



Sen. Patrick J. Joyce

Filed: 10/24/2023

10300SB0853sam001

LRB103 03312 AWJ 64904 a

1 AMENDMENT TO SENATE BILL 853

2 AMENDMENT NO. _____. Amend Senate Bill 853 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-10 as follows:

7 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

8 (Text of Section before amendment by P.A. 103-34)

9 Sec. 2605-10. Powers and duties, generally.

10 (a) The Illinois State Police shall exercise the rights,
11 powers, and duties that have been vested in the Illinois State
12 Police by the following:

13 The Illinois State Police Act.

14 The Illinois State Police Radio Act.

15 The Criminal Identification Act.

16 The Illinois Vehicle Code.

1 The Firearm Owners Identification Card Act.

2 The Firearm Concealed Carry Act.

3 The Gun Dealer Licensing Act.

4 The Intergovernmental Missing Child Recovery Act of
5 1984.

6 The Intergovernmental Drug Laws Enforcement Act.

7 The Narcotic Control Division Abolition Act.

8 (b) The Illinois State Police shall have the powers and
9 duties set forth in the following Sections.

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

11 (Text of Section after amendment by P.A. 103-34)

12 Sec. 2605-10. Powers and duties, generally.

13 (a) The Illinois State Police shall exercise the rights,
14 powers, and duties that have been vested in the Illinois State
15 Police by the following:

16 The Illinois State Police Act.

17 The Illinois State Police Radio Act.

18 The Criminal Identification Act.

19 The Illinois Vehicle Code.

20 The Firearm Owners Identification Card Act.

21 The Firearm Concealed Carry Act.

22 The Firearm Dealer License Certification Act.

23 The Intergovernmental Missing Child Recovery Act of
24 1984.

25 The Intergovernmental Drug Laws Enforcement Act.

1 The Narcotic Control Division Abolition Act.

2 The Illinois Uniform Conviction Information Act.

3 The Murderer and Violent Offender Against Youth
4 Registration Act.

5 (b) The Illinois State Police shall have the powers and
6 duties set forth in the following Sections.

7 (c) The Illinois State Police shall exercise the rights,
8 powers, and duties vested in the Illinois State Police to
9 implement the following protective service functions for State
10 facilities, State officials, and State employees serving in
11 their official capacity:

12 (1) Utilize subject matter expertise and law
13 enforcement authority to strengthen the protection of
14 State government facilities, State employees, State
15 officials, and State critical infrastructure.

16 (2) Coordinate State, federal, and local law
17 enforcement activities involving the protection of State
18 facilities, officials, and employees.

19 (3) Conduct investigations of criminal threats to
20 State facilities, State critical infrastructure, State
21 officials, and State employees.

22 (4) Train State officials and employees in personal
23 protection, crime prevention, facility occupant emergency
24 planning, and incident management.

25 (5) Establish standard protocols for prevention and
26 response to criminal threats to State facilities, State

1 officials, State employees, and State critical
2 infrastructure, and standard protocols for reporting of
3 suspicious activities.

4 (6) Establish minimum operational standards,
5 qualifications, training, and compliance requirements for
6 State employees and contractors engaged in the protection
7 of State facilities and employees.

8 (7) At the request of departments or agencies of State
9 government, conduct security assessments, including, but
10 not limited to, examination of alarm systems, cameras
11 systems, access points, personnel readiness, and emergency
12 protocols based on risk and need.

13 (8) Oversee the planning and implementation of
14 security and law enforcement activities necessary for the
15 protection of major, multi-jurisdictional events
16 implicating potential criminal threats to State officials,
17 State employees, or State-owned, State-leased, or
18 State-operated critical infrastructure or facilities.

19 (9) Oversee and direct the planning and implementation
20 of security and law enforcement activities by the
21 departments and agencies of the State necessary for the
22 protection of State employees, State officials, and
23 State-owned, State-leased, or State-operated critical
24 infrastructure or facilities from criminal activity.

25 (10) Advise the Governor and Homeland Security Advisor
26 on any matters necessary for the effective protection of

1 State facilities, critical infrastructure, officials, and
2 employees from criminal threats.

3 (11) Utilize intergovernmental agreements and
4 administrative rules as needed for the effective,
5 efficient implementation of law enforcement and support
6 activities necessary for the protection of State
7 facilities, State infrastructure, State employees, and,
8 upon the express written consent of State constitutional
9 officials, State constitutional officials, ~~and State~~
10 ~~employees.~~

11 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24;
12 revised 9-25-23.)

13 Section 10. The Emergency Telephone System Act is amended
14 by changing Sections 30 and 35 as follows:

15 (50 ILCS 750/30)

16 (Text of Section before amendment by P.A. 103-366)

17 (Section scheduled to be repealed on December 31, 2025)

18 Sec. 30. Statewide 9-1-1 Fund; surcharge disbursement.

19 (a) A special fund in the State treasury known as the
20 Wireless Service Emergency Fund shall be renamed the Statewide
21 9-1-1 Fund. Any appropriations made from the Wireless Service
22 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.
23 The Fund shall consist of the following:

24 (1) 9-1-1 wireless surcharges assessed under the

1 Wireless Emergency Telephone Safety Act.

2 (2) 9-1-1 surcharges assessed under Section 20 of this
3 Act.

4 (3) Prepaid wireless 9-1-1 surcharges assessed under
5 Section 15 of the Prepaid Wireless 9-1-1 Surcharge Act.

6 (4) Any appropriations, grants, or gifts made to the
7 Fund.

8 (5) Any income from interest, premiums, gains, or
9 other earnings on moneys in the Fund.

10 (6) Money from any other source that is deposited in
11 or transferred to the Fund.

12 (b) Subject to appropriation and availability of funds,
13 the Illinois State Police shall distribute the 9-1-1
14 surcharges monthly as follows:

15 (1) From each surcharge collected and remitted under
16 Section 20 of this Act:

17 (A) \$0.013 shall be distributed monthly in equal
18 amounts to each County Emergency Telephone System
19 Board in counties with a population under 100,000
20 according to the most recent census data which is
21 authorized to serve as a primary wireless 9-1-1 public
22 safety answering point for the county and to provide
23 wireless 9-1-1 service as prescribed by subsection (b)
24 of Section 15.6a of this Act, and which does provide
25 such service.

26 (B) \$0.033 shall be transferred by the Comptroller

1 at the direction of the Illinois State Police to the
2 Wireless Carrier Reimbursement Fund until June 30,
3 2017; from July 1, 2017 through June 30, 2018, \$0.026
4 shall be transferred; from July 1, 2018 through June
5 30, 2019, \$0.020 shall be transferred; from July 1,
6 2019, through June 30, 2020, \$0.013 shall be
7 transferred; from July 1, 2020 through June 30, 2021,
8 \$0.007 will be transferred; and after June 30, 2021,
9 no transfer shall be made to the Wireless Carrier
10 Reimbursement Fund.

11 (C) Until December 31, 2017, \$0.007 and on and
12 after January 1, 2018, \$0.017 shall be used to cover
13 the Illinois State Police's administrative costs.

14 (D) Beginning January 1, 2018, until June 30,
15 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
16 be used to make monthly proportional grants to the
17 appropriate 9-1-1 Authority currently taking wireless
18 9-1-1 based upon the United States Postal Zip Code of
19 the billing addresses of subscribers wireless
20 carriers.

21 (E) Until June 30, 2025 ~~2023~~, \$0.05 shall be used
22 by the Illinois State Police for grants for NG9-1-1
23 expenses, with priority given to 9-1-1 Authorities
24 that provide 9-1-1 service within the territory of a
25 Large Electing Provider as defined in Section 13-406.1
26 of the Public Utilities Act.

1 (F) On and after July 1, 2020, \$0.13 shall be used
2 for the implementation of and continuing expenses for
3 the Statewide NG9-1-1 system.

4 (2) After disbursements under paragraph (1) of this
5 subsection (b), all remaining funds in the Statewide 9-1-1
6 Fund shall be disbursed in the following priority order:

7 (A) The Fund shall pay monthly to:

8 (i) the 9-1-1 Authorities that imposed
9 surcharges under Section 15.3 of this Act and were
10 required to report to the Illinois Commerce
11 Commission under Section 27 of the Wireless
12 Emergency Telephone Safety Act on October 1, 2014,
13 except a 9-1-1 Authority in a municipality with a
14 population in excess of 500,000, an amount equal
15 to the average monthly wireline and VoIP surcharge
16 revenue attributable to the most recent 12-month
17 period reported to the Illinois State Police under
18 that Section for the October 1, 2014 filing,
19 subject to the power of the Illinois State Police
20 to investigate the amount reported and adjust the
21 number by order under Article X of the Public
22 Utilities Act, so that the monthly amount paid
23 under this item accurately reflects one-twelfth of
24 the aggregate wireline and VoIP surcharge revenue
25 properly attributable to the most recent 12-month
26 period reported to the Commission; or

1 (ii) county qualified governmental entities
2 that did not impose a surcharge under Section 15.3
3 as of December 31, 2015, and counties that did not
4 impose a surcharge as of June 30, 2015, an amount
5 equivalent to their population multiplied by .37
6 multiplied by the rate of \$0.69; counties that are
7 not county qualified governmental entities and
8 that did not impose a surcharge as of December 31,
9 2015, shall not begin to receive the payment
10 provided for in this subsection until E9-1-1 and
11 wireless E9-1-1 services are provided within their
12 counties; or

13 (iii) counties without 9-1-1 service that had
14 a surcharge in place by December 31, 2015, an
15 amount equivalent to their population multiplied
16 by .37 multiplied by their surcharge rate as
17 established by the referendum.

18 (B) All 9-1-1 network costs for systems outside of
19 municipalities with a population of at least 500,000
20 shall be paid by the Illinois State Police directly to
21 the vendors.

22 (C) All expenses incurred by the Administrator and
23 the Statewide 9-1-1 Advisory Board and costs
24 associated with procurement under Section 15.6b
25 including requests for information and requests for
26 proposals.

1 (D) Funds may be held in reserve by the Statewide
2 9-1-1 Advisory Board and disbursed by the Illinois
3 State Police for grants under Section 15.4b of this
4 Act and for NG9-1-1 expenses up to \$12.5 million per
5 year in State fiscal years 2016 and 2017; up to \$20
6 million in State fiscal year 2018; up to \$20.9 million
7 in State fiscal year 2019; up to \$15.3 million in State
8 fiscal year 2020; up to \$16.2 million in State fiscal
9 year 2021; up to \$23.1 million in State fiscal year
10 2022; and up to \$17.0 million per year for State fiscal
11 year 2023 and each year thereafter. The amount held in
12 reserve in State fiscal years 2021, 2022, and 2023
13 shall not be less than \$6.5 million. Disbursements
14 under this subparagraph (D) shall be prioritized as
15 follows: (i) consolidation grants prioritized under
16 subsection (a) of Section 15.4b of this Act; (ii)
17 NG9-1-1 expenses; and (iii) consolidation grants under
18 Section 15.4b of this Act for consolidation expenses
19 incurred between January 1, 2010, and January 1, 2016.

20 (E) All remaining funds per remit month shall be
21 used to make monthly proportional grants to the
22 appropriate 9-1-1 Authority currently taking wireless
23 9-1-1 based upon the United States Postal Zip Code of
24 the billing addresses of subscribers of wireless
25 carriers.

26 (c) The moneys deposited into the Statewide 9-1-1 Fund

1 under this Section shall not be subject to administrative
2 charges or chargebacks unless otherwise authorized by this
3 Act.

4 (d) Whenever two or more 9-1-1 Authorities consolidate,
5 the resulting Joint Emergency Telephone System Board shall be
6 entitled to the monthly payments that had theretofore been
7 made to each consolidating 9-1-1 Authority. Any reserves held
8 by any consolidating 9-1-1 Authority shall be transferred to
9 the resulting Joint Emergency Telephone System Board. Whenever
10 a county that has no 9-1-1 service as of January 1, 2016 enters
11 into an agreement to consolidate to create or join a Joint
12 Emergency Telephone System Board, the Joint Emergency
13 Telephone System Board shall be entitled to the monthly
14 payments that would have otherwise been paid to the county if
15 it had provided 9-1-1 service.

16 (Source: P.A. 101-639, eff. 6-12-20; 102-9, eff. 6-3-21;
17 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

18 (Text of Section after amendment by P.A. 103-366)

19 (Section scheduled to be repealed on December 31, 2025)

20 Sec. 30. Statewide 9-1-1 Fund; surcharge disbursement.

21 (a) A special fund in the State treasury known as the
22 Wireless Service Emergency Fund shall be renamed the Statewide
23 9-1-1 Fund. Any appropriations made from the Wireless Service
24 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.
25 The Fund shall consist of the following:

1 (1) (Blank).

2 (2) 9-1-1 surcharges assessed under Section 20 of this
3 Act.

4 (3) Prepaid wireless 9-1-1 surcharges assessed under
5 Section 15 of the Prepaid Wireless 9-1-1 Surcharge Act.

6 (4) Any appropriations, grants, or gifts made to the
7 Fund.

8 (5) Any income from interest, premiums, gains, or
9 other earnings on moneys in the Fund.

10 (6) Money from any other source that is deposited in
11 or transferred to the Fund.

12 (b) Subject to appropriation and availability of funds,
13 the Illinois State Police shall distribute the 9-1-1
14 surcharges monthly as follows:

15 (1) From each surcharge collected and remitted under
16 Section 20 of this Act:

17 (A) \$0.013 shall be distributed monthly in equal
18 amounts to each County Emergency Telephone System
19 Board in counties with a population under 100,000
20 according to the most recent census data which is
21 authorized to serve as a primary wireless 9-1-1 public
22 safety answering point for the county and to provide
23 wireless 9-1-1 service as prescribed by subsection (b)
24 of Section 15.6a of this Act, and which does provide
25 such service.

26 (B) (Blank).

1 (C) Until December 31, 2017, \$0.007 and on and
2 after January 1, 2018, \$0.017 shall be used to cover
3 the Illinois State Police's administrative costs.

4 (D) Beginning January 1, 2018, until June 30,
5 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
6 be used to make monthly disbursements to the
7 appropriate 9-1-1 Authority currently taking wireless
8 9-1-1 based upon the United States Postal Zip Code of
9 the billing addresses of subscribers wireless
10 carriers.

11 (E) Until June 30, 2025 ~~2023~~, \$0.05 shall be used
12 by the Illinois State Police for grants for NG9-1-1
13 expenses, with priority given to 9-1-1 Authorities
14 that provide 9-1-1 service within the territory of a
15 Large Electing Provider as defined in Section 13-406.1
16 of the Public Utilities Act.

17 (F) On and after July 1, 2020, \$0.13 shall be used
18 for the implementation of and continuing expenses for
19 the Statewide NG9-1-1 system.

20 (1.5) Beginning on the effective date of this
21 amendatory Act of the 103rd General Assembly, to assist
22 with the implementation of the statewide Next Generation
23 9-1-1 network, the Illinois State Police's administrative
24 costs include the one-time capital cost of upgrading the
25 Illinois State Police's call-handling equipment to meet
26 the standards necessary to access and increase

1 interoperability with the statewide Next Generation 9-1-1
2 network.

3 (A) Upon completion of the Illinois State Police's
4 call-handling equipment upgrades, but no later than
5 June 30, 2024, surplus moneys in excess of \$1,000,000
6 from subparagraph (C) of paragraph (1) not utilized by
7 the Illinois State Police for administrative costs
8 shall be distributed to the 9-1-1 Authorities in
9 accordance with subparagraph (E) of paragraph (2) on
10 an annual basis at the end of the State fiscal year.
11 Any remaining surplus money may also be distributed
12 consistent with this paragraph (1.5) at the discretion
13 of the Illinois State Police.

14 (B) Upon implementation of the Statewide NG9-1-1
15 system, but no later than June 30, 2024, surplus
16 moneys in excess of \$5,000,000 from subparagraph (F)
17 of paragraph (1) not utilized by the Illinois State
18 Police for the implementation of and continuing
19 expenses for the Statewide NG9-1-1 system shall be
20 distributed to the 9-1-1 Authorities in accordance
21 with subparagraph (E) of subsection (2) on an annual
22 basis at the end of the State fiscal year. Any
23 remaining surplus money may also be distributed
24 consistent with this paragraph (1.5) at the discretion
25 of the Illinois State Police.

26 (2) After disbursements under paragraph (1) of this

1 subsection (b), all remaining funds in the Statewide 9-1-1
2 Fund shall be disbursed in the following priority order:

3 (A) The Fund shall pay monthly to:

4 (i) the 9-1-1 Authorities that imposed
5 surcharges under Section 15.3 of this Act and were
6 required to report to the Illinois Commerce
7 Commission under Section 27 of the Wireless
8 Emergency Telephone Safety Act on October 1, 2014,
9 except a 9-1-1 Authority in a municipality with a
10 population in excess of 500,000, an amount equal
11 to the average monthly wireline and VoIP surcharge
12 revenue attributable to the most recent 12-month
13 period reported to the Illinois State Police under
14 that Section for the October 1, 2014 filing,
15 subject to the power of the Illinois State Police
16 to investigate the amount reported and adjust the
17 number by order under Article X of the Public
18 Utilities Act, so that the monthly amount paid
19 under this item accurately reflects one-twelfth of
20 the aggregate wireline and VoIP surcharge revenue
21 properly attributable to the most recent 12-month
22 period reported to the Commission; or

23 (ii) county qualified governmental entities
24 that did not impose a surcharge under Section 15.3
25 as of December 31, 2015, and counties that did not
26 impose a surcharge as of June 30, 2015, an amount

1 equivalent to their population multiplied by .37
2 multiplied by the rate of \$0.69; counties that are
3 not county qualified governmental entities and
4 that did not impose a surcharge as of December 31,
5 2015, shall not begin to receive the payment
6 provided for in this subsection until E9-1-1 and
7 wireless E9-1-1 services are provided within their
8 counties; or

9 (iii) counties without 9-1-1 service that had
10 a surcharge in place by December 31, 2015, an
11 amount equivalent to their population multiplied
12 by .37 multiplied by their surcharge rate as
13 established by the referendum.

14 (B) All 9-1-1 network costs for systems outside of
15 municipalities with a population of at least 500,000
16 shall be paid by the Illinois State Police directly to
17 the vendors.

18 (C) All expenses incurred by the Administrator and
19 the Statewide 9-1-1 Advisory Board and costs
20 associated with procurement under Section 15.6b
21 including requests for information and requests for
22 proposals.

23 (D) Funds may be held in reserve by the Statewide
24 9-1-1 Advisory Board and disbursed by the Illinois
25 State Police for grants under Section 15.4b of this
26 Act and for NG9-1-1 expenses up to \$12.5 million per

1 year in State fiscal years 2016 and 2017; up to \$20
2 million in State fiscal year 2018; up to \$20.9 million
3 in State fiscal year 2019; up to \$15.3 million in State
4 fiscal year 2020; up to \$16.2 million in State fiscal
5 year 2021; up to \$23.1 million in State fiscal year
6 2022; and up to \$17.0 million per year for State fiscal
7 year 2023 and each year thereafter. The amount held in
8 reserve in State fiscal years 2021, 2022, and 2023
9 shall not be less than \$6.5 million. Disbursements
10 under this subparagraph (D) shall be prioritized as
11 follows: (i) consolidation grants prioritized under
12 subsection (a) of Section 15.4b of this Act; (ii)
13 NG9-1-1 expenses; and (iii) consolidation grants under
14 Section 15.4b of this Act for consolidation expenses
15 incurred between January 1, 2010, and January 1, 2016.

16 (E) All remaining funds per remit month shall be
17 used to make monthly disbursements to the appropriate
18 9-1-1 Authority currently taking wireless 9-1-1 based
19 upon the United States Postal Zip Code of the billing
20 addresses of subscribers of wireless carriers.

21 (c) The moneys deposited into the Statewide 9-1-1 Fund
22 under this Section shall not be subject to administrative
23 charges or chargebacks unless otherwise authorized by this
24 Act.

25 (d) Whenever two or more 9-1-1 Authorities consolidate,
26 the resulting Joint Emergency Telephone System Board shall be

1 entitled to the monthly payments that had theretofore been
2 made to each consolidating 9-1-1 Authority. Any reserves held
3 by any consolidating 9-1-1 Authority shall be transferred to
4 the resulting Joint Emergency Telephone System Board. Whenever
5 a county that has no 9-1-1 service as of January 1, 2016 enters
6 into an agreement to consolidate to create or join a Joint
7 Emergency Telephone System Board, the Joint Emergency
8 Telephone System Board shall be entitled to the monthly
9 payments that would have otherwise been paid to the county if
10 it had provided 9-1-1 service.

11 (Source: P.A. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21;
12 102-813, eff. 5-13-22; 103-366, eff. 1-1-24.)

13 (50 ILCS 750/35)

14 (Text of Section before amendment by P.A. 103-366)

15 (Section scheduled to be repealed on December 31, 2025)

16 Sec. 35. 9-1-1 surcharge; allowable expenditures. Except
17 as otherwise provided in this Act, expenditures from surcharge
18 revenues received under this Act may be made by
19 municipalities, counties, and 9-1-1 Authorities only to pay
20 for the costs associated with the following:

21 (1) The design of the Emergency Telephone System.

22 (2) The coding of an initial Master Street Address
23 Guide database, and update and maintenance thereof.

24 (3) The repayment of any moneys advanced for the
25 implementation of the system.

1 (4) The charges for Automatic Number Identification
2 and Automatic Location Identification equipment, a
3 computer aided dispatch system that records, maintains,
4 and integrates information, mobile data transmitters
5 equipped with automatic vehicle locators, and maintenance,
6 replacement, and update thereof to increase operational
7 efficiency and improve the provision of emergency
8 services.

9 (5) The non-recurring charges related to installation
10 of the Emergency Telephone System.

11 (6) The initial acquisition and installation, or the
12 reimbursement of costs therefor to other governmental
13 bodies that have incurred those costs, of road or street
14 signs that are essential to the implementation of the
15 Emergency Telephone System and that are not duplicative of
16 signs that are the responsibility of the jurisdiction
17 charged with maintaining road and street signs. Funds may
18 not be used for ongoing expenses associated with road or
19 street sign maintenance and replacement.

20 (7) Other products and services necessary for the
21 implementation, upgrade, and maintenance of the system and
22 any other purpose related to the operation of the system,
23 including costs attributable directly to the construction,
24 leasing, or maintenance of any buildings or facilities or
25 costs of personnel attributable directly to the operation
26 of the system. Costs attributable directly to the

1 operation of an emergency telephone system do not include
2 the costs of public safety agency personnel who are and
3 equipment that is dispatched in response to an emergency
4 call.

5 (8) The defraying of expenses incurred to implement
6 Next Generation 9-1-1, subject to the conditions set forth
7 in this Act.

8 (9) The implementation of a computer aided dispatch
9 system or hosted supplemental 9-1-1 services.

10 (10) The design, implementation, operation,
11 maintenance, or upgrade of wireless 9-1-1, E9-1-1, or
12 NG9-1-1 emergency services and public safety answering
13 points.

14 In the case of a municipality with a population over
15 500,000, moneys may also be used for any anti-terrorism or
16 emergency preparedness measures, including, but not limited
17 to, preparedness planning, providing local matching funds for
18 federal or State grants, personnel training, and specialized
19 equipment, including surveillance cameras, as needed to deal
20 with natural and terrorist-inspired emergency situations or
21 events.

22 (Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

23 (Text of Section after amendment by P.A. 103-366)

24 (Section scheduled to be repealed on December 31, 2025)

25 Sec. 35. 9-1-1 surcharge; allowable expenditures.

1 (a) Except as otherwise provided in this Act, expenditures
2 from surcharge revenues received under this Act shall be made
3 consistent with 47 CFR 9.23, which include the following:

4 (1) support and implementation of 9-1-1 services
5 provided by or in the State or taxing jurisdiction
6 imposing the fee or charge; and

7 (2) operational expenses of public safety answering
8 points within the State. Examples of allowable
9 expenditures include, but are not limited to:

10 (A) PSAP operating costs, including lease,
11 purchase, maintenance, replacement, and upgrade of
12 customer premises equipment (hardware and software),
13 CAD equipment (hardware and software), and the PSAP
14 building and facility and including NG9-1-1,
15 cybersecurity, pre-arrival instructions, and emergency
16 notification systems. PSAP operating costs include
17 technological innovation that supports 9-1-1;

18 (B) PSAP personnel costs, including
19 telecommunicators' salaries and training;

20 (C) PSAP administration, including costs for
21 administration of 9-1-1 services and travel expenses
22 associated with the provision of 9-1-1 services;

23 (D) integrating public safety and first responder
24 dispatch and 9-1-1 systems, including lease, purchase,
25 maintenance, and upgrade of CAD equipment (hardware
26 and software) to support integrated 9-1-1 and public

1 safety dispatch operations; ~~and~~

2 (E) providing the interoperability of 9-1-1
3 systems with one another and with public safety and
4 first responder radio systems; ~~and-~~

5 (F) costs for the initial acquisition and
6 installation of road or street signs that are
7 essential to the implementation of the Emergency
8 Telephone System and that are not duplicative of signs
9 that are the responsibility of the jurisdiction
10 charged with maintaining road and street signs, as
11 well as costs incurred to reimburse governmental
12 bodies for the acquisition and installation of those
13 signs, except that expenditures may not be used for
14 ongoing expenses associated with sign maintenance and
15 replacement.

16 (3) (Blank).

17 (4) (Blank).

18 (5) (Blank).

19 (6) (Blank).

20 (7) (Blank).

21 (8) (Blank).

22 (9) (Blank).

23 (10) (Blank).

24 (b) The obligation or expenditure of surcharge revenues
25 received under this Act for a purpose or function inconsistent
26 with 47 CFR 9.23 and this Section shall constitute diversion,

1 which undermines the purpose of this Act by depriving the
2 9-1-1 system of the funds it needs to function effectively and
3 to modernize 9-1-1 operations. Examples of diversion include,
4 but are not limited to:

5 (1) transfer of 9-1-1 fees into a State or other
6 jurisdiction's general fund or other fund for non-9-1-1
7 purposes;

8 (2) use of surcharge revenues for equipment or
9 infrastructure for constructing or expanding
10 non-public-safety communications networks (e.g.,
11 commercial cellular networks); and

12 (3) use of surcharge revenues for equipment or
13 infrastructure for law enforcement, firefighters, and
14 other public safety or first responder entities that does
15 not directly support providing 9-1-1 services.

16 (c) In the case of a municipality with a population over
17 500,000, moneys may also be used for any anti-terrorism or
18 emergency preparedness measures, including, but not limited
19 to, preparedness planning, providing local matching funds for
20 federal or State grants, personnel training, and specialized
21 equipment, including surveillance cameras, as needed to deal
22 with natural and terrorist-inspired emergency situations or
23 events.

24 (Source: P.A. 103-366, eff. 1-1-24.)

25 Section 15. The Child Care Act of 1969 is amended by

1 changing Sections 2.06 and 2.17 and by adding Section 2.35 as
2 follows:

3 (225 ILCS 10/2.06) (from Ch. 23, par. 2212.06)

4 Sec. 2.06. "Child care institution" means a child care
5 facility where more than 7 children are received and
6 maintained for the purpose of providing them with care or
7 training or both. The term "child care institution" includes
8 residential schools, primarily serving ambulatory children
9 with disabilities, and those operating a full calendar year,
10 but does not include:

11 (a) any State-operated institution for child care
12 established by legislative action;

13 (b) any juvenile detention or shelter care home
14 established and operated by any county or child protection
15 district established under the "Child Protection Act";

16 (c) any institution, home, place or facility operating
17 under a license pursuant to the Nursing Home Care Act, the
18 Specialized Mental Health Rehabilitation Act of 2013, the
19 ID/DD Community Care Act, or the MC/DD Act;

20 (d) any bona fide boarding school in which children
21 are primarily taught branches of education corresponding
22 to those taught in public schools, grades one through 12,
23 or taught in public elementary schools, high schools, or
24 both elementary and high schools, and which operates on a
25 regular academic school year basis; ~~or~~

1 (e) any facility licensed as a "group home" as defined
2 in this Act; or -

3 (f) any qualified residential treatment program.

4 (Source: P.A. 98-104, eff. 7-22-13; 99-143, eff. 7-27-15;
5 99-180, eff. 7-29-15; 99-642, eff. 7-28-16.)

6 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

7 Sec. 2.17. "Foster family home" means the home of an
8 individual or family:

9 (1) that is licensed or approved by the state in which it
10 is situated as a foster family home that meets the standards
11 established for the licensing or approval; and

12 (2) in which a child in foster care has been placed in the
13 care of an individual who resides with the child and who has
14 been licensed or approved by the state to be a foster parent
15 and:

16 (A) who the Department of Children and Family Services
17 deems capable of adhering to the reasonable and prudent
18 parent standard;

19 (B) who provides 24-hour substitute care for children
20 placed away from their parents or other caretakers; and

21 (3) who provides the care for ~~a facility for child care in~~
22 ~~residences of families who receive~~ no more than 6 children
23 ~~unrelated to them, unless all the children are of common~~
24 ~~parentage, or residences of relatives who receive no more than~~
25 ~~6 related children placed by the Department, unless the~~

1 ~~children are of common parentage, for the purpose of providing~~
2 ~~family care and training for the children on a full-time~~
3 ~~basis,~~ except the Director of Children and Family Services,
4 pursuant to Department regulations, may waive the numerical
5 limitation of foster children who may be cared for in a foster
6 family home for any of the following reasons to allow: (i) ~~(1)~~
7 a parenting youth in foster care to remain with the child of
8 the parenting youth; (ii) ~~(2)~~ siblings to remain together;
9 (iii) ~~(3)~~ a child with an established meaningful relationship
10 with the family to remain with the family; or (iv) ~~(4)~~ a family
11 with special training or skills to provide care to a child who
12 has a severe disability. The family's or relative's own
13 children, under 18 years of age, shall be included in
14 determining the maximum number of children served.

15 For purposes of this Section, a "relative" includes any
16 person, 21 years of age or over, other than the parent, who (i)
17 is currently related to the child in any of the following ways
18 by blood or adoption: grandparent, sibling, great-grandparent,
19 uncle, aunt, nephew, niece, first cousin, great-uncle, or
20 great-aunt; or (ii) is the spouse of such a relative; or (iii)
21 is a child's step-father, step-mother, or adult step-brother
22 or step-sister; or (iv) is a fictive kin; "relative" also
23 includes a person related in any of the foregoing ways to a
24 sibling of a child, even though the person is not related to
25 the child, when the child and its sibling are placed together
26 with that person. For purposes of placement of children

1 pursuant to Section 7 of the Children and Family Services Act
2 and for purposes of licensing requirements set forth in
3 Section 4 of this Act, for children under the custody or
4 guardianship of the Department pursuant to the Juvenile Court
5 Act of 1987, after a parent signs a consent, surrender, or
6 waiver or after a parent's rights are otherwise terminated,
7 and while the child remains in the custody or guardianship of
8 the Department, the child is considered to be related to those
9 to whom the child was related under this Section prior to the
10 signing of the consent, surrender, or waiver or the order of
11 termination of parental rights.

12 The term "foster family home" includes homes receiving
13 children from any State-operated institution for child care;
14 or from any agency established by a municipality or other
15 political subdivision of the State of Illinois authorized to
16 provide care for children outside their own homes. The term
17 "foster family home" does not include an "adoption-only home"
18 as defined in Section 2.23 of this Act. The types of foster
19 family homes are defined as follows:

20 (a) "Boarding home" means a foster family home which
21 receives payment for regular full-time care of a child or
22 children.

23 (b) "Free home" means a foster family home other than
24 an adoptive home which does not receive payments for the
25 care of a child or children.

26 (c) "Adoptive home" means a foster family home which

1 receives a child or children for the purpose of adopting
2 the child or children, but does not include an
3 adoption-only home.

4 (d) "Work-wage home" means a foster family home which
5 receives a child or children who pay part or all of their
6 board by rendering some services to the family not
7 prohibited by the Child Labor Law or by standards or
8 regulations of the Department prescribed under this Act.
9 The child or children may receive a wage in connection
10 with the services rendered the foster family.

11 (e) "Agency-supervised home" means a foster family
12 home under the direct and regular supervision of a
13 licensed child welfare agency, of the Department of
14 Children and Family Services, of a circuit court, or of
15 any other State agency which has authority to place
16 children in child care facilities, and which receives no
17 more than 8 children, unless of common parentage, who are
18 placed and are regularly supervised by one of the
19 specified agencies.

20 (f) "Independent home" means a foster family home,
21 other than an adoptive home, which receives no more than 4
22 children, unless of common parentage, directly from
23 parents, or other legally responsible persons, by
24 independent arrangement and which is not subject to direct
25 and regular supervision of a specified agency except as
26 such supervision pertains to licensing by the Department.

1 (g) "Host home" means an emergency foster family home
2 under the direction and regular supervision of a licensed
3 child welfare agency, contracted to provide short-term
4 crisis intervention services to youth served under the
5 Comprehensive Community-Based Youth Services program,
6 under the direction of the Department of Human Services.
7 The youth shall not be under the custody or guardianship
8 of the Department pursuant to the Juvenile Court Act of
9 1987.

10 (Source: P.A. 101-63, eff. 7-12-19; 102-688, eff. 7-1-22.)

11 (225 ILCS 10/2.35 new)

12 Sec. 2.35. "Qualified residential treatment program" means
13 a program that:

14 (1) has a trauma-informed treatment model that is designed
15 to address the needs, including clinical needs as appropriate,
16 of children with serious emotional or behavioral disorders or
17 disturbances and, with respect to a child, is able to
18 implement the treatment identified for the child by the
19 assessment of the child required under 42 U.S.C. 675a(c);

20 (2) whether by acquisition of direct employment or
21 otherwise, has registered or licensed nursing staff and other
22 licensed clinical staff who:

23 (A) provide care within the scope of their practice as
24 defined by law;

25 (B) are located on-site; and

1 (C) are available 24 hours a day, 7 days a week;

2 (3) to the extent appropriate, and in accordance with the
3 child's best interests, facilitates participation of family
4 members in the child's treatment program;

5 (4) facilitates outreach to the family members of the
6 child, including siblings, documents how the outreach is made,
7 including contact information, and maintains contact
8 information for any known biological family and fictive kin of
9 the child;

10 (5) documents how family members are integrated into the
11 treatment process for the child, including post-discharge, and
12 how sibling connections are maintained;

13 (6) provides discharge planning and family-based aftercare
14 support for at least 6 months post-discharge; and

15 (7) is licensed in accordance with this Act and is
16 accredited by any of the following independent, not-for-profit
17 organizations:

18 (A) the Commission on Accreditation of Rehabilitation
19 Facilities;

20 (B) the Joint Commission;

21 (C) the Council on Accreditation; or

22 (D) any other independent, not-for-profit accrediting
23 organization approved by the Secretary of Health and Human
24 Services as described in 42 U.S.C. 672 (k) (4).

25 Section 20. The Juvenile Court Act of 1987 is amended by

1 changing Section 1-3 as follows:

2 (705 ILCS 405/1-3) (from Ch. 37, par. 801-3)

3 Sec. 1-3. Definitions. Terms used in this Act, unless the
4 context otherwise requires, have the following meanings
5 ascribed to them:

6 (1) "Adjudicatory hearing" means a hearing to determine
7 whether the allegations of a petition under Section 2-13,
8 3-15, or 4-12 that a minor under 18 years of age is abused,
9 neglected, or dependent, or requires authoritative
10 intervention, or addicted, respectively, are supported by a
11 preponderance of the evidence or whether the allegations of a
12 petition under Section 5-520 that a minor is delinquent are
13 proved beyond a reasonable doubt.

14 (2) "Adult" means a person 21 years of age or older.

15 (3) "Agency" means a public or private child care facility
16 legally authorized or licensed by this State for placement or
17 institutional care or for both placement and institutional
18 care.

19 (4) "Association" means any organization, public or
20 private, engaged in welfare functions which include services
21 to or on behalf of children but does not include "agency" as
22 herein defined.

23 (4.05) Whenever a "best interest" determination is
24 required, the following factors shall be considered in the
25 context of the child's age and developmental needs:

1 (a) the physical safety and welfare of the child,
2 including food, shelter, health, and clothing;

3 (b) the development of the child's identity;

4 (c) the child's background and ties, including
5 familial, cultural, and religious;

6 (d) the child's sense of attachments, including:

7 (i) where the child actually feels love,
8 attachment, and a sense of being valued (as opposed to
9 where adults believe the child should feel such love,
10 attachment, and a sense of being valued);

11 (ii) the child's sense of security;

12 (iii) the child's sense of familiarity;

13 (iv) continuity of affection for the child;

14 (v) the least disruptive placement alternative for
15 the child;

16 (e) the child's wishes and long-term goals;

17 (f) the child's community ties, including church,
18 school, and friends;

19 (g) the child's need for permanence which includes the
20 child's need for stability and continuity of relationships
21 with parent figures and with siblings and other relatives;

22 (h) the uniqueness of every family and child;

23 (i) the risks attendant to entering and being in
24 substitute care; and

25 (j) the preferences of the persons available to care
26 for the child.

1 (4.1) "Chronic truant" shall have the definition ascribed
2 to it in Section 26-2a of the School Code.

3 (5) "Court" means the circuit court in a session or
4 division assigned to hear proceedings under this Act.

5 (6) "Dispositional hearing" means a hearing to determine
6 whether a minor should be adjudged to be a ward of the court,
7 and to determine what order of disposition should be made in
8 respect to a minor adjudged to be a ward of the court.

9 (6.5) "Dissemination" or "disseminate" means to publish,
10 produce, print, manufacture, distribute, sell, lease, exhibit,
11 broadcast, display, transmit, or otherwise share information
12 in any format so as to make the information accessible to
13 others.

14 (7) "Emancipated minor" means any minor 16 years of age or
15 over who has been completely or partially emancipated under
16 the Emancipation of Minors Act or under this Act.

17 (7.03) "Expunge" means to physically destroy the records
18 and to obliterate the minor's name from any official index,
19 public record, or electronic database.

20 (7.05) "Foster parent" includes a relative caregiver
21 selected by the Department of Children and Family Services to
22 provide care for the minor.

23 (8) "Guardianship of the person" of a minor means the duty
24 and authority to act in the best interests of the minor,
25 subject to residual parental rights and responsibilities, to
26 make important decisions in matters having a permanent effect

1 on the life and development of the minor and to be concerned
2 with the minor's general welfare. It includes but is not
3 necessarily limited to:

4 (a) the authority to consent to marriage, to
5 enlistment in the armed forces of the United States, or to
6 a major medical, psychiatric, and surgical treatment; to
7 represent the minor in legal actions; and to make other
8 decisions of substantial legal significance concerning the
9 minor;

10 (b) the authority and duty of reasonable visitation,
11 except to the extent that these have been limited in the
12 best interests of the minor by court order;

13 (c) the rights and responsibilities of legal custody
14 except where legal custody has been vested in another
15 person or agency; and

16 (d) the power to consent to the adoption of the minor,
17 but only if expressly conferred on the guardian in
18 accordance with Section 2-29, 3-30, or 4-27.

19 (8.1) "Juvenile court record" includes, but is not limited
20 to:

21 (a) all documents filed in or maintained by the
22 juvenile court pertaining to a specific incident,
23 proceeding, or individual;

24 (b) all documents relating to a specific incident,
25 proceeding, or individual made available to or maintained
26 by probation officers;

1 (c) all documents, video or audio tapes, photographs,
2 and exhibits admitted into evidence at juvenile court
3 hearings; or

4 (d) all documents, transcripts, records, reports, or
5 other evidence prepared by, maintained by, or released by
6 any municipal, county, or State agency or department, in
7 any format, if indicating involvement with the juvenile
8 court relating to a specific incident, proceeding, or
9 individual.

10 (8.2) "Juvenile law enforcement record" includes records
11 of arrest, station adjustments, fingerprints, probation
12 adjustments, the issuance of a notice to appear, or any other
13 records or documents maintained by any law enforcement agency
14 relating to a minor suspected of committing an offense, and
15 records maintained by a law enforcement agency that identifies
16 a juvenile as a suspect in committing an offense, but does not
17 include records identifying a juvenile as a victim, witness,
18 or missing juvenile and any records created, maintained, or
19 used for purposes of referral to programs relating to
20 diversion as defined in subsection (6) of Section 5-105.

21 (9) "Legal custody" means the relationship created by an
22 order of court in the best interests of the minor which imposes
23 on the custodian the responsibility of physical possession of
24 a minor and the duty to protect, train and discipline the minor
25 and to provide the minor with food, shelter, education, and
26 ordinary medical care, except as these are limited by residual

1 parental rights and responsibilities and the rights and
2 responsibilities of the guardian of the person, if any.

3 (9.1) "Mentally capable adult relative" means a person 21
4 years of age or older who is not suffering from a mental
5 illness that prevents the person from providing the care
6 necessary to safeguard the physical safety and welfare of a
7 minor who is left in that person's care by the parent or
8 parents or other person responsible for the minor's welfare.

9 (10) "Minor" means a person under the age of 21 years
10 subject to this Act.

11 (11) "Parent" means a father or mother of a child and
12 includes any adoptive parent. It also includes a person (i)
13 whose parentage is presumed or has been established under the
14 law of this or another jurisdiction or (ii) who has registered
15 with the Putative Father Registry in accordance with Section
16 12.1 of the Adoption Act and whose paternity has not been ruled
17 out under the law of this or another jurisdiction. It does not
18 include a parent whose rights in respect to the minor have been
19 terminated in any manner provided by law. It does not include a
20 person who has been or could be determined to be a parent under
21 the Illinois Parentage Act of 1984 or the Illinois Parentage
22 Act of 2015, or similar parentage law in any other state, if
23 that person has been convicted of or pled nolo contendere to a
24 crime that resulted in the conception of the child under
25 Section 11-1.20, 11-1.30, 11-1.40, 11-11, 12-13, 12-14,
26 12-14.1, subsection (a) or (b) (but not subsection (c)) of

1 Section 11-1.50 or 12-15, or subsection (a), (b), (c), (e), or
2 (f) (but not subsection (d)) of Section 11-1.60 or 12-16 of the
3 Criminal Code of 1961 or the Criminal Code of 2012, or similar
4 statute in another jurisdiction unless upon motion of any
5 party, other than the offender, to the juvenile court
6 proceedings the court finds it is in the child's best interest
7 to deem the offender a parent for purposes of the juvenile
8 court proceedings.

9 (11.1) "Permanency goal" means a goal set by the court as
10 defined in subdivision (2) of Section 2-28.

11 (11.2) "Permanency hearing" means a hearing to set the
12 permanency goal and to review and determine (i) the
13 appropriateness of the services contained in the plan and
14 whether those services have been provided, (ii) whether
15 reasonable efforts have been made by all the parties to the
16 service plan to achieve the goal, and (iii) whether the plan
17 and goal have been achieved.

18 (12) "Petition" means the petition provided for in Section
19 2-13, 3-15, 4-12, or 5-520, including any supplemental
20 petitions thereunder in Section 3-15, 4-12, or 5-520.

21 (12.1) "Physically capable adult relative" means a person
22 21 years of age or older who does not have a severe physical
23 disability or medical condition, or is not suffering from
24 alcoholism or drug addiction, that prevents the person from
25 providing the care necessary to safeguard the physical safety
26 and welfare of a minor who is left in that person's care by the

1 parent or parents or other person responsible for the minor's
2 welfare.

3 (12.2) "Post Permanency Sibling Contact Agreement" has the
4 meaning ascribed to the term in Section 7.4 of the Children and
5 Family Services Act.

6 (12.3) "Residential treatment center" means a licensed
7 setting that provides 24-hour care to children in a group home
8 or institution, including a facility licensed as a child care
9 institution under Section 2.06 of the Child Care Act of 1969, a
10 licensed group home under Section 2.16 of the Child Care Act of
11 1969, a qualified residential treatment program under Section
12 2.35 of the Child Care Act of 1969, a secure child care
13 facility as defined in paragraph (18) of this Section, or any
14 similar facility in another state. "Residential treatment
15 center" does not include a relative foster home or a licensed
16 foster family home.

17 (13) "Residual parental rights and responsibilities" means
18 those rights and responsibilities remaining with the parent
19 after the transfer of legal custody or guardianship of the
20 person, including, but not necessarily limited to, the right
21 to reasonable visitation (which may be limited by the court in
22 the best interests of the minor as provided in subsection
23 (8) (b) of this Section), the right to consent to adoption, the
24 right to determine the minor's religious affiliation, and the
25 responsibility for the minor's support.

26 (14) "Shelter" means the temporary care of a minor in

1 physically unrestricting facilities pending court disposition
2 or execution of court order for placement.

3 (14.05) "Shelter placement" means a temporary or emergency
4 placement for a minor, including an emergency foster home
5 placement.

6 (14.1) "Sibling Contact Support Plan" has the meaning
7 ascribed to the term in Section 7.4 of the Children and Family
8 Services Act.

9 (14.2) "Significant event report" means a written document
10 describing an occurrence or event beyond the customary
11 operations, routines, or relationships in the Department of
12 Children of Family Services, a child care facility, or other
13 entity that is licensed or regulated by the Department of
14 Children of Family Services or that provides services for the
15 Department of Children of Family Services under a grant,
16 contract, or purchase of service agreement; involving children
17 or youth, employees, foster parents, or relative caregivers;
18 allegations of abuse or neglect or any other incident raising
19 a concern about the well-being of a minor under the
20 jurisdiction of the court under Article II of the Juvenile
21 Court Act of 1987; incidents involving damage to property,
22 allegations of criminal activity, misconduct, or other
23 occurrences affecting the operations of the Department of
24 Children of Family Services or a child care facility; any
25 incident that could have media impact; and unusual incidents
26 as defined by Department of Children and Family Services rule.

1 (15) "Station adjustment" means the informal handling of
2 an alleged offender by a juvenile police officer.

3 (16) "Ward of the court" means a minor who is so adjudged
4 under Section 2-22, 3-23, 4-20, or 5-705, after a finding of
5 the requisite jurisdictional facts, and thus is subject to the
6 dispositional powers of the court under this Act.

7 (17) "Juvenile police officer" means a sworn police
8 officer who has completed a Basic Recruit Training Course, has
9 been assigned to the position of juvenile police officer by
10 the officer's chief law enforcement officer and has completed
11 the necessary juvenile officers training as prescribed by the
12 Illinois Law Enforcement Training Standards Board, or in the
13 case of a State police officer, juvenile officer training
14 approved by the Director of the Illinois State Police.

15 (18) "Secure child care facility" means any child care
16 facility licensed by the Department of Children and Family
17 Services to provide secure living arrangements for children
18 under 18 years of age who are subject to placement in
19 facilities under the Children and Family Services Act and who
20 are not subject to placement in facilities for whom standards
21 are established by the Department of Corrections under Section
22 3-15-2 of the Unified Code of Corrections. "Secure child care
23 facility" also means a facility that is designed and operated
24 to ensure that all entrances and exits from the facility, a
25 building, or a distinct part of the building are under the
26 exclusive control of the staff of the facility, whether or not

1 the child has the freedom of movement within the perimeter of
2 the facility, building, or distinct part of the building.

3 (Source: P.A. 102-538, eff. 8-20-21; 103-22, eff. 8-8-23.)

4 Section 25. The Unified Code of Corrections is amended by
5 changing Section 5-4.5-110 as follows:

6 (730 ILCS 5/5-4.5-110)

7 (Section scheduled to be repealed on January 1, 2024)

8 Sec. 5-4.5-110. SENTENCING GUIDELINES FOR INDIVIDUALS WITH
9 PRIOR FELONY FIREARM-RELATED OR OTHER SPECIFIED CONVICTIONS.

10 (a) DEFINITIONS. For the purposes of this Section:

11 "Firearm" has the meaning ascribed to it in Section
12 1.1 of the Firearm Owners Identification Card Act.

13 "Qualifying predicate offense" means the following
14 offenses under the Criminal Code of 2012:

15 (A) aggravated unlawful use of a weapon under
16 Section 24-1.6 or similar offense under the Criminal
17 Code of 1961, when the weapon is a firearm;

18 (B) unlawful use or possession of a weapon by a
19 felon under Section 24-1.1 or similar offense under
20 the Criminal Code of 1961, when the weapon is a
21 firearm;

22 (C) first degree murder under Section 9-1 or
23 similar offense under the Criminal Code of 1961;

24 (D) attempted first degree murder with a firearm

1 or similar offense under the Criminal Code of 1961;

2 (E) aggravated kidnapping with a firearm under
3 paragraph (6) or (7) of subsection (a) of Section 10-2
4 or similar offense under the Criminal Code of 1961;

5 (F) aggravated battery with a firearm under
6 subsection (e) of Section 12-3.05 or similar offense
7 under the Criminal Code of 1961;

8 (G) aggravated criminal sexual assault under
9 Section 11-1.30 or similar offense under the Criminal
10 Code of 1961;

11 (H) predatory criminal sexual assault of a child
12 under Section 11-1.40 or similar offense under the
13 Criminal Code of 1961;

14 (I) armed robbery under Section 18-2 or similar
15 offense under the Criminal Code of 1961;

16 (J) vehicular hijacking under Section 18-3 or
17 similar offense under the Criminal Code of 1961;

18 (K) aggravated vehicular hijacking under Section
19 18-4 or similar offense under the Criminal Code of
20 1961;

21 (L) home invasion with a firearm under paragraph
22 (3), (4), or (5) of subsection (a) of Section 19-6 or
23 similar offense under the Criminal Code of 1961;

24 (M) aggravated discharge of a firearm under
25 Section 24-1.2 or similar offense under the Criminal
26 Code of 1961;

1 (N) aggravated discharge of a machine gun or a
2 firearm equipped with a device designed or used for
3 silencing the report of a firearm under Section
4 24-1.2-5 or similar offense under the Criminal Code of
5 1961;

6 (O) unlawful use of firearm projectiles under
7 Section 24-2.1 or similar offense under the Criminal
8 Code of 1961;

9 (P) manufacture, sale, or transfer of bullets or
10 shells represented to be armor piercing bullets,
11 dragon's breath shotgun shells, bolo shells, or
12 flechette shells under Section 24-2.2 or similar
13 offense under the Criminal Code of 1961;

14 (Q) unlawful sale or delivery of firearms under
15 Section 24-3 or similar offense under the Criminal
16 Code of 1961;

17 (R) unlawful discharge of firearm projectiles
18 under Section 24-3.2 or similar offense under the
19 Criminal Code of 1961;

20 (S) unlawful sale or delivery of firearms on
21 school premises of any school under Section 24-3.3 or
22 similar offense under the Criminal Code of 1961;

23 (T) unlawful purchase of a firearm under Section
24 24-3.5 or similar offense under the Criminal Code of
25 1961;

26 (U) use of a stolen firearm in the commission of an

1 offense under Section 24-3.7 or similar offense under
2 the Criminal Code of 1961;

3 (V) possession of a stolen firearm under Section
4 24-3.8 or similar offense under the Criminal Code of
5 1961;

6 (W) aggravated possession of a stolen firearm
7 under Section 24-3.9 or similar offense under the
8 Criminal Code of 1961;

9 (X) gunrunning under Section 24-3A or similar
10 offense under the Criminal Code of 1961;

11 (Y) defacing identification marks of firearms
12 under Section 24-5 or similar offense under the
13 Criminal Code of 1961; and

14 (Z) armed violence under Section 33A-2 or similar
15 offense under the Criminal Code of 1961.

16 (b) APPLICABILITY. For an offense committed on or after
17 January 1, 2018 (the effective date of Public Act 100-3) and
18 before January 1, 2025 ~~2024~~, when a person is convicted of
19 unlawful use or possession of a weapon by a felon, when the
20 weapon is a firearm, or aggravated unlawful use of a weapon,
21 when the weapon is a firearm, after being previously convicted
22 of a qualifying predicate offense the person shall be subject
23 to the sentencing guidelines under this Section.

24 (c) SENTENCING GUIDELINES.

25 (1) When a person is convicted of unlawful use or
26 possession of a weapon by a felon, when the weapon is a

1 firearm, and that person has been previously convicted of
2 a qualifying predicate offense, the person shall be
3 sentenced to a term of imprisonment within the sentencing
4 range of not less than 7 years and not more than 14 years,
5 unless the court finds that a departure from the
6 sentencing guidelines under this paragraph is warranted
7 under subsection (d) of this Section.

8 (2) When a person is convicted of aggravated unlawful
9 use of a weapon, when the weapon is a firearm, and that
10 person has been previously convicted of a qualifying
11 predicate offense, the person shall be sentenced to a term
12 of imprisonment within the sentencing range of not less
13 than 6 years and not more than 7 years, unless the court
14 finds that a departure from the sentencing guidelines
15 under this paragraph is warranted under subsection (d) of
16 this Section.

17 (3) The sentencing guidelines in paragraphs (1) and
18 (2) of this subsection (c) apply only to offenses
19 committed on and after January 1, 2018 (the effective date
20 of Public Act 100-3) and before January 1, 2025 ~~2024~~.

21 (d) DEPARTURE FROM SENTENCING GUIDELINES.

22 (1) At the sentencing hearing conducted under Section
23 5-4-1 of this Code, the court may depart from the
24 sentencing guidelines provided in subsection (c) of this
25 Section and impose a sentence otherwise authorized by law
26 for the offense if the court, after considering any factor

1 under paragraph (2) of this subsection (d) relevant to the
2 nature and circumstances of the crime and to the history
3 and character of the defendant, finds on the record
4 substantial and compelling justification that the sentence
5 within the sentencing guidelines would be unduly harsh and
6 that a sentence otherwise authorized by law would be
7 consistent with public safety and does not deprecate the
8 seriousness of the offense.

9 (2) In deciding whether to depart from the sentencing
10 guidelines under this paragraph, the court shall consider:

11 (A) the age, immaturity, or limited mental
12 capacity of the defendant at the time of commission of
13 the qualifying predicate or current offense, including
14 whether the defendant was suffering from a mental or
15 physical condition insufficient to constitute a
16 defense but significantly reduced the defendant's
17 culpability;

18 (B) the nature and circumstances of the qualifying
19 predicate offense;

20 (C) the time elapsed since the qualifying
21 predicate offense;

22 (D) the nature and circumstances of the current
23 offense;

24 (E) the defendant's prior criminal history;

25 (F) whether the defendant committed the qualifying
26 predicate or current offense under specific and

1 credible duress, coercion, threat, or compulsion;

2 (G) whether the defendant aided in the
3 apprehension of another felon or testified truthfully
4 on behalf of another prosecution of a felony; and

5 (H) whether departure is in the interest of the
6 person's rehabilitation, including employment or
7 educational or vocational training, after taking into
8 account any past rehabilitation efforts or
9 dispositions of probation or supervision, and the
10 defendant's cooperation or response to rehabilitation.

11 (3) When departing from the sentencing guidelines
12 under this Section, the court shall specify on the record,
13 the particular evidence, information, factor or factors,
14 or other reasons which led to the departure from the
15 sentencing guidelines. When departing from the sentencing
16 range in accordance with this subsection (d), the court
17 shall indicate on the sentencing order which departure
18 factor or factors outlined in paragraph (2) of this
19 subsection (d) led to the sentence imposed. The sentencing
20 order shall be filed with the clerk of the court and shall
21 be a public record.

22 (e) This Section is repealed on January 1, 2025 ~~2024~~.

23 (Source: P.A. 102-1109, eff. 12-21-22.)

24 Section 30. The Crime Victims Compensation Act is amended
25 by changing Sections 2 and 10.1 as follows:

1 (740 ILCS 45/2)

2 Sec. 2. Definitions. As used in this Act, unless the
3 context otherwise requires:

4 (a) "Applicant" means any of the following claiming
5 compensation under this Act: a victim, a person who was a
6 dependent of a deceased victim of a crime of violence for the
7 person's support at the time of the death of that victim, a
8 person who legally assumes the obligation or who voluntarily
9 pays the medical or the funeral or burial expenses incurred as
10 a direct result of the crime, and any other person who applies
11 ~~for compensation under this Act or any person the Court of~~
12 ~~Claims or the Attorney General finds is entitled to~~
13 ~~compensation, including the guardian of a minor or of a person~~
14 ~~under legal disability. It includes any person who was a~~
15 ~~dependent of a deceased victim of a crime of violence for his~~
16 ~~or her support at the time of the death of that victim.~~

17 The changes made to this subsection by Public Act 101-652
18 apply to actions commenced or pending on or after January 1,
19 2022.

20 (b) "Court of Claims" means the Court of Claims created by
21 the Court of Claims Act.

22 (c) "Crime of violence" means and includes any offense
23 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
24 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
25 11-11, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 11-23, 11-23.5,

1 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-4,
2 12-4.1, 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13,
3 12-14, 12-14.1, 12-15, 12-16, 12-20.5, 12-30, 20-1 or 20-1.1,
4 or Section 12-3.05 except for subdivision (a)(4) or (g)(1), or
5 subdivision (a)(4) of Section 11-14.4, of the Criminal Code of
6 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of
7 the Cemetery Protection Act, Section 125 of the Stalking No
8 Contact Order Act, Section 219 of the Civil No Contact Order
9 Act, driving under the influence as defined in Section 11-501
10 of the Illinois Vehicle Code, a violation of Section 11-401 of
11 the Illinois Vehicle Code, provided the victim was a
12 pedestrian or was operating a vehicle moved solely by human
13 power or a mobility device at the time of contact, and a
14 violation of Section 11-204.1 of the Illinois Vehicle Code; so
15 long as the offense did not occur during a civil riot,
16 insurrection or rebellion. "Crime of violence" does not
17 include any other offense or crash involving a motor vehicle
18 except those vehicle offenses specifically provided for in
19 this paragraph. "Crime of violence" does include all of the
20 offenses specifically provided for in this paragraph that
21 occur within this State but are subject to federal
22 jurisdiction and crimes involving terrorism as defined in 18
23 U.S.C. 2331.

24 (d) "Victim" means (1) a person killed or injured in this
25 State as a result of a crime of violence perpetrated or
26 attempted against him or her, (2) the spouse, parent, or child

1 of a person killed or injured in this State as a result of a
2 crime of violence perpetrated or attempted against the person,
3 or anyone living in the household of a person killed or injured
4 in a relationship that is substantially similar to that of a
5 parent, spouse, or child, (3) a person killed or injured in
6 this State while attempting to assist a person against whom a
7 crime of violence is being perpetrated or attempted, if that
8 attempt of assistance would be expected of a reasonable person
9 under the circumstances, (4) a person killed or injured in
10 this State while assisting a law enforcement official
11 apprehend a person who has perpetrated a crime of violence or
12 prevent the perpetration of any such crime if that assistance
13 was in response to the express request of the law enforcement
14 official, (5) a person who personally witnessed a violent
15 crime, (5.05) a person who will be called as a witness by the
16 prosecution to establish a necessary nexus between the
17 offender and the violent crime, (5.1) solely for the purpose
18 of compensating for pecuniary loss incurred for psychological
19 treatment of a mental or emotional condition caused or
20 aggravated by the crime, any other person under the age of 18
21 who is the brother, sister, half brother, or half sister of a
22 person killed or injured in this State as a result of a crime
23 of violence, (6) an Illinois resident who is a victim of a
24 "crime of violence" as defined in this Act except, if the crime
25 occurred outside this State, the resident has the same rights
26 under this Act as if the crime had occurred in this State upon

1 a showing that the state, territory, country, or political
2 subdivision of a country in which the crime occurred does not
3 have a compensation of victims of crimes law for which that
4 Illinois resident is eligible, (7) the parent, spouse, or
5 child of a deceased person whose body is dismembered or whose
6 remains are desecrated as the result of a crime of violence, or
7 (8) (blank) ~~solely for the purpose of compensating for~~
8 ~~pecuniary loss incurred for psychological treatment of a~~
9 ~~mental or emotional condition caused or aggravated by the~~
10 ~~crime, any parent, spouse, or child under the age of 18 of a~~
11 ~~deceased person whose body is dismembered or whose remains are~~
12 ~~desecrated as the result of a crime of violence.~~

13 (e) "Dependent" means a relative of a deceased victim who
14 was wholly or partially dependent upon the victim's income at
15 the time of his or her death and shall include the child of a
16 victim born after his or her death.

17 (f) "Relative" means a spouse, parent, grandparent,
18 stepfather, stepmother, child, grandchild, brother,
19 brother-in-law, sister, sister-in-law, half brother, half
20 sister, spouse's parent, nephew, niece, uncle, aunt, or anyone
21 living in the household of a person killed or injured in a
22 relationship that is substantially similar to that of a
23 parent, spouse, or child.

24 (g) "Child" means a son or daughter and includes a
25 stepchild, an adopted child or a child born out of wedlock.

26 (h) "Pecuniary loss" means: ~~7~~

1 (1) in the case of injury, appropriate medical
2 expenses and hospital expenses including expenses of
3 medical examinations, rehabilitation, medically required
4 nursing care expenses, appropriate psychiatric care or
5 psychiatric counseling expenses, appropriate expenses for
6 care or counseling by a licensed clinical psychologist,
7 licensed clinical social worker, licensed professional
8 counselor, or licensed clinical professional counselor and
9 expenses for treatment by Christian Science practitioners
10 and nursing care appropriate thereto;

11 (2) transportation expenses to and from medical and
12 counseling treatment facilities;

13 (3) prosthetic appliances, eyeglasses, and hearing
14 aids necessary or damaged as a result of the crime;

15 (4) expenses incurred for the towing and storage of a
16 victim's vehicle in connection with a crime of violence,
17 to a maximum of \$1,000;

18 (5) costs associated with trafficking tattoo removal
19 by a person authorized or licensed to perform the specific
20 removal procedure;

21 (6) replacement costs for clothing and bedding used as
22 evidence;

23 (7) costs associated with temporary lodging or
24 relocation necessary as a result of the crime, including,
25 but not limited to, the first 2 month's rent and security
26 deposit of the dwelling that the claimant relocated to and

1 other reasonable relocation expenses incurred as a result
2 of the violent crime;

3 (8) locks or windows necessary or damaged as a result
4 of the crime;

5 (9) the purchase, lease, or rental of equipment
6 necessary to create usability of and accessibility to the
7 victim's real and personal property, or the real and
8 personal property which is used by the victim, necessary
9 as a result of the crime; "real and personal property"
10 includes, but is not limited to, vehicles, houses,
11 apartments, townhouses, or condominiums;

12 (10) the costs of appropriate crime scene clean-up;

13 (11) replacement services loss, to a maximum of \$1,250
14 per month, with this amount to be divided in proportion to
15 the amount of the actual loss among those entitled to
16 compensation;

17 (12) dependents replacement services loss, to a
18 maximum of \$1,250 per month, with this amount to be
19 divided in proportion to the amount of the actual loss
20 among those entitled to compensation;

21 (13) loss of tuition paid to attend grammar school or
22 high school when the victim had been enrolled as a student
23 prior to the injury, or college or graduate school when
24 the victim had been enrolled as a day or night student
25 prior to the injury when the victim becomes unable to
26 continue attendance at school as a result of the crime of

1 violence perpetrated against him or her;

2 (14) loss of earnings, loss of future earnings because
3 of disability resulting from the injury. Loss of future
4 earnings shall be reduced by any income from substitute
5 work actually performed by the victim or by income the
6 victim would have earned in available appropriate
7 substitute work the victim was capable of performing but
8 unreasonably failed to undertake; loss of earnings and
9 loss of future earnings shall be determined on the basis
10 of the victim's average net monthly earnings for the 6
11 months immediately preceding the date of the injury or on
12 \$2,400 per month, whichever is less, or, in cases where
13 the absences commenced more than 3 years from the date of
14 the crime, on the basis of the net monthly earnings for the
15 6 months immediately preceding the date of the first
16 absence, not to exceed \$2,400 per month;

17 (15) loss of support of the dependents of the victim.
18 Loss of support shall be determined on the basis of the
19 victim's average net monthly earnings for the 6 months
20 immediately preceding the date of the injury or on \$2,400
21 per month, whichever is less, or, in cases where the
22 absences commenced more than 3 years from the date of the
23 crime, on the basis of the net monthly earnings for the 6
24 months immediately preceding the date of the first
25 absence, not to exceed \$2,400 per month. If a divorced or
26 legally separated applicant is claiming loss of support

1 for a minor child of the deceased, the amount of support
2 for each child shall be based either on the amount of
3 support pursuant to the judgment prior to the date of the
4 deceased victim's injury or death, or, if the subject of
5 pending litigation filed by or on behalf of the divorced
6 or legally separated applicant prior to the injury or
7 death, on the result of that litigation. Loss of support
8 for minors shall be divided in proportion to the amount of
9 the actual loss among those entitled to such compensation;

10 (16) and, in addition, in the case of death, expenses
11 for reasonable funeral, burial, and travel and transport
12 for survivors of homicide victims to secure bodies of
13 deceased victims and to transport bodies for burial all of
14 which may be awarded up to a maximum of \$10,000 for each
15 victim. Other individuals that have paid or become
16 obligated to pay funeral or burial expenses for the
17 deceased shall share a maximum award of \$10,000, with the
18 award divided in proportion to the amount of the actual
19 loss among those entitled to compensation; and ~~and loss of~~
20 ~~support of the dependents of the victim;~~

21 (17) in the case of dismemberment or desecration of a
22 body, expenses for reasonable funeral and burial, all of
23 which may be awarded up to a maximum of \$10,000 for each
24 victim. Other individuals that have paid or become
25 obligated to pay funeral or burial expenses for the
26 deceased shall share a maximum award of \$10,000, with the

1 award divided in proportion to the amount of the actual
2 loss among those entitled to compensation. ~~Loss of future~~
3 ~~earnings shall be reduced by any income from substitute~~
4 ~~work actually performed by the victim or by income he or~~
5 ~~she would have earned in available appropriate substitute~~
6 ~~work he or she was capable of performing but unreasonably~~
7 ~~failed to undertake. Loss of earnings, loss of future~~
8 ~~earnings and loss of support shall be determined on the~~
9 ~~basis of the victim's average net monthly earnings for the~~
10 ~~6 months immediately preceding the date of the injury or~~
11 ~~on \$2,400 per month, whichever is less or, in cases where~~
12 ~~the absences commenced more than 3 years from the date of~~
13 ~~the crime, on the basis of the net monthly earnings for the~~
14 ~~6 months immediately preceding the date of the first~~
15 ~~absence, not to exceed \$2,400 per month. If a divorced or~~
16 ~~legally separated applicant is claiming loss of support~~
17 ~~for a minor child of the deceased, the amount of support~~
18 ~~for each child shall be based either on the amount of~~
19 ~~support pursuant to the judgment prior to the date of the~~
20 ~~deceased victim's injury or death, or, if the subject of~~
21 ~~pending litigation filed by or on behalf of the divorced~~
22 ~~or legally separated applicant prior to the injury or~~
23 ~~death, on the result of that litigation. Real and personal~~
24 ~~property includes, but is not limited to, vehicles,~~
25 ~~houses, apartments, town houses, or condominiums.~~

26 "Pecuniary loss" does not include pain and suffering or

1 property loss or damage.

2 The changes made to this subsection by Public Act 101-652
3 apply to actions commenced or pending on or after January 1,
4 2022.

5 (i) "Replacement services loss" means expenses reasonably
6 incurred in obtaining ordinary and necessary services in lieu
7 of those the injured person would have performed, not for
8 income, but for the benefit of himself or herself or his or her
9 family, if he or she had not been injured.

10 (j) "Dependents replacement services loss" means loss
11 reasonably incurred by dependents or private legal guardians
12 of minor dependents after a victim's death in obtaining
13 ordinary and necessary services in lieu of those the victim
14 would have performed, not for income, but for their benefit,
15 if he or she had not been fatally injured.

16 (k) "Survivor" means immediate family including a parent,
17 stepfather, stepmother, child, brother, sister, or spouse.

18 (l) "Parent" means a natural parent, adopted parent,
19 stepparent, or permanent legal guardian of another person.

20 (m) "Trafficking tattoo" is a tattoo which is applied to a
21 victim in connection with the commission of a violation of
22 Section 10-9 of the Criminal Code of 2012.

23 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;
24 102-982, eff. 7-1-23; 103-154, eff. 6-30-23.)

25 (740 ILCS 45/10.1) (from Ch. 70, par. 80.1)

1 Sec. 10.1. Award ~~Amount~~ of compensation. The awarding of
2 compensation and the amount of compensation to which an
3 applicant and other persons are entitled shall be based on the
4 following factors:

5 (a) Each ~~A~~ victim may be compensated for his or her
6 pecuniary loss up the maximum amount allowable.

7 (b) Each ~~A~~ dependent may be compensated for loss of
8 support, as provided in paragraph (15) of subsection (h)
9 of Section 2.

10 (c) Any person, even though not dependent upon the
11 victim for his or her support, may be compensated for
12 reasonable expenses of the victim to the extent to which
13 he or she has paid or become obligated to pay such expenses
14 and only after compensation for reasonable funeral,
15 medical and hospital expenses of the victim have been
16 awarded may compensation be made for reasonable expenses
17 of the victim incurred for psychological treatment of a
18 mental or emotional condition caused or aggravated by the
19 crime. Persons that have paid or become obligated to pay
20 expenses for a victim shall share the maximum award with
21 the amount divided in proportion to the amount of the
22 actual loss among those entitled to compensation.

23 (d) An award shall be reduced or denied according to
24 the extent to which the victim's injury or death was
25 caused by provocation or incitement by the victim or the
26 victim assisting, attempting, or committing a criminal

1 act. A denial or reduction shall not automatically bar the
2 survivors of homicide victims from receiving compensation
3 for counseling, crime scene cleanup, relocation, funeral
4 or burial costs, and loss of support if the survivor's
5 actions have not initiated, provoked, or aggravated the
6 suspect into initiating the qualifying crime.

7 (e) An award shall be reduced by the amount of
8 benefits, payments or awards payable under those sources
9 which are required to be listed under item (7) of Section
10 7.1(a) and any other sources except annuities, pension
11 plans, Federal Social Security payments payable to
12 dependents of the victim and the net proceeds of the first
13 \$25,000 of life insurance that would inure to the benefit
14 of the applicant, which the applicant or any other person
15 dependent for the support of a deceased victim, as the
16 case may be, has received or to which he or she is entitled
17 as a result of injury to or death of the victim.

18 (f) A final award shall not exceed \$10,000 for a crime
19 committed prior to September 22, 1979, \$15,000 for a crime
20 committed on or after September 22, 1979 and prior to
21 January 1, 1986, \$25,000 for a crime committed on or after
22 January 1, 1986 and prior to August 7, 1998, \$27,000 for a
23 crime committed on or after August 7, 1998 and prior to
24 August 7, 2022, or \$45,000 per victim for a crime
25 committed on or after August 7, 2022. For any applicant
26 who is not a victim, if ~~if~~ the total pecuniary loss is

1 greater than the maximum amount allowed, the award shall
2 be divided in proportion to the amount of actual loss
3 among those entitled to compensation who are not victims.

4 (g) Compensation under this Act is a secondary source
5 of compensation and the applicant must show that he or she
6 has exhausted the benefits reasonably available under the
7 Criminal Victims' Escrow Account Act or any governmental
8 or medical or health insurance programs, including, but
9 not limited to, Workers' Compensation, the Federal
10 Medicare program, the State Public Aid program, Social
11 Security Administration burial benefits, and Veterans
12 Administration burial benefits, and life, health,
13 accident, full vehicle coverage (including towing
14 insurance, if available), or liability insurance.

15 (Source: P.A. 102-27, eff. 1-1-22; 102-905, eff. 1-1-23.)

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

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."