

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 Crime Victims Compensation Act is amended by
5 changing Section 6.1 as follows:

6 (740 ILCS 45/6.1) (from Ch. 70, par. 76.1)

7 Sec. 6.1. Right to compensation. A person is entitled to
8 compensation under this Act if:

9 (a) Within 2 years of the occurrence of the crime, or
10 within one year after a criminal indictment of a person for
11 an offense, upon which the claim is based, he files an
12 application, under oath, with the Court of Claims and on a
13 form prescribed in accordance with Section 7.1 furnished by
14 the Attorney General. If the person entitled to
15 compensation is under 18 years of age or under other legal
16 disability at the time of the occurrence or becomes legally
17 disabled as a result of the occurrence, he may file the
18 application required by this subsection within 2 years
19 after he attains the age of 18 years or the disability is
20 removed, as the case may be. Legal disability includes a
21 diagnosis of posttraumatic stress disorder.

22 (b) For all crimes of violence, except those listed in
23 subsection (b-1) of this Section, the appropriate law

1 enforcement officials were notified within 72 hours of the
2 perpetration of the crime allegedly causing the death or
3 injury to the victim or, in the event such notification was
4 made more than 72 hours after the perpetration of the
5 crime, the applicant establishes that such notice was
6 timely under the circumstances.

7 (b-1) For victims of offenses defined in Sections
8 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal
9 Code of 1961, the appropriate law enforcement officials
10 were notified within 7 days of the perpetration of the
11 crime allegedly causing death or injury to the victim or,
12 in the event that the notification was made more than 7
13 days after the perpetration of the crime, the applicant
14 establishes that the notice was timely under the
15 circumstances. ~~(b-2)~~ If the applicant has obtained an order
16 of protection or a civil no contact order or has presented
17 himself or herself to a hospital for sexual assault
18 evidence collection and medical care, such action shall
19 constitute appropriate notification under this subsection
20 (b-1) or subsection (b) ~~or (b-1)~~ of this Section.

21 (c) The applicant has cooperated with law enforcement
22 officials in the apprehension and prosecution of the
23 assailant. ~~(c-1)~~ If the applicant has obtained an order of
24 protection or a civil no contact order or has presented
25 himself or herself to a hospital for sexual assault
26 evidence collection and medical care, such action shall

1 constitute cooperation under this subsection (c) ~~of this~~
2 ~~Section~~.

3 (d) The applicant is not the offender or an accomplice
4 of the offender and the award would not unjustly benefit
5 the offender or his accomplice.

6 (e) The injury to or death of the victim was not
7 substantially attributable to his own wrongful act and was
8 not substantially provoked by the victim.

9 (Source: P.A. 94-192, eff. 1-1-06; revised 8-16-05.)