

**104TH GENERAL ASSEMBLY****State of Illinois****2025 and 2026****SB3987**

Introduced 2/6/2026, by Sen. Jason Plummer

SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Police Training Act. Includes, in the minimum curriculum for police training schools, training in investigating domestic minor sex trafficking. Amends the Abused and Neglected Child Reporting Act. Provides that a child shall be considered abused regardless of the perpetrator of the abuse if the child is a human trafficking victim. Amends the Juvenile Court Act of 1987. Provides for immediate expungement of juvenile court and law enforcement records of minors who are human trafficking victims involved in prostitution. Amends the Criminal Code of 2012. Deletes a provision that provides that commercial sexual activity and sexually-explicit performances are forms of activities that are "services" under the human trafficking statute. Provides that involuntary sexual servitude of a minor includes purchasing sexual services of the minor whether from the trafficker or the minor. Provides that it is not a defense to involuntary sexual servitude of a minor that the accused reasonably believed the trafficking victim to be 18 years of age or over. Eliminates other mistake of age defenses concerning grooming and patronizing a minor engaged in prostitution. Provides that a person who is a victim of involuntary sexual servitude of a minor is deemed a crime victim and is eligible for protections afforded to crime victims. Amends the Code of Criminal Procedure of 1963 to permit a motion to vacate an adjudication of delinquency of a human trafficking victim who engaged in prostitution. Amends the Sex Offender Registration Act. Makes violations concerning trafficking in persons, involuntary servitude, and related offenses registrable offenses under the Act. Amends the Crime Victims Compensation Act to provide that a trafficking victim who is under 18 years of age is not subject to the filing requirements of the Act and is not subject to the eligibility requirements of the Act.

LRB104 19561 RLC 33009 b

1 AN ACT concerning human trafficking.

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

4 Section 5. The Illinois Police Training Act is amended by
5 changing Section 7 as follows:

6 (50 ILCS 705/7)

7 Sec. 7. Rules and standards for schools. The Board shall
8 adopt rules and minimum standards for such schools which shall
9 include, but not be limited to, the following:

10 a. The curriculum for probationary law enforcement
11 officers which shall be offered by all certified schools
12 shall include, but not be limited to, courses of
13 procedural justice, arrest and use and control tactics,
14 search and seizure, including temporary questioning, civil
15 rights, human rights, human relations, cultural
16 competency, including implicit bias and racial and ethnic
17 sensitivity, criminal law, law of criminal procedure,
18 constitutional and proper use of law enforcement
19 authority, crisis intervention training, vehicle and
20 traffic law including uniform and non-discriminatory
21 enforcement of the Illinois Vehicle Code, traffic control
22 and crash investigation, techniques of obtaining physical
23 evidence, court testimonies, statements, reports, firearms

1 training, training in the use of electronic control
2 devices, including the psychological and physiological
3 effects of the use of those devices on humans, first aid
4 (including cardiopulmonary resuscitation), training in the
5 administration of opioid antagonists as defined in
6 paragraph (1) of subsection (e) of Section 5-23 of the
7 Substance Use Disorder Act, handling of juvenile
8 offenders, recognition of mental conditions and crises,
9 including, but not limited to, the disease of addiction,
10 which require immediate assistance and response and
11 methods to safeguard and provide assistance to a person in
12 need of mental treatment, recognition of abuse, neglect,
13 financial exploitation, and self-neglect of adults with
14 disabilities and older adults, as defined in Section 2 of
15 the Adult Protective Services Act, crimes against the
16 elderly, training in investigating domestic minor sex
17 trafficking, law of evidence, the hazards of high-speed
18 police vehicle chases with an emphasis on alternatives to
19 the high-speed chase, and physical training. The
20 curriculum shall include a block of instruction addressing
21 trauma-informed programs, procedures, and practices meant
22 to minimize traumatization of the victim. The curriculum
23 shall include specific training in techniques for
24 immediate response to and investigation of cases of
25 domestic violence and of sexual assault of adults and
26 children, including cultural perceptions and common myths

1 of sexual assault and sexual abuse as well as interview
2 techniques that are age sensitive and are trauma informed,
3 victim centered, and victim sensitive. The curriculum
4 shall include training in techniques designed to promote
5 effective communication at the initial contact with crime
6 victims and ways to comprehensively explain to victims and
7 witnesses their rights under the Rights of Crime Victims
8 and Witnesses Act and the Crime Victims Compensation Act.
9 The curriculum shall also include training in effective
10 recognition of and responses to stress, trauma, and
11 post-traumatic stress experienced by law enforcement
12 officers that is consistent with Section 25 of the
13 Illinois Mental Health First Aid Training Act in a peer
14 setting, including recognizing signs and symptoms of
15 work-related cumulative stress, issues that may lead to
16 suicide, and solutions for intervention with peer support
17 resources. The curriculum shall include a block of
18 instruction addressing the mandatory reporting
19 requirements under the Abused and Neglected Child
20 Reporting Act. The curriculum shall also include a block
21 of instruction aimed at identifying and interacting with
22 persons with autism and other developmental or physical
23 disabilities, reducing barriers to reporting crimes
24 against persons with autism, and addressing the unique
25 challenges presented by cases involving victims or
26 witnesses with autism and other developmental

1 disabilities. The curriculum shall include training in the
2 detection and investigation of all forms of human
3 trafficking. The curriculum shall also include instruction
4 in trauma-informed responses designed to ensure the
5 physical safety and well-being of a child of an arrested
6 parent or immediate family member; this instruction must
7 include, but is not limited to: (1) understanding the
8 trauma experienced by the child while maintaining the
9 integrity of the arrest and safety of officers, suspects,
10 and other involved individuals; (2) de-escalation tactics
11 that would include the use of force when reasonably
12 necessary; and (3) inquiring whether a child will require
13 supervision and care. The curriculum for probationary law
14 enforcement officers shall include: (1) at least 12 hours
15 of hands-on, scenario-based role-playing; (2) at least 6
16 hours of instruction on use of force techniques, including
17 the use of de-escalation techniques to prevent or reduce
18 the need for force whenever safe and feasible; (3)
19 specific training on officer safety techniques, including
20 cover, concealment, and time; and (4) at least 6 hours of
21 training focused on high-risk traffic stops. The
22 curriculum for permanent law enforcement officers shall
23 include, but not be limited to: (1) refresher and
24 in-service training in any of the courses listed above in
25 this subparagraph, (2) advanced courses in any of the
26 subjects listed above in this subparagraph, (3) training

1 for supervisory personnel, and (4) specialized training in
2 subjects and fields to be selected by the board. The
3 training in the use of electronic control devices shall be
4 conducted for probationary law enforcement officers,
5 including University police officers. The curriculum shall
6 also include training on the use of a firearms restraining
7 order by providing instruction on the process used to file
8 a firearms restraining order and how to identify
9 situations in which a firearms restraining order is
10 appropriate.

11 b. Minimum courses of study, attendance requirements
12 and equipment requirements.

13 c. Minimum requirements for instructors.

14 d. Minimum basic training requirements, which a
15 probationary law enforcement officer must satisfactorily
16 complete before being eligible for permanent employment as
17 a local law enforcement officer for a participating local
18 governmental or State governmental agency. Those
19 requirements shall include training in first aid
20 (including cardiopulmonary resuscitation).

21 e. Minimum basic training requirements, which a
22 probationary county corrections officer must
23 satisfactorily complete before being eligible for
24 permanent employment as a county corrections officer for a
25 participating local governmental agency.

26 f. Minimum basic training requirements which a

1 probationary court security officer must satisfactorily
2 complete before being eligible for permanent employment as
3 a court security officer for a participating local
4 governmental agency. The Board shall establish those
5 training requirements which it considers appropriate for
6 court security officers and shall certify schools to
7 conduct that training.

8 A person hired to serve as a court security officer
9 must obtain from the Board a certificate (i) attesting to
10 the officer's successful completion of the training
11 course; (ii) attesting to the officer's satisfactory
12 completion of a training program of similar content and
13 number of hours that has been found acceptable by the
14 Board under the provisions of this Act; or (iii) attesting
15 to the Board's determination that the training course is
16 unnecessary because of the person's extensive prior law
17 enforcement experience.

18 Individuals who currently serve as court security
19 officers shall be deemed qualified to continue to serve in
20 that capacity so long as they are certified as provided by
21 this Act within 24 months of June 1, 1997 (the effective
22 date of Public Act 89-685). Failure to be so certified,
23 absent a waiver from the Board, shall cause the officer to
24 forfeit his or her position.

25 All individuals hired as court security officers on or
26 after June 1, 1997 (the effective date of Public Act

1 89-685) shall be certified within 12 months of the date of
2 their hire, unless a waiver has been obtained by the
3 Board, or they shall forfeit their positions.

4 The Sheriff's Merit Commission, if one exists, or the
5 Sheriff's Office if there is no Sheriff's Merit
6 Commission, shall maintain a list of all individuals who
7 have filed applications to become court security officers
8 and who meet the eligibility requirements established
9 under this Act. Either the Sheriff's Merit Commission, or
10 the Sheriff's Office if no Sheriff's Merit Commission
11 exists, shall establish a schedule of reasonable intervals
12 for verification of the applicants' qualifications under
13 this Act and as established by the Board.

14 g. Minimum in-service training requirements, which a
15 law enforcement officer must satisfactorily complete every
16 3 years. Those requirements shall include constitutional
17 and proper use of law enforcement authority; procedural
18 justice; civil rights; human rights; reporting child abuse
19 and neglect; autism-informed law enforcement responses,
20 techniques, and procedures; trauma-informed programs,
21 procedures, and practices meant to minimize traumatization
22 of the victim; and cultural competency, including implicit
23 bias and racial and ethnic sensitivity. These trainings
24 shall consist of at least 30 hours of training every 3
25 years.

26 h. Minimum in-service training requirements, which a

1 law enforcement officer must satisfactorily complete at
2 least annually. Those requirements shall include law
3 updates, emergency medical response training and
4 certification, crisis intervention training, and officer
5 wellness and mental health.

6 i. Minimum in-service training requirements as set
7 forth in Section 10.6.

8 Notwithstanding any provision of law to the contrary, the
9 changes made to this Section by Public Act 101-652, Public Act
10 102-28, and Public Act 102-694 take effect July 1, 2022.

11 (Source: P.A. 103-154, eff. 6-30-23; 103-949, eff. 1-1-25;
12 104-84, eff. 1-1-26.)

13 Section 10. The Abused and Neglected Child Reporting Act
14 is amended by changing Section 3 as follows:

15 (325 ILCS 5/3) (from Ch. 23, par. 2053)

16 Sec. 3. As used in this Act unless the context otherwise
17 requires:

18 "Adult resident" means any person between 18 and 22 years
19 of age who resides in any facility licensed by the Department
20 under the Child Care Act of 1969. For purposes of this Act, the
21 criteria set forth in the definitions of "abused child" and
22 "neglected child" shall be used in determining whether an
23 adult resident is abused or neglected.

24 "Agency" means a child care facility licensed under

1 Section 2.05 or Section 2.06 of the Child Care Act of 1969 and
2 includes a transitional living program that accepts children
3 and adult residents for placement who are in the guardianship
4 of the Department.

5 "Blatant disregard" means an incident where the real,
6 significant, and imminent risk of harm would be so obvious to a
7 reasonable parent or caretaker that it is unlikely that a
8 reasonable parent or caretaker would have exposed the child to
9 the danger without exercising precautionary measures to
10 protect the child from harm. With respect to a person working
11 at an agency in the person's professional capacity with a
12 child or adult resident, "blatant disregard" includes a
13 failure by the person to perform job responsibilities intended
14 to protect the child's or adult resident's health, physical
15 well-being, or welfare, and, when viewed in light of the
16 surrounding circumstances, evidence exists that would cause a
17 reasonable person to believe that the child was neglected.
18 With respect to an agency, "blatant disregard" includes a
19 failure to implement practices that ensure the health,
20 physical well-being, or welfare of the children and adult
21 residents residing in the facility.

22 "Child" means any person under the age of 18 years, unless
23 legally emancipated by reason of marriage or entry into a
24 branch of the United States armed services.

25 "Department" means Department of Children and Family
26 Services.

1 "Local law enforcement agency" means the police of a city,
2 town, village or other incorporated area or the sheriff of an
3 unincorporated area or any sworn officer of the Illinois State
4 Police.

5 "Abused child" means a child whose parent or immediate
6 family member, or any person responsible for the child's
7 welfare, or any individual residing in the same home as the
8 child, or a paramour of the child's parent:

9 (a) inflicts, causes to be inflicted, or allows to be
10 inflicted upon such child physical injury, by other than
11 accidental means, which causes death, disfigurement,
12 impairment of physical or emotional health, or loss or
13 impairment of any bodily function;

14 (b) creates a substantial risk of physical injury to
15 such child by other than accidental means which would be
16 likely to cause death, disfigurement, impairment of
17 physical or emotional health, or loss or impairment of any
18 bodily function;

19 (c) commits or allows to be committed any sex offense
20 against such child, as such sex offenses are defined in
21 the Criminal Code of 2012 or in the Wrongs to Children Act,
22 and extending those definitions of sex offenses to include
23 children under 18 years of age;

24 (d) commits or allows to be committed an act or acts of
25 torture upon such child;

26 (e) inflicts excessive corporal punishment or, in the

1 case of a person working for an agency who is prohibited
2 from using corporal punishment, inflicts corporal
3 punishment upon a child or adult resident with whom the
4 person is working in the person's professional capacity;

5 (f) commits or allows to be committed the offense of
6 female genital mutilation, as defined in Section 12-34 of
7 the Criminal Code of 2012, against the child;

8 (g) causes to be sold, transferred, distributed, or
9 given to such child under 18 years of age, a controlled
10 substance as defined in Section 102 of the Illinois
11 Controlled Substances Act in violation of Article IV of
12 the Illinois Controlled Substances Act or in violation of
13 the Methamphetamine Control and Community Protection Act,
14 except for controlled substances that are prescribed in
15 accordance with Article III of the Illinois Controlled
16 Substances Act and are dispensed to such child in a manner
17 that substantially complies with the prescription;

18 (h) commits or allows to be committed the offense of
19 involuntary servitude, involuntary sexual servitude of a
20 minor, or trafficking in persons as defined in Section
21 10-9 of the Criminal Code of 2012 against the child. A
22 child shall be considered abused regardless of the
23 perpetrator of the abuse if the child is a human
24 trafficking victim as defined in Section 10-9 of the
25 Criminal Code of 2012; or

26 (i) commits the offense of grooming, as defined in

1 Section 11-25 of the Criminal Code of 2012, against the
2 child.

3 A child shall not be considered abused for the sole reason
4 that the child has been relinquished in accordance with the
5 Abandoned Newborn Infant Protection Act.

6 "Neglected child" means any child who is not receiving the
7 proper or necessary nourishment or medically indicated
8 treatment including food or care not provided solely on the
9 basis of the present or anticipated mental or physical
10 impairment as determined by a physician acting alone or in
11 consultation with other physicians or otherwise is not
12 receiving the proper or necessary support or medical or other
13 remedial care recognized under State law as necessary for a
14 child's well-being, or other care necessary for the child's
15 well-being, including adequate food, clothing and shelter; or
16 who is subjected to an environment which is injurious insofar
17 as (i) the child's environment creates a likelihood of harm to
18 the child's health, physical well-being, or welfare and (ii)
19 the likely harm to the child is the result of a blatant
20 disregard of parent, caretaker, person responsible for the
21 child's welfare, or agency responsibilities; or who is
22 abandoned by the child's parents or other person responsible
23 for the child's welfare without a proper plan of care; or who
24 has been provided with interim crisis intervention services
25 under Section 3-5 of the Juvenile Court Act of 1987 and whose
26 parent, guardian, or custodian refuses to permit the child to

1 return home and no other living arrangement agreeable to the
2 parent, guardian, or custodian can be made, and the parent,
3 guardian, or custodian has not made any other appropriate
4 living arrangement for the child; or who is a newborn infant
5 whose blood, urine, or meconium contains any amount of a
6 controlled substance as defined in subsection (f) of Section
7 102 of the Illinois Controlled Substances Act or a metabolite
8 thereof, with the exception of a controlled substance or
9 metabolite thereof whose presence in the newborn infant is the
10 result of medical treatment administered to the person who
11 gave birth or the newborn infant. A child shall not be
12 considered neglected for the sole reason that the child's
13 parent or other person responsible for the child's welfare has
14 left the child in the care of an adult relative for any period
15 of time. A child shall not be considered neglected for the sole
16 reason that the child has been relinquished in accordance with
17 the Abandoned Newborn Infant Protection Act. A child shall not
18 be considered neglected or abused for the sole reason that
19 such child's parent or other person responsible for the
20 child's welfare depends upon spiritual means through prayer
21 alone for the treatment or cure of disease or remedial care as
22 provided under Section 4 of this Act. A child shall not be
23 considered neglected or abused solely because the child is not
24 attending school in accordance with the requirements of
25 Article 26 of The School Code, as amended.

26 "Child Protective Service Unit" means certain specialized

1 State employees of the Department assigned by the Director to
2 perform the duties and responsibilities as provided under
3 Section 7.2 of this Act.

4 "Near fatality" means an act that, as certified by a
5 physician, places the child in serious or critical condition,
6 including acts of great bodily harm inflicted upon children
7 under 13 years of age, and as otherwise defined by Department
8 rule.

9 "Great bodily harm" includes bodily injury which creates a
10 high probability of death, or which causes serious permanent
11 disfigurement, or which causes a permanent or protracted loss
12 or impairment of the function of any bodily member or organ, or
13 other serious bodily harm.

14 "Person responsible for the child's welfare" means the
15 child's parent; guardian; foster parent; relative caregiver;
16 any person responsible for the child's welfare in a public or
17 private residential agency or institution; any person
18 responsible for the child's welfare within a public or private
19 profit or not for profit child care facility; or any other
20 person responsible for the child's welfare at the time of the
21 alleged abuse or neglect, including any person who commits or
22 allows to be committed, against the child, the offense of
23 involuntary servitude, involuntary sexual servitude of a
24 minor, or trafficking in persons for forced labor or services,
25 as provided in Section 10-9 of the Criminal Code of 2012,
26 including, but not limited to, the custodian of the minor, or

1 any person who came to know the child through an official
2 capacity or position of trust, including, but not limited to,
3 health care professionals, educational personnel, recreational
4 supervisors, members of the clergy, and volunteers or support
5 personnel in any setting where children may be subject to
6 abuse or neglect.

7 "Temporary protective custody" means custody within a
8 hospital or other medical facility or a place previously
9 designated for such custody by the Department, subject to
10 review by the Court, including a licensed foster home, group
11 home, or other institution; but such place shall not be a jail
12 or other place for the detention of criminal or juvenile
13 offenders.

14 "An unfounded report" means any report made under this Act
15 for which it is determined after an investigation that no
16 credible evidence of abuse or neglect exists.

17 "An indicated report" means a report made under this Act
18 if an investigation determines that credible evidence of the
19 alleged abuse or neglect exists.

20 "An undetermined report" means any report made under this
21 Act in which it was not possible to initiate or complete an
22 investigation on the basis of information provided to the
23 Department.

24 "Subject of report" means any child reported to the
25 central register of child abuse and neglect established under
26 Section 7.7 of this Act as an alleged victim of child abuse or

1 neglect and the parent or guardian of the alleged victim or
2 other person responsible for the alleged victim's welfare who
3 is named in the report or added to the report as an alleged
4 perpetrator of child abuse or neglect.

5 "Perpetrator" means a person who, as a result of
6 investigation, has been determined by the Department to have
7 caused child abuse or neglect.

8 "Member of the clergy" means a clergyperson or
9 practitioner of any religious denomination accredited by the
10 religious body to which the clergyperson or practitioner
11 belongs.

12 (Source: P.A. 102-567, eff. 1-1-22; 102-676, eff. 12-3-21;
13 102-813, eff. 5-13-22; 103-22, eff. 8-8-23.)

14 Section 15. The Juvenile Court Act of 1987 is amended by
15 changing Section 5-915 as follows:

16 (705 ILCS 405/5-915)

17 Sec. 5-915. Expungement of juvenile law enforcement and
18 juvenile court records.

19 (0.05) (Blank).

20 (0.1) (a) The Illinois State Police and all law enforcement
21 agencies within the State shall automatically expunge, on or
22 before January 1 of each year, except as described in
23 paragraph (c) of this subsection (0.1), all juvenile law
24 enforcement records relating to events occurring before an

1 individual's 18th birthday if:

2 (1) one year or more has elapsed since the date of the
3 arrest or law enforcement interaction documented in the
4 records;

5 (2) no petition for delinquency or criminal charges
6 were filed with the clerk of the circuit court relating to
7 the arrest or law enforcement interaction documented in
8 the records; and

9 (3) 6 months have elapsed since the date of the arrest
10 without an additional subsequent arrest or filing of a
11 petition for delinquency or criminal charges whether
12 related or not to the arrest or law enforcement
13 interaction documented in the records.

14 (b) If the law enforcement agency is unable to verify
15 satisfaction of conditions (2) and (3) of this subsection
16 (0.1), records that satisfy condition (1) of this subsection
17 (0.1) shall be automatically expunged if the records relate to
18 an offense that if committed by an adult would not be an
19 offense classified as a Class 2 felony or higher, an offense
20 under Article 11 of the Criminal Code of 1961 or Criminal Code
21 of 2012, or an offense under Section 12-13, 12-14, 12-14.1,
22 12-15, or 12-16 of the Criminal Code of 1961.

23 (c) If the juvenile law enforcement record was received
24 through a public submission to a statewide student
25 confidential reporting system administered by the Illinois
26 State Police, the record will be maintained for a period of 5

1 years according to all other provisions in this subsection
2 (0.1).

3 (0.15) If a juvenile law enforcement record meets
4 paragraph (a) of subsection (0.1) of this Section, a juvenile
5 law enforcement record created:

6 (1) prior to January 1, 2018, but on or after January
7 1, 2013 shall be automatically expunged prior to January
8 1, 2020;

9 (2) prior to January 1, 2013, but on or after January
10 1, 2000, shall be automatically expunged prior to January
11 1, 2023; and

12 (3) prior to January 1, 2000 shall not be subject to
13 the automatic expungement provisions of this Act.

14 Nothing in this subsection (0.15) shall be construed to
15 restrict or modify an individual's right to have the person's
16 juvenile law enforcement records expunged except as otherwise
17 may be provided in this Act.

18 (0.2) (a) Upon dismissal of a petition alleging delinquency
19 or upon a finding of not delinquent, the successful
20 termination of an order of supervision, or the successful
21 termination of an adjudication for an offense which would be a
22 Class B misdemeanor, Class C misdemeanor, or a petty or
23 business offense if committed by an adult, the court shall
24 automatically order the expungement of the juvenile court
25 records and juvenile law enforcement records. The clerk shall
26 deliver a certified copy of the expungement order to the

1 Illinois State Police and the arresting agency. Upon request,
2 the State's Attorney shall furnish the name of the arresting
3 agency. The expungement shall be completed within 60 business
4 days after the receipt of the expungement order.

5 (b) If the chief law enforcement officer of the agency, or
6 the chief law enforcement officer's designee, certifies in
7 writing that certain information is needed for a pending
8 investigation involving the commission of a felony, that
9 information, and information identifying the juvenile, may be
10 retained until the statute of limitations for the felony has
11 run. If the chief law enforcement officer of the agency, or the
12 chief law enforcement officer's designee, certifies in writing
13 that certain information is needed with respect to an internal
14 investigation of any law enforcement office, that information
15 and information identifying the juvenile may be retained
16 within an intelligence file until the investigation is
17 terminated or the disciplinary action, including appeals, has
18 been completed, whichever is later. Retention of a portion of
19 a juvenile's law enforcement record does not disqualify the
20 remainder of a juvenile's record from immediate automatic
21 expungement.

22 (0.3) (a) Upon an adjudication of delinquency based on any
23 offense except a disqualified offense, the juvenile court
24 shall automatically order the expungement of the juvenile
25 court and law enforcement records 2 years or, in the case of a
26 human trafficking victim as defined in Section 10-9 of the

1 Criminal Code of 2012 adjudicated delinquent for prostitution,
2 immediately after the juvenile's case was closed if no
3 delinquency or criminal proceeding is pending and the person
4 has had no subsequent delinquency adjudication or criminal
5 conviction. On the date that the minor's sentence ends or the
6 date that the court enters an order committing the minor to the
7 Department of Juvenile Justice, the juvenile court judge shall
8 schedule a date to enter the automatic expungement order. The
9 minor must be notified but shall not be required to be present
10 for the scheduled court date when automatic expungement is to
11 be ordered. If the minor is not yet eligible on the originally
12 scheduled date, the court shall schedule a subsequent date to
13 enter the automatic expungement order. The clerk shall deliver
14 a certified copy of the expungement order to the Illinois
15 State Police and the arresting agency. Upon request, the
16 State's Attorney shall furnish the name of the arresting
17 agency. The expungement shall be completed within 60 business
18 days after the receipt of the expungement order. In this
19 subsection (0.3), "disqualified offense" means any of the
20 following offenses: Section 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1,
21 9-3, 9-3.2, 10-1, 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-9, if the
22 minor was not a human trafficking victim as defined in that
23 Section, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6,
24 11-6.5, 12-2, 12-3.05, 12-3.3, 12-4.4a, 12-5.02, 12-6.2,
25 12-6.5, 12-7.1, 12-7.5, 12-20.5, 12-32, 12-33, 12-34, 12-34.5,
26 18-1, 18-2, 18-3, 18-4, 18-6, 19-3, 19-6, 20-1, 20-1.1,

1 24-1.2, 24-1.2-5, 24-1.5, 24-3A, 24-3B, 24-3.2, 24-3.8,
2 24-3.9, 29D-14.9, 29D-20, 30-1, 31-1a, 32-4a, or 33A-2 of the
3 Criminal Code of 2012, or subsection (b) of Section 8-1,
4 paragraph (4) of subsection (a) of Section 11-14.4, subsection
5 (a-5) of Section 12-3.1, paragraph (1), (2), or (3) of
6 subsection (a) of Section 12-6, subsection (a-3) or (a-5) of
7 Section 12-7.3, paragraph (1) or (2) of subsection (a) of
8 Section 12-7.4, subparagraph (i) of paragraph (1) of
9 subsection (a) of Section 12-9, subparagraph (H) of paragraph
10 (3) of subsection (a) of Section 24-1.6, paragraph (1) of
11 subsection (a) of Section 25-1, or subsection (a-7) of Section
12 31-1 of the Criminal Code of 2012.

13 (b) If the chief law enforcement officer of the agency, or
14 the chief law enforcement officer's designee, certifies in
15 writing that certain information is needed for a pending
16 investigation involving the commission of a felony, that
17 information, and information identifying the juvenile, may be
18 retained in an intelligence file until the investigation is
19 terminated or for one additional year, whichever is sooner.
20 Retention of a portion of a juvenile's juvenile law
21 enforcement record does not disqualify the remainder of a
22 juvenile's record from immediate automatic expungement.

23 (0.4) Automatic expungement for the purposes of this
24 Section shall not require law enforcement agencies to
25 obliterate or otherwise destroy juvenile law enforcement
26 records that would otherwise need to be automatically expunged

1 under this Act, except after 2 years following the subject
2 arrest for purposes of use in civil litigation against a
3 governmental entity or its law enforcement agency or personnel
4 which created, maintained, or used the records. However, these
5 juvenile law enforcement records shall be considered expunged
6 for all other purposes during this period and the offense,
7 which the records or files concern, shall be treated as if it
8 never occurred as required under Section 5-923.

9 (0.5) Subsection (0.1) or (0.2) of this Section does not
10 apply to violations of traffic laws, conservation offenses, or
11 county or municipal ordinances.

12 (0.6) Juvenile law enforcement records of a plaintiff who
13 has filed civil litigation against the governmental entity or
14 its law enforcement agency or personnel that created,
15 maintained, or used the records, or juvenile law enforcement
16 records that contain information related to the allegations
17 set forth in the civil litigation may not be expunged until
18 after 2 years have elapsed after the conclusion of the
19 lawsuit, including any appeal.

20 (0.7) Officer-worn body camera recordings shall not be
21 automatically expunged except as otherwise authorized by the
22 Law Enforcement Officer-Worn Body Camera Act.

23 (1) Whenever a person has been arrested, charged, or
24 adjudicated delinquent for an incident occurring before a
25 person's 18th birthday that if committed by an adult would be
26 an offense, and that person's juvenile law enforcement and

1 juvenile court records are not eligible for automatic
2 expungement under subsection (0.1), (0.2), or (0.3), the
3 person may petition the court at any time at no cost to the
4 person for expungement of juvenile law enforcement records and
5 juvenile court records relating to the incident and, upon
6 termination of all juvenile court proceedings relating to that
7 incident, the court shall order the expungement of all records
8 in the possession of the Illinois State Police, the clerk of
9 the circuit court, and law enforcement agencies relating to
10 the incident, but only in any of the following circumstances:

11 (a) the minor was arrested and no petition for
12 delinquency was filed with the clerk of the circuit court;

13 (a-5) the minor was charged with an offense and the
14 petition or petitions were dismissed without a finding of
15 delinquency;

16 (b) the minor was charged with an offense and was
17 found not delinquent of that offense;

18 (c) the minor was placed under supervision under
19 Section 5-615, and the order of supervision has since been
20 successfully terminated; or

21 (d) the minor was adjudicated for an offense which
22 would be a Class B misdemeanor, Class C misdemeanor, or a
23 petty or business offense if committed by an adult; ~~or~~

24 (e) the minor was adjudicated delinquent for
25 prostitution as a result of being a trafficking victim as
26 defined in Section 10-9 of the Criminal Code of 2012.

1 (1.5) At no cost to the person, the Illinois State Police
2 shall allow a person to use the Access and Review process,
3 established in the Illinois State Police, for verifying that
4 the person's juvenile law enforcement records relating to
5 incidents occurring before the person's 18th birthday eligible
6 under this Act have been expunged.

7 (1.6) (Blank).

8 (1.7) (Blank).

9 (1.8) (Blank).

10 (2) Any person whose delinquency adjudications are not
11 eligible for automatic expungement under subsection (0.3) of
12 this Section may petition the court at no cost to the person to
13 expunge all juvenile law enforcement records relating to any
14 incidents occurring before the person's 18th birthday which
15 did not result in proceedings in criminal court and all
16 juvenile court records with respect to any adjudications
17 except those based upon first degree murder or an offense
18 under Article 11 of the Criminal Code of 2012 if the person is
19 required to register under the Sex Offender Registration Act
20 at the time the person petitions the court for expungement;
21 provided that 2 years have elapsed since all juvenile court
22 proceedings relating to the person have been terminated and
23 the person's commitment to the Department of Juvenile Justice
24 under this Act has been terminated.

25 (2.5) If a minor is arrested and no petition for
26 delinquency is filed with the clerk of the circuit court at the

1 time the minor is released from custody, the youth officer, if
2 applicable, or other designated person from the arresting
3 agency, shall notify verbally and in writing to the minor or
4 the minor's parents or guardians that the minor shall have an
5 arrest record and shall provide the minor and the minor's
6 parents or guardians with an expungement information packet,
7 information regarding this State's expungement laws including
8 a petition to expunge juvenile law enforcement and juvenile
9 court records obtained from the clerk of the circuit court.

10 (2.6) If a minor is referred to court, then, at the time of
11 sentencing, dismissal of the case, or successful completion of
12 supervision, the judge shall inform the delinquent minor of
13 the minor's rights regarding expungement and the clerk of the
14 circuit court shall provide an expungement information packet
15 to the minor, written in plain language, including information
16 regarding this State's expungement laws and a petition for
17 expungement, a sample of a completed petition, expungement
18 instructions that shall include information informing the
19 minor that (i) once the case is expunged, it shall be treated
20 as if it never occurred, (ii) the minor shall not be charged a
21 fee to petition for expungement, (iii) once the minor obtains
22 an expungement, the minor may not be required to disclose that
23 the minor had a juvenile law enforcement or juvenile court
24 record, and (iv) if petitioning the minor may file the
25 petition on the minor's own or with the assistance of an
26 attorney. The failure of the judge to inform the delinquent

1 minor of the minor's right to petition for expungement as
2 provided by law does not create a substantive right, nor is
3 that failure grounds for: (i) a reversal of an adjudication of
4 delinquency; (ii) a new trial; or (iii) an appeal.

5 (2.6-1) A trafficking victim, as defined by paragraph (10)
6 of subsection (a) of Section 10-9 of the Criminal Code of 2012,
7 may petition for vacation and expungement or immediate sealing
8 of his or her juvenile court records and juvenile law
9 enforcement records relating to events that resulted in the
10 victim's adjudication of delinquency for an offense if
11 committed by an adult would be a violation of the criminal laws
12 occurring before the victim's 18th birthday upon the
13 completion of his or her juvenile court sentence if his or her
14 participation in the underlying offense was a result of human
15 trafficking under Section 10-9 of the Criminal Code of 2012 or
16 a severe form of trafficking under the federal Trafficking
17 Victims Protection Act.

18 (2.7) (Blank).

19 (2.8) (Blank).

20 (3) (Blank).

21 (3.1) (Blank).

22 (3.2) (Blank).

23 (3.3) (Blank).

24 (4) (Blank).

25 (5) (Blank).

26 (5.5) Whether or not expunged, records eligible for

1 automatic expungement under subdivision (0.1)(a), (0.2)(a), or
2 (0.3)(a) may be treated as expunged by the individual subject
3 to the records.

4 (6) (Blank).

5 (6.5) The Illinois State Police or any employee of the
6 Illinois State Police shall be immune from civil or criminal
7 liability for failure to expunge any records of arrest that
8 are subject to expungement under this Section because of
9 inability to verify a record. Nothing in this Section shall
10 create Illinois State Police liability or responsibility for
11 the expungement of juvenile law enforcement records it does
12 not possess.

13 (7) (Blank).

14 (7.5) (Blank).

15 (8) The expungement of juvenile law enforcement or
16 juvenile court records under subsection (0.1), (0.2), or (0.3)
17 of this Section shall be funded by appropriation by the
18 General Assembly for that purpose.

19 (9) (Blank).

20 (10) (Blank).

21 (Source: P.A. 103-22, eff. 8-8-23; 103-154, eff. 6-30-23;
22 103-379, eff. 7-28-23; 103-605, eff. 7-1-24; 103-717, eff.
23 1-1-25; 103-787, eff. 1-1-25; 104-325, eff. 1-1-26; 104-417,
24 eff. 8-15-25.)

25 Section 20. The Criminal Code of 2012 is amended by

1 changing Sections 10-9, 11-18.1, 11-20.1, and 11-25 and by
2 adding Section 11-27 as follows:

3 (720 ILCS 5/10-9)

4 Sec. 10-9. Trafficking in persons, involuntary servitude,
5 and related offenses.

6 (a) Definitions. In this Section:

7 (1) "Intimidation" has the meaning prescribed in Section
8 12-6.

9 (2) "Commercial sexual activity" means any sex act on
10 account of which anything of value is given, promised to, or
11 received by any person.

12 (2.5) "Company" means any sole proprietorship,
13 organization, association, corporation, partnership, joint
14 venture, limited partnership, limited liability partnership,
15 limited liability limited partnership, limited liability
16 company, or other entity or business association, including
17 all wholly owned subsidiaries, majority-owned subsidiaries,
18 parent companies, or affiliates of those entities or business
19 associations, that exist for the purpose of making profit.

20 (3) "Financial harm" includes intimidation that brings
21 about financial loss, criminal usury, or employment contracts
22 that violate the Frauds Act.

23 (4) (Blank).

24 (5) "Labor" means work of economic or financial value.

25 (6) "Maintain" means, in relation to labor or services, to

1 secure continued performance thereof, regardless of any
2 initial agreement on the part of the victim to perform that
3 type of service.

4 (7) "Obtain" means, in relation to labor or services, to
5 secure performance thereof.

6 (7.5) "Serious harm" means any harm, whether physical or
7 nonphysical, including psychological, financial, or
8 reputational harm, that is sufficiently serious, under all the
9 surrounding circumstances, to compel a reasonable person of
10 the same background and in the same circumstances to perform
11 or to continue performing labor or services in order to avoid
12 incurring that harm.

13 (8) "Services" means activities resulting from a
14 relationship between a person and the actor in which the
15 person performs activities under the supervision of or for the
16 benefit of the actor. ~~Commercial sexual activity and~~
17 ~~sexually explicit performances are forms of activities that~~
18 ~~are "services" under this Section.~~ Nothing in this definition
19 may be construed to legitimize or legalize prostitution.

20 (9) "Sexually-explicit performance" means a live,
21 recorded, broadcast (including over the Internet), or public
22 act or show intended to arouse or satisfy the sexual desires or
23 appeal to the prurient interests of patrons.

24 (10) "Trafficking victim" means a person subjected to the
25 practices set forth in subsection (b), (c), or (d).

26 (b) Involuntary servitude. A person commits involuntary

1 servitude when he or she knowingly subjects, attempts to
2 subject, or engages in a conspiracy to subject another person
3 to labor or services obtained or maintained through any of the
4 following means, or any combination of these means:

5 (1) causes or threatens to cause physical harm to any
6 person;

7 (2) physically restrains or threatens to physically
8 restrain another person;

9 (3) abuses or threatens to abuse the law or legal
10 process;

11 (4) attempts to or knowingly destroys, conceals,
12 removes, confiscates, or possesses any actual or purported
13 passport or other immigration document, or any other
14 actual or purported government identification document, of
15 another person;

16 (5) uses intimidation, abuses a position of trust,
17 authority, or supervision in relation to the victim,
18 through the use or deprivation of any alcoholic
19 intoxicant, a drug as defined or used in the Illinois
20 Controlled Substances Act or the Cannabis Control Act, or
21 methamphetamine as defined in the Methamphetamine Control
22 and Community Protection Act, or exerts financial control
23 over any person; or

24 (6) uses any scheme, plan, or pattern intended to
25 cause the person to believe that, if the person did not
26 perform the labor or services, that person or another

1 person would suffer serious harm or physical restraint.

2 Sentence. Except as otherwise provided in subsection (e)
3 or (f), a violation of subsection (b)(1) is a Class X felony,
4 (b)(2) is a Class 1 felony, (b)(3) is a Class 2 felony, (b)(4)
5 is a Class 3 felony, (b)(5) and (b)(6) is a Class 4 felony.

6 (c) Involuntary sexual servitude of a minor. A person
7 commits involuntary sexual servitude of a minor when he or she
8 knowingly recruits, entices, harbors, transports, provides, or
9 obtains by any means, or attempts to recruit, entice, harbor,
10 provide, or obtain by any means, another person under 18 years
11 of age, knowing that the minor will engage in commercial
12 sexual activity, a sexually-explicit performance, or the
13 production of pornography, or causes or attempts to cause a
14 minor to engage in one or more of those activities and:

15 (1) there is no overt force or threat and the minor is
16 between the ages of 17 and 18 years;

17 (2) there is no overt force or threat and the minor is
18 under the age of 17 years; or

19 (3) there is overt force or threat.

20 (c-5) Mistake of age not a defense. It is not a defense to
21 a violation of this Section that the accused reasonably
22 believed the trafficking victim to be 18 years of age or over.

23 Sentence. Except as otherwise provided in subsection (e)
24 or (f), a violation of subsection (c)(1) is a Class 1 felony,
25 (c)(2) is a Class X felony, and (c)(3) is a Class X felony.

26 (d) Trafficking in persons. A person commits trafficking

1 in persons when he or she knowingly: (1) recruits, entices,
2 harbors, transports, provides, or obtains by any means, or
3 attempts to recruit, entice, harbor, transport, provide, or
4 obtain by any means, another person, intending or knowing that
5 the person will be subjected to involuntary servitude; or (2)
6 benefits, financially or by receiving anything of value, from
7 participation in a venture that has engaged in an act of
8 involuntary servitude or involuntary sexual servitude of a
9 minor. A company commits trafficking in persons when the
10 company knowingly benefits, financially or by receiving
11 anything of value, from participation in a venture that has
12 engaged in an act of involuntary servitude or involuntary
13 sexual servitude of a minor.

14 Sentence. Except as otherwise provided in subsection (e)
15 or (f), a violation of this subsection by a person is a Class 1
16 felony. A violation of this subsection by a company is a
17 business offense for which a fine of up to \$100,000 may be
18 imposed.

19 (e) Aggravating factors. A violation of this Section
20 involving kidnapping or an attempt to kidnap, aggravated
21 criminal sexual assault or an attempt to commit aggravated
22 criminal sexual assault, or an attempt to commit first degree
23 murder is a Class X felony.

24 (f) Sentencing considerations.

25 (1) Bodily injury. If, pursuant to a violation of this
26 Section, a victim suffered bodily injury, the defendant

1 may be sentenced to an extended-term sentence under
2 Section 5-8-2 of the Unified Code of Corrections. The
3 sentencing court must take into account the time in which
4 the victim was held in servitude, with increased penalties
5 for cases in which the victim was held for between 180 days
6 and one year, and increased penalties for cases in which
7 the victim was held for more than one year.

8 (2) Number of victims. In determining sentences within
9 statutory maximums, the sentencing court should take into
10 account the number of victims, and may provide for
11 substantially increased sentences in cases involving more
12 than 10 victims.

13 (3) Age of victim. In determining sentences, the
14 sentencing court shall take into account the age of the
15 victim or victims.

16 (g) Restitution. Restitution is mandatory under this
17 Section. In addition to any other amount of loss identified,
18 the court shall order restitution including the greater of (1)
19 the gross income or value to the defendant of the victim's
20 labor or services or (2) the value of the victim's labor as
21 guaranteed under the Minimum Wage Law and overtime provisions
22 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,
23 whichever is greater.

24 (g-1) A person who is a victim of involuntary sexual
25 servitude of a minor is deemed a crime victim and is eligible
26 for protections afforded to crime victims, including services

1 under the Rights of Crime Victims and Witnesses Act, the Crime
2 Victims Compensation Act, and the Abused and Neglected Child
3 Reporting Act.

4 (g-5) Fine distribution. If the court imposes a fine under
5 subsection (b), (c), or (d) of this Section, it shall be
6 collected and distributed to the Specialized Services for
7 Survivors of Human Trafficking Fund in accordance with Section
8 5-9-1.21 of the Unified Code of Corrections.

9 (h) Trafficking victim services. Subject to the
10 availability of funds, the Department of Human Services may
11 provide or fund emergency services and assistance to
12 individuals who are victims of one or more offenses defined in
13 this Section. These services shall include child welfare
14 protection for victims of the offense of involuntary sexual
15 servitude of a minor under subsection (c) of Section 10-9 of
16 the Criminal Code of 2012, irrespective of the perpetrator of
17 the offense.

18 (i) Certification. The Attorney General, a State's
19 Attorney, or any law enforcement official shall certify in
20 writing to the United States Department of Justice or other
21 federal agency, such as the United States Department of
22 Homeland Security, that an investigation or prosecution under
23 this Section has begun and the individual who is a likely
24 victim of a crime described in this Section is willing to
25 cooperate or is cooperating with the investigation to enable
26 the individual, if eligible under federal law, to qualify for

1 an appropriate special immigrant visa and to access available
2 federal benefits. Cooperation with law enforcement shall not
3 be required of victims of a crime described in this Section who
4 are under 18 years of age. This certification shall be made
5 available to the victim and his or her designated legal
6 representative.

7 (j) A person who commits involuntary servitude,
8 involuntary sexual servitude of a minor, or trafficking in
9 persons under subsection (b), (c), or (d) of this Section is
10 subject to the property forfeiture provisions set forth in
11 Article 124B of the Code of Criminal Procedure of 1963.

12 (Source: P.A. 104-159, eff. 1-1-26.)

13 (720 ILCS 5/11-18.1) (from Ch. 38, par. 11-18.1)

14 Sec. 11-18.1. Patronizing a sexually exploited child.

15 (a) Any person who engages in an act of sexual penetration
16 as defined in Section 11-0.1 of this Code with a person who is
17 under 18 years of age engaged in prostitution or is a person
18 with a severe or profound intellectual disability commits
19 patronizing a sexually exploited child.

20 (a-5) Any person who engages in any touching or fondling,
21 with a person engaged in prostitution who either is a sexually
22 exploited child or is a person with a severe or profound
23 intellectual disability, of the sex organs of one person by
24 the other person, with the intent to achieve sexual arousal or
25 gratification, commits patronizing a sexually exploited child.

1 (b) (Blank). ~~It is an affirmative defense to the charge of~~
2 ~~patronizing a sexually exploited child that the accused~~
3 ~~reasonably believed that the person was of the age of 18 years~~
4 ~~or over or was not a person with a severe or profound~~
5 ~~intellectual disability at the time of the act giving rise to~~
6 ~~the charge.~~

7 (c) Sentence. A person who commits patronizing a sexually
8 exploited child is guilty of a Class 3 felony, unless
9 committed within 1,000 feet of real property comprising a
10 school, in which case it is a Class 2 felony. A person
11 convicted of a second or subsequent violation of this Section,
12 or of any combination of such number of convictions under this
13 Section and Sections 11-14 (prostitution), 11-14.1
14 (solicitation of a sexual act), 11-14.3 (promoting
15 prostitution), 11-14.4 (promoting commercial sexual
16 exploitation of a child), 11-15 (soliciting for a person
17 engaged in the sex trade), 11-15.1 (soliciting for a sexually
18 exploited child), 11-16 (pandering), 11-17 (keeping a place of
19 prostitution), 11-17.1 (keeping a place of commercial sexual
20 exploitation of a child), 11-18 (patronizing a person engaged
21 in the sex trade), 11-19 (pimping), 11-19.1 (juvenile pimping
22 or aggravated juvenile pimping), or 11-19.2 (exploitation of a
23 child) of this Code, is guilty of a Class 2 felony. The fact of
24 such conviction is not an element of the offense and may not be
25 disclosed to the jury during trial unless otherwise permitted
26 by issues properly raised during such trial.

1 (Source: P.A. 103-1071, eff. 7-1-25.)

2 (720 ILCS 5/11-20.1)

3 Sec. 11-20.1. Child sexual abuse material.

4 (a) Recognizing the enormous negative societal impact that
5 sexually explicit visual depictions of children engaged in
6 sexual abuse activities have on the children who are abused,
7 and the overarching broader impact these materials and imagery
8 have at various levels to the public, especially when this
9 material is disseminated, we are changing all references in
10 Illinois statutes from "child pornography" to "child sexual
11 abuse material". It is important that the statutes of the
12 State of Illinois reflect the content and realities of these
13 materials as the sexual abuse and exploitation of children.
14 The word "pornography" implied legality involving "consent" of
15 which this imagery is not, as children can never "consent" to
16 sexual abuse and sexual exploitation. This name change is not
17 a change in meaning, definitions, statutes or application of
18 the laws of this State and all previous references to "child
19 pornography" are now encapsulated in "child sexual abuse
20 materials".

21 A person commits child sexual abuse material who:

22 (1) films, videotapes, photographs, or otherwise
23 depicts or portrays by means of any similar visual medium
24 or reproduction or depicts by computer any child whom he
25 or she knows or reasonably should know to be under the age

1 of 18 or any person with a severe or profound intellectual
2 disability where such child or person with a severe or
3 profound intellectual disability is:

4 (i) actually or by simulation engaged in any act
5 of sexual penetration or sexual conduct with any
6 person or animal; or

7 (ii) actually or by simulation engaged in any act
8 of sexual penetration or sexual conduct involving the
9 sex organs of the child or person with a severe or
10 profound intellectual disability and the mouth, anus,
11 or sex organs of another person or animal; or which
12 involves the mouth, anus or sex organs of the child or
13 person with a severe or profound intellectual
14 disability and the sex organs of another person or
15 animal; or

16 (iii) actually or by simulation engaged in any act
17 of masturbation; or

18 (iv) actually or by simulation portrayed as being
19 the object of, or otherwise engaged in, any act of lewd
20 fondling, touching, or caressing involving another
21 person or animal; or

22 (v) actually or by simulation engaged in any act
23 of excretion or urination within a sexual context; or

24 (vi) actually or by simulation portrayed or
25 depicted as bound, fettered, or subject to sadistic,
26 masochistic, or sadomasochistic abuse in any sexual

1 context; or

2 (vii) depicted or portrayed in any pose, posture
3 or setting involving a lewd exhibition of the
4 unclothed or transparently clothed genitals, pubic
5 area, buttocks, or, if such person is female, a fully
6 or partially developed breast of the child or other
7 person; or

8 (2) with the knowledge of the nature or content
9 thereof, reproduces, disseminates, offers to disseminate,
10 exhibits or possesses with intent to disseminate any film,
11 videotape, photograph or other similar visual reproduction
12 or depiction by computer of any child or person with a
13 severe or profound intellectual disability whom the person
14 knows or reasonably should know to be under the age of 18
15 or to be a person with a severe or profound intellectual
16 disability, engaged in any activity described in
17 subparagraphs (i) through (vii) of paragraph (1) of this
18 subsection; or

19 (3) with knowledge of the subject matter or theme
20 thereof, produces any stage play, live performance, film,
21 videotape or other similar visual portrayal or depiction
22 by computer which includes a child whom the person knows
23 or reasonably should know to be under the age of 18 or a
24 person with a severe or profound intellectual disability
25 engaged in any activity described in subparagraphs (i)
26 through (vii) of paragraph (1) of this subsection; or

1 (4) solicits, uses, persuades, induces, entices, or
2 coerces any child whom he or she knows or reasonably
3 should know to be under the age of 18 or a person with a
4 severe or profound intellectual disability to appear in
5 any stage play, live presentation, film, videotape,
6 photograph or other similar visual reproduction or
7 depiction by computer in which the child or person with a
8 severe or profound intellectual disability is or will be
9 depicted, actually or by simulation, in any act, pose or
10 setting described in subparagraphs (i) through (vii) of
11 paragraph (1) of this subsection; or

12 (5) is a parent, step-parent, legal guardian or other
13 person having care or custody of a child whom the person
14 knows or reasonably should know to be under the age of 18
15 or a person with a severe or profound intellectual
16 disability and who knowingly permits, induces, promotes,
17 or arranges for such child or person with a severe or
18 profound intellectual disability to appear in any stage
19 play, live performance, film, videotape, photograph or
20 other similar visual presentation, portrayal or simulation
21 or depiction by computer of any act or activity described
22 in subparagraphs (i) through (vii) of paragraph (1) of
23 this subsection; or

24 (6) with knowledge of the nature or content thereof,
25 possesses any film, videotape, photograph or other similar
26 visual reproduction or depiction by computer of any child

1 or person with a severe or profound intellectual
2 disability whom the person knows or reasonably should know
3 to be under the age of 18 or to be a person with a severe
4 or profound intellectual disability, engaged in any
5 activity described in subparagraphs (i) through (vii) of
6 paragraph (1) of this subsection; or

7 (7) solicits, or knowingly uses, persuades, induces,
8 entices, or coerces, a person to provide a child under the
9 age of 18 or a person with a severe or profound
10 intellectual disability to appear in any videotape,
11 photograph, film, stage play, live presentation, or other
12 similar visual reproduction or depiction by computer in
13 which the child or person with a severe or profound
14 intellectual disability will be depicted, actually or by
15 simulation, in any act, pose, or setting described in
16 subparagraphs (i) through (vii) of paragraph (1) of this
17 subsection.

18 (a-5) The possession of each individual film, videotape,
19 photograph, or other similar visual reproduction or depiction
20 by computer in violation of this Section constitutes a single
21 and separate violation. This subsection (a-5) does not apply
22 to multiple copies of the same film, videotape, photograph, or
23 other similar visual reproduction or depiction by computer
24 that are identical to each other.

25 (b)(1) It shall be an affirmative defense to a charge of
26 child sexual abuse material that the defendant reasonably

1 believed, under all of the circumstances, that the child was
2 18 years of age or older or that the person was not a person
3 with a severe or profound intellectual disability but only
4 where, prior to the act or acts giving rise to a prosecution
5 under this Section, he or she took some affirmative action or
6 made a bonafide inquiry designed to ascertain whether the
7 child was 18 years of age or older or that the person was not a
8 person with a severe or profound intellectual disability and
9 his or her reliance upon the information so obtained was
10 clearly reasonable.

11 (1.5) Telecommunications carriers, commercial mobile
12 service providers, and providers of information services,
13 including, but not limited to, Internet service providers and
14 hosting service providers, are not liable under this Section
15 by virtue of the transmission, storage, or caching of
16 electronic communications or messages of others or by virtue
17 of the provision of other related telecommunications,
18 commercial mobile services, or information services used by
19 others in violation of this Section.

20 (2) (Blank).

21 (3) The charge of child sexual abuse material shall not
22 apply to the performance of official duties by law enforcement
23 or prosecuting officers or persons employed by law enforcement
24 or prosecuting agencies, court personnel or attorneys, nor to
25 bonafide treatment or professional education programs
26 conducted by licensed physicians, psychologists or social

1 workers. In any criminal proceeding, any property or material
2 that constitutes child sexual abuse material shall remain in
3 the care, custody, and control of either the State or the
4 court. A motion to view the evidence shall comply with
5 subsection (e-5) of this Section.

6 (3.5) The charge of child sexual abuse material
7 ~~pornography~~ does not apply to the creator of a film, video,
8 photograph, or other similar visual image or depiction in
9 which the creator is the sole subject of the film, video,
10 photograph, or other similar visual image or depiction.

11 (4) If the defendant possessed more than one of the same
12 film, videotape or visual reproduction or depiction by
13 computer in which child sexual abuse material is depicted,
14 then the trier of fact may infer that the defendant possessed
15 such materials with the intent to disseminate them.

16 (5) The charge of child sexual abuse material does not
17 apply to a person who does not voluntarily possess a film,
18 videotape, or visual reproduction or depiction by computer in
19 which child sexual abuse material is depicted. Possession is
20 voluntary if the defendant knowingly procures or receives a
21 film, videotape, or visual reproduction or depiction for a
22 sufficient time to be able to terminate his or her possession.

23 (6) Any violation of paragraph (1), (2), (3), (4), (5), or
24 (7) of subsection (a) that includes a child engaged in,
25 solicited for, depicted in, or posed in any act of sexual
26 penetration or bound, fettered, or subject to sadistic,

1 masochistic, or sadomasochistic abuse in a sexual context
2 shall be deemed a crime of violence.

3 (c) If the violation does not involve a film, videotape,
4 or other moving depiction, a violation of paragraph (1), (4),
5 (5), (6), or (7) of subsection (a) is a Class 1 felony with a
6 mandatory minimum fine of \$2,000 and a maximum fine of
7 \$100,000. If the violation involves a film, videotape, or
8 other moving depiction, a violation of paragraph (1), (4),
9 (5), (6), or (7) of subsection (a) is a Class X felony with a
10 mandatory minimum fine of \$2,000 and a maximum fine of
11 \$100,000. If the violation does not involve a film, videotape,
12 or other moving depiction, a violation of paragraph (3) of
13 subsection (a) is a Class 1 felony with a mandatory minimum
14 fine of \$1500 and a maximum fine of \$100,000. If the violation
15 involves a film, videotape, or other moving depiction, a
16 violation of paragraph (3) of subsection (a) is a Class X
17 felony with a mandatory minimum fine of \$1500 and a maximum
18 fine of \$100,000. If the violation does not involve a film,
19 videotape, or other moving depiction, a violation of paragraph
20 (2) of subsection (a) is a Class 1 felony with a mandatory
21 minimum fine of \$1000 and a maximum fine of \$100,000. If the
22 violation involves a film, videotape, or other moving
23 depiction, a violation of paragraph (2) of subsection (a) is a
24 Class X felony with a mandatory minimum fine of \$1000 and a
25 maximum fine of \$100,000. ~~If the violation does not involve a~~
26 ~~film, videotape, or other moving depiction, a violation of~~

1 ~~paragraph (6) of subsection (a) is a Class 3 felony with a~~
2 ~~mandatory minimum fine of \$1000 and a maximum fine of~~
3 ~~\$100,000. If the violation involves a film, videotape, or~~
4 ~~other moving depiction, a violation of paragraph (6) of~~
5 ~~subsection (a) is a Class 2 felony with a mandatory minimum~~
6 ~~fine of \$1000 and a maximum fine of \$100,000.~~

7 (c-5) Where the child depicted is under the age of 13, a
8 violation of paragraph (1), (2), (3), (4), (5), or (7) of
9 subsection (a) is a Class X felony with a mandatory minimum
10 fine of \$2,000 and a maximum fine of \$100,000. ~~Where the child~~
11 ~~depicted is under the age of 13, a violation of paragraph (6)~~
12 ~~of subsection (a) is a Class 2 felony with a mandatory minimum~~
13 ~~fine of \$1,000 and a maximum fine of \$100,000.~~ Where the child
14 depicted is under the age of 13, a person who commits a
15 violation of paragraph (1), (2), (3), (4), (5), or (7) of
16 subsection (a) where the defendant has previously been
17 convicted under the laws of this State or any other state of
18 the offense of child sexual abuse material or child
19 pornography, aggravated child pornography, aggravated criminal
20 sexual abuse, aggravated criminal sexual assault, predatory
21 criminal sexual assault of a child, or any of the offenses
22 formerly known as rape, deviate sexual assault, indecent
23 liberties with a child, or aggravated indecent liberties with
24 a child where the victim was under the age of 18 years or an
25 offense that is substantially equivalent to those offenses, is
26 guilty of a Class X felony for which the person shall be

1 sentenced to a term of imprisonment of not less than 9 years
2 with a mandatory minimum fine of \$2,000 and a maximum fine of
3 \$100,000. Where the child depicted is under the age of 13, a
4 person who commits a violation of paragraph (6) of subsection
5 (a) where the defendant has previously been convicted under
6 the laws of this State or any other state of the offense of
7 child sexual abuse material or child pornography, aggravated
8 child pornography, aggravated criminal sexual abuse,
9 aggravated criminal sexual assault, predatory criminal sexual
10 assault of a child, or any of the offenses formerly known as
11 rape, deviate sexual assault, indecent liberties with a child,
12 or aggravated indecent liberties with a child where the victim
13 was under the age of 18 years or an offense that is
14 substantially equivalent to those offenses, is guilty of a
15 Class X ~~1~~ felony with a mandatory minimum fine of \$2,000 ~~\$1,000~~
16 and a maximum fine of \$100,000. The issue of whether the child
17 depicted is under the age of 13 is an element of the offense to
18 be resolved by the trier of fact.

19 (d) If a person is convicted of a second or subsequent
20 violation of this Section within 10 years of a prior
21 conviction, the court shall order a presentence psychiatric
22 examination of the person. The examiner shall report to the
23 court whether treatment of the person is necessary.

24 (e) Any film, videotape, photograph or other similar
25 visual reproduction or depiction by computer which includes a
26 child under the age of 18 or a person with a severe or profound

1 intellectual disability engaged in any activity described in
2 subparagraphs (i) through (vii) of paragraph (1) of subsection
3 (a), and any material or equipment used or intended for use in
4 photographing, filming, printing, producing, reproducing,
5 manufacturing, projecting, exhibiting, depiction by computer,
6 or disseminating such material shall be seized and forfeited
7 in the manner, method and procedure provided by Section 36-1
8 of this Code for the seizure and forfeiture of vessels,
9 vehicles and aircraft.

10 In addition, any person convicted under this Section is
11 subject to the property forfeiture provisions set forth in
12 Article 124B of the Code of Criminal Procedure of 1963.

13 (e-5) Upon the conclusion of a case brought under this
14 Section, the court shall seal all evidence depicting a victim
15 or witness that is sexually explicit. The evidence may be
16 unsealed and viewed, on a motion of the party seeking to unseal
17 and view the evidence, only for good cause shown and in the
18 discretion of the court. The motion must expressly set forth
19 the purpose for viewing the material. The State's Attorney and
20 the victim, if possible, shall be provided reasonable notice
21 of the hearing on the motion to unseal the evidence. Any person
22 entitled to notice of a hearing under this subsection (e-5)
23 may object to the motion.

24 (f) Definitions. For the purposes of this Section:

25 (1) "Disseminate" means (i) to sell, distribute,
26 exchange or transfer possession, whether with or without

1 consideration or (ii) to make a depiction by computer
2 available for distribution or downloading through the
3 facilities of any telecommunications network or through
4 any other means of transferring computer programs or data
5 to a computer.

6 (2) "Produce" means to direct, promote, advertise,
7 publish, manufacture, issue, present or show.

8 (3) "Reproduce" means to make a duplication or copy.

9 (4) "Depict by computer" means to generate or create,
10 or cause to be created or generated, a computer program or
11 data that, after being processed by a computer either
12 alone or in conjunction with one or more computer
13 programs, results in a visual depiction on a computer
14 monitor, screen, or display.

15 (5) "Depiction by computer" means a computer program
16 or data that, after being processed by a computer either
17 alone or in conjunction with one or more computer
18 programs, results in a visual depiction on a computer
19 monitor, screen, or display.

20 (6) "Computer", "computer program", and "data" have
21 the meanings ascribed to them in Section 17.05 of this
22 Code.

23 (7) For the purposes of this Section, "child sexual
24 abuse material" includes a film, videotape, photograph, or
25 other similar visual medium or reproduction or depiction
26 by computer that is, or appears to be, that of a person,

1 either in part, or in total, under the age of 18 or a
2 person with a severe or profound intellectual disability,
3 regardless of the method by which the film, videotape,
4 photograph, or other similar visual medium or reproduction
5 or depiction by computer is created, adopted, or modified
6 to appear as such. "Child sexual abuse material" also
7 includes a film, videotape, photograph, or other similar
8 visual medium or reproduction or depiction by computer
9 that is advertised, promoted, presented, described, or
10 distributed in such a manner that conveys the impression
11 that the film, videotape, photograph, or other similar
12 visual medium or reproduction or depiction by computer is
13 of a person under the age of 18 or a person with a severe
14 or profound intellectual disability. "Child sexual abuse
15 material" includes the depiction of a part of an actual
16 child under the age of 18 who, by manipulation, creation,
17 or modification, appears to be engaged in any activity
18 described in subparagraphs (i) through (vii) of paragraph
19 (1) of subsection (a). ~~sexual abuse material~~

20 (g) Re-enactment; findings; purposes.

21 (1) The General Assembly finds and declares that:

22 (i) Section 50-5 of Public Act 88-680, effective
23 January 1, 1995, contained provisions amending the
24 child sexual abuse material statute, Section 11-20.1
25 of the Criminal Code of 1961. Section 50-5 also
26 contained other provisions.

1 (ii) In addition, Public Act 88-680 was entitled
2 "AN ACT to create a Safe Neighborhoods Law". (A)
3 Article 5 was entitled JUVENILE JUSTICE and amended
4 the Juvenile Court Act of 1987. (B) Article 15 was
5 entitled GANGS and amended various provisions of the
6 Criminal Code of 1961 and the Unified Code of
7 Corrections. (C) Article 20 was entitled ALCOHOL ABUSE
8 and amended various provisions of the Illinois Vehicle
9 Code. (D) Article 25 was entitled DRUG ABUSE and
10 amended the Cannabis Control Act and the Illinois
11 Controlled Substances Act. (E) Article 30 was entitled
12 FIREARMS and amended the Criminal Code of 1961 and the
13 Code of Criminal Procedure of 1963. (F) Article 35
14 amended the Criminal Code of 1961, the Rights of Crime
15 Victims and Witnesses Act, and the Unified Code of
16 Corrections. (G) Article 40 amended the Criminal Code
17 of 1961 to increase the penalty for compelling
18 organization membership of persons. (H) Article 45
19 created the Secure Residential Youth Care Facility
20 Licensing Act and amended the State Finance Act, the
21 Juvenile Court Act of 1987, the Unified Code of
22 Corrections, and the Private Correctional Facility
23 Moratorium Act. (I) Article 50 amended the WIC Vendor
24 Management Act, the Firearm Owners Identification Card
25 Act, the Juvenile Court Act of 1987, the Criminal Code
26 of 1961, the Wrongs to Children Act, and the Unified

1 Code of Corrections.

2 (iii) On September 22, 1998, the Third District
3 Appellate Court in People v. Dainty, 701 N.E. 2d 118,
4 ruled that Public Act 88-680 violates the single
5 subject clause of the Illinois Constitution (Article
6 IV, Section 8 (d)) and was unconstitutional in its
7 entirety. As of the time this amendatory Act of 1999
8 was prepared, People v. Dainty was still subject to
9 appeal.

10 (iv) Child sexual abuse material is a vital
11 concern to the people of this State and the validity of
12 future prosecutions under the child sexual abuse
13 material statute of the Criminal Code of 1961 is in
14 grave doubt.

15 (2) It is the purpose of this amendatory Act of 1999 to
16 prevent or minimize any problems relating to prosecutions
17 for child sexual abuse material that may result from
18 challenges to the constitutional validity of Public Act
19 88-680 by re-enacting the Section relating to child sexual
20 abuse material that was included in Public Act 88-680.

21 (3) This amendatory Act of 1999 re-enacts Section
22 11-20.1 of the Criminal Code of 1961, as it has been
23 amended. This re-enactment is intended to remove any
24 question as to the validity or content of that Section; it
25 is not intended to supersede any other Public Act that
26 amends the text of the Section as set forth in this

1 amendatory Act of 1999. The material is shown as existing
2 text (i.e., without underscoring) because, as of the time
3 this amendatory Act of 1999 was prepared, People v. Dainty
4 was subject to appeal to the Illinois Supreme Court.

5 (4) The re-enactment by this amendatory Act of 1999 of
6 Section 11-20.1 of the Criminal Code of 1961 relating to
7 child sexual abuse material that was amended by Public Act
8 88-680 is not intended, and shall not be construed, to
9 imply that Public Act 88-680 is invalid or to limit or
10 impair any legal argument concerning whether those
11 provisions were substantially re-enacted by other Public
12 Acts.

13 (Source: P.A. 103-825, eff. 1-1-25; 103-1081, eff. 3-21-25;
14 104-245, eff. 1-1-26; revised 11-21-25.)

15 (720 ILCS 5/11-25)

16 Sec. 11-25. Grooming.

17 (a) A person commits grooming when, being 5 years or more
18 older than a child, or holding a position of trust, authority,
19 or supervision in relation to the child at the time of the
20 offense, he or she knowingly:

21 (1) uses a computer on-line service, Internet service,
22 local bulletin board service, or any other device capable
23 of electronic data storage or transmission, performs an
24 act in person or by conduct through a third party, or uses
25 written communication to seduce, solicit, lure, or entice,

1 or attempt to seduce, solicit, lure, or entice, a child, a
2 child's guardian, or another person believed by the person
3 to be a child or a child's guardian, to commit any sex
4 offense, to distribute photographs depicting the sex
5 organs of the child, or to otherwise engage in any
6 unlawful sexual conduct with a child or with another
7 person believed by the person to be a child; or

8 (2) engages in a pattern of conduct that seduces,
9 solicits, lures, or entices, or attempts to seduce,
10 solicit, lure, or entice, a child to engage or participate
11 in unlawful sexual conduct that is for the purpose of
12 sexual gratification or arousal of the victim, the
13 accused, or another.

14 (a-5) As used in this Section:

15 "Child" means a person under 17 years of age.

16 "Pattern" means 2 or more instances of conduct.

17 "Sex offense" means any violation of Article 11 of this
18 Code.

19 "Sexual conduct" means masturbation, sexual conduct, or
20 sexual penetration as defined in Section 11-0.1 of this Code.

21 (a-6) Illinois has a compelling interest in effective
22 education and "grooming" does not include conduct that serves
23 a legitimate educational purpose pursuant to Section 27-9.1a
24 of the School Code.

25 (a-10) It is not a defense to a violation of this Section
26 that the accused reasonably believed the child to be 17 years

1 of age or over.

2 (b) Sentence. Grooming is a Class 4 felony.

3 (Source: P.A. 104-245, eff. 1-1-26.)

4 (720 ILCS 5/11-27 new)

5 Sec. 11-27. Selling travel services to facilitate sexual
6 exploitation of a child.

7 (a) In this Section, "child" means a person under 17 years
8 of age.

9 (b) A person commits selling travel services to facilitate
10 sexual exploitation of a child when he or she knowingly sells
11 or offers to sell travel services for the purpose of seducing,
12 soliciting, luring, or enticing, or attempting to seduce,
13 solicit, lure, or entice a person to travel to a location
14 within this State to commit any sex offense as defined in
15 Section 2 of the Sex Offender Registration Act, to distribute
16 photographs depicting the sex organs of the child, or to
17 otherwise engage in any unlawful sexual conduct with a child
18 or with another person believed by the person to be a child.

19 (c) Sentence. Selling travel services to facilitate sexual
20 exploitation of a child is a Class 4 felony.

21 Section 25. The Code of Criminal Procedure of 1963 is
22 amended by changing Section 116-2.1 as follows:

23 (725 ILCS 5/116-2.1)

1 Sec. 116-2.1. Motion to vacate prostitution convictions
2 for sex trafficking victims.

3 (a) A motion under this Section may be filed at any time
4 following the entry of a verdict or finding of guilty or an
5 adjudication of delinquency under the Juvenile Court Act of
6 1987 where the conviction was under Section 11-14
7 (prostitution) or Section 11-14.2 (first offender; felony
8 prostitution) of the Criminal Code of 1961 or the Criminal
9 Code of 2012 or a similar local ordinance and the defendant's
10 participation in the offense was a result of having been a
11 trafficking victim under Section 10-9 (involuntary servitude,
12 involuntary sexual servitude of a minor, or trafficking in
13 persons) of the Criminal Code of 1961 or the Criminal Code of
14 2012; or a victim of a severe form of trafficking under the
15 federal Trafficking Victims Protection Act (22 U.S.C. Section
16 7102(13)); provided that:

17 (1) a motion under this Section shall state why the
18 facts giving rise to this motion were not presented to the
19 trial court, and shall be made with due diligence, after
20 the defendant has ceased to be a victim of such
21 trafficking or has sought services for victims of such
22 trafficking, subject to reasonable concerns for the safety
23 of the defendant, family members of the defendant, or
24 other victims of such trafficking that may be jeopardized
25 by the bringing of such motion, or for other reasons
26 consistent with the purpose of this Section; and

1 (2) reasonable notice of the motion shall be served
2 upon the State.

3 (b) The court may grant the motion if, in the discretion of
4 the court, the violation was a result of the defendant having
5 been a victim of human trafficking. Evidence of such may
6 include, but is not limited to:

7 (1) certified records of federal or State court
8 proceedings which demonstrate that the defendant was a
9 victim of a trafficker charged with a trafficking offense
10 under Section 10-9 of the Criminal Code of 1961 or the
11 Criminal Code of 2012, or under 22 U.S.C. Chapter 78;

12 (2) certified records of "approval notices" or "law
13 enforcement certifications" generated from federal
14 immigration proceedings available to such victims; or

15 (3) a sworn statement from a trained professional
16 staff of a victim services organization, an attorney, a
17 member of the clergy, or a medical or other professional
18 from whom the defendant has sought assistance in
19 addressing the trauma associated with being trafficked.

20 Alternatively, the court may consider such other evidence
21 as it deems of sufficient credibility and probative value in
22 determining whether the defendant is a trafficking victim or
23 victim of a severe form of trafficking.

24 (c) If the court grants a motion under this Section, it
25 must vacate the conviction and may take such additional action
26 as is appropriate in the circumstances.

1 (Source: P.A. 97-267, eff. 1-1-12; 97-897, eff. 1-1-13;
2 97-1150, eff. 1-25-13.)

3 Section 30. The Sex Offender Registration Act is amended
4 by changing Section 2 as follows:

5 (730 ILCS 150/2)

6 Sec. 2. Definitions.

7 (A) As used in this Article, "sex offender" means any
8 person who is:

9 (1) charged pursuant to Illinois law, or any
10 substantially similar federal, Uniform Code of Military
11 Justice, sister state, or foreign country law, with a sex
12 offense set forth in subsection (B) of this Section or the
13 attempt to commit an included sex offense, and:

14 (a) is convicted of such offense or an attempt to
15 commit such offense; or

16 (b) is found not guilty by reason of insanity of
17 such offense or an attempt to commit such offense; or

18 (c) is found not guilty by reason of insanity
19 pursuant to Section 104-25(c) of the Code of Criminal
20 Procedure of 1963 of such offense or an attempt to
21 commit such offense; or

22 (d) is the subject of a finding not resulting in an
23 acquittal at a hearing conducted pursuant to Section
24 104-25(a) of the Code of Criminal Procedure of 1963

1 for the alleged commission or attempted commission of
2 such offense; or

3 (e) is found not guilty by reason of insanity
4 following a hearing conducted pursuant to a federal,
5 Uniform Code of Military Justice, sister state, or
6 foreign country law substantially similar to Section
7 104-25(c) of the Code of Criminal Procedure of 1963 of
8 such offense or of the attempted commission of such
9 offense; or

10 (f) is the subject of a finding not resulting in an
11 acquittal at a hearing conducted pursuant to a
12 federal, Uniform Code of Military Justice, sister
13 state, or foreign country law substantially similar to
14 Section 104-25(a) of the Code of Criminal Procedure of
15 1963 for the alleged violation or attempted commission
16 of such offense; or

17 (2) declared as a sexually dangerous person pursuant
18 to the Illinois Sexually Dangerous Persons Act, or any
19 substantially similar federal, Uniform Code of Military
20 Justice, sister state, or foreign country law; or

21 (3) subject to the provisions of Section 2 of the
22 Interstate Agreements on Sexually Dangerous Persons Act;
23 or

24 (4) found to be a sexually violent person pursuant to
25 the Sexually Violent Persons Commitment Act or any
26 substantially similar federal, Uniform Code of Military

1 Justice, sister state, or foreign country law; or

2 (5) adjudicated a juvenile delinquent as the result of
3 committing or attempting to commit an act which, if
4 committed by an adult, would constitute any of the
5 offenses specified in item (B), (C), or (C-5) of this
6 Section or a violation of any substantially similar
7 federal, Uniform Code of Military Justice, sister state,
8 or foreign country law, or found guilty under Article V of
9 the Juvenile Court Act of 1987 of committing or attempting
10 to commit an act which, if committed by an adult, would
11 constitute any of the offenses specified in item (B), (C),
12 or (C-5) of this Section or a violation of any
13 substantially similar federal, Uniform Code of Military
14 Justice, sister state, or foreign country law.

15 Convictions that result from or are connected with the
16 same act, or result from offenses committed at the same time,
17 shall be counted for the purpose of this Article as one
18 conviction. Any conviction set aside pursuant to law is not a
19 conviction for purposes of this Article.

20 For purposes of this Section, "convicted" shall have the
21 same meaning as "adjudicated".

22 (B) As used in this Article, "sex offense" means:

23 (1) A violation of any of the following Sections of
24 the Criminal Code of 1961 or the Criminal Code of 2012:

25 10-9 (trafficking in persons, involuntary
26 servitude, and related offenses),

1 11-20.1 (child sexual abuse material or child
2 pornography),
3 11-20.1B or 11-20.3 (aggravated child
4 pornography),
5 11-6 (indecent solicitation of a child),
6 11-9.1 (sexual exploitation of a child),
7 11-9.2 (custodial sexual misconduct),
8 11-9.5 (sexual misconduct with a person with a
9 disability),
10 11-14.4 (promoting commercial sexual exploitation
11 of a child),
12 11-15.1 (soliciting for a sexually exploited
13 child),
14 11-18.1 (patronizing a sexually exploited child),
15 11-17.1 (keeping a place of commercial sexual
16 exploitation of a child),
17 11-19.1 (juvenile pimping),
18 11-19.2 (exploitation of a child),
19 11-25 (grooming),
20 11-26 (traveling to meet a minor or traveling to
21 meet a child),
22 11-1.20 or 12-13 (criminal sexual assault),
23 11-1.30 or 12-14 (aggravated criminal sexual
24 assault),
25 11-1.40 or 12-14.1 (predatory criminal sexual
26 assault of a child),

1 11-1.50 or 12-15 (criminal sexual abuse),
2 11-1.60 or 12-16 (aggravated criminal sexual
3 abuse),
4 12-33 (ritualized abuse of a child).

5 An attempt to commit any of these offenses.

6 (1.5) A violation of any of the following Sections of
7 the Criminal Code of 1961 or the Criminal Code of 2012,
8 when the victim is a person under 18 years of age, the
9 defendant is not a parent of the victim, the offense was
10 sexually motivated as defined in Section 10 of the Sex
11 Offender Evaluation and Treatment Act, and the offense was
12 committed on or after January 1, 1996:

13 10-1 (kidnapping),
14 10-2 (aggravated kidnapping),
15 10-3 (unlawful restraint),
16 10-3.1 (aggravated unlawful restraint).

17 If the offense was committed before January 1, 1996,
18 it is a sex offense requiring registration only when the
19 person is convicted of any felony after July 1, 2011, and
20 paragraph (2.1) of subsection (c) of Section 3 of this Act
21 applies.

22 (1.6) First degree murder under Section 9-1 of the
23 Criminal Code of 1961 or the Criminal Code of 2012,
24 provided the offense was sexually motivated as defined in
25 Section 10 of the Sex Offender Management Board Act.

26 (1.7) (Blank).

1 (1.8) A violation or attempted violation of Section
2 11-11 (sexual relations within families) of the Criminal
3 Code of 1961 or the Criminal Code of 2012, and the offense
4 was committed on or after June 1, 1997. If the offense was
5 committed before June 1, 1997, it is a sex offense
6 requiring registration only when the person is convicted
7 of any felony after July 1, 2011, and paragraph (2.1) of
8 subsection (c) of Section 3 of this Act applies.

9 (1.9) Child abduction under paragraph (10) of
10 subsection (b) of Section 10-5 of the Criminal Code of
11 1961 or the Criminal Code of 2012 committed by luring or
12 attempting to lure a child under the age of 16 into a motor
13 vehicle, building, house trailer, or dwelling place
14 without the consent of the parent or lawful custodian of
15 the child for other than a lawful purpose and the offense
16 was committed on or after January 1, 1998, provided the
17 offense was sexually motivated as defined in Section 10 of
18 the Sex Offender Management Board Act. If the offense was
19 committed before January 1, 1998, it is a sex offense
20 requiring registration only when the person is convicted
21 of any felony after July 1, 2011, and paragraph (2.1) of
22 subsection (c) of Section 3 of this Act applies.

23 (1.10) A violation or attempted violation of any of
24 the following Sections of the Criminal Code of 1961 or the
25 Criminal Code of 2012 when the offense was committed on or
26 after July 1, 1999:

1 10-4 (forcible detention, if the victim is under
2 18 years of age), provided the offense was sexually
3 motivated as defined in Section 10 of the Sex Offender
4 Management Board Act,

5 11-6.5 (indecent solicitation of an adult),

6 11-14.3 that involves soliciting for a person
7 engaged in the sex trade, or 11-15 (soliciting for a
8 person engaged in the sex trade, if the victim is under
9 18 years of age),

10 subdivision (a)(2)(A) or (a)(2)(B) of Section
11 11-14.3, or Section 11-16 (pandering, if the victim is
12 under 18 years of age),

13 11-18 (patronizing a person engaged in the sex
14 trade, if the victim is under 18 years of age),

15 subdivision (a)(2)(C) of Section 11-14.3, or
16 Section 11-19 (pimping, if the victim is under 18
17 years of age).

18 If the offense was committed before July 1, 1999, it
19 is a sex offense requiring registration only when the
20 person is convicted of any felony after July 1, 2011, and
21 paragraph (2.1) of subsection (c) of Section 3 of this Act
22 applies.

23 (1.11) A violation or attempted violation of any of
24 the following Sections of the Criminal Code of 1961 or the
25 Criminal Code of 2012 when the offense was committed on or
26 after August 22, 2002:

1 11-9 or 11-30 (public indecency for a third or
2 subsequent conviction).

3 If the third or subsequent conviction was imposed
4 before August 22, 2002, it is a sex offense requiring
5 registration only when the person is convicted of any
6 felony after July 1, 2011, and paragraph (2.1) of
7 subsection (c) of Section 3 of this Act applies.

8 (1.12) A violation or attempted violation of Section
9 5.1 of the Wrongs to Children Act or Section 11-9.1A of the
10 Criminal Code of 1961 or the Criminal Code of 2012
11 (permitting sexual abuse) when the offense was committed
12 on or after August 22, 2002. If the offense was committed
13 before August 22, 2002, it is a sex offense requiring
14 registration only when the person is convicted of any
15 felony after July 1, 2011, and paragraph (2.1) of
16 subsection (c) of Section 3 of this Act applies.

17 (2) A violation of any former law of this State
18 substantially equivalent to any offense listed in
19 subsection (B) of this Section.

20 (C) A conviction for an offense of federal law, Uniform
21 Code of Military Justice, or the law of another state or a
22 foreign country that is substantially equivalent to any
23 offense listed in subsections (B), (C), (E), and (E-5) of this
24 Section shall constitute a conviction for the purpose of this
25 Article. A finding or adjudication as a sexually dangerous
26 person or a sexually violent person under any federal law,

1 Uniform Code of Military Justice, or the law of another state
2 or foreign country that is substantially equivalent to the
3 Sexually Dangerous Persons Act or the Sexually Violent Persons
4 Commitment Act shall constitute an adjudication for the
5 purposes of this Article.

6 (C-5) A person at least 17 years of age at the time of the
7 commission of the offense who is convicted of first degree
8 murder under Section 9-1 of the Criminal Code of 1961 or the
9 Criminal Code of 2012, against a person under 18 years of age,
10 shall be required to register for natural life. A conviction
11 for an offense of federal, Uniform Code of Military Justice,
12 sister state, or foreign country law that is substantially
13 equivalent to any offense listed in subsection (C-5) of this
14 Section shall constitute a conviction for the purpose of this
15 Article. This subsection (C-5) applies to a person who
16 committed the offense before June 1, 1996 if: (i) the person is
17 incarcerated in an Illinois Department of Corrections facility
18 on August 20, 2004 (the effective date of Public Act 93-977),
19 or (ii) subparagraph (i) does not apply and the person is
20 convicted of any felony after July 1, 2011, and paragraph
21 (2.1) of subsection (c) of Section 3 of this Act applies.

22 (C-6) A person who is convicted or adjudicated delinquent
23 of first degree murder as defined in Section 9-1 of the
24 Criminal Code of 1961 or the Criminal Code of 2012, against a
25 person 18 years of age or over, shall be required to register
26 for his or her natural life. A conviction for an offense of

1 federal, Uniform Code of Military Justice, sister state, or
2 foreign country law that is substantially equivalent to any
3 offense listed in subsection (C-6) of this Section shall
4 constitute a conviction for the purpose of this Article. This
5 subsection (C-6) does not apply to those individuals released
6 from incarceration more than 10 years prior to January 1, 2012
7 (the effective date of Public Act 97-154).

8 (D) As used in this Article, "law enforcement agency
9 having jurisdiction" means the Chief of Police in each of the
10 municipalities in which the sex offender expects to reside,
11 work, or attend school (1) upon his or her discharge, parole or
12 release or (2) during the service of his or her sentence of
13 probation or conditional discharge, or the Sheriff of the
14 county, in the event no Police Chief exists or if the offender
15 intends to reside, work, or attend school in an unincorporated
16 area. "Law enforcement agency having jurisdiction" includes
17 the location where out-of-state students attend school and
18 where out-of-state employees are employed or are otherwise
19 required to register.

20 (D-1) As used in this Article, "supervising officer" means
21 the assigned Illinois Department of Corrections parole agent
22 or county probation officer.

23 (E) As used in this Article, "sexual predator" means any
24 person who, after July 1, 1999, is:

25 (1) Convicted for an offense of federal, Uniform Code
26 of Military Justice, sister state, or foreign country law

1 that is substantially equivalent to any offense listed in
2 subsection (E) or (E-5) of this Section shall constitute a
3 conviction for the purpose of this Article. Convicted of a
4 violation or attempted violation of any of the following
5 Sections of the Criminal Code of 1961 or the Criminal Code
6 of 2012:

7 10-5.1 (luring of a minor),

8 11-14.4 that involves keeping a place of
9 commercial sexual exploitation of a child, or 11-17.1
10 (keeping a place of commercial sexual exploitation of
11 a child),

12 subdivision (a) (2) or (a) (3) of Section 11-14.4,
13 or Section 11-19.1 (juvenile pimping),

14 subdivision (a) (4) of Section 11-14.4, or Section
15 11-19.2 (exploitation of a child),

16 11-20.1 (child sexual abuse material or child
17 pornography),

18 11-20.1B or 11-20.3 (aggravated child
19 pornography),

20 11-1.20 or 12-13 (criminal sexual assault),

21 11-1.30 or 12-14 (aggravated criminal sexual
22 assault),

23 11-1.40 or 12-14.1 (predatory criminal sexual
24 assault of a child),

25 11-1.60 or 12-16 (aggravated criminal sexual
26 abuse),

1 12-33 (ritualized abuse of a child);

2 (2) (blank);

3 (3) declared as a sexually dangerous person pursuant
4 to the Sexually Dangerous Persons Act or any substantially
5 similar federal, Uniform Code of Military Justice, sister
6 state, or foreign country law;

7 (4) found to be a sexually violent person pursuant to
8 the Sexually Violent Persons Commitment Act or any
9 substantially similar federal, Uniform Code of Military
10 Justice, sister state, or foreign country law;

11 (5) convicted of a second or subsequent offense which
12 requires registration pursuant to this Act. For purposes
13 of this paragraph (5), "convicted" shall include a
14 conviction under any substantially similar Illinois,
15 federal, Uniform Code of Military Justice, sister state,
16 or foreign country law;

17 (6) (blank); or

18 (7) if the person was convicted of an offense set
19 forth in this subsection (E) on or before July 1, 1999, the
20 person is a sexual predator for whom registration is
21 required only when the person is convicted of a felony
22 offense after July 1, 2011, and paragraph (2.1) of
23 subsection (c) of Section 3 of this Act applies.

24 (E-5) As used in this Article, "sexual predator" also
25 means a person convicted of a violation or attempted violation
26 of any of the following Sections of the Criminal Code of 1961

1 or the Criminal Code of 2012:

2 (1) Section 9-1 (first degree murder, when the victim
3 was a person under 18 years of age and the defendant was at
4 least 17 years of age at the time of the commission of the
5 offense, provided the offense was sexually motivated as
6 defined in Section 10 of the Sex Offender Management Board
7 Act);

8 (2) Section 11-9.5 (sexual misconduct with a person
9 with a disability);

10 (3) when the victim is a person under 18 years of age,
11 the defendant is not a parent of the victim, the offense
12 was sexually motivated as defined in Section 10 of the Sex
13 Offender Management Board Act, and the offense was
14 committed on or after January 1, 1996: (A) Section 10-1
15 (kidnapping), (B) Section 10-2 (aggravated kidnapping),
16 (C) Section 10-3 (unlawful restraint), and (D) Section
17 10-3.1 (aggravated unlawful restraint); and

18 (4) Section 10-5(b)(10) (child abduction committed by
19 luring or attempting to lure a child under the age of 16
20 into a motor vehicle, building, house trailer, or dwelling
21 place without the consent of the parent or lawful
22 custodian of the child for other than a lawful purpose and
23 the offense was committed on or after January 1, 1998,
24 provided the offense was sexually motivated as defined in
25 Section 10 of the Sex Offender Management Board Act).

26 (E-10) As used in this Article, "sexual predator" also

1 means a person required to register in another State due to a
2 conviction, adjudication or other action of any court
3 triggering an obligation to register as a sex offender, sexual
4 predator, or substantially similar status under the laws of
5 that State.

6 (F) As used in this Article, "out-of-state student" means
7 any sex offender, as defined in this Section, or sexual
8 predator who is enrolled in Illinois, on a full-time or
9 part-time basis, in any public or private educational
10 institution, including, but not limited to, any secondary
11 school, trade or professional institution, or institution of
12 higher learning.

13 (G) As used in this Article, "out-of-state employee" means
14 any sex offender, as defined in this Section, or sexual
15 predator who works in Illinois, regardless of whether the
16 individual receives payment for services performed, for a
17 period of time of 10 or more days or for an aggregate period of
18 time of 30 or more days during any calendar year. Persons who
19 operate motor vehicles in the State accrue one day of
20 employment time for any portion of a day spent in Illinois.

21 (H) As used in this Article, "school" means any public or
22 private educational institution, including, but not limited
23 to, any elementary or secondary school, trade or professional
24 institution, or institution of higher education.

25 (I) As used in this Article, "fixed residence" means any
26 and all places that a sex offender resides for an aggregate

1 period of time of 5 or more days in a calendar year.

2 (J) As used in this Article, "Internet protocol address"
3 means the string of numbers by which a location on the Internet
4 is identified by routers or other computers connected to the
5 Internet.

6 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
7 revised 11-21-25.)

8 Section 35. The Crime Victims Compensation Act is amended
9 by changing Section 6.1 as follows:

10 (740 ILCS 45/6.1) (from Ch. 70, par. 76.1)

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

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

1 after he or she attains the age of 18 years or the
2 disability is removed, as the case may be. Legal
3 disability includes a diagnosis of posttraumatic stress
4 disorder.

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

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

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

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

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

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

1 resolution of the civil suit.

2 (b-4) An applicant may provide notification to a
3 mental health provider regarding physical injuries of the
4 victim or for victims of offenses defined in Sections
5 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
6 11-14.4, 12-3.2, 12-3.3, 12-3.4, 12-7.3, 12-7.4 of the
7 Criminal Code of 2012, psychological injuries resulting
8 from the commission of the crime for which the applicant
9 is filing an application. The provider shall perform an
10 independent medical evaluation and provide the provider's
11 professional opinion as to whether the injuries claimed
12 are consistent with having resulted from the commission of
13 the crime for which the applicant is filing an
14 application.

15 Upon completion of the independent medical evaluation,
16 the mental health provider shall complete a certification
17 form, signed under oath. The form shall be provided by the
18 Office of the Attorney General and contain the following:

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

21 (2) Contact information for the provider.

22 (3) The provider's relationship with the
23 applicant.

24 (4) The date the crime was reported to the
25 provider.

26 (5) The reported crime.

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

2 (7) If there are physical injuries, what injuries
3 that the mental health provider can attest to being
4 present on the day of the reporting if they are
5 consistent with the crime reported to the provider.

6 (8) If there are psychological injuries, whether
7 the provider in his or her professional opinion
8 believes that the injuries presented on the day of the
9 reporting are consistent with the crime reported to
10 the provider.

11 (9) A detailed summary of the incident, as
12 reported.

13 (10) Any documentation or photos that relate to
14 the crime of violence for which the applicant is
15 seeking reimbursement.

16 (c) Cooperation. The applicant has cooperated with law
17 enforcement officials in the apprehension and prosecution
18 of the assailant. If the applicant or victim has obtained
19 an order of protection, a civil no contact order, or a
20 stalking no contact order, has presented to a medical
21 facility for medical care or sexual assault evidence
22 collection, obtained an independent medical examination
23 from a mental health provider as described in subsection
24 (b-4), has taken any of the actions described in
25 subsection (b-3), or is engaged in a legal proceeding
26 involving a claim that the applicant or victim is a victim

1 of human trafficking, such action shall constitute
2 cooperation under this subsection (c). If the victim is
3 under 18 years of age at the time of the commission of the
4 offense, the following shall constitute cooperation under
5 this subsection (c):

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

8 (2) a mandated reporter reports the crime to law
9 enforcement; or

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

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

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

25 (e) (Blank).

26 (f) (Blank).

1 (f-5) Notwithstanding any other provision of this Act
2 to the contrary, a trafficking victim as defined in
3 Section 10-9 of the Criminal Code of 2012 who is under 18
4 years of age is not subject to the filing requirements of
5 this Act and is not subject to the eligibility
6 requirements of this Act.

7 (g) (Blank).

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

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

1 INDEX

2 Statutes amended in order of appearance

3 50 ILCS 705/7

4 325 ILCS 5/3 from Ch. 23, par. 2053

5 705 ILCS 405/5-915

6 720 ILCS 5/10-9

7 720 ILCS 5/11-18.1 from Ch. 38, par. 11-18.1

8 720 ILCS 5/11-20.1

9 720 ILCS 5/11-25

10 720 ILCS 5/11-27 new

11 725 ILCS 5/116-2.1

12 730 ILCS 150/2

13 740 ILCS 45/6.1 from Ch. 70, par. 76.1