
4 written motion at least 90 days before trial that sets
5 forth specifically the issues on which the advocate's
6 testimony is sought and an offer of proof regarding
7 (i) the content of the anticipated testimony of the
8 advocate; and (ii) the relevance, admissibility, and
9 materiality of the anticipated testimony. The court
10 shall consider the motion and make findings within 30
11 days of the filing of the motion. If the court finds by
12 a preponderance of the evidence that: (i) the
13 anticipated testimony is not protected by an absolute
14 privilege; and (ii) the anticipated testimony contains
15 relevant, admissible, and material evidence that is
16 not available through other witnesses or evidence, the
17 court shall issue a subpoena requiring the advocate to
18 appear to testify at an in camera hearing. The
19 prosecuting attorney and the victim shall have 15 days
20 to seek appellate review before the advocate is
21 required to testify at an ex parte in camera
22 proceeding.

23 The prosecuting attorney, the victim, and the
24 advocate's attorney shall be allowed to be present at
25 the ex parte in camera proceeding. If, after
26 conducting the ex parte in camera hearing, the court

1 determines that due process requires any testimony
2 regarding confidential or privileged information or
3 communications, the court shall provide to the
4 prosecuting attorney, the victim, and the advocate's
5 attorney a written memorandum on the substance of the
6 advocate's testimony. The prosecuting attorney, the
7 victim, and the advocate's attorney shall have 15 days
8 to seek appellate review before a subpoena may be
9 issued for the advocate to testify at trial. The
10 presence of the prosecuting attorney at the ex parte
11 in camera proceeding does not make the substance of
12 the advocate's testimony that the court has ruled
13 inadmissible subject to discovery.

14 (B) If a victim has asserted the right to have a
15 support person present at the court proceedings, the
16 victim shall provide the name of the person the victim
17 has chosen to be the victim's support person to the
18 prosecuting attorney, within 60 days of trial. The
19 prosecuting attorney shall provide the name to the
20 defendant. If the defendant intends to call the
21 support person as a witness at trial, the defendant
22 must seek permission of the court before a subpoena is
23 issued. The defendant must file a written motion at
24 least 45 days prior to trial that sets forth
25 specifically the issues on which the support person
26 will testify and an offer of proof regarding: (i) the

1 content of the anticipated testimony of the support
2 person; and (ii) the relevance, admissibility, and
3 materiality of the anticipated testimony.

4 If the prosecuting attorney intends to call the
5 support person as a witness during the State's
6 case-in-chief, the prosecuting attorney shall inform
7 the court of this intent in the response to the
8 defendant's written motion. The victim may choose a
9 different person to be the victim's support person.
10 The court may allow the defendant to inquire about
11 matters outside the scope of the direct examination
12 during cross-examination. If the court allows the
13 defendant to do so, the support person shall be
14 allowed to remain in the courtroom after the support
15 person has testified. A defendant who fails to
16 question the support person about matters outside the
17 scope of direct examination during the State's
18 case-in-chief waives the right to challenge the
19 presence of the support person on appeal. The court
20 shall allow the support person to testify if called as
21 a witness in the defendant's case-in-chief or the
22 State's rebuttal.

23 If the court does not allow the defendant to
24 inquire about matters outside the scope of the direct
25 examination, the support person shall be allowed to
26 remain in the courtroom after the support person has

1 been called by the defendant or the defendant has
2 rested. The court shall allow the support person to
3 testify in the State's rebuttal.

4 If the prosecuting attorney does not intend to
5 call the support person in the State's case-in-chief,
6 the court shall verify with the support person whether
7 the support person, if called as a witness, would
8 testify as set forth in the offer of proof. If the
9 court finds that the support person would testify as
10 set forth in the offer of proof, the court shall rule
11 on the relevance, materiality, and admissibility of
12 the anticipated testimony. If the court rules the
13 anticipated testimony is admissible, the court shall
14 issue the subpoena. The support person may remain in
15 the courtroom after the support person testifies and
16 shall be allowed to testify in rebuttal.

17 If the court excludes the victim's support person
18 during the State's case-in-chief, the victim shall be
19 allowed to choose another support person to be present
20 in court.

21 If the victim fails to designate a support person
22 within 60 days of trial and the defendant has
23 subpoenaed the support person to testify at trial, the
24 court may exclude the support person from the trial
25 until the support person testifies. If the court
26 excludes the support person the victim may choose

1 another person as a support person.

2 (9) Right to notice and hearing before disclosure of
3 confidential or privileged information or records.

4 (A) A defendant who seeks to subpoena testimony or
5 records of or concerning the victim that are
6 confidential or privileged by law must seek permission
7 of the court before the subpoena is issued. The
8 defendant must file a written motion and an offer of
9 proof regarding the relevance, admissibility and
10 materiality of the testimony or records. If the court
11 finds by a preponderance of the evidence that:

12 (i) the testimony or records are not protected
13 by an absolute privilege and

14 (ii) the testimony or records contain
15 relevant, admissible, and material evidence that
16 is not available through other witnesses or
17 evidence, the court shall issue a subpoena
18 requiring the witness to appear in camera or a
19 sealed copy of the records be delivered to the
20 court to be reviewed in camera. If, after
21 conducting an in camera review of the witness
22 statement or records, the court determines that
23 due process requires disclosure of any potential
24 testimony or any portion of the records, the court
25 shall provide copies of the records that it
26 intends to disclose to the prosecuting attorney

1 and the victim. The prosecuting attorney and the
2 victim shall have 30 days to seek appellate review
3 before the records are disclosed to the defendant,
4 used in any court proceeding, or disclosed to
5 anyone or in any way that would subject the
6 testimony or records to public review. The
7 disclosure of copies of any portion of the
8 testimony or records to the prosecuting attorney
9 under this Section does not make the records
10 subject to discovery or required to be provided to
11 the defendant.

12 (B) A prosecuting attorney who seeks to subpoena
13 information or records concerning the victim that are
14 confidential or privileged by law must first request
15 the written consent of the crime victim. If the victim
16 does not provide such written consent, including where
17 necessary the appropriate signed document required for
18 waiving privilege, the prosecuting attorney must serve
19 the subpoena at least 21 days prior to the date a
20 response or appearance is required to allow the
21 subject of the subpoena time to file a motion to quash
22 or request a hearing. The prosecuting attorney must
23 also send a written notice to the victim at least 21
24 days prior to the response date to allow the victim to
25 file a motion or request a hearing. The notice to the
26 victim shall inform the victim (i) that a subpoena has

1 been issued for confidential information or records
2 concerning the victim, (ii) that the victim has the
3 right to request a hearing prior to the response date
4 of the subpoena, and (iii) how to request the hearing.
5 The notice to the victim shall also include a copy of
6 the subpoena. If requested, a hearing regarding the
7 subpoena shall occur before information or records are
8 provided to the prosecuting attorney.

9 (9.5) Except as otherwise provided in Section 9.5 of
10 the Criminal Identification Act or Section 3-3013 of the
11 Counties Code, whenever a person's DNA profile is
12 collected due to the person being a victim of a crime, as
13 identified by law enforcement, that specific profile
14 collected in conjunction with that criminal investigation
15 shall not be entered into any DNA database. Nothing in
16 this paragraph (9.5) shall be interpreted to contradict
17 rules and regulations developed by the Federal Bureau of
18 Investigation relating to the National DNA Index System or
19 Combined DNA Index System.

20 (10) Right to notice of court proceedings. If the
21 victim is not present at a court proceeding in which a
22 right of the victim is at issue, the court shall ask the
23 prosecuting attorney whether the victim was notified of
24 the time, place, and expected purpose of the court
25 proceeding and that the victim had a right to be heard at
26 the court proceeding. If the court determines that timely

1 notice was not given or that the victim was not adequately
2 informed of the expected purpose and procedures ~~nature~~ of
3 the court proceeding, the court shall not rule on any
4 substantive issues, accept a plea, or impose a sentence
5 and shall continue the hearing for the time necessary to
6 notify the victim of the time, place, and expected purpose
7 and procedures ~~nature~~ of the court proceeding. The time
8 between court proceedings shall not be attributable to the
9 State under Section 103-5 of the Code of Criminal
10 Procedure of 1963.

11 (11) Right to timely disposition of the case. A victim
12 has the right to timely disposition of the case so as to
13 minimize the stress, cost, and inconvenience resulting
14 from the victim's involvement in the case. Before ruling
15 on a motion to continue trial or other court proceeding,
16 the court shall inquire into the circumstances for the
17 request for the delay and, if the victim has provided
18 written notice of the assertion of the right to a timely
19 disposition, and whether the victim objects to the delay.
20 If the victim objects, the prosecutor shall inform the
21 court of the victim's objections. If the prosecutor has
22 not conferred with the victim about the continuance, the
23 prosecutor shall inform the court of the attempts to
24 confer. If the court finds the attempts of the prosecutor
25 to confer with the victim were inadequate to protect the
26 victim's right to be heard, the court shall give the

1 prosecutor at least 3 but not more than 5 business days to
2 confer with the victim. In ruling on a motion to continue,
3 the court shall consider the reasons for the requested
4 continuance, the number and length of continuances that
5 have been granted, the victim's objections and procedures
6 to avoid further delays. If a continuance is granted over
7 the victim's objection, the court shall specify on the
8 record the reasons for the continuance and the procedures
9 that have been or will be taken to avoid further delays.

10 (12) Right to Restitution.

11 (A) If the victim has asserted the right to
12 restitution and the amount of restitution is known at
13 the time of sentencing, the court shall enter the
14 judgment of restitution at the time of sentencing.

15 (B) If the victim has asserted the right to
16 restitution and the amount of restitution is not known
17 at the time of sentencing, the prosecutor shall,
18 within 5 days after sentencing, notify the victim what
19 information and documentation related to restitution
20 is needed and that the information and documentation
21 must be provided to the prosecutor within 45 days
22 after sentencing. Failure to timely provide
23 information and documentation related to restitution
24 shall be deemed a waiver of the right to restitution.
25 The prosecutor shall file and serve within 60 days
26 after sentencing a proposed judgment for restitution

1 and a notice that includes information concerning the
2 identity of any victims or other persons seeking
3 restitution, whether any victim or other person
4 expressly declines restitution, the nature and amount
5 of any damages together with any supporting
6 documentation, a restitution amount recommendation,
7 and the names of any co-defendants and their case
8 numbers. Within 30 days after receipt of the proposed
9 judgment for restitution, the defendant shall file any
10 objection to the proposed judgment, a statement of
11 grounds for the objection, and a financial statement.
12 If the defendant does not file an objection, the court
13 may enter the judgment for restitution without further
14 proceedings. If the defendant files an objection and
15 either party requests a hearing, the court shall
16 schedule a hearing.

17 (13) Access to presentence reports.

18 (A) The victim may request a copy of the
19 presentence report prepared under the Unified Code of
20 Corrections from the State's Attorney. The State's
21 Attorney shall redact the following information before
22 providing a copy of the report:

23 (i) the defendant's mental history and
24 condition;

25 (ii) any evaluation prepared under subsection
26 (b) or (b-5) of Section 5-3-2; and

1 (iii) the name, address, phone number, and
2 other personal information about any other victim.

3 (B) The State's Attorney or the defendant may
4 request the court redact other information in the
5 report that may endanger the safety of any person.

6 (C) The State's Attorney may orally disclose to
7 the victim any of the information that has been
8 redacted if there is a reasonable likelihood that the
9 information will be stated in court at the sentencing.

10 (D) The State's Attorney must advise the victim
11 that the victim must maintain the confidentiality of
12 the report and other information. Any dissemination of
13 the report or information that was not stated at a
14 court proceeding constitutes indirect criminal
15 contempt of court.

16 (14) Appellate relief. If the trial court denies the
17 relief requested, the victim, the victim's attorney, or
18 the prosecuting attorney may file an appeal within 30 days
19 of the trial court's ruling. The trial or appellate court
20 may stay the court proceedings if the court finds that a
21 stay would not violate a constitutional right of the
22 defendant. If the appellate court denies the relief
23 sought, the reasons for the denial shall be clearly stated
24 in a written opinion. In any appeal in a criminal case, the
25 State may assert as error the court's denial of any crime
26 victim's right in the proceeding to which the appeal

1 relates.

2 (15) Limitation on appellate relief. In no case shall
3 an appellate court provide a new trial to remedy the
4 violation of a victim's right.

5 (16) The right to be reasonably protected from the
6 accused throughout the criminal justice process and the
7 right to have the safety of the victim and the victim's
8 family considered in determining whether to release the
9 defendant, and setting conditions of release after arrest
10 and conviction. A victim of domestic violence, a sexual
11 offense, or stalking may request the entry of a protective
12 order under Article 112A of the Code of Criminal Procedure
13 of 1963.

14 (d) Procedures after the imposition of sentence.

15 (1) The Prisoner Review Board shall inform a victim or
16 any other concerned citizen, upon written request, of the
17 prisoner's release on parole, mandatory supervised
18 release, electronic detention, work release, international
19 transfer or exchange, or by the custodian, other than the
20 Department of Juvenile Justice, of the discharge of any
21 individual who was adjudicated a delinquent for a crime
22 from State custody and by the sheriff of the appropriate
23 county of any such person's final discharge from county
24 custody. The Prisoner Review Board, upon written request,
25 shall provide to a victim or any other concerned citizen a
26 recent photograph of any person convicted of a felony,

1 upon his or her release from custody. The Prisoner Review
2 Board, upon written request, shall inform a victim or any
3 other concerned citizen when feasible at least 7 days
4 prior to the prisoner's release on furlough of the times
5 and dates of such furlough. Upon written request by the
6 victim or any other concerned citizen, the State's
7 Attorney shall notify the person once of the times and
8 dates of release of a prisoner sentenced to periodic
9 imprisonment. Notification shall be based on the most
10 recent information as to the victim's or other concerned
11 citizen's residence or other location available to the
12 notifying authority.

13 (1.5) The Prisoner Review Board shall notify a victim
14 of a prisoner's pardon, commutation of sentence, release
15 on furlough, or early release from State custody, if the
16 victim has previously requested that notification. The
17 notification shall be based upon the most recent
18 information available to the Board as to the victim's
19 residence or other location. The notification requirement
20 under this paragraph (1.5) is in addition to any
21 notification requirements under any other statewide victim
22 notification systems. The Board shall document its efforts
23 to provide the required notification if a victim alleges
24 lack of notification under this paragraph (1.5).

25 (2) When the defendant has been committed to the
26 Department of Human Services pursuant to Section 5-2-4 or

1 any other provision of the Unified Code of Corrections,
2 the victim may request to be notified by the releasing
3 authority of the approval by the court of an on-grounds
4 pass, a supervised off-grounds pass, an unsupervised
5 off-grounds pass, or conditional release; the release on
6 an off-grounds pass; the return from an off-grounds pass;
7 transfer to another facility; conditional release; escape;
8 death; or final discharge from State custody. The
9 Department of Human Services shall establish and maintain
10 a statewide telephone number to be used by victims to make
11 notification requests under these provisions and shall
12 publicize this telephone number on its website and to the
13 State's Attorney of each county.

14 (3) In the event of an escape from State custody, the
15 Department of Corrections or the Department of Juvenile
16 Justice immediately shall notify the Prisoner Review Board
17 of the escape and the Prisoner Review Board shall notify
18 the victim. The notification shall be based upon the most
19 recent information as to the victim's residence or other
20 location available to the Board. When no such information
21 is available, the Board shall make all reasonable efforts
22 to obtain the information and make the notification. When
23 the escapee is apprehended, the Department of Corrections
24 or the Department of Juvenile Justice immediately shall
25 notify the Prisoner Review Board and the Board shall
26 notify the victim. The notification requirement under this

1 paragraph (3) is in addition to any notification
2 requirements under any other statewide victim notification
3 systems. The Board shall document its efforts to provide
4 the required notification if a victim alleges lack of
5 notification under this paragraph (3).

6 (4) The victim of the crime for which the prisoner has
7 been sentenced has the right to register with the Prisoner
8 Review Board's victim registry. Victims registered with
9 the Board shall receive reasonable written notice not less
10 than 30 days prior to the parole hearing or target
11 aftercare release date. The victim has the right to submit
12 a victim statement for consideration by the Prisoner
13 Review Board or the Department of Juvenile Justice in
14 writing, on film, videotape, or other electronic means, or
15 in the form of a recording prior to the parole hearing or
16 target aftercare release date, or in person at the parole
17 hearing or aftercare release protest hearing, or by
18 calling the toll-free number established in subsection (f)
19 of this Section. The victim shall be notified within 7
20 days after the prisoner has been granted parole or
21 aftercare release and shall be informed of the right to
22 inspect the registry of parole decisions, established
23 under subsection (g) of Section 3-3-5 of the Unified Code
24 of Corrections. The provisions of this paragraph (4) are
25 subject to the Open Parole Hearings Act. Victim statements
26 provided to the Board shall be confidential and

1 privileged, including any statements received prior to
2 January 1, 2020 (the effective date of Public Act
3 101-288), except if the statement was an oral statement
4 made by the victim at a hearing open to the public.

5 (4-1) The crime victim, including any person who has
6 had a final, plenary, non-emergency, or emergency
7 protective order granted against the petitioner or parole
8 candidate under Article 112A of the Code of Criminal
9 Procedure of 1963, the Illinois Domestic Violence Act of
10 1986, the Stalking No Contact Order Act, or the Civil No
11 Contact Order Act, has the right to submit a victim
12 statement, in support or opposition, for consideration by
13 the Prisoner Review Board or the Department of Juvenile
14 Justice prior to or at a hearing to determine the
15 conditions of mandatory supervised release of a person
16 sentenced to a determinate sentence or at a hearing on
17 revocation of mandatory supervised release of a person
18 sentenced to a determinate sentence. A victim statement
19 may be submitted in writing, on film, videotape, or other
20 electronic means, or in the form of a recording, or orally
21 at a hearing, or by calling the toll-free number
22 established in subsection (f) of this Section. Victim
23 statements provided to the Board shall be confidential and
24 privileged, including any statements received prior to
25 January 1, 2020 (the effective date of Public Act
26 101-288), except if the statement was an oral statement

1 made by the victim at a hearing open to the public.

2 (4-2) The crime victim, including any person who has
3 had a final, plenary, non-emergency, or emergency
4 protective order granted against the petitioner or parole
5 candidate under Article 112A of the Code of Criminal
6 Procedure of 1963, the Illinois Domestic Violence Act of
7 1986, the Stalking No Contact Order Act, or the Civil No
8 Contact Order Act, has the right to submit a victim
9 statement, in support or opposition, to the Prisoner
10 Review Board for consideration at an executive clemency
11 hearing as provided in Section 3-3-13 of the Unified Code
12 of Corrections. A victim statement may be submitted in
13 writing, on film, videotape, or other electronic means, or
14 in the form of a recording prior to a hearing, or orally at
15 a hearing, or by calling the toll-free number established
16 in subsection (f) of this Section. Victim statements
17 provided to the Board shall be confidential and
18 privileged, including any statements received prior to
19 January 1, 2020 (the effective date of Public Act
20 101-288), except if the statement was an oral statement
21 made by the victim at a hearing open to the public.

22 (5) If a statement is presented under Section 6, the
23 Prisoner Review Board or Department of Juvenile Justice
24 shall inform the victim of any order of discharge pursuant
25 to Section 3-2.5-85 or 3-3-8 of the Unified Code of
26 Corrections.

1 (6) At the written or oral request of the victim of the
2 crime for which the prisoner was sentenced or the State's
3 Attorney of the county where the person seeking parole or
4 aftercare release was prosecuted, the Prisoner Review
5 Board or Department of Juvenile Justice shall notify the
6 victim and the State's Attorney of the county where the
7 person seeking parole or aftercare release was prosecuted
8 of the death of the prisoner if the prisoner died while on
9 parole or aftercare release or mandatory supervised
10 release.

11 (7) When a defendant who has been committed to the
12 Department of Corrections, the Department of Juvenile
13 Justice, or the Department of Human Services is released
14 or discharged and subsequently committed to the Department
15 of Human Services as a sexually violent person and the
16 victim had requested to be notified by the releasing
17 authority of the defendant's discharge, conditional
18 release, death, or escape from State custody, the
19 releasing authority shall provide to the Department of
20 Human Services such information that would allow the
21 Department of Human Services to contact the victim.

22 (8) When a defendant has been convicted of a sex
23 offense as defined in Section 2 of the Sex Offender
24 Registration Act and has been sentenced to the Department
25 of Corrections or the Department of Juvenile Justice, the
26 Prisoner Review Board or the Department of Juvenile

1 Justice shall notify the victim of the sex offense of the
2 prisoner's eligibility for release on parole, aftercare
3 release, mandatory supervised release, electronic
4 detention, work release, international transfer or
5 exchange, or by the custodian of the discharge of any
6 individual who was adjudicated a delinquent for a sex
7 offense from State custody and by the sheriff of the
8 appropriate county of any such person's final discharge
9 from county custody. The notification shall be made to the
10 victim at least 30 days, whenever possible, before release
11 of the sex offender.

12 (e) (Blank). ~~The officials named in this Section may~~
13 ~~satisfy some or all of their obligations to provide notices~~
14 ~~and other information through participation in a statewide~~
15 ~~victim and witness notification system established by the~~
16 ~~Attorney General under Section 8.5 of this Act.~~

17 (f) The Prisoner Review Board shall establish a toll-free
18 number that may be accessed by the crime victim to present a
19 victim statement to the Board in accordance with paragraphs
20 (4), (4-1), and (4-2) of subsection (d). The Prisoner Review
21 Board shall provide registered and identified victims with the
22 contact information for the State victim assistance hotline as
23 part of its process to obtain a victim witness statement and as
24 part of its notification.

25 (g) The Prisoner Review Board shall publish on its
26 official website, and provide to registered victims,

1 procedural information on how to submit victim statements.

2 (Source: P.A. 104-11, eff. 6-20-25; 104-173, eff. 1-1-26;
3 revised 11-21-25.)

4 (725 ILCS 120/8.5)

5 Sec. 8.5. Statewide victim and witness notification
6 system.

7 (a) The Attorney General may establish a crime victim and
8 witness notification system to assist public officials in
9 carrying out their duties to notify and inform crime victims
10 and witnesses under Section 4.5 of this Act or under
11 subsections (a), (a-2), and (a-3) of Section 120 of the Sex
12 Offender Community Notification Law. The system shall download
13 necessary information from participating officials into its
14 computers, where it shall be maintained, updated, and
15 automatically transmitted to victims and witnesses by
16 telephone, computer, written notice, SMS text message, or
17 other electronic means. ~~The Attorney General may establish a~~
18 ~~crime victim and witness notification system to assist public~~
19 ~~officials in carrying out their duties to notify and inform~~
20 ~~crime victims and witnesses under Section 4.5 of this Act or~~
21 ~~under subsections (a), (a-2), and (a-3) of Section 120 of the~~
22 ~~Sex Offender Community Notification Law. The system shall~~
23 ~~download necessary information from participating officials~~
24 ~~into its computers, where it shall be maintained, updated, and~~
25 ~~automatically transmitted to victims and witnesses by~~

1 ~~telephone, computer, written notice, SMS text message, or~~
2 ~~other electronic means.~~

3 (b) The Illinois Department of Corrections, the Department
4 of Juvenile Justice, the Department of Human Services, and the
5 Prisoner Review Board shall cooperate with the Attorney
6 General in the implementation of this Section and shall
7 provide information as necessary to the effective operation of
8 the system. ~~The Illinois Department of Corrections, the~~
9 ~~Department of Juvenile Justice, the Department of Human~~
10 ~~Services, and the Prisoner Review Board shall cooperate with~~
11 ~~the Attorney General in the implementation of this Section and~~
12 ~~shall provide information as necessary to the effective~~
13 ~~operation of the system.~~

14 (c) State's Attorneys, circuit court clerks, and local law
15 enforcement and correctional authorities may enter into
16 agreements with the Attorney General for participation in the
17 system. The Attorney General may provide those who elect to
18 participate with the equipment, software, or training
19 necessary to bring their offices into the system. ~~State's~~
20 ~~attorneys, circuit court clerks, and local law enforcement and~~
21 ~~correctional authorities may enter into agreements with the~~
22 ~~Attorney General for participation in the system. The Attorney~~
23 ~~General may provide those who elect to participate with the~~
24 ~~equipment, software, or training necessary to bring their~~
25 ~~offices into the system.~~

26 (d) The provision of information to crime victims and

1 witnesses through the Attorney General's notification system
2 satisfies a given State or local official's corresponding
3 obligation to provide the information. ~~The provision of~~
4 ~~information to crime victims and witnesses through the~~
5 ~~Attorney General's notification system satisfies a given State~~
6 ~~or local official's corresponding obligation to provide the~~
7 ~~information.~~

8 (e) The Attorney General may provide for telephonic,
9 electronic, or other public access to the database established
10 under this Section. ~~The Attorney General may provide for~~
11 ~~telephonic, electronic, or other public access to the database~~
12 ~~established under this Section.~~

13 (f) (Blank).

14 (g) (Blank). ~~There is established in the Office of the~~
15 ~~Attorney General a Crime Victim and Witness Notification~~
16 ~~Advisory Committee consisting of those victims advocates,~~
17 ~~sheriffs, State's Attorneys, circuit court clerks, Illinois~~
18 ~~Department of Corrections, the Department of Juvenile Justice,~~
19 ~~and Prisoner Review Board employees that the Attorney General~~
20 ~~chooses to appoint. The Attorney General shall designate one~~
21 ~~member to chair the Committee.~~

22 ~~(1) The Committee shall consult with and advise the~~
23 ~~Attorney General as to the exercise of the Attorney~~
24 ~~General's authority under this Section, including, but not~~
25 ~~limited to:~~

26 ~~(i) the design, scope, and operation of the~~

1 ~~notification system;~~

2 ~~(ii) the content of any rules adopted to implement~~
3 ~~this Section;~~

4 ~~(iii) the procurement of hardware, software, and~~
5 ~~support for the system, including choice of supplier~~
6 ~~or operator; and~~

7 ~~(iv) the acceptance of agreements with and the~~
8 ~~award of equipment, software, or training to officials~~
9 ~~that seek to participate in the system.~~

10 ~~(2) The Committee shall review the status and~~
11 ~~operation of the system and report any findings and~~
12 ~~recommendations for changes to the Attorney General and~~
13 ~~the General Assembly by November 1 of each year.~~

14 ~~(3) The members of the Committee shall receive no~~
15 ~~compensation for their services as members of the~~
16 ~~Committee, but may be reimbursed for their actual expenses~~
17 ~~incurred in serving on the Committee.~~

18 (h) (Blank). ~~The Attorney General shall not release the~~
19 ~~names, addresses, phone numbers, personal identification~~
20 ~~numbers, or email addresses of any person registered to~~
21 ~~receive notifications to any other person except State or~~
22 ~~local officials using the notification system to satisfy the~~
23 ~~official's obligation to provide the information. The Attorney~~
24 ~~General may grant limited access to the Automated Victim~~
25 ~~Notification system (AVN) to law enforcement, prosecution, and~~
26 ~~other agencies that provide service to victims of violent~~

1 ~~crime to assist victims in enrolling and utilizing the AVN~~
2 ~~system.~~

3 (i) (Blank). ~~The Attorney General shall conduct an~~
4 ~~internal review of the witness notification system to review~~
5 ~~timely notice to victims and witnesses throughout the State~~
6 ~~and shall make recommendations to the General Assembly for~~
7 ~~improvements in the procedures and technologies used in the~~
8 ~~system. The Attorney General shall submit the recommendations~~
9 ~~to the General Assembly on or before July 1, 2026.~~

10 (Source: P.A. 104-11, eff. 6-20-25.)

11 Section 20. The Sexually Violent Persons Commitment Act is
12 amended by changing Section 75 as follows:

13 (725 ILCS 207/75)

14 Sec. 75. Notice concerning conditional release, discharge,
15 escape, death, or court-ordered change in the custody status
16 of a detainee or civilly committed sexually violent person.

17 (a) As used in this Section, the term:

18 (1) "Act of sexual violence" means an act or attempted
19 act that is a basis for an allegation made in a petition
20 under paragraph (b) (1) of Section 15 of this Act.

21 (2) "Member of the family" means spouse, child,
22 sibling, parent, or legal guardian.

23 (3) "Victim" means a person against whom an act of
24 sexual violence has been committed.

1 (b) If the court places a civilly committed sexually
2 violent person on conditional release under Section 40 or 60
3 of this Act or discharges a person under Section 65, or if a
4 detainee or civilly committed sexually violent person escapes,
5 dies, or is subject to any court-ordered change in custody
6 status of the detainee or sexually violent person, the
7 Department shall make a reasonable attempt, if he or she can be
8 found, to notify all of the following who have requested
9 notification under this Act or under the Rights of Crime
10 Victims and Witnesses Act and may utilize the statewide victim
11 and witness notification system to notify:

12 (1) Whichever of the following persons is appropriate
13 in accordance with the provisions of subsection (a) (3):

14 (A) The victim of the act of sexual violence.

15 (B) An adult member of the victim's family, if the
16 victim died as a result of the act of sexual violence.

17 (C) The victim's parent or legal guardian, if the
18 victim is younger than 18 years old.

19 (2) The Department of Corrections or the Department of
20 Juvenile Justice.

21 (c) The notice under subsection (b) of this Section shall
22 inform the Department of Corrections or the Department of
23 Juvenile Justice and the person notified under paragraph
24 (b) (1) of this Section of the name of the person committed
25 under this Act and the date the person is placed on conditional
26 release, discharged, or if a detainee or civilly committed

1 sexually violent person escapes, dies, or is subject to any
2 court-ordered change in the custody status of the detainee or
3 sexually violent person. The Department shall send the notice,
4 postmarked within one business day of the court order
5 requiring the preparation of a conditional release plan under
6 paragraph (b) (3) of Section 40 or subsection (f) of Section 60
7 and another notice postmarked within one business day of the
8 court order approving the conditional release, discharge, or
9 any court-ordered change in the custody status of the detainee
10 or sexually violent person, unless unusual circumstances do
11 not permit advance written notification, or immediately if a
12 detainee or civilly committed sexually violent person escapes
13 or dies, to the Department of Corrections or the Department of
14 Juvenile Justice and the last-known address of the person
15 notified under paragraph (b) (1) of this Section.

16 (d) The Department shall make available to ~~design and~~
17 ~~prepare cards for~~ persons specified in paragraph (b) (1) of
18 this Section information about how to register for
19 notifications through the statewide victim and witness
20 notification system ~~to send to the Department. The cards shall~~
21 ~~have space for these persons to provide their names and~~
22 ~~addresses, the name of the person committed under this Act and~~
23 ~~any other information the Department determines is necessary.~~
24 ~~The Department shall provide the cards, without charge, to the~~
25 ~~Attorney General and State's Attorneys. The Attorney General~~
26 ~~and State's Attorneys shall provide the cards, without charge,~~

1 ~~to persons specified in paragraph (b) (1) of this Section.~~
2 ~~These persons may send completed cards to the Department. All~~
3 ~~records or portions of records of the Department that relate~~
4 ~~to mailing addresses of these persons are not subject to~~
5 ~~inspection or copying under Section 3 of the Freedom of~~
6 ~~Information Act.~~

7 (Source: P.A. 99-299, eff. 8-6-15.)

8 Section 25. The Address Confidentiality for Victims of
9 Domestic Violence, Sexual Assault, Human Trafficking, or
10 Stalking Act is amended by changing Sections 10, 15, 20, 25,
11 30, 35, and 40 as follows:

12 (750 ILCS 61/10)

13 Sec. 10. Definitions. In this Act, unless the context
14 otherwise requires:

15 "Confidential address" means the Illinois residential
16 street address of an individual that is not to be disclosed.

17 "Substitute address" means the address assigned to a
18 program participant by the Address Confidentiality Program.

19 ~~"Address" means a residential street address, school~~
20 ~~address, or work address of an individual, as specified on the~~
21 ~~individual's application to be a program participant under~~
22 ~~this Act.~~

23 "Program participant" means a person certified as a
24 program participant under this Act.

1 "Household member" means an individual residing at the
2 same Illinois residential street address as a program
3 participant who is the victim of domestic violence, sexual
4 assault, human trafficking, or stalking.

5 "Eligible person" means a person 18 years of age or older
6 who is the victim of domestic violence, sexual assault, human
7 trafficking, or stalking; the parent or guardian of a minor or
8 disabled adult who is a victim of domestic violence, sexual
9 assault, human trafficking, or stalking; or a household member
10 of a victim of domestic violence, sexual assault, human
11 trafficking, or stalking.

12 "Domestic violence" has the same meaning as in the
13 Illinois Domestic Violence Act of 1986 and includes a threat
14 of domestic violence against an individual in a domestic
15 situation, regardless of whether the domestic violence or
16 threat has been reported to law enforcement officers.

17 "Human trafficking" means the practices set forth in
18 subsection (b), (c), or (d) of Section 10-9 of the Criminal
19 Code of 2012, regardless of whether the victim has reported
20 the trafficking to law enforcement officers.

21 "Sexual assault" has the same meaning as sexual conduct or
22 sexual penetration as defined in the Civil No Contact Order
23 Act. "Sexual assault" includes a threat of sexual assault,
24 regardless of whether the sexual assault or threat has been
25 reported to law enforcement officers.

26 "Stalking" has the same meaning as in the Stalking No

1 Contact Order Act. "Stalking" includes a threat of stalking,
2 regardless of whether the stalking or threat has been reported
3 to law enforcement officers.

4 (Source: P.A. 101-270, eff. 1-1-21; 102-292, eff. 1-1-22.)

5 (750 ILCS 61/15)

6 Sec. 15. Address confidentiality program; application;
7 certification.

8 (a) An eligible applicant, as defined by this Section, ~~An~~
9 ~~adult person, a parent or guardian acting on behalf of a minor,~~
10 ~~or a guardian acting on behalf of a person with a disability,~~
11 ~~as defined in Article 11a of the Probate Act of 1975,~~ may apply
12 to the Attorney General to have an address designated by the
13 Attorney General serve as the person's address or the address
14 of the minor or person with a disability. The Attorney General
15 shall approve an application if it is filed in the manner and
16 on the form prescribed by him or her and if it contains:

17 (1) a sworn statement by the applicant that the
18 applicant has good reason to believe (i) that the
19 applicant, or the minor or person with a disability on
20 whose behalf the application is made, is a victim of
21 domestic violence, sexual assault, human trafficking, or
22 stalking; or and (ii) the applicant is a household member
23 of a program participant; ~~that the applicant fears for his~~
24 ~~or her safety or his or her children's safety, or the~~
25 ~~safety of the minor or person with a disability on whose~~

1 ~~behalf the application is made;~~

2 (1.3) a sworn statement that the applicant fears for
3 the applicant's safety or the applicant's children's
4 safety, or the safety of the minor or person with a
5 disability on whose behalf the application is made, or the
6 safety of a household member;

7 (1.5) an explanation supporting the statements made
8 under subsections (1) and (1.3);

9 (2) a designation of the Attorney General as agent for
10 purposes of service of process and receipt of mail;

11 (3) an Illinois ~~a State~~ mailing address where the
12 applicant can be contacted by the Attorney General, and
13 the phone number or numbers where the applicant can be
14 called by the Attorney General;

15 (3.5) proof of an Illinois ~~a State~~ residential street
16 address where the applicant resides or a signed statement
17 affirming the applicant's status as homeless in Illinois
18 indicating that the applicant will be moving to an
19 Illinois residential street address within 30 days ~~this~~
20 ~~State;~~

21 (4) the new Illinois residential street address
22 "confidential address" ~~address or addresses~~ that the
23 applicant requests not be disclosed for the reason that
24 disclosure will increase the risk of domestic violence,
25 sexual assault, human trafficking, or stalking; and

26 (5) the signature of the applicant and of any

1 individual or representative of any office designated in
2 writing under Section 40 of this Act who assisted in the
3 preparation of the application, and the date on which the
4 applicant signed the application.

5 (a-1) For applicants applying on behalf of a minor or
6 person with a disability, the Attorney General may request
7 proof of guardianship, as defined in Article 11a of the
8 Probate Act of 1975, or proof of legal custody, as defined in
9 Section 10-20.12b of the School Code, before certifying a
10 minor or person with a disability as a program participant.

11 (b) Applications shall be filed with the office of the
12 Attorney General.

13 (c) Upon filing a properly completed application, the
14 Attorney General shall certify the applicant as a program
15 participant. Applicants shall be certified for 4 years
16 following the date of filing unless the certification is
17 withdrawn or invalidated before that date. A participant whose
18 certification has not been withdrawn or cancelled may reapply
19 to the Address Confidentiality Program to renew the
20 applicant's certification for an additional 4 years. ~~The~~
21 ~~Attorney General shall by rule establish a renewal procedure.~~

22 (d) A person who falsely attests in an application that
23 disclosure of the applicant's confidential address would
24 endanger the applicant's safety or the safety of the
25 applicant's children or the minor or disabled ~~incapacitated~~
26 person on whose behalf the application is made, or the safety

1 of a household member, or who knowingly provides false or
2 incorrect information upon making an application, is guilty of
3 a Class 3 felony.

4 (Source: P.A. 101-270, eff. 1-1-21; 102-292, eff. 1-1-22.)

5 (750 ILCS 61/20)

6 Sec. 20. Certification cancellation.

7 (a) If the program participant obtains a legal change of
8 identity to a new, unassociated name ~~a name change,~~ the
9 applicant loses ~~he or she loses~~ certification as a program
10 participant.

11 (b) The Attorney General may cancel a program
12 participant's certification if:

13 (1) a program participant fails to provide the
14 Attorney General with 7 days' notice before ~~there is~~ a
15 change in the confidential residential street address,
16 phone number, or legal name, from the one listed on the
17 application; ~~unless the program participant provides the~~
18 ~~Attorney General within 7 days notice before the change of~~
19 ~~address.~~

20 (2) mail forwarded by the Attorney General to the
21 program participant's confidential address is returned as
22 nondeliverable;

23 (3) a program participant fails to file a new
24 application within 30 days after becoming 18 years of age;

25 (4) a program participant is unable or unwilling to

1 maintain the confidentiality of the program participant's
2 confidential address;

3 (5) a program participant fails to respond to the
4 program's request for verification of the participant's
5 residential address within 7 days; or

6 (6) a program participant is no longer an eligible
7 person as defined in Section 10.

8 (c) A person whose certification is cancelled for any
9 reason listed in subsections (a) or (b) may reapply to the
10 program at any time after the person's certification has been
11 cancelled. ~~The Attorney General may cancel certification of a~~
12 ~~program participant if mail forwarded by the Attorney General~~
13 ~~to the program participant's address is returned as~~
14 ~~nondeliverable.~~

15 (d) The Attorney General shall cancel certification of a
16 program participant who applies using false information.

17 (e) If a program participant loses certification or the
18 certification is cancelled, mail addressed to the former
19 program participant must be returned to the sender.

20 (Source: P.A. 91-494, eff. 1-1-00.)

21 (750 ILCS 61/25)

22 Sec. 25. Agency use of designated address.

23 (a) A program participant may request that State and local
24 agencies use the substitute address designated by the Attorney
25 General as the program participant's ~~his or her~~ address. When

1 creating a new public record, State and local agencies shall
2 accept the address designated by the Attorney General as a
3 program participant's substitute address, unless the Attorney
4 General has determined that:

5 (1) the agency has a bona fide statutory or
6 administrative requirement for the use of the address that
7 would otherwise be confidential under this Act; and

8 (2) this address will be used only for those statutory
9 and administrative purposes.

10 (b) A program participant may use the substitute address
11 ~~address designated by the Attorney General~~ as the program
12 participant's ~~his or her~~ work address.

13 (c) The office of the Attorney General shall forward only
14 ~~all~~ first class mail to the appropriate program participants
15 within 7 business days. Mail for cancelled participants or
16 mail that cannot be forwarded within 7 business days shall be
17 returned to sender. Program participants who withdraw from the
18 program may provide a new mailing address and request to have
19 mail forwarded for 30 days following their withdrawal.

20 (Source: P.A. 91-494, eff. 1-1-00.)

21 (750 ILCS 61/30)

22 Sec. 30. Voting by program participant; use of designated
23 address by election authority.

24 (a) A program participant who is otherwise qualified to
25 vote may register to vote by submitting an Illinois Address

1 Confidentiality Program Voter Registration Application created
2 by the State Board of Elections to the appropriate election
3 authority. The State Board of Elections shall adopt rules to
4 ensure the integrity of the voting process and the
5 confidentiality of the program participant. Upon request, the
6 election authority shall transmit the vote by mail ballot to
7 the program participant at the address designated by the
8 participant in the applicant's ~~his or her~~ application. Neither
9 the name nor the address of a program participant shall be
10 included in any list of registered voters available to the
11 public.

12 (b) The election authority may not make the participant's
13 address contained in voter registration records available for
14 public inspection or copying except under the following
15 circumstances:

16 (1) if requested by a law enforcement agency, to the
17 law enforcement agency; and

18 (2) if directed by a court order, to a person
19 identified in the order.

20 (Source: P.A. 102-292, eff. 1-1-22.)

21 (750 ILCS 61/35)

22 Sec. 35. Disclosure of address prohibited; exceptions. The
23 Attorney General may not make a program participant's
24 confidential address, ~~other than the address designated by the~~
25 ~~Attorney General,~~ available for inspection or copying, except

1 under the following circumstances:

2 (a) if requested by a law enforcement agency, to the
3 law enforcement agency;

4 (b) if directed by a court order, to a person
5 identified in the order; and

6 (c) (blank).

7 A program participant's address and phone number on file
8 with the Attorney General are not subject to disclosure under
9 the Freedom of Information Act.

10 (Source: P.A. 102-292, eff. 1-1-22.)

11 (750 ILCS 61/40)

12 Sec. 40. Assistance for program applicants. The Attorney
13 General may ~~shall~~ designate State and local agencies and
14 nonprofit agencies that provide counseling and shelter
15 services to victims of domestic violence, sexual assault,
16 human trafficking, or stalking to assist persons applying to
17 be program participants. Any assistance and counseling
18 rendered by the office of the Attorney General or its
19 designees to applicants shall in no way be construed as legal
20 advice.

21 (Source: P.A. 101-270, eff. 1-1-21; 102-292, eff. 1-1-22.)

22 Section 99. Effective date. This Act takes effect January
23 1, 2027, except as follows: (i) the changes to Section 2 of the
24 Sexual Assault Survivors Emergency Treatment Act take effect

1 June 1, 2027; (ii) the changes to Section 8.5 of the Rights of
2 Crime Victims and Witnesses Act take effect July 1, 2026; and
3 (iii) this Section takes effect July 1, 2026.".