



Rep. Michael J. Madigan

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1 AMENDMENT TO SENATE BILL 1890

2 AMENDMENT NO. _____. Amend Senate Bill 1890, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 1. Short title. This Act may be cited as the
6 Lodging Services Human Trafficking Recognition Training Act.

7 Section 5. Definitions. In this Act:

8 "Department" means the Department of Human Services.

9 "Employee" means a person employed by a lodging
10 establishment who has recurring interactions with the public,
11 including, but not limited to, an employee who works in a
12 reception area, performs housekeeping duties, helps customers
13 in moving their possessions, or transports by vehicle customers
14 of the lodging establishment.

15 "Human trafficking" means the deprivation or violation of
16 the personal liberty of another with the intent to obtain

1 forced labor or services, procure or sell the individual for
2 commercial sex, or exploit the individual in obscene matter.
3 Depriving or violating a person's liberty includes substantial
4 and sustained restriction of another's liberty accomplished
5 through fraud, deceit, coercion, violence, duress, menace, or
6 threat of unlawful injury to the victim or to another person,
7 under circumstances where the person receiving or apprehending
8 the threat reasonably believes that it is likely that the
9 person making the threat would carry it out.

10 "Lodging establishment" means an establishment classified
11 as a hotel or motel in the 2017 North American Industry
12 Classification System under code 721110, and an establishment
13 classified as a casino hotel in the 2017 North American
14 Industry Classification System under code 721120.

15 Section 10. Human trafficking recognition training.
16 Beginning June 1, 2020, a lodging establishment shall provide
17 its employees with training in the recognition of human
18 trafficking and protocols for reporting observed human
19 trafficking to the appropriate authority. The employees must
20 complete the training within 6 months after beginning
21 employment in such role with the lodging establishment and
22 every 2 years thereafter, if still employed by the lodging
23 establishment. The training shall be at least 20 minutes in
24 duration.

1 Section 15. Human trafficking recognition training
2 curriculum.

3 (a) A lodging establishment may use its own human
4 trafficking training program or that of a third party and be in
5 full compliance with this Act if the human trafficking training
6 program includes, at a minimum, all of the following:

7 (1) a definition of human trafficking and commercial
8 exploitation of children;

9 (2) guidance on how to identify individuals who are
10 most at risk for human trafficking;

11 (3) the difference between human trafficking for
12 purposes of labor and for purposes of sex as the
13 trafficking relates to lodging establishments; and

14 (4) guidance on the role of lodging establishment
15 employees in reporting and responding to instances of human
16 trafficking.

17 (b) The Department shall develop a curriculum for an
18 approved human trafficking training recognition program which
19 shall be used by a lodging establishment that does not
20 administer its own human trafficking recognition program as
21 described in subsection (a). The human trafficking training
22 recognition program developed by the Department shall include,
23 at a minimum, all of the following:

24 (1) a definition of human trafficking and commercial
25 exploitation of children;

26 (2) guidance on how to identify individuals who are

1 most at risk for human trafficking;

2 (3) the difference between human trafficking for
3 purposes of labor and for purposes of sex as the
4 trafficking relates to lodging establishments; and

5 (4) guidance on the role of lodging establishment
6 employees in reporting and responding to instances of human
7 trafficking.

8 The Department may consult the United States Department of
9 Justice for the human trafficking recognition training program
10 developed under this subsection.

11 The Department shall develop and publish the human
12 trafficking recognition training program described in this
13 subsection no later than July 1, 2020.

14 Section 100. The Department of State Police Law of the
15 Civil Administrative Code of Illinois is amended by adding
16 Section 2605-99 as follows:

17 (20 ILCS 2605/2605-99 new)

18 Sec. 2605-99. Training; human trafficking. The Director
19 shall conduct or approve a training program in the detection
20 and investigation of all forms of human trafficking, including,
21 but not limited to "involuntary servitude" under subsection (b)
22 of Section 10-9 of the Criminal Code of 2012, "involuntary
23 sexual servitude of a minor" under subsection (c) of Section
24 10-9 of the Criminal Code of 2012, and "trafficking in persons"

1 under subsection (d) of Section 10-9 of the Criminal Code of
2 2012. This program shall be made available to all cadets and
3 state police officers.

4 Section 105. The Illinois Police Training Act is amended by
5 changing Section 7 and by adding Section 10.23 as follows:

6 (50 ILCS 705/7) (from Ch. 85, par. 507)

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

1 physiological effects of the use of those devices on
2 humans, first-aid (including cardiopulmonary
3 resuscitation), training in the administration of opioid
4 antagonists as defined in paragraph (1) of subsection (e)
5 of Section 5-23 of the Substance Use Disorder Act, handling
6 of juvenile offenders, recognition of mental conditions
7 and crises, including, but not limited to, the disease of
8 addiction, which require immediate assistance and response
9 and methods to safeguard and provide assistance to a person
10 in need of mental treatment, recognition of abuse, neglect,
11 financial exploitation, and self-neglect of adults with
12 disabilities and older adults, as defined in Section 2 of
13 the Adult Protective Services Act, crimes against the
14 elderly, law of evidence, the hazards of high-speed police
15 vehicle chases with an emphasis on alternatives to the
16 high-speed chase, and physical training. The curriculum
17 shall include specific training in techniques for
18 immediate response to and investigation of cases of
19 domestic violence and of sexual assault of adults and
20 children, including cultural perceptions and common myths
21 of sexual assault and sexual abuse as well as interview
22 techniques that are age sensitive and are trauma informed,
23 victim centered, and victim sensitive. The curriculum
24 shall include training in techniques designed to promote
25 effective communication at the initial contact with crime
26 victims and ways to comprehensively explain to victims and

1 witnesses their rights under the Rights of Crime Victims
2 and Witnesses Act and the Crime Victims Compensation Act.
3 The curriculum shall also include training in effective
4 recognition of and responses to stress, trauma, and
5 post-traumatic stress experienced by police officers. The
6 curriculum shall also include a block of instruction aimed
7 at identifying and interacting with persons with autism and
8 other developmental or physical disabilities, reducing
9 barriers to reporting crimes against persons with autism,
10 and addressing the unique challenges presented by cases
11 involving victims or witnesses with autism and other
12 developmental disabilities. The curriculum shall include
13 training in the detection and investigation of all forms of
14 human trafficking. The curriculum for permanent police
15 officers shall include, but not be limited to: (1)
16 refresher and in-service training in any of the courses
17 listed above in this subparagraph, (2) advanced courses in
18 any of the subjects listed above in this subparagraph, (3)
19 training for supervisory personnel, and (4) specialized
20 training in subjects and fields to be selected by the
21 board. The training in the use of electronic control
22 devices shall be conducted for probationary police
23 officers, including University police officers.

24 b. Minimum courses of study, attendance requirements
25 and equipment requirements.

26 c. Minimum requirements for instructors.

1 d. Minimum basic training requirements, which a
2 probationary police officer must satisfactorily complete
3 before being eligible for permanent employment as a local
4 law enforcement officer for a participating local
5 governmental agency. Those requirements shall include
6 training in first aid (including cardiopulmonary
7 resuscitation).

8 e. Minimum basic training requirements, which a
9 probationary county corrections officer must
10 satisfactorily complete before being eligible for
11 permanent employment as a county corrections officer for a
12 participating local governmental agency.

13 f. Minimum basic training requirements which a
14 probationary court security officer must satisfactorily
15 complete before being eligible for permanent employment as
16 a court security officer for a participating local
17 governmental agency. The Board shall establish those
18 training requirements which it considers appropriate for
19 court security officers and shall certify schools to
20 conduct that training.

21 A person hired to serve as a court security officer
22 must obtain from the Board a certificate (i) attesting to
23 his or her successful completion of the training course;
24 (ii) attesting to his or her satisfactory completion of a
25 training program of similar content and number of hours
26 that has been found acceptable by the Board under the

1 provisions of this Act; or (iii) attesting to the Board's
2 determination that the training course is unnecessary
3 because of the person's extensive prior law enforcement
4 experience.

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

12 All individuals hired as court security officers on or
13 after June 1, 1997 (the effective date of Public Act
14 89-685) shall be certified within 12 months of the date of
15 their hire, unless a waiver has been obtained by the Board,
16 or they shall forfeit their positions.

17 The Sheriff's Merit Commission, if one exists, or the
18 Sheriff's Office if there is no Sheriff's Merit Commission,
19 shall maintain a list of all individuals who have filed
20 applications to become court security officers and who meet
21 the eligibility requirements established under this Act.
22 Either the Sheriff's Merit Commission, or the Sheriff's
23 Office if no Sheriff's Merit Commission exists, shall
24 establish a schedule of reasonable intervals for
25 verification of the applicants' qualifications under this
26 Act and as established by the Board.

1 g. Minimum in-service training requirements, which a
2 police officer must satisfactorily complete every 3 years.
3 Those requirements shall include constitutional and proper
4 use of law enforcement authority, procedural justice,
5 civil rights, human rights, mental health awareness and
6 response, and cultural competency.

7 h. Minimum in-service training requirements, which a
8 police officer must satisfactorily complete at least
9 annually. Those requirements shall include law updates and
10 use of force training which shall include scenario based
11 training, or similar training approved by the Board.

12 (Source: P.A. 99-352, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642,
13 eff. 7-28-16; 99-801, eff. 1-1-17; 100-121, eff. 1-1-18;
14 100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff.
15 8-14-18; 100-910, eff. 1-1-19; revised 9-28-19.)

16 (50 ILCS 705/10.23 new)

17 Sec. 10.23. Training; human trafficking. The Board shall
18 conduct or approve an in-service training program in the
19 detection and investigation of all forms of human trafficking,
20 including, but not limited to, "involuntary servitude" under
21 subsection (b) of Section 10-9 of the Criminal Code of 2012,
22 "involuntary sexual servitude of a minor" under subsection (c)
23 of Section 10-9 of the Criminal Code of 2012, and "trafficking
24 in persons" under subsection (d) of Section 10-9 of the
25 Criminal Code of 2012. This program shall be made available to

1 all certified law enforcement, correctional, and court
2 security officers.

3 Section 110. The Criminal Code of 2012 is amended by
4 changing Sections 3-6 and 10-9 as follows:

5 (720 ILCS 5/3-6) (from Ch. 38, par. 3-6)

6 Sec. 3-6. Extended limitations. The period within which a
7 prosecution must be commenced under the provisions of Section
8 3-5 or other applicable statute is extended under the following
9 conditions:

10 (a) A prosecution for theft involving a breach of a
11 fiduciary obligation to the aggrieved person may be commenced
12 as follows:

13 (1) If the aggrieved person is a minor or a person
14 under legal disability, then during the minority or legal
15 disability or within one year after the termination
16 thereof.

17 (2) In any other instance, within one year after the
18 discovery of the offense by an aggrieved person, or by a
19 person who has legal capacity to represent an aggrieved
20 person or has a legal duty to report the offense, and is
21 not himself or herself a party to the offense; or in the
22 absence of such discovery, within one year after the proper
23 prosecuting officer becomes aware of the offense. However,
24 in no such case is the period of limitation so extended

1 more than 3 years beyond the expiration of the period
2 otherwise applicable.

3 (b) A prosecution for any offense based upon misconduct in
4 office by a public officer or employee may be commenced within
5 one year after discovery of the offense by a person having a
6 legal duty to report such offense, or in the absence of such
7 discovery, within one year after the proper prosecuting officer
8 becomes aware of the offense. However, in no such case is the
9 period of limitation so extended more than 3 years beyond the
10 expiration of the period otherwise applicable.

11 (b-5) When the victim is under 18 years of age at the time
12 of the offense, a prosecution for involuntary servitude,
13 involuntary sexual servitude of a minor, or trafficking in
14 persons and related offenses under Section 10-9 of this Code
15 may be commenced within 25 years of the victim attaining the
16 age of 18 years.

17 (b-6) When the victim is 18 years of age or over at the
18 time of the offense, a prosecution for involuntary servitude,
19 involuntary sexual servitude of a minor, or trafficking in
20 persons and related offenses under Section 10-9 of this Code
21 may be commenced within 25 years after the commission of the
22 offense.

23 (c) (Blank).

24 (d) A prosecution for child pornography, aggravated child
25 pornography, indecent solicitation of a child, soliciting for a
26 juvenile prostitute, juvenile pimping, exploitation of a

1 child, or promoting juvenile prostitution except for keeping a
2 place of juvenile prostitution may be commenced within one year
3 of the victim attaining the age of 18 years. However, in no
4 such case shall the time period for prosecution expire sooner
5 than 3 years after the commission of the offense.

6 (e) Except as otherwise provided in subdivision (j), a
7 prosecution for any offense involving sexual conduct or sexual
8 penetration, as defined in Section 11-0.1 of this Code, where
9 the defendant was within a professional or fiduciary
10 relationship or a purported professional or fiduciary
11 relationship with the victim at the time of the commission of
12 the offense may be commenced within one year after the
13 discovery of the offense by the victim.

14 (f) A prosecution for any offense set forth in Section 44
15 of the Environmental Protection Act may be commenced within 5
16 years after the discovery of such an offense by a person or
17 agency having the legal duty to report the offense or in the
18 absence of such discovery, within 5 years after the proper
19 prosecuting officer becomes aware of the offense.

20 (f-5) A prosecution for any offense set forth in Section
21 16-30 of this Code may be commenced within 5 years after the
22 discovery of the offense by the victim of that offense.

23 (g) (Blank).

24 (h) (Blank).

25 (i) Except as otherwise provided in subdivision (j), a
26 prosecution for criminal sexual assault, aggravated criminal

1 sexual assault, or aggravated criminal sexual abuse may be
2 commenced within 10 years of the commission of the offense if
3 the victim reported the offense to law enforcement authorities
4 within 3 years after the commission of the offense. If the
5 victim consented to the collection of evidence using an
6 Illinois State Police Sexual Assault Evidence Collection Kit
7 under the Sexual Assault Survivors Emergency Treatment Act, it
8 shall constitute reporting for purposes of this Section.

9 Nothing in this subdivision (i) shall be construed to
10 shorten a period within which a prosecution must be commenced
11 under any other provision of this Section.

12 (i-5) A prosecution for armed robbery, home invasion,
13 kidnapping, or aggravated kidnaping may be commenced within 10
14 years of the commission of the offense if it arises out of the
15 same course of conduct and meets the criteria under one of the
16 offenses in subsection (i) of this Section.

17 (j) (1) When the victim is under 18 years of age at the
18 time of the offense, a prosecution for criminal sexual assault,
19 aggravated criminal sexual assault, predatory criminal sexual
20 assault of a child, aggravated criminal sexual abuse, or felony
21 criminal sexual abuse may be commenced at any time.

22 (2) When the victim is under 18 years of age at the time of
23 the offense, a prosecution for failure of a person who is
24 required to report an alleged or suspected commission of
25 criminal sexual assault, aggravated criminal sexual assault,
26 predatory criminal sexual assault of a child, aggravated

1 criminal sexual abuse, or felony criminal sexual abuse under
2 the Abused and Neglected Child Reporting Act may be commenced
3 within 20 years after the child victim attains 18 years of age.

4 (3) When the victim is under 18 years of age at the time of
5 the offense, a prosecution for misdemeanor criminal sexual
6 abuse may be commenced within 10 years after the child victim
7 attains 18 years of age.

8 (4) Nothing in this subdivision (j) shall be construed to
9 shorten a period within which a prosecution must be commenced
10 under any other provision of this Section.

11 (j-5) A prosecution for armed robbery, home invasion,
12 kidnapping, or aggravated kidnaping may be commenced at any
13 time if it arises out of the same course of conduct and meets
14 the criteria under one of the offenses in subsection (j) of
15 this Section.

16 (k) (Blank).

17 (l) A prosecution for any offense set forth in Section 26-4
18 of this Code may be commenced within one year after the
19 discovery of the offense by the victim of that offense.

20 (l-5) A prosecution for any offense involving sexual
21 conduct or sexual penetration, as defined in Section 11-0.1 of
22 this Code, in which the victim was 18 years of age or older at
23 the time of the offense, may be commenced within one year after
24 the discovery of the offense by the victim when corroborating
25 physical evidence is available. The charging document shall
26 state that the statute of limitations is extended under this

1 subsection (1-5) and shall state the circumstances justifying
2 the extension. Nothing in this subsection (1-5) shall be
3 construed to shorten a period within which a prosecution must
4 be commenced under any other provision of this Section or
5 Section 3-5 of this Code.

6 (m) The prosecution shall not be required to prove at trial
7 facts which extend the general limitations in Section 3-5 of
8 this Code when the facts supporting extension of the period of
9 general limitations are properly pled in the charging document.
10 Any challenge relating to the extension of the general
11 limitations period as defined in this Section shall be
12 exclusively conducted under Section 114-1 of the Code of
13 Criminal Procedure of 1963.

14 (n) A prosecution for any offense set forth in subsection
15 (a), (b), or (c) of Section 8A-3 or Section 8A-13 of the
16 Illinois Public Aid Code, in which the total amount of money
17 involved is \$5,000 or more, including the monetary value of
18 food stamps and the value of commodities under Section 16-1 of
19 this Code may be commenced within 5 years of the last act
20 committed in furtherance of the offense.

21 (Source: P.A. 99-234, eff. 8-3-15; 99-820, eff. 8-15-16;
22 100-80, eff. 8-11-17; 100-318, eff. 8-24-17; 100-434, eff.
23 1-1-18; 100-863, eff. 8-14-18; 100-998, eff. 1-1-19; 100-1010,
24 eff. 1-1-19; 100-1087, eff. 1-1-19; revised 10-9-18.)

1 Sec. 10-9. Trafficking in persons, involuntary servitude,
2 and related offenses.

3 (a) Definitions. In this Section:

4 (1) "Intimidation" has the meaning prescribed in
5 Section 12-6.

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

9 (2.5) "Company" means any sole proprietorship,
10 organization, association, corporation, partnership, joint
11 venture, limited partnership, limited liability
12 partnership, limited liability limited partnership,
13 limited liability company, or other entity or business
14 association, including all wholly owned subsidiaries,
15 majority-owned subsidiaries, parent companies, or
16 affiliates of those entities or business associations,
17 that exist for the purpose of making profit.

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

21 (4) (Blank).

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

23 (6) "Maintain" means, in relation to labor or services,
24 to secure continued performance thereof, regardless of any
25 initial agreement on the part of the victim to perform that
26 type of service.

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

3 (7.5) "Serious harm" means any harm, whether physical
4 or nonphysical, including psychological, financial, or
5 reputational harm, that is sufficiently serious, under all
6 the surrounding circumstances, to compel a reasonable
7 person of the same background and in the same circumstances
8 to perform or to continue performing labor or services in
9 order to avoid incurring that harm.

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

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

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

24 (b) Involuntary servitude. A person commits involuntary
25 servitude when he or she knowingly subjects, attempts to
26 subject, or engages in a conspiracy to subject another person

1 to labor or services obtained or maintained through any of the
2 following means, or any combination of these means:

3 (1) causes or threatens to cause physical harm to any
4 person;

5 (2) physically restrains or threatens to physically
6 restrain another person;

7 (3) abuses or threatens to abuse the law or legal
8 process;

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

14 (5) uses intimidation, or exerts financial control
15 over any person; or

16 (6) uses any scheme, plan, or pattern intended to cause
17 the person to believe that, if the person did not perform
18 the labor or services, that person or another person would
19 suffer serious harm or physical restraint.

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

24 (c) Involuntary sexual servitude of a minor. A person
25 commits involuntary sexual servitude of a minor when he or she
26 knowingly recruits, entices, harbors, transports, provides, or

1 obtains by any means, or attempts to recruit, entice, harbor,
2 provide, or obtain by any means, another person under 18 years
3 of age, knowing that the minor will engage in commercial sexual
4 activity, a sexually-explicit performance, or the production
5 of pornography, or causes or attempts to cause a minor to
6 engage in one or more of those activities and:

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

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

11 (3) there is overt force or threat.

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

15 (d) Trafficking in persons. A person commits trafficking in
16 persons when he or she knowingly: (1) recruits, entices,
17 harbors, transports, provides, or obtains by any means, or
18 attempts to recruit, entice, harbor, transport, provide, or
19 obtain by any means, another person, intending or knowing that
20 the person will be subjected to involuntary servitude; or (2)
21 benefits, financially or by receiving anything of value, from
22 participation in a venture that has engaged in an act of
23 involuntary servitude or involuntary sexual servitude of a
24 minor. A company commits trafficking in persons when the
25 company knowingly benefits, financially or by receiving
26 anything of value, from participation in a venture that has

1 engaged in an act of involuntary servitude or involuntary
2 sexual servitude of a minor.

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

8 (e) Aggravating factors. A violation of this Section
9 involving kidnapping or an attempt to kidnap, aggravated
10 criminal sexual assault or an attempt to commit aggravated
11 criminal sexual assault, or an attempt to commit first degree
12 murder is a Class X felony.

13 (f) Sentencing considerations.

14 (1) Bodily injury. If, pursuant to a violation of this
15 Section, a victim suffered bodily injury, the defendant may
16 be sentenced to an extended-term sentence under Section
17 5-8-2 of the Unified Code of Corrections. The sentencing
18 court must take into account the time in which the victim
19 was held in servitude, with increased penalties for cases
20 in which the victim was held for between 180 days and one
21 year, and increased penalties for cases in which the victim
22 was held for more than one year.

23 (2) Number of victims. In determining sentences within
24 statutory maximums, the sentencing court should take into
25 account the number of victims, and may provide for
26 substantially increased sentences in cases involving more

1 than 10 victims.

2 (g) Restitution. Restitution is mandatory under this
3 Section. In addition to any other amount of loss identified,
4 the court shall order restitution including the greater of (1)
5 the gross income or value to the defendant of the victim's
6 labor or services or (2) the value of the victim's labor as
7 guaranteed under the Minimum Wage Law and overtime provisions
8 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,
9 whichever is greater.

10 (g-5) Fine distribution. If the court imposes a fine under
11 subsection (b), (c), or (d) of this Section, it shall be
12 collected and distributed to the Specialized Services for
13 Survivors of Human Trafficking Fund in accordance with Section
14 5-9-1.21 of the Unified Code of Corrections.

15 (h) Trafficking victim services. Subject to the
16 availability of funds, the Department of Human Services may
17 provide or fund emergency services and assistance to
18 individuals who are victims of one or more offenses defined in
19 this Section.

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

1 cooperate or is cooperating with the investigation to enable
2 the individual, if eligible under federal law, to qualify for
3 an appropriate special immigrant visa and to access available
4 federal benefits. Cooperation with law enforcement shall not be
5 required of victims of a crime described in this Section who
6 are under 18 years of age. This certification shall be made
7 available to the victim and his or her designated legal
8 representative.

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

14 (Source: P.A. 97-897, eff. 1-1-13; 98-756, eff. 7-16-14;
15 98-1013, eff. 1-1-15.)

16 Section 115. The Code of Civil Procedure is amended by
17 changing Section 13-225 as follows:

18 (735 ILCS 5/13-225)

19 Sec. 13-225. Trafficking victims protection. (a) In
20 this Section, "human trafficking", "involuntary servitude",
21 "sex trade", and "victim of the sex trade" have the meanings
22 ascribed to them in Section 10 of the Trafficking Victims
23 Protection Act.

24 (b) Subject to both subsections (e) and (f) and

1 notwithstanding any other provision of law, an action under the
2 Trafficking Victims Protection Act must be commenced within 25
3 ~~10~~ years of the date the limitation period begins to run under
4 subsection (d) or within 25 ~~10~~ years of the date the plaintiff
5 discovers or through the use of reasonable diligence should
6 discover both (i) that the sex trade, involuntary servitude, or
7 human trafficking act occurred, and (ii) that the defendant
8 caused, was responsible for, or profited from the sex trade,
9 involuntary servitude, or human trafficking act. The fact that
10 the plaintiff discovers or through the use of reasonable
11 diligence should discover that the sex trade, involuntary
12 servitude, or human trafficking act occurred is not, by itself,
13 sufficient to start the discovery period under this subsection
14 (b).

15 (c) If the injury is caused by 2 or more acts that are part
16 of a continuing series of sex trade, involuntary servitude, or
17 human trafficking acts by the same defendant, then the
18 discovery period under subsection (b) shall be computed from
19 the date the person abused discovers or through the use of
20 reasonable diligence should discover (i) that the last sex
21 trade, involuntary servitude, or human trafficking act in the
22 continuing series occurred, and (ii) that the defendant caused,
23 was responsible for, or profited from the series of sex trade,
24 involuntary servitude, or human trafficking acts. The fact that
25 the plaintiff discovers or through the use of reasonable
26 diligence should discover that the last sex trade, involuntary

1 servitude, or human trafficking act in the continuing series
2 occurred is not, by itself, sufficient to start the discovery
3 period under subsection (b).

4 (d) The limitation periods in subsection (b) do not begin
5 to run before the plaintiff attains the age of 18 years; and,
6 if at the time the plaintiff attains the age of 18 years he or
7 she is under other legal disability, the limitation periods
8 under subsection (b) do not begin to run until the removal of
9 the disability.

10 (e) The limitation periods in subsection (b) do not run
11 during a time period when the plaintiff is subject to threats,
12 intimidation, manipulation, or fraud perpetrated by the
13 defendant or by any person acting in the interest of the
14 defendant.

15 (f) The limitation periods in subsection (b) do not
16 commence running until the expiration of all limitations
17 periods applicable to the criminal prosecution of the plaintiff
18 for any acts which form the basis of a cause of action under
19 the Trafficking Victims Protection Act.

20 (Source: P.A. 100-939, eff. 1-1-19.)

21 Section 999. Effective date. This Section and Sections 1
22 through 15 take effect upon becoming law.".