

1 AN ACT concerning civil law.

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

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

6 (705 ILCS 405/5-905)

7 Sec. 5-905. Law enforcement records.

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

14 (a) A judge of the circuit court and members of the  
15 staff of the court designated by the judge;

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

1 (c) The minor, the minor's parents or legal guardian  
2 and their attorneys, but only when the juvenile has been  
3 charged with an offense;

4 (d) Adult and Juvenile Prisoner Review Boards;

5 (e) Authorized military personnel;

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

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

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

24 (A) Inspection and copying shall be limited to  
25 law enforcement records transmitted to the appropriate  
26 school official or officials whom the school has

1           determined to have a legitimate educational or safety  
2           interest by a local law enforcement agency under a  
3           reciprocal reporting system established and maintained  
4           between the school district and the local law  
5           enforcement agency under Section 10-20.14 of the  
6           School Code concerning a minor enrolled in a school  
7           within the school district who has been arrested or  
8           taken into custody for any of the following offenses:

9                   (i) any violation of Article 24 of the  
10                   Criminal Code of 1961 or the Criminal Code of  
11                   2012;

12                   (ii) a violation of the Illinois Controlled  
13                   Substances Act;

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

15                   (iv) a forcible felony as defined in Section  
16                   2-8 of the Criminal Code of 1961 or the Criminal  
17                   Code of 2012;

18                   (v) a violation of the Methamphetamine Control  
19                   and Community Protection Act;

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

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

23                   (viii) a violation of Section 12-1, 12-2,  
24                   12-3, 12-3.05, 12-3.1, 12-3.2, 12-3.4, 12-3.5,  
25                   12-5, 12-7.3, 12-7.4, 12-7.5, 25-1, or 25-5 of the  
26                   Criminal Code of 1961 or the Criminal Code of

1                   2012.

2                   The information derived from the law enforcement  
3 records shall be kept separate from and shall not  
4 become a part of the official school record of that  
5 child and shall not be a public record. The  
6 information shall be used solely by the appropriate  
7 school official or officials whom the school has  
8 determined to have a legitimate educational or safety  
9 interest to aid in the proper rehabilitation of the  
10 child and to protect the safety of students and  
11 employees in the school. If the designated law  
12 enforcement and school officials deem it to be in the  
13 best interest of the minor, the student may be  
14 referred to in-school or community based social  
15 services if those services are available.  
16 "Rehabilitation services" may include interventions by  
17 school support personnel, evaluation for eligibility  
18 for special education, referrals to community-based  
19 agencies such as youth services, behavioral healthcare  
20 service providers, drug and alcohol prevention or  
21 treatment programs, and other interventions as deemed  
22 appropriate for the student.

23                   (B) Any information provided to appropriate school  
24 officials whom the school has determined to have a  
25 legitimate educational or safety interest by local law  
26 enforcement officials about a minor who is the subject

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

21 (i) The president of a park district. Inspection and  
22 copying shall be limited to law enforcement records  
23 transmitted to the president of the park district by the  
24 Illinois State Police under Section 8-23 of the Park  
25 District Code or Section 16a-5 of the Chicago Park  
26 District Act concerning a person who is seeking employment

1 with that park district and who has been adjudicated a  
2 juvenile delinquent for any of the offenses listed in  
3 subsection (c) of Section 8-23 of the Park District Code  
4 or subsection (c) of Section 16a-5 of the Chicago Park  
5 District Act.

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

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

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

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

1 inspection or disclosure is conducted in the presence of a law  
2 enforcement officer for purposes of identification or  
3 apprehension of any person in the course of any criminal  
4 investigation or prosecution.

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

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

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

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

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

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

26 (10) Nothing contained in this Section shall prohibit law



1 enforcement agencies from disclosing law enforcement reports  
2 and records to the Attorney General for the purposes of  
3 complying with the Crime Victims Compensation Act.

4 (Source: P.A. 103-22, eff. 8-8-23.)

5 Section 10. The Crime Victims Compensation Act is amended  
6 by changing Sections 2, 2.5, 4.1, 4.2, 5.1, 6.1, 7.1, 8.1,  
7 10.1, and 18.5 as follows:

8 (740 ILCS 45/2)

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

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

21 (1) A victim.

22 (2) If the victim was a guardian or primary caregiver  
23 to an adult who is physically or mentally incapacitated,  
24 that adult who is physically or mentally incapacitated.

1           (3) A guardian of a minor or of a person under legal  
2           disability.

3           (4) A person who, at the time the crime occurred,  
4           resided in the same dwelling as the victim, solely for the  
5           purpose of compensating for any of the following:

6                   (A) Pecuniary loss incurred for psychological  
7                   treatment of a mental or emotional condition caused or  
8                   aggravated by the crime.

9                   (B) Loss of earnings under paragraph (14.5) of  
10                   subsection (h) for time off from work necessary to  
11                   provide full time care for the injured victim.

12                   (C) Relocation expenses.

13           (5) A person who assumes a legal obligation or  
14           voluntarily pays for a victim's medical or funeral or  
15           burial expenses.

16           (6) Any other person the Court of Claims or the  
17           Attorney General finds is entitled to compensation.

18           The changes made to this subsection by Public Act 101-652  
19           apply to actions commenced or pending on or after January 1,  
20           2022.

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

23           (c) "Crime of violence" means and includes any offense  
24           defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,  
25           10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,  
26           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, 12-3.05, 12-3.1, 12-3.2, 12-3.3, 12-3.4,  
2 ~~12-4, 12-4.1, 12-4.2, 12-4.3~~, 12-5, 12-7.1, 12-7.3, 12-7.4,  
3 ~~12-13, 12-14, 12-14.1, 12-15, 12-16~~, 12-20.5, ~~12-30~~, 20-1 or  
4 20-1.1, or Section 12-3.05 except for subdivision (a)(4) or  
5 (g)(1), or subdivision (a)(4) of Section 11-14.4, of the  
6 Criminal Code of 1961 or the Criminal Code of 2012, Sections  
7 1(a) and 1(a-5) of the Cemetery Protection Act, Section 125 of  
8 the Stalking No Contact Order Act, Section 219 of the Civil No  
9 Contact Order Act, driving under the influence as defined in  
10 Section 11-501 of the Illinois Vehicle Code, a violation of  
11 Section 11-401 of the Illinois Vehicle Code, provided the  
12 victim was a pedestrian or was operating a vehicle moved  
13 solely by human power or a mobility device at the time of  
14 contact, and a violation of Section 11-204.1 of the Illinois  
15 Vehicle Code; so long as the offense did not occur during a  
16 civil riot, insurrection or rebellion. "Crime of violence"  
17 does not include any other offense or crash involving a motor  
18 vehicle except those vehicle offenses specifically provided  
19 for in this paragraph. "Crime of violence" does include all of  
20 the 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 dwelling household of a person killed  
4 or injured in a relationship that is substantially similar to  
5 that of a parent, spouse, or child, (3) a person killed or  
6 injured in this State while attempting to assist a person  
7 against whom a crime of violence is being perpetrated or  
8 attempted, if that attempt of assistance would be expected of  
9 a reasonable person under the circumstances, (4) a person  
10 killed or injured in this State while assisting a law  
11 enforcement official apprehend a person who has perpetrated a  
12 crime of violence or prevent the perpetration of any such  
13 crime if that assistance was in response to the express  
14 request of the law enforcement official, (5) a person who  
15 personally witnessed a violent crime, (5.05) a person who will  
16 be called as a witness by the prosecution to establish a  
17 necessary nexus between the offender and the violent crime,  
18 ~~(5.1) solely for the purpose of compensating for pecuniary~~  
19 ~~loss incurred for psychological treatment of a mental or~~  
20 ~~emotional condition caused or aggravated by the crime, any~~  
21 ~~other person under the age of 18~~ who is the grandparent,  
22 grandchild, brother, sister, half brother, or half sister of a  
23 person killed or injured in this State as a result of a crime  
24 of violence, applying solely for the purpose of compensating  
25 for pecuniary loss incurred for psychological treatment of a  
26 mental or emotional condition caused or aggravated by the

1 crime, loss of earnings under paragraph (14.5) of subsection  
2 (h) for time off from work necessary to provide full time care  
3 for the injured victim, or relocation if the crime occurred  
4 within the dwelling of the applicant, (5.2) any person who was  
5 in a dating relationship with a person killed in this State as  
6 a result of a crime of violence, solely for the purpose of  
7 compensating for pecuniary loss incurred for psychological  
8 treatment of a mental or emotional condition caused or  
9 aggravated by the crime, (6) an Illinois resident who is a  
10 victim of a "crime of violence" as defined in this Act except,  
11 if the crime occurred outside this State, the resident has the  
12 same rights under this Act as if the crime had occurred in this  
13 State upon a showing that the state, territory, country, or  
14 political subdivision of a country in which the crime occurred  
15 does not have a compensation of victims of crimes law for which  
16 that Illinois resident is eligible, (7) the parent, spouse, or  
17 child of a deceased person whose body is dismembered or whose  
18 remains are desecrated as the result of a crime of violence, ~~or~~  
19 (8) (blank), or (9) an individual who is injured or killed in  
20 an incident in which a law enforcement officer's use of force  
21 caused bodily harm or death to that individual.

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

26 (f) "Relative" means a spouse, parent, grandparent,

1 stepfather, stepmother, child, grandchild, brother,  
2 brother-in-law, sister, sister-in-law, half brother, half  
3 sister, spouse's parent, nephew, niece, uncle, aunt, or anyone  
4 living in the dwelling household of a person killed or injured  
5 in a relationship that is substantially similar to that of a  
6 parent, spouse, or child.

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

9 (h) "Pecuniary loss" means:

10 (1) in the case of injury, appropriate medical  
11 expenses and hospital expenses including expenses of  
12 medical examinations, rehabilitation, medically required  
13 nursing care expenses, appropriate psychiatric care or  
14 psychiatric counseling expenses, appropriate expenses for  
15 care or counseling by a licensed clinical psychologist,  
16 licensed clinical social worker, licensed professional  
17 counselor, or licensed clinical professional counselor and  
18 expenses for treatment by Christian Science practitioners  
19 and nursing care appropriate thereto;

20 (2) transportation expenses to and from medical and  
21 counseling treatment facilities;

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

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

1           (5) costs associated with trafficking tattoo removal  
2           by a person authorized or licensed to perform the specific  
3           removal procedure; for victims of offenses defined in  
4           Section 10-9 of the Criminal Code of 2012, the victim  
5           shall submit a statement under oath on a form prescribed  
6           by the Attorney General attesting that the removed tattoo  
7           was applied in connection with the commission of the  
8           offense;

9           (6) replacement costs for clothing and bedding used as  
10          evidence;

11          (7) costs associated with temporary lodging or  
12          relocation necessary as a result of the crime, including,  
13          but not limited to, the first 2 months' rent and security  
14          deposit of the dwelling that the claimant relocated to and  
15          other reasonable relocation expenses incurred as a result  
16          of the violent crime;

17          (8) locks, doors, or windows necessary or damaged as a  
18          result of the crime;

19          (9) the purchase, lease, or rental of equipment  
20          necessary to create usability of and accessibility to the  
21          victim's real and personal property, or the real and  
22          personal property which is used by the victim, necessary  
23          as a result of the crime; "real and personal property"  
24          includes, but is not limited to, vehicles, houses,  
25          apartments, townhouses, or condominiums;

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

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

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

9           (13) loss of tuition paid to attend grammar school or  
10 high school when the victim had been enrolled as a student  
11 prior to the injury, or college or graduate school when  
12 the victim had been enrolled as a day or night student  
13 prior to the injury when the victim becomes unable to  
14 continue attendance at school as a result of the crime of  
15 violence perpetrated against him or her;

16           (14) loss of earnings, loss of future earnings because  
17 of disability resulting from the injury. Loss of future  
18 earnings shall be reduced by any income from substitute  
19 work actually performed by the victim or by income the  
20 victim would have earned in available appropriate  
21 substitute work the victim was capable of performing but  
22 unreasonably failed to undertake; loss of earnings and  
23 loss of future earnings shall be determined on the basis  
24 of the victim's average net monthly earnings for the 6  
25 months immediately preceding the date of the injury or on  
26 \$2,400 per month, whichever is less, or, in cases where



1 the absences commenced more than 3 years from the date of  
2 the crime, on the basis of the net monthly earnings for the  
3 6 months immediately preceding the date of the first  
4 absence, not to exceed \$2,400 per month;

5 (14.5) loss of earnings for applicants or loss of  
6 future earnings for applicants. The applicant must  
7 demonstrate that the loss of earnings is a direct result  
8 of circumstances attributed to the crime including, but  
9 not limited to, court appearances, funeral preparation and  
10 bereavement, receipt of medical or psychological care;  
11 loss of earnings and loss of future earnings shall be  
12 determined on the basis of the applicant's average net  
13 monthly earnings for the 6 months immediately preceding  
14 the date of the injury or on \$2,400 per month, whichever is  
15 less, or, in cases where the absences commenced more than  
16 3 years from the date of the crime, on the basis of the net  
17 monthly earnings for the 6 months immediately preceding  
18 the date of the first absence, not to exceed \$2,400 per  
19 month;

20 (15) loss of support of the dependents of the victim.  
21 Loss of support shall be determined on the basis of the  
22 victim's average net monthly earnings for the 6 months  
23 immediately preceding the date of the injury or on \$2,400  
24 per month, whichever is less, or, in cases where the  
25 absences commenced more than 3 years from the date of the  
26 crime, on the basis of the net monthly earnings for the 6

1 months immediately preceding the date of the first  
2 absence, not to exceed \$2,400 per month. If a divorced or  
3 legally separated applicant is claiming loss of support  
4 for a minor child of the deceased, the amount of support  
5 for each child shall be based either on the amount of  
6 support pursuant to the judgment prior to the date of the  
7 deceased victim's injury or death, or, if the subject of  
8 pending litigation filed by or on behalf of the divorced  
9 or legally separated applicant prior to the injury or  
10 death, on the result of that litigation. Loss of support  
11 for minors shall be divided in proportion to the amount of  
12 the actual loss among those entitled to such compensation;

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

24 (17) in the case of dismemberment or desecration of a  
25 body, expenses for reasonable funeral, ~~and~~ burial,  
26 headstone, and cremation, all of which may be awarded up

1 to a maximum of \$10,000 for each victim. Other individuals  
2 that have paid or become obligated to pay funeral,  
3 cremation, or burial expenses, including a headstone, for  
4 the deceased shall share a maximum award of \$10,000, with  
5 the award divided in proportion to the amount of the  
6 actual loss among those entitled to compensation; ~~and-~~

7 (19) legal fees resulting from proceedings that became  
8 necessary solely because of the crime, including, but not  
9 limited to, establishing a legal guardian for the minor  
10 victim or the minor child of a victim, or obtaining a  
11 restraining order, no contact order, or order of  
12 protection, awarded up to a maximum of \$3,500.

13 "Pecuniary loss" does not include pain and suffering or  
14 property loss or damage.

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

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

23 (j) "Dependents replacement services loss" means loss  
24 reasonably incurred by dependents or private legal guardians  
25 of minor dependents after a victim's death in obtaining  
26 ordinary and necessary services in lieu of those the victim

1 would have performed, not for income, but for their benefit,  
2 if he or she had not been fatally injured.

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

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

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

10 (n) "Dwelling" means a person's primary home. A person may  
11 be required to provide verification or proof of residence  
12 including, but not limited to, a lease agreement, utility  
13 bill, license registration, document showing the mailing  
14 address, pay stub, tax form, or notarized statement.

15 (o) "Dating relationship" means a current, continuous,  
16 romantic, courtship, or engagement relationship, often  
17 characterized by actions of an intimate or sexual nature or an  
18 expectation of affection. "Dating relationship" does not  
19 include a casual acquaintanceship or ordinary fraternization  
20 between persons in a business or social context.

21 (p) "Medical facility" means a facility for the delivery  
22 of health services. "Medical facility" includes, but is not  
23 limited to, a hospital, public health center, outpatient  
24 medical facility, federally qualified health center, migrant  
25 health center, community health center, or State correctional  
26 institution.

1       (q) "Mental health provider" means a licensed clinical  
2 psychologist, a licensed clinical social worker, a licensed  
3 professional counselor, or a licensed clinical professional  
4 counselor as defined in the Mental Health and Developmental  
5 Disabilities Code.

6       (r) "Independent medical evaluation" means an assessment  
7 by a mental health provider who is not currently providing  
8 treatment to the applicant and will not seek reimbursement  
9 from the program for continuing treatment after the  
10 assessment. A provider may seek reimbursement for the  
11 assessment.

12       (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;  
13 102-982, eff. 7-1-23; 103-154, eff. 6-30-23; 103-564, eff.  
14 11-17-23.)

15       (740 ILCS 45/2.5)

16       Sec. 2.5. Felony status ~~Felon as victim.~~ A victim's  
17 criminal history or felony status shall not ~~automatically~~  
18 prevent compensation to that victim or the victim's family. No  
19 compensation may be granted to an applicant under this Act  
20 while the applicant is held in a correctional institution. An  
21 applicant who is held in a correctional institution may apply  
22 for assistance under this Act at any time, but no award of  
23 compensation may be considered until the applicant meets the  
24 requirements of this Section. ~~However, no compensation may be~~  
25 ~~granted to a victim or applicant under this Act while the~~

1 ~~applicant or victim is held in a correctional institution. For~~  
2 ~~purposes of this Section, the death of a felon who is serving a~~  
3 ~~term of parole, probation, or mandatory supervised release~~  
4 ~~shall be considered a discharge from that sentence.~~

5 ~~A victim who has been convicted of a felony may apply for~~  
6 ~~assistance under this Act at any time but no award of~~  
7 ~~compensation may be considered until the applicant meets the~~  
8 ~~requirements of this Section.~~

9 ~~The changes made to this Section by this amendatory Act of~~  
10 ~~the 96th General Assembly apply to actions commenced or~~  
11 ~~pending on or after the effective date of this amendatory Act~~  
12 ~~of the 96th General Assembly.~~

13 (Source: P.A. 101-652, eff. 7-1-21.)

14 (740 ILCS 45/4.1) (from Ch. 70, par. 74.1)

15 Sec. 4.1. In addition to other powers and duties set forth  
16 in this Act and other powers exercised by the Attorney  
17 General, the Attorney General shall:

18 (1) investigate all claims and prepare and present an  
19 investigatory report and a draft award determination to  
20 the Court of Claims for a review period of 28 business  
21 days;

22 (2) upon conclusion of the review by the Court of  
23 Claims, provide the applicant with a compensation  
24 determination letter;

25 (3) prescribe and furnish all applications and other

1 forms required to be filed in the office of the Attorney  
2 General by the terms of this Act; ~~and~~

3 (4) represent the interests of the State of Illinois  
4 in any hearing before the Court of Claims; ~~and~~

5 (5) upon failure to comply with Section 4.2, the  
6 Attorney General's office shall have the power to issue  
7 subpoenas to compel the production of law enforcement  
8 reports maintained by law enforcement agencies.

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

12 (Source: P.A. 101-652, eff. 7-1-21; 102-27, eff. 6-25-21.)

13 (740 ILCS 45/4.2)

14 Sec. 4.2. ~~Cooperation in review of crime victims~~  
15 ~~compensation applications.~~ A law enforcement agency ~~in this~~  
16 ~~State~~ shall, within 15 days of receipt of a written request for  
17 a police report made to verify that the requirements of a crime  
18 victims compensation application under Section 6.1 of this Act  
19 have been met, provide the Attorney General's office with the  
20 law enforcement agency's full written report of the  
21 investigation of the crime for which an application for  
22 compensation has been filed. The law enforcement agency may  
23 redact the following from the report: names of confidential  
24 sources and informants; locations from which law enforcement  
25 conduct surveillance; and information related to issues of

1 national security the law enforcement agency provided to or  
2 received from the United States Department of Homeland  
3 Security or another federal law enforcement agency. The  
4 Attorney General's office and a law enforcement agency may  
5 agree to the redaction of other information in the report or to  
6 the provision of necessary information in another format.  
7 Within 15 days of receipt of the request, a law enforcement  
8 agency shall respond to a written request from the Attorney  
9 General's office for additional information necessary to  
10 assist the Attorney General's office in making a  
11 recommendation for compensation.

12 An applicant may obtain and provide a law enforcement  
13 report to the Attorney General and the Attorney General may  
14 proceed with the review of the application. If the copy of the  
15 law enforcement report provided by the applicant does not  
16 contain all the information the Attorney General needs to move  
17 forward with the review of the application, the Attorney  
18 General may proceed with requesting from the law enforcement  
19 agency the full written report of the investigation.

20 Records that are obtained by the Attorney General's office  
21 from a law enforcement agency under this Section for purposes  
22 of investigating an application for crime victim compensation  
23 shall not be disclosed to the public, including the applicant,  
24 by the Attorney General's office. Law enforcement reports or  
25 other documentation obtained by the Attorney General's office  
26 from an applicant, victim, or third party under this Act for



1 the purposes of investigating an application for crime victim  
2 compensation shall not be disclosed to the public or any  
3 individual or entity, not including the individual who  
4 supplied the report or documentation, by the Attorney  
5 General's office. Any ~~The~~ records obtained by the Attorney  
6 General's office to process the application, including but not  
7 limited to applications, documents, and photographs, ~~while in~~  
8 ~~the possession of the Attorney General's office,~~ shall be  
9 exempt from disclosure by the Attorney General's office under  
10 the Freedom of Information Act.

11 (Source: P.A. 100-690, eff. 1-1-19.)

12 (740 ILCS 45/5.1) (from Ch. 70, par. 75.1)

13 Sec. 5.1. (a) Every hospital licensed under the laws of  
14 this State shall display prominently in its emergency room  
15 posters giving notification of the existence and general  
16 provisions of this Act. The posters may be displayed by  
17 physical or electronic means. ~~Such posters shall be provided~~  
18 ~~by the Attorney General.~~

19 (b) Any law enforcement agency that investigates an  
20 offense committed in this State shall inform the victim or any  
21 potential applicant contacted during the course of an  
22 investigation or arrest regarding ~~of the offense or his~~  
23 ~~dependents concerning~~ the Crime Victims Compensation Program,  
24 ~~availability of an award of compensation~~ and advise such  
25 persons that any information concerning this Act and the

1 filing of a claim may be obtained from the office of the  
2 Attorney General.

3 (c) The Office of the Attorney General shall make  
4 available on its website applications, forms, posters, and  
5 general information that law enforcement agencies and  
6 hospitals may use to comply with this Section.

7 (Source: P.A. 102-4, eff. 4-27-21.)

8 (740 ILCS 45/6.1) (from Ch. 70, par. 76.1)

9 Sec. 6.1. Right to compensation. A person is entitled to  
10 compensation under this Act if:

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

1 disorder.

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

6 (b) Notification. ~~The For all crimes of violence,~~  
7 ~~except those listed in subsection (b 1) of this Section,~~  
8 ~~the~~ appropriate law enforcement officials were notified  
9 within 72 hours of the perpetration of the crime allegedly  
10 causing the death or injury to the victim ~~or, in the event~~  
11 ~~such notification was made more than 72 hours after the~~  
12 ~~perpetration of the crime, the applicant establishes that~~  
13 ~~such notice was timely under the circumstances. If the~~  
14 notification was made more than 72 hours after the  
15 perpetration of the crime and the applicant establishes  
16 that the notice was timely under the circumstances, the  
17 Attorney General and the Court of Claims may extend the  
18 time for reporting to law enforcement.

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

1 the notice was timely under the circumstances.

2 (b-1) If, in lieu of a law enforcement report, For  
3 ~~victims of offenses defined in Sections 10-9, 11-1.20,~~  
4 ~~11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1,~~  
5 ~~12-15, and 12-16 of the Criminal Code of 1961 or the~~  
6 ~~Criminal Code of 2012, the appropriate law enforcement~~  
7 ~~officials were notified within 7 days of the perpetration~~  
8 ~~of the crime allegedly causing death or injury to the~~  
9 ~~victim or, in the event that the notification was made~~  
10 ~~more than 7 days after the perpetration of the crime, the~~  
11 ~~applicant establishes that the notice was timely under the~~  
12 ~~circumstances. If the applicant or victim has obtained an~~  
13 ~~order of protection, a civil no contact order, or a~~  
14 ~~stalking no contact order, has presented himself or~~  
15 ~~herself to a medical facility ~~hospital~~ for medical care or~~  
16 ~~sexual assault evidence collection, has presented to a~~  
17 ~~mental health provider for an independent medical~~  
18 ~~evaluation, or is engaged in a legal proceeding involving~~  
19 ~~a claim that the applicant or victim is a victim of human~~  
20 ~~trafficking or law enforcement use of force, such action~~  
21 ~~shall constitute appropriate notification under this~~  
22 ~~subsection (b-1) or subsection (b) of this Section.~~

23 (b-2) For purposes of notification under this Act, a  
24 victim who presents to a medical facility shall provide  
25 information sufficient to fulfill the requirements of this  
26 Section, except that the victim shall not be required to

1 identify the offender to the medical provider.

2 (b-3) An applicant who is filing a claim that a law  
3 enforcement officer's use of force caused injury or death,  
4 may fulfill the notification requirement by complying with  
5 subsection (b), filing a complaint with the Illinois Law  
6 Enforcement Training Standards Board, filing a lawsuit  
7 against a law enforcement officer or department, or  
8 presenting evidence that the victim has obtained a  
9 settlement or a verdict in a civil suit. An application  
10 filed by an individual presenting evidence of a verdict in  
11 a civil suit must be filed within one year after the  
12 resolution of the civil suit.

13 (b-4) An applicant may provide notification to a  
14 mental health provider regarding physical injuries of the  
15 victim or for victims of offenses defined in Sections  
16 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,  
17 11-14.4, 12-3.2, 12-3.3, 12-3.4, 12-7.3, 12-7.4 of the  
18 Criminal Code of 2012, psychological injuries resulting  
19 from the commission of the crime for which the applicant  
20 is filing an application. The provider shall perform an  
21 independent medical evaluation and provide the provider's  
22 professional opinion as to whether the injuries claimed  
23 are consistent with having resulted from the commission of  
24 the crime for which the applicant is filing an  
25 application.

26 Upon completion of the independent medical evaluation,

1       the mental health provider shall complete a certification  
2       form, signed under oath. The form shall be provided by the  
3       Office of the Attorney General and contain the following:

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

6               (2) Contact information for the provider.

7               (3) The provider's relationship with the  
8               applicant.

9               (4) The date the crime was reported to the  
10              provider.

11              (5) The reported crime.

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

13              (7) If there are physical injuries, what injuries  
14              that the mental health provider can attest to being  
15              present on the day of the reporting if they are  
16              consistent with the crime reported to the provider.

17              (8) If there are psychological injuries, whether  
18              the provider in his or her professional opinion  
19              believes that the injuries presented on the day of the  
20              reporting are consistent with the crime reported to  
21              the provider.

22              (9) A detailed summary of the incident, as  
23              reported.

24              (10) Any documentation or photos that relate to  
25              the crime of violence for which the applicant is  
26              seeking reimbursement.

1           (c) Cooperation. The applicant has cooperated with law  
2 enforcement officials in the apprehension and prosecution  
3 of the assailant. If the applicant or victim has obtained  
4 an order of protection, a civil no contact order, or a  
5 stalking no contact order, has presented ~~himself or~~  
6 ~~herself~~ to a medical facility ~~hospital~~ for medical care or  
7 sexual assault evidence collection, obtained an  
8 independent medical examination from a mental health  
9 provider as described in subsection (b-4), has taken any  
10 of the actions described in subsection (b-3), or is  
11 engaged in a legal proceeding involving a claim that the  
12 applicant or victim is a victim of human trafficking, such  
13 action shall constitute cooperation under this subsection  
14 (c). If the victim is under 18 years of age at the time of  
15 the commission of the offense, the following shall  
16 constitute cooperation under this subsection (c):

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

19           (2) a mandated reporter reports the crime to law  
20 enforcement; or

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

23           In evaluating cooperation, the Attorney General and  
24 Court of Claims may consider the victim's age, physical  
25 condition, psychological state, cultural or linguistic  
26 barriers, and compelling health and safety concerns,

1 including, but not limited to, a reasonable fear of  
2 retaliation or harm that would jeopardize the well-being  
3 of the victim or the victim's family, and giving due  
4 consideration to the degree of cooperation that the victim  
5 or derivative victim is capable of in light of the  
6 presence of any of these factors, or any other factor the  
7 Attorney General considers relevant.

8 (d) If the ~~The~~ applicant is not barred from receiving  
9 compensation under Section 10.1 ~~the offender or an~~  
10 ~~accomplice of the offender and the award would not~~  
11 ~~unjustly benefit the offender or his accomplice.~~

12 (e) (Blank).

13 (f) (Blank). ~~For victims of offenses defined in~~  
14 ~~Section 10-9 of the Criminal Code of 2012, the victim~~  
15 ~~submits a statement under oath on a form prescribed by the~~  
16 ~~Attorney General attesting that the removed tattoo was~~  
17 ~~applied in connection with the commission of the offense.~~

18 (g) (Blank). ~~In determining whether cooperation has~~  
19 ~~been reasonable, the Attorney General and Court of Claims~~  
20 ~~may consider the victim's age, physical condition,~~  
21 ~~psychological state, cultural or linguistic barriers, and~~  
22 ~~compelling health and safety concerns, including, but not~~  
23 ~~limited to, a reasonable fear of retaliation or harm that~~  
24 ~~would jeopardize the well-being of the victim or the~~  
25 ~~victim's family, and giving due consideration to the~~  
26 ~~degree of cooperation that the victim or derivative victim~~



1 ~~is capable of in light of the presence of any of these~~  
2 ~~factors, or any other factor the Attorney General~~  
3 ~~considers relevant.~~

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

7 (Source: P.A. 101-652, eff. 7-1-21; 102-27, eff. 6-25-21.)

8 (740 ILCS 45/7.1) (from Ch. 70, par. 77.1)

9 Sec. 7.1. (a) The application shall set out:

10 (1) the name and address of the victim;

11 (2) if the victim is deceased, the name and address of  
12 the applicant and his or her relationship to the victim,  
13 the names and addresses of other persons dependent on the  
14 victim for their support and the extent to which each is so  
15 dependent, and other persons who may be entitled to  
16 compensation for a pecuniary loss;

17 (3) the date and nature of the crime on which the  
18 application for compensation is based;

19 (4) the date and place where notification under  
20 Section 6.1 was given and to whom, or the date and place of  
21 issuance of an order of protection, no contact order,  
22 evidence of a legal proceeding involving human  
23 trafficking, or in cases of a law enforcement officer's  
24 use of force, another form of documentation allowable  
25 under Section 6.1 and the law enforcement officials to

1 ~~whom notification of the crime was given;~~

2 (4.5) if the victim is providing supplemental forms of  
3 documentation, that documentation, the date the victim  
4 obtained that other form of documentation and the type of  
5 documentation;

6 (5) the nature and extent of the injuries sustained by  
7 the victim, and the names and addresses of those giving  
8 medical and hospitalization treatment to the victim;

9 (6) the pecuniary loss to the applicant and to such  
10 other persons as are specified under item (2) resulting  
11 from the injury or death;

12 (7) the amount of benefits, payments, or awards, if  
13 any, payable under:

14 (a) the Workers' Compensation Act,

15 (b) the Dram Shop Act,

16 (c) any claim, demand, or cause of action based  
17 upon the crime-related injury or death,

18 (d) the Federal Medicare program,

19 (e) the State Public Aid program,

20 (f) Social Security Administration burial  
21 benefits,

22 (g) Veterans administration burial benefits,

23 (h) life, health, accident, vehicle, towing, or  
24 liability insurance,

25 (i) the Criminal Victims' Escrow Account Act,

26 (j) the Sexual Assault Survivors Emergency

1 Treatment Act,  
2 (k) restitution, or  
3 (l) any other source;  
4 (8) releases authorizing the surrender to the Court of  
5 Claims or Attorney General of reports, documents and other  
6 information relating to the matters specified under this  
7 Act and rules promulgated in accordance with the Act;  
8 (9) such other information as the Court of Claims or  
9 the Attorney General reasonably requires.

10 (b) The Attorney General may require that materials  
11 substantiating the facts stated in the application be  
12 submitted with that application.

13 (b-5) The victim or applicant may provide to the Attorney  
14 General a sworn statement by the victim or applicant that  
15 attests to the victim's or applicant's experience of a crime  
16 or crimes of violence, in addition to documentation required  
17 under this Act. If the victim or applicant has additional  
18 corroborating evidence beyond those described in this Act, the  
19 victim or applicant may provide the following documents: law  
20 enforcement report; medical records; confirmation of sexual  
21 assault evidence collection; order of protection; civil no  
22 contact order, stalking no contact order; photographs; letter  
23 from a service provider who serves victims of crime; affidavit  
24 from a witness of the crime of violence; court record;  
25 military record; or any other corroborating evidence. Such  
26 documentation or statement may be used to supplement required

1 documentation to verify the incident but is not required. If  
2 an applicant is seeking an exception under subsection (b) or  
3 (c-1) of Section 6.1, the applicant shall provide any  
4 additional documentation, information, or statement that  
5 substantiates the facts stated in the application.

6 (c) An applicant, on his or her own motion, may file an  
7 amended application or additional substantiating materials to  
8 correct inadvertent errors or omissions at any time before the  
9 original application has been disposed of by the Court of  
10 Claims or the Attorney General. In either case, the filing of  
11 additional information or of an amended application shall be  
12 considered for the purpose of this Act to have been filed at  
13 the same time as the original application.

14 For claims submitted on or after January 1, 2022, an  
15 amended application or additional substantiating materials to  
16 correct inadvertent errors or omissions may be filed at any  
17 time before the original application is disposed of by the  
18 Attorney General or the Court of Claims.

19 (d) Determinations submitted by the Attorney General to  
20 the Court of Claims shall be available to the Court of Claims  
21 for review. The Attorney General shall provide the sources and  
22 evidence relied upon as a basis for a compensation  
23 determination.

24 (e) The changes made to this Section by this amendatory  
25 Act of the 101st General Assembly apply to actions commenced  
26 or pending on or after January 1, 2022.

1 (Source: P.A. 101-652, eff. 7-1-21; 102-27, eff. 6-25-21;  
2 102-905, eff. 1-1-23.)

3 (740 ILCS 45/8.1) (from Ch. 70, par. 78.1)

4 Sec. 8.1. If an applicant does not submit all materials  
5 substantiating his or her claim as requested of him or her by  
6 the Attorney General, the Attorney General shall notify the  
7 applicant in writing of the specific additional items of  
8 information or materials required and that he or she has 45  
9 days in which to furnish those items to the Attorney General.  
10 The Attorney General shall report an applicant's failure to  
11 comply within 45 days of the foregoing notice to the Court of  
12 Claims. No award of compensation shall be made for any portion  
13 of the applicant's claim that is not substantiated by the  
14 applicant. An applicant may request an extension of time from  
15 the Attorney General prior to the expiration of the 45-day  
16 period.

17 After an application has been filed, an applicant's  
18 failure to respond to communication from the Office of the  
19 Attorney General or the Court of Claims or a failure to provide  
20 necessary documentation to substantiate the request for  
21 compensation may result in the claim being closed without  
22 compensation. An applicant may submit to have the claim  
23 reopened when the applicant is able to provide missing  
24 information and communicate regarding the claim.

25 Failure to update the Office of the Attorney General with

1 changes to the applicant's contact information after the  
2 application is submitted to the Office of the Attorney General  
3 may result in applications that are not filed with the Court of  
4 Claims or claims that are closed without compensation.

5 (Source: P.A. 102-27, eff. 1-1-22.)

6 (740 ILCS 45/10.1) (from Ch. 70, par. 80.1)

7 Sec. 10.1. Award of compensation. The awarding of  
8 compensation and the amount of compensation to which an  
9 applicant and other persons are entitled shall be based on the  
10 following factors:

11 (a) Each victim may be compensated for his or her  
12 pecuniary loss up to the maximum amount allowable.

13 (b) Each dependent may be compensated for loss of  
14 support, as provided in paragraph (15) of subsection (h)  
15 of Section 2.

16 (c) Any person, even though not dependent upon the  
17 victim for his or her support, may be compensated for  
18 reasonable expenses of the victim to the extent to which  
19 he or she has paid or become obligated to pay such expenses  
20 and only after compensation for reasonable funeral,  
21 medical and hospital expenses of the victim have been  
22 awarded may compensation be made for reasonable expenses  
23 of the victim incurred for psychological treatment of a  
24 mental or emotional condition caused or aggravated by the  
25 crime. Persons that have paid or become obligated to pay

1 expenses for a victim shall share the maximum award with  
2 the amount divided in proportion to the amount of the  
3 actual loss among those entitled to compensation.

4 (d) Except for claims listed under subsection (d-1) of  
5 this Section, an ~~An~~ award shall be reduced or denied  
6 according to the extent to which the victim's injury or  
7 death was caused by provocation or incitement by the  
8 victim or the victim assisting, attempting, or committing  
9 a criminal act. ~~A denial or reduction shall not~~  
10 ~~automatically bar the survivors of homicide victims from~~  
11 ~~receiving compensation for counseling, crime scene~~  
12 ~~cleanup, relocation, funeral or burial costs, and loss of~~  
13 ~~support if the survivor's actions have not initiated,~~  
14 ~~provoked, or aggravated the suspect into initiating the~~  
15 ~~qualifying crime.~~

16 (d-1) For claims that a law enforcement officer's use  
17 of force resulted in injury or death to a victim, an award  
18 shall be reduced or denied to the extent by which the  
19 victim's behavior posed an imminent threat of death or  
20 serious bodily injury to the law enforcement officer or  
21 another person and such behavior of the victim was a  
22 direct and proximate cause of the victim's injury or  
23 death. If a police report has been made, the police report  
24 shall not be the sole factor if the Attorney General or  
25 Court of Claims has identified reliable information that  
26 conflicts with the police report.

1           (d-2) A person who is criminally responsible for the  
2           crime upon which a claim is based or an accomplice of such  
3           person shall not be eligible to receive an award with  
4           respect to such claim. A member of the family of a person  
5           criminally responsible for the crime upon which a claim is  
6           based or a member of the family of an accomplice of such  
7           person shall be eligible to receive an award, unless the  
8           person criminally responsible will receive substantial  
9           economic benefit or unjust enrichment from the  
10           compensation. In no event shall an applicant be denied  
11           compensation solely because of the applicant's or the  
12           victim's familial relationship with the offender or  
13           because of the sharing of a dwelling by the victim or  
14           applicant and the offender.

15           (d-3) A denial or reduction shall not automatically  
16           bar the survivors of homicide victims from receiving  
17           compensation for counseling, crime scene cleanup,  
18           relocation, funeral or burial costs, and loss of support.

19           (e) An award shall be reduced by the amount of  
20           benefits, payments or awards payable under those sources  
21           which are required to be listed under item (7) of Section  
22           7.1(a) and any other sources except annuities, pension  
23           plans, Federal Social Security payments payable to  
24           dependents of the victim and the net proceeds of the first  
25           \$25,000 of life insurance that would inure to the benefit  
26           of the applicant, which the applicant or any other person



1 dependent for the support of a deceased victim, as the  
2 case may be, has received or to which he or she is entitled  
3 as a result of injury to or death of the victim.

4 (f) A final award shall not exceed \$10,000 for a crime  
5 committed prior to September 22, 1979, \$15,000 for a crime  
6 committed on or after September 22, 1979 and prior to  
7 January 1, 1986, \$25,000 for a crime committed on or after  
8 January 1, 1986 and prior to August 7, 1998, \$27,000 for a  
9 crime committed on or after August 7, 1998 and prior to  
10 August 7, 2022, or \$45,000 per victim for a crime  
11 committed on or after August 7, 2022. For any applicant  
12 who is not a victim, if the total pecuniary loss is greater  
13 than the maximum amount allowed, the award shall be  
14 divided in proportion to the amount of actual loss among  
15 those entitled to compensation who are not victims.

16 (g) Compensation under this Act is a secondary source  
17 of compensation and the applicant must show that he or she  
18 has exhausted the benefits reasonably available under the  
19 Criminal Victims' Escrow Account Act or any governmental  
20 or medical or health insurance programs, including, but  
21 not limited to, Workers' Compensation, the Federal  
22 Medicare program, the State Public Aid program, Social  
23 Security Administration burial benefits, and Veterans  
24 Administration burial benefits, and life, health,  
25 accident, full vehicle coverage (including towing  
26 insurance, if available), or liability insurance.

1       Crowdfunding resources available to applicants are not  
2       considered collateral sources of payment, regardless of  
3       any statements made about what expenses the crowdfunding  
4       resources will be used to pay.

5       (Source: P.A. 102-27, eff. 1-1-22; 102-905, eff. 1-1-23;  
6       103-564, eff. 11-17-23.)

7           (740 ILCS 45/18.5)

8       Sec. 18.5. Restrictions on collection of debts incurred by  
9       crime victims.

10       (a) Within 10 business days after the filing of a claim,  
11       the Office of the Attorney General shall issue an applicant a  
12       written notice of the crime victim compensation claim and  
13       inform the applicant that the applicant may provide a copy of  
14       the written notice to vendors to have debt collection  
15       activities cease while the claim is pending.

16       (b) An applicant may provide a copy of the written notice  
17       to a vendor waiting for payment of a related debt. A vendor  
18       that receives notice of the filing of a claim under this Act  
19       with the Court of Claims or Attorney General must cease all  
20       debt collection activities against the applicant for a related  
21       debt. A vendor that assists an applicant to complete or submit  
22       an application for compensation or a vendor that submits a  
23       bill to the Office of the Attorney General has constructive  
24       notice of the filing of the claim and must not engage in debt  
25       collection activities against the applicant for a related

1 debt. If the Court of Claims or Attorney General awards  
2 compensation for the related debt, a vendor shall not engage  
3 in debt collection activities while payment is pending. If the  
4 Court of Claims denies compensation for a vendor's bill for  
5 the related debt or a portion thereof, the vendor may not  
6 engage in debt collection activities until 45 days after the  
7 date of notice from the Court of Claims or the Attorney General  
8 denying compensation in whole or in part.

9 (c) A vendor that has notice of a compensation claim may~~+~~  
10 ~~(1)~~ submit a written request to the Attorney General for  
11 notification of the Attorney General's decision involving a  
12 related debt. The Attorney General shall provide notification  
13 of payment or denial of payment within 30 days of its decision~~+~~  
14 ~~(2) submit a bill for a related debt to the Office of the~~  
15 ~~Attorney General; and (3) contact the Office of the Attorney~~  
16 ~~General to inquire about the status of the claim.~~

17 (d) The statute of limitations for collection of a related  
18 debt is tolled upon the filing of the claim with the Court of  
19 Claims and all civil actions in court against the applicant  
20 for a related debt shall be stayed until 45 days after the  
21 Attorney General denies or the Court of Claims enters an order  
22 denying compensation for the related debt or portion thereof.

23 (d-5) Any vendor that violates the provisions of this  
24 Section may be held liable to the affected victim or applicant  
25 in an action brought in a court of competent jurisdiction for  
26 such legal or equitable relief as may be appropriate to

1 effectuate the purposes of this Section.

2 (e) As used in this Section:

3 (1) "Crime victim" means a victim of a violent crime  
4 or an applicant as defined in this Act.

5 (2) "Debt collection activities" means:

6 (A) communicating with, harassing, or intimidating  
7 the crime victim for payment, including, but not  
8 limited to:~~7~~

9 (i) repeatedly calling or writing to the crime  
10 victim or applicant or his or her relatives or  
11 employers;

12 (ii) calling or writing to the victim or  
13 applicant or his or her relatives or employers  
14 after an explicit request to cease contact; and

15 (iii) threatening to refer the related debt to  
16 a debt collection agency or to an attorney for  
17 collection, enforcement, or the filing of other  
18 process;

19 (B) contacting a credit ratings agency or  
20 distributing information to affect the crime victim's  
21 credit rating as a result of the related debt;

22 (C) referring a bill, or portion thereof, to a  
23 collection agency or attorney for collection action  
24 against the crime victim; or

25 (D) taking any other action adverse to the crime  
26 victim or his or her family on account of the related

1 debt.

2 "Debt collection activities" does not include billing  
3 insurance or other government programs, routine inquiries  
4 about coverage by private insurance or government  
5 programs, or routine billing that indicates that the  
6 amount is not due pending resolution of the crime victim  
7 compensation claim.

8 (3) "Related debt" means a debt or expense for  
9 hospital, medical, dental, or counseling services incurred  
10 by or on behalf of a crime victim as a direct result of the  
11 crime.

12 (4) "Vendor" includes persons, providers of service,  
13 vendors' agents, debt collection agencies, and attorneys  
14 hired by a vendor.

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

16 Section 99. Effective date. The provisions changing  
17 Sections 2, 2.5, 4.2, 5.1, 6.1, 7.1, 8.1, and 10.1 of the Crime  
18 Victims Compensation Act take effect January 1, 2025. This  
19 Section and the provisions changing Sections 4.1 and 18.5 of  
20 the Crime Victims Compensation Act and the Juvenile Court Act  
21 of 1987 take effect upon becoming law.