

1 AN ACT concerning State government.

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

4 Section 5. The Children and Family Services Act is amended  
5 by adding Section 41 as follows:

6 (20 ILCS 505/41 new)

7 Sec. 41. Department of Children and Family Services to  
8 submit quarterly reports to the General Assembly.

9 (a) The Department of Children and Family Services shall,  
10 by January 1, April 1, July 1, and October 1 of each year,  
11 electronically transmit to the General Assembly, a report that  
12 shall include the following information reflecting the period  
13 ending 15 days prior to the submission of the electronic  
14 report:

15 (1) the number of assaults on or threats against  
16 employees in the line of duty by service region;

17 (2) the number of employee injuries resulting from  
18 assaults in the line of duty; and

19 (3) descriptions of the nature of each injury, the  
20 number of injuries requiring medical treatment, and the  
21 number of days off work per injury.

22 (b) The requirements in subsection (a) do not relieve the  
23 Department from the recordkeeping requirements of the

1 Occupational Safety and Health Act.

2 (c) The Department shall:

3 (1) establish a reasonable procedure for employees to  
4 report work-related assaults and injuries. A procedure is  
5 not reasonable if it would deter or discourage a reasonable  
6 employee from accurately reporting a workplace assault or  
7 injury;

8 (2) inform each employee:

9 (A) of the procedure for reporting work-related  
10 assaults and injuries;

11 (B) of the right to report work-related assaults  
12 and injuries; and

13 (C) that the Department is prohibited from  
14 discharging or in any manner discriminating against  
15 employees for reporting work-related assaults and  
16 injuries; and

17 (3) not discharge, discipline, or in any manner  
18 discriminate against any employee for reporting a  
19 work-related assault or injury.

20 Section 10. The Mental Health and Developmental  
21 Disabilities Administrative Act is amended by changing Section  
22 4 as follows:

23 (20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

24 Sec. 4. Supervision of facilities and services; quarterly

1 reports.

2 (a) To exercise executive and administrative supervision  
3 over all facilities, divisions, programs and services now  
4 existing or hereafter acquired or created under the  
5 jurisdiction of the Department, including, but not limited to,  
6 the following:

7 The Alton Mental Health Center, at Alton

8 The Clyde L. Choate Mental Health and Developmental  
9 Center, at Anna

10 The Chester Mental Health Center, at Chester

11 The Chicago-Read Mental Health Center, at Chicago

12 The Elgin Mental Health Center, at Elgin

13 The Metropolitan Children and Adolescents Center, at  
14 Chicago

15 The Jacksonville Developmental Center, at Jacksonville

16 The Governor Samuel H. Shapiro Developmental Center,  
17 at Kankakee

18 The Tinley Park Mental Health Center, at Tinley Park

19 The Warren G. Murray Developmental Center, at  
20 Centralia

21 The Jack Mabley Developmental Center, at Dixon

22 The Lincoln Developmental Center, at Lincoln

23 The H. Douglas Singer Mental Health and Developmental  
24 Center, at Rockford

25 The John J. Madden Mental Health Center, at Chicago

26 The George A. Zeller Mental Health Center, at Peoria

1           The Andrew McFarland Mental Health Center, at  
2           Springfield

3           The Adolf Meyer Mental Health Center, at Decatur

4           The William W. Fox Developmental Center, at Dwight

5           The Elisabeth Ludeman Developmental Center, at Park  
6           Forest

7           The William A. Howe Developmental Center, at Tinley  
8           Park

9           The Ann M. Kiley Developmental Center, at Waukegan.

10          (b) Beginning not later than July 1, 1977, the Department  
11          shall cause each of the facilities under its jurisdiction which  
12          provide in-patient care to comply with standards, rules and  
13          regulations of the Department of Public Health prescribed under  
14          Section 6.05 of the Hospital Licensing Act.

15          (b-5) The Department shall cause each of the facilities  
16          under its jurisdiction that provide in-patient care to comply  
17          with Section 6.25 of the Hospital Licensing Act.

18          (c) The Department shall issue quarterly electronic  
19          reports to the General Assembly on admissions, deflections,  
20          discharges, bed closures, staff-resident ratios, census,  
21          average length of stay, and any adverse federal certification  
22          or accreditation findings, if any, for each State-operated  
23          facility for the mentally ill and for persons with  
24          developmental disabilities. The quarterly reports shall be  
25          issued by January 1, April 1, July 1, and October 1 of each  
26          year. The quarterly reports shall include the following

1 information for each facility reflecting the period ending 15  
2 days prior to the submission of the report:

3 (1) the number of employees;

4 (2) the number of workplace violence incidents that  
5 occurred, including the number that were a direct assault  
6 on employees by residents and the number that resulted from  
7 staff intervention in a resident altercation or other form  
8 of injurious behavior;

9 (3) the number of employees impacted in each incident;

10 and

11 (4) the number of employee injuries resulting,  
12 descriptions of the nature of the injuries, the number of  
13 employee injuries requiring medical treatment at the  
14 facility, the number of employee injuries requiring  
15 outside medical treatment, and the number of days off work  
16 per injury.

17 (d) The requirements in subsection (c) do not relieve the  
18 Department from the recordkeeping requirements of the  
19 Occupational Safety and Health Act.

20 (e) The Department shall:

21 (1) establish a reasonable procedure for employees to  
22 report work-related assaults and injuries. A procedure is  
23 not reasonable if it would deter or discourage a reasonable  
24 employee from accurately reporting a workplace assault or  
25 injury;

26 (2) inform each employee:

1           (A) of the procedure for reporting work-related  
2           assaults and injuries;

3           (B) of the right to report work-related assaults  
4           and injuries; and

5           (C) that the Department is prohibited from  
6           discharging or in any manner discriminating against  
7           employees for reporting work-related assaults and  
8           injuries; and

9           (3) not discharge, discipline, or in any manner  
10          discriminate against any employee for reporting a  
11          work-related assault or injury.

12          (Source: P.A. 99-143, eff. 7-27-15.)

13                Section 15. The Unified Code of Corrections is amended by  
14                changing Sections 3-2.5-61 and 3-5-3.1 as follows:

15                (730 ILCS 5/3-2.5-61)

16                Sec. 3-2.5-61. Annual and other reports.

17                (a) The Director shall make an annual electronic report to  
18                the Governor and General Assembly concerning persons committed  
19                to the Department, its institutions, facilities, and programs,  
20                of all moneys expended and received, and on what accounts  
21                expended and received no later than January 1 of each year. The  
22                report shall include the ethnic and racial background data, not  
23                identifiable to an individual, of all persons committed to the  
24                Department, its institutions, facilities, programs, and

1 outcome measures established with the Juvenile Advisory Board.

2 (b) The Department of Juvenile Justice shall, by January 1,  
3 April 1, July 1, and October 1 of each year, electronically  
4 transmit to the Governor and General Assembly, a report which  
5 shall include the following information:

6 (1) the number of youth in each of the Department's  
7 facilities and the number of youth on aftercare;

8 (2) the demographics of sex, age, race and ethnicity,  
9 classification of offense, and geographic location where  
10 the offense occurred;

11 (3) the educational and vocational programs provided  
12 at each facility and the number of residents participating  
13 in each program;

14 (4) the present capacity levels in each facility; ~~and~~

15 (5) the ratio of the security staff to residents in  
16 each facility by federal Prison Rape Elimination Act (PREA)  
17 definitions; -

18 (6) the number of reported assaults on staff at each  
19 facility;

20 (7) the number of reported incidents of youth sexual  
21 aggression towards staff at each facility including sexual  
22 assault, residents exposing themselves, sexual touching,  
23 and sexually offensive harassing language such as repeated  
24 and unwelcome sexual advances, requests for sexual favors,  
25 or verbal comments, gestures, or actions of a derogatory or  
26 offensive sexual nature; and

1           (8) the number of staff injuries resulting from youth  
2           violence at each facility including descriptions of the  
3           nature and location of the injuries, the number of staff  
4           injuries requiring medical treatment at the facility, the  
5           number of staff injuries requiring outside medical  
6           treatment and the number of days off work per injury. For  
7           purposes of this Section, the definition of assault on  
8           staff includes, but is not limited to, kicking, punching,  
9           knocking down, harming or threatening to harm with  
10           improvised weapons, or throwing urine or feces at staff.

11           (c) The requirements in subsection (b) do not relieve the  
12           Department from the recordkeeping requirements of the  
13           Occupational Safety and Health Act.

14           (d) The Department shall:

15           (1) establish a reasonable procedure for employees to  
16           report work-related assaults and injuries. A procedure is  
17           not reasonable if it would deter or discourage a reasonable  
18           employee from accurately reporting a workplace assault or  
19           injury;

20           (2) inform each employee:

21           (A) of the procedure for reporting work-related  
22           assaults and injuries;

23           (B) of the right to report work-related assaults  
24           and injuries; and

25           (C) that the Department is prohibited from  
26           discharging or in any manner discriminating against



1           employees for reporting work-related assaults and  
2           injuries; and  
3           (3) not discharge, discipline or in any manner  
4           discriminate against any employee for reporting a  
5           work-related assault or injury.

6           (e) For the purposes of paragraphs (7) and (8) of  
7           subsection (b) only, reports shall be filed beginning July 1,  
8           2019 or the implementation of the Department's Offender 360  
9           Program, whichever occurs first.

10          (Source: P.A. 99-255, eff. 1-1-16.)

11           (730 ILCS 5/3-5-3.1) (from Ch. 38, par. 1003-5-3.1)

12           Sec. 3-5-3.1. As used in this Section, "facility" includes  
13 any facility of the Department of Corrections.

14           (a) The Department of Corrections shall, by January 1st,  
15 April 1st, July 1st, and October 1st of each year,  
16 electronically transmit to the General Assembly, a report which  
17 shall include the following information reflecting the period  
18 ending fifteen days prior to the submission of the report: (1)  
19 the number of residents in all Department facilities indicating  
20 the number of residents in each listed facility; (2) a  
21 classification of each facility's residents by the nature of  
22 the offense for which each resident was committed to the  
23 Department; (3) the number of residents in maximum, medium, and  
24 minimum security facilities indicating the classification of  
25 each facility's residents by the nature of the offense for

1 which each resident was committed to the Department; (4) the  
2 educational and vocational programs provided at each facility  
3 and the number of residents participating in each such program;  
4 (5) the present design and rated capacity levels in each  
5 facility; (6) the projected design and rated capacity of each  
6 facility six months and one year following each reporting date;  
7 (7) the ratio of the security staff ~~guards~~ to residents in each  
8 facility; (8) the ratio of total employees to residents in each  
9 facility; (9) the number of residents in each facility that are  
10 single-celled and the number in each facility that are  
11 double-celled; (10) information indicating the distribution of  
12 residents in each facility by the allocated floor space per  
13 resident; (11) a status of all capital projects currently  
14 funded by the Department, location of each capital project, the  
15 projected on-line dates for each capital project, including  
16 phase-in dates and full occupancy dates; (12) the projected  
17 adult prison facility populations of the Department for each of  
18 the succeeding twelve months following each reporting date,  
19 indicating all assumptions built into such population  
20 estimates; (13) the projected exits and projected admissions in  
21 each facility for each of the succeeding twelve months  
22 following each reporting date, indicating all assumptions  
23 built into such population estimate; ~~and~~ (14) the locations of  
24 all Department-operated or contractually operated community  
25 correctional centers, including the present design and rated  
26 capacity and population levels at each facility; (15) the

1 number of reported assaults on employees at each facility; (16)  
2 the number of reported incidents of resident sexual aggression  
3 towards employees at each facility including sexual assault,  
4 residents exposing themselves, sexual touching, and sexually  
5 offensive language; and (17) the number of employee injuries  
6 resulting from resident violence at each facility including  
7 descriptions of the nature of the injuries, the number of  
8 injuries requiring medical treatment at the facility, the  
9 number of injuries requiring outside medical treatment and the  
10 number of days off work per injury. For purposes of this  
11 Section, the definition of assault on staff includes, but is  
12 not limited to, kicking, punching, knocking down, harming or  
13 threatening to harm with improvised weapons, or throwing urine  
14 or feces at staff.

15 (b) The requirements in subsection (a) do not relieve the  
16 Department from the recordkeeping requirements of the  
17 Occupational Safety and Health Act.

18 (c) The Department shall:

19 (1) establish a reasonable procedure for employees to  
20 report work-related assaults and injuries. A procedure is  
21 not reasonable if it would deter or discourage a reasonable  
22 employee from accurately reporting a workplace assault or  
23 injury;

24 (2) inform each employee:

25 (A) of the procedure for reporting work-related  
26 assaults and injuries;

1           (B) of the right to report work-related assaults  
2           and injuries; and

3           (C) that the Department is prohibited from  
4           discharging or in any manner discriminating against  
5           employees for reporting work-related assaults and  
6           injuries; and

7           (3) not discharge, discipline, or in any manner  
8           discriminate against any employee for reporting a  
9           work-related assault or injury.

10        (Source: P.A. 99-255, eff. 1-1-16.)

11           Section 99. Effective date. This Act takes effect January  
12        1, 2019.