

1 AN ACT concerning criminal law.

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

4 Section 5. The Sexual Assault Evidence Submission Act is
5 amended by changing Section 5 and by adding Section 43 as
6 follows:

7 (725 ILCS 202/5)

8 Sec. 5. Definitions. In this Act:

9 "Commission" means the Sexual Assault Evidence Tracking
10 and Reporting Commission.

11 "Department" means the Department of State Police or
12 Illinois State Police.

13 "Law enforcement agencies" means local, county, State or
14 federal law enforcement agencies involved in the investigation
15 of sexual assault cases in Illinois.

16 "Sexual assault evidence" means evidence collected in
17 connection with a sexual assault investigation, including, but
18 not limited to, evidence collected using the State Police
19 Evidence Collection Kits.

20 (Source: P.A. 96-1011, eff. 9-1-10.)

21 (725 ILCS 202/43 new)

22 Sec. 43. Sexual Assault Evidence Tracking and Reporting

1 Commission.

2 (a) The Sexual Assault Evidence Tracking and Reporting
3 Commission is created to research and develop a plan to create
4 and implement a statewide mechanism to track and report sexual
5 assault evidence information. The Commission shall consist of
6 the following members:

7 (1) one member of the House of Representatives,
8 appointed by the Speaker of the House of Representatives;

9 (2) one member of the House of Representatives,
10 appointed by the Minority Leader of the House of
11 Representatives;

12 (3) one member of the Senate, appointed by the
13 President of the Senate;

14 (4) one member of the Senate, appointed by the Minority
15 Leader of the Senate;

16 (5) the Attorney General, or his or her designee;

17 (6) the Director of State Police, or his or her
18 designee;

19 (7) the Superintendent of the Chicago Police
20 Department, or his or her designee;

21 (8) the Director of a statewide organization
22 representing sheriffs of this State;

23 (9) the Director of a statewide organization
24 representing chiefs of police of this State;

25 (10) a representative of a statewide organization
26 against sexual assault, appointed by the Speaker of the

1 House of Representatives;

2 (11) a representative of the Illinois State's
3 Attorneys Association, appointed by the Minority Leader of
4 the House of Representatives;

5 (12) a representative of a statewide organization
6 representing hospitals of this State appointed by the
7 Senate President; and

8 (13) a representative of Illinois Sexual Assault Nurse
9 Examiners appointed by the Senate Minority Leader.

10 (b) The members appointed to the Commission under
11 subsection (a) of this Section shall be appointed within 60
12 days after the effective date of this amendatory Act of the
13 100th General Assembly.

14 (c) The first meeting of the Commission shall be called by
15 the Director of the Department, or his or her designee, no
16 later than 30 days after all the members of the Commission have
17 been appointed. At the first meeting, the Commission shall
18 elect from its members a chairperson and other officers as it
19 considers necessary or appropriate.

20 (d) The members of the Commission shall serve without
21 compensation.

22 (e) The Department shall provide administrative and other
23 support to the Commission.

24 (f) The Commission shall within one year of its initial
25 meeting:

26 (1) research options to create a tracking system and

1 develop guidelines and a plan to implement a uniform
2 statewide system to track the location, lab submission
3 status, completion of forensic testing, and storage of
4 sexual assault evidence;

5 (2) develop guidelines and a plan to implement a system
6 with secure electronic access that allows a victim, or his
7 or her designee, to access or receive information about the
8 location, lab submission status, and storage of sexual
9 assault evidence that was gathered from him or her,
10 provided that the disclosure does not impede or compromise
11 an ongoing investigation;

12 (3) develop guidelines and a plan to safeguard
13 confidentiality and limited disclosure of the information
14 contained in the statewide system;

15 (4) recommend sources of public and private funding to
16 implement the plans developed under this subsection (f);

17 (5) recommend changes to law or policy required to
18 support the implementation of the plans developed under
19 this subsection (f); and

20 (6) report its findings and recommendations to submit
21 any and all proposed legislation to the Governor and
22 General Assembly.

23 (g) This Section is repealed on January 1, 2019.

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