

1 AN ACT concerning government.

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

4 Section 5. The Criminal Identification Act is amended by
5 changing Section 2.1 as follows:

6 (20 ILCS 2630/2.1) (from Ch. 38, par. 206-2.1)

7 (Text of Section before amendment by P.A. 104-459)

8 Sec. 2.1. For the purpose of maintaining complete and
9 accurate criminal records of the Illinois State Police, it is
10 necessary for all policing bodies of this State, the clerk of
11 the circuit court, the Illinois Department of Corrections, the
12 sheriff of each county, and State's Attorney of each county to
13 submit certain criminal arrest, charge, and disposition
14 information to the Illinois State Police for filing at the
15 earliest time possible. Unless otherwise noted herein, it
16 shall be the duty of all policing bodies of this State, the
17 clerk of the circuit court, the Illinois Department of
18 Corrections, the sheriff of each county, and the State's
19 Attorney of each county to report such information as provided
20 in this Section, both in the form and manner required by the
21 Illinois State Police and within 30 days of the criminal
22 history event. Specifically:

23 (a) Arrest Information. All agencies making arrests

1 for offenses which are required by statute to be
2 collected, maintained or disseminated by the Illinois
3 State Police shall be responsible for furnishing daily to
4 the Illinois State Police fingerprints, charges and
5 descriptions of all persons who are arrested for such
6 offenses. All such agencies shall also notify the Illinois
7 State Police of all decisions by the arresting agency not
8 to refer such arrests for prosecution. With approval of
9 the Illinois State Police, an agency making such arrests
10 may enter into arrangements with other agencies for the
11 purpose of furnishing daily such fingerprints, charges and
12 descriptions to the Illinois State Police upon its behalf.

13 (a-5) Pretrial Services Information. With the approval
14 of the Illinois State Police, pretrial services agencies,
15 as defined in Section 0.02 of the Pretrial Services Act,
16 may furnish fingerprints, charges, and descriptions to the
17 Illinois State Police in the same manner as agencies
18 making arrests under subsection (a).

19 (b) Charge Information. The State's Attorney of each
20 county shall notify the Illinois State Police of all
21 charges filed and all petitions filed alleging that a
22 minor is delinquent, including all those added subsequent
23 to the filing of a case, and whether charges were not filed
24 in cases for which the Illinois State Police has received
25 information required to be reported pursuant to paragraph
26 (a) of this Section. With approval of the Illinois State

1 Police, the State's Attorney may enter into arrangements
2 with other agencies for the purpose of furnishing the
3 information required by this subsection (b) to the
4 Illinois State Police upon the State's Attorney's behalf.

5 (c) Disposition Information. The clerk of the circuit
6 court of each county shall furnish the Illinois State
7 Police, in the form and manner required by the Supreme
8 Court, with all final dispositions of cases for which the
9 Illinois State Police has received information required to
10 be reported pursuant to paragraph (a) or (d) of this
11 Section. Such information shall include, for each charge,
12 all (1) judgments of not guilty, judgments of guilty
13 including the sentence pronounced by the court with
14 statutory citations to the relevant sentencing provision,
15 findings that a minor is delinquent and any sentence made
16 based on those findings, discharges and dismissals in the
17 court; (2) reviewing court orders filed with the clerk of
18 the circuit court which reverse or remand a reported
19 conviction or findings that a minor is delinquent or that
20 vacate or modify a sentence or sentence made following a
21 trial that a minor is delinquent; (3) continuances to a
22 date certain in furtherance of an order of supervision
23 granted under Section 5-6-1 of the Unified Code of
24 Corrections or an order of probation granted under Section
25 10 of the Cannabis Control Act, Section 410 of the
26 Illinois Controlled Substances Act, Section 70 of the

1 Methamphetamine Control and Community Protection Act,
2 Section 12-4.3 or subdivision (b) (1) of Section 12-3.05 of
3 the Criminal Code of 1961 or the Criminal Code of 2012,
4 Section 10-102 of the Illinois Alcoholism and Other Drug
5 Dependency Act, Section 40-10 of the Substance Use
6 Disorder Act, Section 10 of the Steroid Control Act, or
7 Section 5-615 of the Juvenile Court Act of 1987; (4)
8 judgments or court orders terminating or revoking a
9 sentence to or juvenile disposition of probation,
10 supervision or conditional discharge and any resentencing
11 or new court orders entered by a juvenile court relating
12 to the disposition of a minor's case involving delinquency
13 after such revocation; and (5) in any case in which a
14 firearm is alleged to have been used in the commission of
15 an offense, the serial number of any firearm involved in
16 the case, or if the serial number was obliterated, as
17 provided by the State's Attorney to the clerk of the
18 circuit court at the time of disposition.

19 (d) Fingerprints After Sentencing.

20 (1) After the court pronounces sentence, sentences
21 a minor following a trial in which a minor was found to
22 be delinquent or issues an order of supervision or an
23 order of probation granted under Section 10 of the
24 Cannabis Control Act, Section 410 of the Illinois
25 Controlled Substances Act, Section 70 of the
26 Methamphetamine Control and Community Protection Act,

1 Section 12-4.3 or subdivision (b)(1) of Section
2 12-3.05 of the Criminal Code of 1961 or the Criminal
3 Code of 2012, Section 10-102 of the Illinois
4 Alcoholism and Other Drug Dependency Act, Section
5 40-10 of the Substance Use Disorder Act, Section 10 of
6 the Steroid Control Act, or Section 5-615 of the
7 Juvenile Court Act of 1987 for any offense which is
8 required by statute to be collected, maintained, or
9 disseminated by the Illinois State Police, the State's
10 Attorney of each county shall ask the court to order a
11 law enforcement agency to fingerprint immediately all
12 persons appearing before the court who have not
13 previously been fingerprinted for the same case. The
14 court shall so order the requested fingerprinting, if
15 it determines that any such person has not previously
16 been fingerprinted for the same case. The law
17 enforcement agency shall submit such fingerprints to
18 the Illinois State Police daily.

19 (2) After the court pronounces sentence or makes a
20 disposition of a case following a finding of
21 delinquency for any offense which is not required by
22 statute to be collected, maintained, or disseminated
23 by the Illinois State Police, the prosecuting attorney
24 may ask the court to order a law enforcement agency to
25 fingerprint immediately all persons appearing before
26 the court who have not previously been fingerprinted

1 for the same case. The court may so order the requested
2 fingerprinting, if it determines that any so sentenced
3 person has not previously been fingerprinted for the
4 same case. The law enforcement agency may retain such
5 fingerprints in its files.

6 (e) Corrections Information. The Illinois Department
7 of Corrections and the sheriff of each county shall
8 furnish the Illinois State Police with all information
9 concerning the receipt, escape, execution, death, release,
10 pardon, parole, commutation of sentence, granting of
11 executive clemency or discharge of an individual who has
12 been sentenced or committed to the agency's custody for
13 any offenses which are mandated by statute to be
14 collected, maintained or disseminated by the Illinois
15 State Police. For an individual who has been charged with
16 any such offense and who escapes from custody or dies
17 while in custody, all information concerning the receipt
18 and escape or death, whichever is appropriate, shall also
19 be so furnished to the Illinois State Police.

20 (Source: P.A. 104-5, eff. 1-1-26.)

21 (Text of Section after amendment by P.A. 104-459)

22 Sec. 2.1. For the purpose of maintaining complete and
23 accurate criminal records of the Illinois State Police, it is
24 necessary for all policing bodies of this State, the clerk of
25 the circuit court, the Illinois Department of Corrections, the

1 sheriff of each county, and State's Attorney of each county to
2 submit certain criminal arrest, charge, and disposition
3 information to the Illinois State Police for filing at the
4 earliest time possible. Unless otherwise noted herein, it
5 shall be the duty of all policing bodies of this State, the
6 clerk of the circuit court, the Illinois Department of
7 Corrections, the sheriff of each county, and the State's
8 Attorney of each county to report such information as provided
9 in this Section, both in the form and manner required by the
10 Illinois State Police and within 30 days of the criminal
11 history event. Specifically:

12 (a) Arrest Information. All agencies making arrests
13 for offenses which are required by statute to be
14 collected, maintained or disseminated by the Illinois
15 State Police shall be responsible for furnishing daily to
16 the Illinois State Police fingerprints, charges and
17 descriptions of all persons who are arrested for such
18 offenses. All such agencies shall also notify the Illinois
19 State Police of all decisions by the arresting agency not
20 to refer such arrests for prosecution. With approval of
21 the Illinois State Police, an agency making such arrests
22 may enter into arrangements with other agencies for the
23 purpose of furnishing daily such fingerprints, charges and
24 descriptions to the Illinois State Police upon its behalf.

25 (a-5) Pretrial Services Information. With the approval
26 of the Illinois State Police, pretrial services agencies,

1 as defined in Section 0.02 of the Pretrial Services Act,
2 may furnish fingerprints, charges, and descriptions to the
3 Illinois State Police in the same manner as agencies
4 making arrests under subsection (a).

5 (b) Charge Information. The State's Attorney of each
6 county shall notify the Illinois State Police of all
7 charges filed and all petitions filed alleging that a
8 minor is delinquent, including all those added subsequent
9 to the filing of a case, and whether charges were not filed
10 in cases for which the Illinois State Police has received
11 information required to be reported pursuant to paragraph
12 (a) of this Section. With approval of the Illinois State
13 Police, the State's Attorney may enter into arrangements
14 with other agencies for the purpose of furnishing the
15 information required by this subsection (b) to the
16 Illinois State Police upon the State's Attorney's behalf.

17 (c) Disposition Information. The clerk of the circuit
18 court of each county shall furnish the Illinois State
19 Police, in the form and manner required by the Supreme
20 Court, with all final dispositions of cases for which the
21 Illinois State Police has received information required to
22 be reported pursuant to paragraph (a) or (d) of this
23 Section. Such information shall include, for each charge,
24 all (1) judgments of not guilty, judgments of guilty
25 including the sentence pronounced by the court with
26 statutory citations to the relevant sentencing provision,

1 findings that a minor is delinquent and any sentence made
2 based on those findings, discharges and dismissals in the
3 court; (2) reviewing court orders filed with the clerk of
4 the circuit court which reverse or remand a reported
5 conviction or findings that a minor is delinquent or that
6 vacate or modify a sentence or sentence made following a
7 trial that a minor is delinquent; (3) continuances to a
8 date certain in furtherance of an order of supervision
9 granted under Section 5-6-1 of the Unified Code of
10 Corrections or an order of probation granted under Section
11 10 of the Cannabis Control Act, Section 410 of the
12 Illinois Controlled Substances Act, Section 70 of the
13 Methamphetamine Control and Community Protection Act,
14 Section 12-4.3 or subdivision (b)(1) of Section 12-3.05 of
15 the Criminal Code of 1961 or the Criminal Code of 2012,
16 Section 10-102 of the Illinois Alcoholism and Other Drug
17 Dependency Act, Section 40-10 of the Substance Use
18 Disorder Act, Section 10 of the Steroid Control Act, or
19 Section 5-615 of the Juvenile Court Act of 1987; (4)
20 judgments or court orders terminating or revoking a
21 sentence to or juvenile disposition of probation,
22 supervision or conditional discharge, judgment or court
23 orders of discharge from probation or conditional
24 discharge, and any resentencing or new court orders
25 entered by a juvenile court relating to the disposition of
26 a minor's case involving delinquency after such

1 revocation; and (5) in any case in which a firearm is
2 alleged to have been used in the commission of an offense,
3 the serial number of any firearm involved in the case, or
4 if the serial number was obliterated, as provided by the
5 State's Attorney to the clerk of the circuit court at the
6 time of disposition. The Illinois State Police may provide
7 reports of cases with missing disposition information to
8 the clerk of the circuit court. Each clerk of the circuit
9 court receiving a report of cases with missing disposition
10 information shall respond within 30 days after receiving
11 the report unless the volume of records in the report
12 renders that timeline impracticable.

13 (d) Fingerprints After Sentencing.

14 (1) After the court pronounces sentence, sentences
15 a minor following a trial in which a minor was found to
16 be delinquent or issues an order of supervision or an
17 order of probation granted under Section 10 of the
18 Cannabis Control Act, Section 410 of the Illinois
19 Controlled Substances Act, Section 70 of the
20 Methamphetamine Control and Community Protection Act,
21 Section 12-4.3 or subdivision (b)(1) of Section
22 12-3.05 of the Criminal Code of 1961 or the Criminal
23 Code of 2012, Section 10-102 of the Illinois
24 Alcoholism and Other Drug Dependency Act, Section
25 40-10 of the Substance Use Disorder Act, Section 10 of
26 the Steroid Control Act, or Section 5-615 of the

1 Juvenile Court Act of 1987 for any offense which is
2 required by statute to be collected, maintained, or
3 disseminated by the Illinois State Police, the State's
4 Attorney of each county shall ask the court to order a
5 law enforcement agency to fingerprint immediately all
6 persons appearing before the court who have not
7 previously been fingerprinted for the same case. The
8 court shall so order the requested fingerprinting, if
9 it determines that any such person has not previously
10 been fingerprinted for the same case. The law
11 enforcement agency shall submit such fingerprints to
12 the Illinois State Police daily.

13 (2) After the court pronounces sentence or makes a
14 disposition of a case following a finding of
15 delinquency for any offense which is not required by
16 statute to be collected, maintained, or disseminated
17 by the Illinois State Police, the prosecuting attorney
18 may ask the court to order a law enforcement agency to
19 fingerprint immediately all persons appearing before
20 the court who have not previously been fingerprinted
21 for the same case. The court may so order the requested
22 fingerprinting, if it determines that any so sentenced
23 person has not previously been fingerprinted for the
24 same case. The law enforcement agency may retain such
25 fingerprints in its files.

26 (e) Corrections Information. The Illinois Department

1 of Corrections and the sheriff of each county shall
2 furnish the Illinois State Police with all information
3 concerning the receipt, escape, execution, death, release,
4 pardon, parole, commutation of sentence, granting of
5 executive clemency or discharge of an individual who has
6 been sentenced or committed to the agency's custody for
7 any offenses which are mandated by statute to be
8 collected, maintained or disseminated by the Illinois
9 State Police. For an individual who has been charged with
10 any such offense and who escapes from custody or dies
11 while in custody, all information concerning the receipt
12 and escape or death, whichever is appropriate, shall also
13 be so furnished to the Illinois State Police.

14 (f) Any entity required to report information
15 concerning criminal arrests, charges, and dispositions
16 pursuant to Section 2.1 or 5 of this Act shall respond to
17 any notice advising the entity of missing or incomplete
18 information or an error in the reporting of the
19 information as follows:

20 (1) Responses shall be made within 30 days after
21 the notice from the Illinois State Police unless the
22 volume of records in the report renders that timeline
23 impracticable.

24 (2) Responses shall include the missing or
25 incomplete information, correction of the error or an
26 explanation detailing the reason the information

cannot be provided or corrected, and an estimated
timeframe for compliance.

(Source: P.A. 104-5, eff. 1-1-26; 104-459, eff. 6-1-26.)

Section 10. The Pretrial Services Act is amended by adding
Section 7.5 as follows:

(725 ILCS 185/7.5 new)

Sec. 7.5. Collaboration. Pretrial services agencies may
collaborate with the policing bodies of this State, the clerks
of the circuit court, the sheriffs, and the State's Attorneys
to assist in maintaining complete and accurate criminal
records of the Illinois State Police under the Criminal
Identification Act.

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