



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB1440

by Rep. Margo McDermed

SYNOPSIS AS INTRODUCED:

See Index

Amends the Sexual Assault Evidence Submission Act. Provides that the State Police shall by rule establish a sexual assault evidence tracking system that conforms to the recommendations made by the Sexual Assault Evidence Tracking and Reporting Commission in its report dated June 26, 2018. Provides that the Department of State Police shall design the criteria for the sexual assault evidence tracking system so that, to the extent reasonably possible, the system can use existing technologies and products. Provides that the sexual assault evidence tracking system shall be operational no later than than one year after the effective date of the amendatory Act. Provides that a treatment hospital, a treatment hospital with approved pediatric transfer, an out-of-state hospital approved by the Department of Public Health to receive transfers of Illinois sexual assault survivors, or an approved pediatric health care facility must comply with rules relating to the collection and tracking of sexual assault evidence adopted by the Department of State Police. Provides for the operations of the sexual assault tracking system to be funded by appropriations from the State Crime Laboratory Fund, together with asset forfeiture and other funds appropriated by the General Assembly. Authorizes emergency rulemaking. Exempts information in the sexual assault evidence tracking system from disclosure under the Freedom of Information Act. Amends the Illinois Administrative Procedure Act, the Freedom of Information Act, the Sexual Assault Survivors Emergency Treatment Act, and the Unified Code of Corrections to make conforming changes. Amends the State Mandates Act to require implementation without reimbursement. Effective immediately.

LRB101 08023 SLF 53084 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

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 Illinois Administrative Procedure Act is
5 amended by changing Section 5-45 as follows:

6 (5 ILCS 100/5-45) (from Ch. 127, par. 1005-45)

7 Sec. 5-45. Emergency rulemaking.

8 (a) "Emergency" means the existence of any situation that
9 any agency finds reasonably constitutes a threat to the public
10 interest, safety, or welfare.

11 (b) If any agency finds that an emergency exists that
12 requires adoption of a rule upon fewer days than is required by
13 Section 5-40 and states in writing its reasons for that
14 finding, the agency may adopt an emergency rule without prior
15 notice or hearing upon filing a notice of emergency rulemaking
16 with the Secretary of State under Section 5-70. The notice
17 shall include the text of the emergency rule and shall be
18 published in the Illinois Register. Consent orders or other
19 court orders adopting settlements negotiated by an agency may
20 be adopted under this Section. Subject to applicable
21 constitutional or statutory provisions, an emergency rule
22 becomes effective immediately upon filing under Section 5-65 or
23 at a stated date less than 10 days thereafter. The agency's

1 finding and a statement of the specific reasons for the finding
2 shall be filed with the rule. The agency shall take reasonable
3 and appropriate measures to make emergency rules known to the
4 persons who may be affected by them.

5 (c) An emergency rule may be effective for a period of not
6 longer than 150 days, but the agency's authority to adopt an
7 identical rule under Section 5-40 is not precluded. No
8 emergency rule may be adopted more than once in any 24-month
9 period, except that this limitation on the number of emergency
10 rules that may be adopted in a 24-month period does not apply
11 to (i) emergency rules that make additions to and deletions
12 from the Drug Manual under Section 5-5.16 of the Illinois
13 Public Aid Code or the generic drug formulary under Section
14 3.14 of the Illinois Food, Drug and Cosmetic Act, (ii)
15 emergency rules adopted by the Pollution Control Board before
16 July 1, 1997 to implement portions of the Livestock Management
17 Facilities Act, (iii) emergency rules adopted by the Illinois
18 Department of Public Health under subsections (a) through (i)
19 of Section 2 of the Department of Public Health Act when
20 necessary to protect the public's health, (iv) emergency rules
21 adopted pursuant to subsection (n) of this Section, (v)
22 emergency rules adopted pursuant to subsection (o) of this
23 Section, or (vi) emergency rules adopted pursuant to subsection
24 (c-5) of this Section. Two or more emergency rules having
25 substantially the same purpose and effect shall be deemed to be
26 a single rule for purposes of this Section.

1 (c-5) To facilitate the maintenance of the program of group
2 health benefits provided to annuitants, survivors, and retired
3 employees under the State Employees Group Insurance Act of
4 1971, rules to alter the contributions to be paid by the State,
5 annuitants, survivors, retired employees, or any combination
6 of those entities, for that program of group health benefits,
7 shall be adopted as emergency rules. The adoption of those
8 rules shall be considered an emergency and necessary for the
9 public interest, safety, and welfare.

10 (d) In order to provide for the expeditious and timely
11 implementation of the State's fiscal year 1999 budget,
12 emergency rules to implement any provision of Public Act 90-587
13 or 90-588 or any other budget initiative for fiscal year 1999
14 may be adopted in accordance with this Section by the agency
15 charged with administering that provision or initiative,
16 except that the 24-month limitation on the adoption of
17 emergency rules and the provisions of Sections 5-115 and 5-125
18 do not apply to rules adopted under this subsection (d). The
19 adoption of emergency rules authorized by this subsection (d)
20 shall be deemed to be necessary for the public interest,
21 safety, and welfare.

22 (e) In order to provide for the expeditious and timely
23 implementation of the State's fiscal year 2000 budget,
24 emergency rules to implement any provision of Public Act 91-24
25 or any other budget initiative for fiscal year 2000 may be
26 adopted in accordance with this Section by the agency charged

1 with administering that provision or initiative, except that
2 the 24-month limitation on the adoption of emergency rules and
3 the provisions of Sections 5-115 and 5-125 do not apply to
4 rules adopted under this subsection (e). The adoption of
5 emergency rules authorized by this subsection (e) shall be
6 deemed to be necessary for the public interest, safety, and
7 welfare.

8 (f) In order to provide for the expeditious and timely
9 implementation of the State's fiscal year 2001 budget,
10 emergency rules to implement any provision of Public Act 91-712
11 or any other budget initiative for fiscal year 2001 may be
12 adopted in accordance with this Section by the agency charged
13 with administering that provision or initiative, except that
14 the 24-month limitation on the adoption of emergency rules and
15 the provisions of Sections 5-115 and 5-125 do not apply to
16 rules adopted under this subsection (f). The adoption of
17 emergency rules authorized by this subsection (f) shall be
18 deemed to be necessary for the public interest, safety, and
19 welfare.

20 (g) In order to provide for the expeditious and timely
21 implementation of the State's fiscal year 2002 budget,
22 emergency rules to implement any provision of Public Act 92-10
23 or any other budget initiative for fiscal year 2002 may be
24 adopted in accordance with this Section by the agency charged
25 with administering that provision or initiative, except that
26 the 24-month limitation on the adoption of emergency rules and

1 the provisions of Sections 5-115 and 5-125 do not apply to
2 rules adopted under this subsection (g). The adoption of
3 emergency rules authorized by this subsection (g) shall be
4 deemed to be necessary for the public interest, safety, and
5 welfare.

6 (h) In order to provide for the expeditious and timely
7 implementation of the State's fiscal year 2003 budget,
8 emergency rules to implement any provision of Public Act 92-597
9 or any other budget initiative for fiscal year 2003 may be
10 adopted in accordance with this Section by the agency charged
11 with administering that provision or initiative, except that
12 the 24-month limitation on the adoption of emergency rules and
13 the provisions of Sections 5-115 and 5-125 do not apply to
14 rules adopted under this subsection (h). The adoption of
15 emergency rules authorized by this subsection (h) shall be
16 deemed to be necessary for the public interest, safety, and
17 welfare.

18 (i) In order to provide for the expeditious and timely
19 implementation of the State's fiscal year 2004 budget,
20 emergency rules to implement any provision of Public Act 93-20
21 or any other budget initiative for fiscal year 2004 may be
22 adopted in accordance with this Section by the agency charged
23 with administering that provision or initiative, except that
24 the 24-month limitation on the adoption of emergency rules and
25 the provisions of Sections 5-115 and 5-125 do not apply to
26 rules adopted under this subsection (i). The adoption of

1 emergency rules authorized by this subsection (i) shall be
2 deemed to be necessary for the public interest, safety, and
3 welfare.

4 (j) In order to provide for the expeditious and timely
5 implementation of the provisions of the State's fiscal year
6 2005 budget as provided under the Fiscal Year 2005 Budget
7 Implementation (Human Services) Act, emergency rules to
8 implement any provision of the Fiscal Year 2005 Budget
9 Implementation (Human Services) Act may be adopted in
10 accordance with this Section by the agency charged with
11 administering that provision, except that the 24-month
12 limitation on the adoption of emergency rules and the
13 provisions of Sections 5-115 and 5-125 do not apply to rules
14 adopted under this subsection (j). The Department of Public Aid
15 may also adopt rules under this subsection (j) necessary to
16 administer the Illinois Public Aid Code and the Children's
17 Health Insurance Program Act. The adoption of emergency rules
18 authorized by this subsection (j) shall be deemed to be
19 necessary for the public interest, safety, and welfare.

20 (k) In order to provide for the expeditious and timely
21 implementation of the provisions of the State's fiscal year
22 2006 budget, emergency rules to implement any provision of
23 Public Act 94-48 or any other budget initiative for fiscal year
24 2006 may be adopted in accordance with this Section by the
25 agency charged with administering that provision or
26 initiative, except that the 24-month limitation on the adoption

1 of emergency rules and the provisions of Sections 5-115 and
2 5-125 do not apply to rules adopted under this subsection (k).
3 The Department of Healthcare and Family Services may also adopt
4 rules under this subsection (k) necessary to administer the
5 Illinois Public Aid Code, the Senior Citizens and Persons with
6 Disabilities Property Tax Relief Act, the Senior Citizens and
7 Disabled Persons Prescription Drug Discount Program Act (now
8 the Illinois Prescription Drug Discount Program Act), and the
9 Children's Health Insurance Program Act. The adoption of
10 emergency rules authorized by this subsection (k) shall be
11 deemed to be necessary for the public interest, safety, and
12 welfare.

13 (l) In order to provide for the expeditious and timely
14 implementation of the provisions of the State's fiscal year
15 2007 budget, the Department of Healthcare and Family Services
16 may adopt emergency rules during fiscal year 2007, including
17 rules effective July 1, 2007, in accordance with this
18 subsection to the extent necessary to administer the
19 Department's responsibilities with respect to amendments to
20 the State plans and Illinois waivers approved by the federal
21 Centers for Medicare and Medicaid Services necessitated by the
22 requirements of Title XIX and Title XXI of the federal Social
23 Security Act. The adoption of emergency rules authorized by
24 this subsection (l) shall be deemed to be necessary for the
25 public interest, safety, and welfare.

26 (m) In order to provide for the expeditious and timely

1 implementation of the provisions of the State's fiscal year
2 2008 budget, the Department of Healthcare and Family Services
3 may adopt emergency rules during fiscal year 2008, including
4 rules effective July 1, 2008, in accordance with this
5 subsection to the extent necessary to administer the
6 Department's responsibilities with respect to amendments to
7 the State plans and Illinois waivers approved by the federal
8 Centers for Medicare and Medicaid Services necessitated by the
9 requirements of Title XIX and Title XXI of the federal Social
10 Security Act. The adoption of emergency rules authorized by
11 this subsection (m) shall be deemed to be necessary for the
12 public interest, safety, and welfare.

13 (n) In order to provide for the expeditious and timely
14 implementation of the provisions of the State's fiscal year
15 2010 budget, emergency rules to implement any provision of
16 Public Act 96-45 or any other budget initiative authorized by
17 the 96th General Assembly for fiscal year 2010 may be adopted
18 in accordance with this Section by the agency charged with
19 administering that provision or initiative. The adoption of
20 emergency rules authorized by this subsection (n) shall be
21 deemed to be necessary for the public interest, safety, and
22 welfare. The rulemaking authority granted in this subsection
23 (n) shall apply only to rules promulgated during Fiscal Year
24 2010.

25 (o) In order to provide for the expeditious and timely
26 implementation of the provisions of the State's fiscal year

1 2011 budget, emergency rules to implement any provision of
2 Public Act 96-958 or any other budget initiative authorized by
3 the 96th General Assembly for fiscal year 2011 may be adopted
4 in accordance with this Section by the agency charged with
5 administering that provision or initiative. The adoption of
6 emergency rules authorized by this subsection (o) is deemed to
7 be necessary for the public interest, safety, and welfare. The
8 rulemaking authority granted in this subsection (o) applies
9 only to rules promulgated on or after July 1, 2010 (the
10 effective date of Public Act 96-958) through June 30, 2011.

11 (p) In order to provide for the expeditious and timely
12 implementation of the provisions of Public Act 97-689,
13 emergency rules to implement any provision of Public Act 97-689
14 may be adopted in accordance with this subsection (p) by the
15 agency charged with administering that provision or
16 initiative. The 150-day limitation of the effective period of
17 emergency rules does not apply to rules adopted under this
18 subsection (p), and the effective period may continue through
19 June 30, 2013. The 24-month limitation on the adoption of
20 emergency rules does not apply to rules adopted under this
21 subsection (p). The adoption of emergency rules authorized by
22 this subsection (p) is deemed to be necessary for the public
23 interest, safety, and welfare.

24 (q) In order to provide for the expeditious and timely
25 implementation of the provisions of Articles 7, 8, 9, 11, and
26 12 of Public Act 98-104, emergency rules to implement any

1 provision of Articles 7, 8, 9, 11, and 12 of Public Act 98-104
2 may be adopted in accordance with this subsection (q) by the
3 agency charged with administering that provision or
4 initiative. The 24-month limitation on the adoption of
5 emergency rules does not apply to rules adopted under this
6 subsection (q). The adoption of emergency rules authorized by
7 this subsection (q) is deemed to be necessary for the public
8 interest, safety, and welfare.

9 (r) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 98-651,
11 emergency rules to implement Public Act 98-651 may be adopted
12 in accordance with this subsection (r) by the Department of
13 Healthcare and Family Services. The 24-month limitation on the
14 adoption of emergency rules does not apply to rules adopted
15 under this subsection (r). The adoption of emergency rules
16 authorized by this subsection (r) is deemed to be necessary for
17 the public interest, safety, and welfare.

18 (s) In order to provide for the expeditious and timely
19 implementation of the provisions of Sections 5-5b.1 and 5A-2 of
20 the Illinois Public Aid Code, emergency rules to implement any
21 provision of Section 5-5b.1 or Section 5A-2 of the Illinois
22 Public Aid Code may be adopted in accordance with this
23 subsection (s) by the Department of Healthcare and Family
24 Services. The rulemaking authority granted in this subsection
25 (s) shall apply only to those rules adopted prior to July 1,
26 2015. Notwithstanding any other provision of this Section, any

1 emergency rule adopted under this subsection (s) shall only
2 apply to payments made for State fiscal year 2015. The adoption
3 of emergency rules authorized by this subsection (s) is deemed
4 to be necessary for the public interest, safety, and welfare.

5 (t) In order to provide for the expeditious and timely
6 implementation of the provisions of Article II of Public Act
7 99-6, emergency rules to implement the changes made by Article
8 II of Public Act 99-6 to the Emergency Telephone System Act may
9 be adopted in accordance with this subsection (t) by the
10 Department of State Police. The rulemaking authority granted in
11 this subsection (t) shall apply only to those rules adopted
12 prior to July 1, 2016. The 24-month limitation on the adoption
13 of emergency rules does not apply to rules adopted under this
14 subsection (t). The adoption of emergency rules authorized by
15 this subsection (t) is deemed to be necessary for the public
16 interest, safety, and welfare.

17 (u) In order to provide for the expeditious and timely
18 implementation of the provisions of the Burn Victims Relief
19 Act, emergency rules to implement any provision of the Act may
20 be adopted in accordance with this subsection (u) by the
21 Department of Insurance. The rulemaking authority granted in
22 this subsection (u) shall apply only to those rules adopted
23 prior to December 31, 2015. The adoption of emergency rules
24 authorized by this subsection (u) is deemed to be necessary for
25 the public interest, safety, and welfare.

26 (v) In order to provide for the expeditious and timely

1 implementation of the provisions of Public Act 99-516,
2 emergency rules to implement Public Act 99-516 may be adopted
3 in accordance with this subsection (v) by the Department of
4 Healthcare and Family Services. The 24-month limitation on the
5 adoption of emergency rules does not apply to rules adopted
6 under this subsection (v). The adoption of emergency rules
7 authorized by this subsection (v) is deemed to be necessary for
8 the public interest, safety, and welfare.

9 (w) In order to provide for the expeditious and timely
10 implementation of the provisions of Public Act 99-796,
11 emergency rules to implement the changes made by Public Act
12 99-796 may be adopted in accordance with this subsection (w) by
13 the Adjutant General. The adoption of emergency rules
14 authorized by this subsection (w) is deemed to be necessary for
15 the public interest, safety, and welfare.

16 (x) In order to provide for the expeditious and timely
17 implementation of the provisions of Public Act 99-906,
18 emergency rules to implement subsection (i) of Section 16-115D,
19 subsection (g) of Section 16-128A, and subsection (a) of
20 Section 16-128B of the Public Utilities Act may be adopted in
21 accordance with this subsection (x) by the Illinois Commerce
22 Commission. The rulemaking authority granted in this
23 subsection (x) shall apply only to those rules adopted within
24 180 days after June 1, 2017 (the effective date of Public Act
25 99-906). The adoption of emergency rules authorized by this
26 subsection (x) is deemed to be necessary for the public

1 interest, safety, and welfare.

2 (y) In order to provide for the expeditious and timely
3 implementation of the provisions of Public Act 100-23,
4 emergency rules to implement the changes made by Public Act
5 100-23 to Section 4.02 of the Illinois Act on the Aging,
6 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
7 Section 55-30 of the Alcoholism and Other Drug Abuse and
8 Dependency Act, and Sections 74 and 75 of the Mental Health and
9 Developmental Disabilities Administrative Act may be adopted
10 in accordance with this subsection (y) by the respective
11 Department. The adoption of emergency rules authorized by this
12 subsection (y) is deemed to be necessary for the public
13 interest, safety, and welfare.

14 (z) In order to provide for the expeditious and timely
15 implementation of the provisions of Public Act 100-554,
16 emergency rules to implement the changes made by Public Act
17 100-554 to Section 4.7 of the Lobbyist Registration Act may be
18 adopted in accordance with this subsection (z) by the Secretary
19 of State. The adoption of emergency rules authorized by this
20 subsection (z) is deemed to be necessary for the public
21 interest, safety, and welfare.

22 (aa) In order to provide for the expeditious and timely
23 initial implementation of the changes made to Articles 5, 5A,
24 12, and 14 of the Illinois Public Aid Code under the provisions
25 of Public Act 100-581, the Department of Healthcare and Family
26 Services may adopt emergency rules in accordance with this

1 subsection (aa). The 24-month limitation on the adoption of
2 emergency rules does not apply to rules to initially implement
3 the changes made to Articles 5, 5A, 12, and 14 of the Illinois
4 Public Aid Code adopted under this subsection (aa). The
5 adoption of emergency rules authorized by this subsection (aa)
6 is deemed to be necessary for the public interest, safety, and
7 welfare.

8 (bb) In order to provide for the expeditious and timely
9 implementation of the provisions of Public Act 100-587,
10 emergency rules to implement the changes made by Public Act
11 100-587 to Section 4.02 of the Illinois Act on the Aging,
12 Sections 5.5.4 and 5-5.4i of the Illinois Public Aid Code,
13 subsection (b) of Section 55-30 of the Alcoholism and Other
14 Drug Abuse and Dependency Act, Section 5-104 of the Specialized
15 Mental Health Rehabilitation Act of 2013, and Section 75 and
16 subsection (b) of Section 74 of the Mental Health and
17 Developmental Disabilities Administrative Act may be adopted
18 in accordance with this subsection (bb) by the respective
19 Department. The adoption of emergency rules authorized by this
20 subsection (bb) is deemed to be necessary for the public
21 interest, safety, and welfare.

22 (cc) In order to provide for the expeditious and timely
23 implementation of the provisions of Public Act 100-587,
24 emergency rules may be adopted in accordance with this
25 subsection (cc) to implement the changes made by Public Act
26 100-587 to: Sections 14-147.5 and 14-147.6 of the Illinois

1 Pension Code by the Board created under Article 14 of the Code;
2 Sections 15-185.5 and 15-185.6 of the Illinois Pension Code by
3 the Board created under Article 15 of the Code; and Sections
4 16-190.5 and 16-190.6 of the Illinois Pension Code by the Board
5 created under Article 16 of the Code. The adoption of emergency
6 rules authorized by this subsection (cc) is deemed to be
7 necessary for the public interest, safety, and welfare.

8 (dd) In order to provide for the expeditious and timely
9 implementation of the provisions of Public Act 100-864,
10 emergency rules to implement the changes made by Public Act
11 100-864 to Section 3.35 of the Newborn Metabolic Screening Act
12 may be adopted in accordance with this subsection (dd) by the
13 Secretary of State. The adoption of emergency rules authorized
14 by this subsection (dd) is deemed to be necessary for the
15 public interest, safety, and welfare.

16 (ee) In order to provide for the expeditious and timely
17 implementation of the provisions of this amendatory Act of the
18 100th General Assembly, emergency rules implementing the
19 Illinois Underground Natural Gas Storage Safety Act may be
20 adopted in accordance with this subsection by the Department of
21 Natural Resources. The adoption of emergency rules authorized
22 by this subsection is deemed to be necessary for the public
23 interest, safety, and welfare.

24 (ff) In order to provide for the expeditious and timely
25 implementation of the provisions of Section 50 of the Sexual
26 Assault Evidence Submission Act, emergency rules to implement

1 Section 50 of the Sexual Assault Evidence Submission Act may be
2 adopted in accordance with this subsection (ff) by the
3 Department of State Police. The adoption of emergency rules
4 authorized by this subsection (ff) is deemed to be necessary
5 for the public interest, safety, and welfare.

6 (Source: P.A. 99-2, eff. 3-26-15; 99-6, eff. 1-1-16; 99-143,
7 eff. 7-27-15; 99-455, eff. 1-1-16; 99-516, eff. 6-30-16;
8 99-642, eff. 7-28-16; 99-796, eff. 1-1-17; 99-906, eff. 6-1-17;
9 100-23, eff. 7-6-17; 100-554, eff. 11-16-17; 100-581, eff.
10 3-12-18; 100-587, Article 95, Section 95-5, eff. 6-4-18;
11 100-587, Article 110, Section 110-5, eff. 6-4-18; 100-864, eff.
12 8-14-18; 100-1172, eff. 1-4-19.)

13 Section 10. The Freedom of Information Act is amended by
14 changing Section 7.5 as follows:

15 (5 ILCS 140/7.5)

16 Sec. 7.5. Statutory exemptions. To the extent provided for
17 by the statutes referenced below, the following shall be exempt
18 from inspection and copying:

19 (a) All information determined to be confidential
20 under Section 4002 of the Technology Advancement and
21 Development Act.

22 (b) Library circulation and order records identifying
23 library users with specific materials under the Library
24 Records Confidentiality Act.

1 (c) Applications, related documents, and medical
2 records received by the Experimental Organ Transplantation
3 Procedures Board and any and all documents or other records
4 prepared by the Experimental Organ Transplantation
5 Procedures Board or its staff relating to applications it
6 has received.

7 (d) Information and records held by the Department of
8 Public Health and its authorized representatives relating
9 to known or suspected cases of sexually transmissible
10 disease or any information the disclosure of which is
11 restricted under the Illinois Sexually Transmissible
12 Disease Control Act.

13 (e) Information the disclosure of which is exempted
14 under Section 30 of the Radon Industry Licensing Act.

15 (f) Firm performance evaluations under Section 55 of
16 the Architectural, Engineering, and Land Surveying
17 Qualifications Based Selection Act.

18 (g) Information the disclosure of which is restricted
19 and exempted under Section 50 of the Illinois Prepaid
20 Tuition Act.

21 (h) Information the disclosure of which is exempted
22 under the State Officials and Employees Ethics Act, and
23 records of any lawfully created State or local inspector
24 general's office that would be exempt if created or
25 obtained by an Executive Inspector General's office under
26 that Act.

1 (i) Information contained in a local emergency energy
2 plan submitted to a municipality in accordance with a local
3 emergency energy plan ordinance that is adopted under
4 Section 11-21.5-5 of the Illinois Municipal Code.

5 (j) Information and data concerning the distribution
6 of surcharge moneys collected and remitted by carriers
7 under the Emergency Telephone System Act.

8 (k) Law enforcement officer identification information
9 or driver identification information compiled by a law
10 enforcement agency or the Department of Transportation
11 under Section 11-212 of the Illinois Vehicle Code.

12 (l) Records and information provided to a residential
13 health care facility resident sexual assault and death
14 review team or the Executive Council under the Abuse
15 Prevention Review Team Act.

16 (m) Information provided to the predatory lending
17 database created pursuant to Article 3 of the Residential
18 Real Property Disclosure Act, except to the extent
19 authorized under that Article.

20 (n) Defense budgets and petitions for certification of
21 compensation and expenses for court appointed trial
22 counsel as provided under Sections 10 and 15 of the Capital
23 Crimes Litigation Act. This subsection (n) shall apply
24 until the conclusion of the trial of the case, even if the
25 prosecution chooses not to pursue the death penalty prior
26 to trial or sentencing.

1 (o) Information that is prohibited from being
2 disclosed under Section 4 of the Illinois Health and
3 Hazardous Substances Registry Act.

4 (p) Security portions of system safety program plans,
5 investigation reports, surveys, schedules, lists, data, or
6 information compiled, collected, or prepared by or for the
7 Regional Transportation Authority under Section 2.11 of
8 the Regional Transportation Authority Act or the St. Clair
9 County Transit District under the Bi-State Transit Safety
10 Act.

11 (q) Information prohibited from being disclosed by the
12 Personnel Record ~~Records~~ Review Act.

13 (r) Information prohibited from being disclosed by the
14 Illinois School Student Records Act.

15 (s) Information the disclosure of which is restricted
16 under Section 5-108 of the Public Utilities Act.

17 (t) All identified or deidentified health information
18 in the form of health data or medical records contained in,
19 stored in, submitted to, transferred by, or released from
20 the Illinois Health Information Exchange, and identified
21 or deidentified health information in the form of health
22 data and medical records of the Illinois Health Information
23 Exchange in the possession of the Illinois Health
24 Information Exchange Authority due to its administration
25 of the Illinois Health Information Exchange. The terms
26 "identified" and "deidentified" shall be given the same

1 meaning as in the Health Insurance Portability and
2 Accountability Act of 1996, Public Law 104-191, or any
3 subsequent amendments thereto, and any regulations
4 promulgated thereunder.

5 (u) Records and information provided to an independent
6 team of experts under the Developmental Disability and
7 Mental Health Safety Act (also known as Brian's Law).

8 (v) Names and information of people who have applied
9 for or received Firearm Owner's Identification Cards under
10 the Firearm Owners Identification Card Act or applied for
11 or received a concealed carry license under the Firearm
12 Concealed Carry Act, unless otherwise authorized by the
13 Firearm Concealed Carry Act; and databases under the
14 Firearm Concealed Carry Act, records of the Concealed Carry
15 Licensing Review Board under the Firearm Concealed Carry
16 Act, and law enforcement agency objections under the
17 Firearm Concealed Carry Act.

18 (w) Personally identifiable information which is
19 exempted from disclosure under subsection (g) of Section
20 19.1 of the Toll Highway Act.

21 (x) Information which is exempted from disclosure
22 under Section 5-1014.3 of the Counties Code or Section
23 8-11-21 of the Illinois Municipal Code.

24 (y) Confidential information under the Adult
25 Protective Services Act and its predecessor enabling
26 statute, the Elder Abuse and Neglect Act, including

1 information about the identity and administrative finding
2 against any caregiver of a verified and substantiated
3 decision of abuse, neglect, or financial exploitation of an
4 eligible adult maintained in the Registry established
5 under Section 7.5 of the Adult Protective Services Act.

6 (z) Records and information provided to a fatality
7 review team or the Illinois Fatality Review Team Advisory
8 Council under Section 15 of the Adult Protective Services
9 Act.

10 (aa) Information which is exempted from disclosure
11 under Section 2.37 of the Wildlife Code.

12 (bb) Information which is or was prohibited from
13 disclosure by the Juvenile Court Act of 1987.

14 (cc) Recordings made under the Law Enforcement
15 Officer-Worn Body Camera Act, except to the extent
16 authorized under that Act.

17 (dd) Information that is prohibited from being
18 disclosed under Section 45 of the Condominium and Common
19 Interest Community Ombudsperson Act.

20 (ee) Information that is exempted from disclosure
21 under Section 30.1 of the Pharmacy Practice Act.

22 (ff) Information that is exempted from disclosure
23 under the Revised Uniform Unclaimed Property Act.

24 (gg) Information that is prohibited from being
25 disclosed under Section 7-603.5 of the Illinois Vehicle
26 Code.

1 (hh) Records that are exempt from disclosure under
2 Section 1A-16.7 of the Election Code.

3 (ii) Information which is exempted from disclosure
4 under Section 2505-800 of the Department of Revenue Law of
5 the Civil Administrative Code of Illinois.

6 (jj) Information and reports that are required to be
7 submitted to the Department of Labor by registering day and
8 temporary labor service agencies but are exempt from
9 disclosure under subsection (a-1) of Section 45 of the Day
10 and Temporary Labor Services Act.

11 (kk) Information prohibited from disclosure under the
12 Seizure and Forfeiture Reporting Act.

13 (ll) Information the disclosure of which is restricted
14 and exempted under Section 5-30.8 of the Illinois Public
15 Aid Code.

16 (mm) ~~(ll)~~ Records that are exempt from disclosure under
17 Section 4.2 of the Crime Victims Compensation Act.

18 (nn) ~~(ll)~~ Information that is exempt from disclosure
19 under Section 70 of the Higher Education Student Assistance
20 Act.

21 (oo) Information that is exempt from disclosure under
22 Section 50 of the Sexual Assault Evidence Submission Act.

23 (Source: P.A. 99-78, eff. 7-20-15; 99-298, eff. 8-6-15; 99-352,
24 eff. 1-1-16; 99-642, eff. 7-28-16; 99-776, eff. 8-12-16;
25 99-863, eff. 8-19-16; 100-20, eff. 7-1-17; 100-22, eff. 1-1-18;
26 100-201, eff. 8-18-17; 100-373, eff. 1-1-18; 100-464, eff.

1 8-28-17; 100-465, eff. 8-31-17; 100-512, eff. 7-1-18; 100-517,
2 eff. 6-1-18; 100-646, eff. 7-27-18; 100-690, eff. 1-1-19;
3 100-863, eff. 8-14-18; 100-887, eff. 8-14-18; revised
4 10-12-18.)

5 Section 15. The Sexual Assault Survivors Emergency
6 Treatment Act is amended by changing Section 5 as follows:

7 (410 ILCS 70/5) (from Ch. 111 1/2, par. 87-5)

8 Sec. 5. Minimum requirements for medical forensic services
9 provided to sexual assault survivors by hospitals and approved
10 pediatric health care facilities.

11 (a) Every hospital and approved pediatric health care
12 facility providing medical forensic services to sexual assault
13 survivors under this Act shall, as minimum requirements for
14 such services, provide, with the consent of the sexual assault
15 survivor, and as ordered by the attending physician, an
16 advanced practice registered nurse, or a physician assistant,
17 the services set forth in subsection (a-5).

18 Beginning January 1, 2022, a qualified medical provider
19 must provide the services set forth in subsection (a-5).

20 (a-5) A treatment hospital, a treatment hospital with
21 approved pediatric transfer, or an approved pediatric health
22 care facility shall provide the following services in
23 accordance with subsection (a):

24 (1) Appropriate medical forensic services without

1 delay, in a private, age-appropriate or
2 developmentally-appropriate space, required to ensure the
3 health, safety, and welfare of a sexual assault survivor
4 and which may be used as evidence in a criminal proceeding
5 against a person accused of the sexual assault, in a
6 proceeding under the Juvenile Court Act of 1987, or in an
7 investigation under the Abused and Neglected Child
8 Reporting Act.

9 Records of medical forensic services, including
10 results of examinations and tests, the Illinois State
11 Police Medical Forensic Documentation Forms, the Illinois
12 State Police Patient Discharge Materials, and the Illinois
13 State Police Patient Consent: Collect and Test Evidence or
14 Collect and Hold Evidence Form, shall be maintained by the
15 hospital or approved pediatric health care facility as part
16 of the patient's electronic medical record.

17 Records of medical forensic services of sexual assault
18 survivors under the age of 18 shall be retained by the
19 hospital for a period of 60 years after the sexual assault
20 survivor reaches the age of 18. Records of medical forensic
21 services of sexual assault survivors 18 years of age or
22 older shall be retained by the hospital for a period of 20
23 years after the date the record was created.

24 Records of medical forensic services may only be
25 disseminated in accordance with Section 6.5 of this Act and
26 other State and federal law.

1 (1.5) An offer to complete the Illinois Sexual Assault
2 Evidence Collection Kit for any sexual assault survivor who
3 presents within a minimum of the last 7 days of the assault
4 or who has disclosed past sexual assault by a specific
5 individual and was in the care of that individual within a
6 minimum of the last 7 days.

7 (A) Appropriate oral and written information
8 concerning evidence-based guidelines for the
9 appropriateness of evidence collection depending on
10 the sexual development of the sexual assault survivor,
11 the type of sexual assault, and the timing of the
12 sexual assault shall be provided to the sexual assault
13 survivor. Evidence collection is encouraged for
14 prepubescent sexual assault survivors who present to a
15 hospital or approved pediatric health care facility
16 with a complaint of sexual assault within a minimum of
17 96 hours after the sexual assault.

18 Before January 1, 2022, the information required
19 under this subparagraph shall be provided in person by
20 the health care professional providing medical
21 forensic services directly to the sexual assault
22 survivor.

23 On and after January 1, 2022, the information
24 required under this subparagraph shall be provided in
25 person by the qualified medical provider providing
26 medical forensic services directly to the sexual

1 assault survivor.

2 The written information provided shall be the
3 information created in accordance with Section 10 of
4 this Act.

5 (B) Following the discussion regarding the
6 evidence-based guidelines for evidence collection in
7 accordance with subparagraph (A), evidence collection
8 must be completed at the sexual assault survivor's
9 request. A sexual assault nurse examiner conducting an
10 examination using the Illinois State Police Sexual
11 Assault Evidence Collection Kit may do so without the
12 presence or participation of a physician.

13 (2) Appropriate oral and written information
14 concerning the possibility of infection, sexually
15 transmitted infection, including an evaluation of the
16 sexual assault survivor's risk of contracting human
17 immunodeficiency virus (HIV) from sexual assault, and
18 pregnancy resulting from sexual assault.

19 (3) Appropriate oral and written information
20 concerning accepted medical procedures, laboratory tests,
21 medication, and possible contraindications of such
22 medication available for the prevention or treatment of
23 infection or disease resulting from sexual assault.

24 (3.5) After ~~after~~ a medical evidentiary or physical
25 examination, access to a shower at no cost, unless
26 showering facilities are unavailable.†

1 (4) An amount of medication, including HIV
2 prophylaxis, for treatment at the hospital or approved
3 pediatric health care facility and after discharge as is
4 deemed appropriate by the attending physician, an advanced
5 practice registered nurse, or a physician assistant in
6 accordance with the Centers for Disease Control and
7 Prevention guidelines and consistent with the hospital's
8 or approved pediatric health care facility's current
9 approved protocol for sexual assault survivors.

10 (5) Photo documentation of the sexual assault
11 survivor's injuries, anatomy involved in the assault, or
12 other visible evidence on the sexual assault survivor's
13 body to supplement the medical forensic history and written
14 documentation of physical findings and evidence beginning
15 July 1, 2019. Photo documentation does not replace written
16 documentation of the injury.

17 (6) Written and oral instructions indicating the need
18 for follow-up examinations and laboratory tests after the
19 sexual assault to determine the presence or absence of
20 sexually transmitted infection.

21 (7) Referral by hospital or approved pediatric health
22 care facility personnel for appropriate counseling.

23 (8) Medical advocacy services provided by a rape crisis
24 counselor whose communications are protected under Section
25 8-802.1 of the Code of Civil Procedure, if there is a
26 memorandum of understanding between the hospital or

1 approved pediatric health care facility and a rape crisis
2 center. With the consent of the sexual assault survivor, a
3 rape crisis counselor shall remain in the exam room during
4 the medical forensic examination.

5 (9) Written information regarding services provided by
6 a Children's Advocacy Center and rape crisis center, if
7 applicable.

8 (10) A treatment hospital, a treatment hospital with
9 approved pediatric transfer, an out-of-state hospital as
10 defined in Section 5.4, or an approved pediatric health
11 care facility shall comply with the rules relating to the
12 collection and tracking of sexual assault evidence adopted
13 by the Department of State Police under Section 50 of the
14 Sexual Assault Evidence Submission Act.

15 (a-7) By January 1, 2022, every hospital with a treatment
16 plan approved by the Department shall employ or contract with a
17 qualified medical provider to initiate medical forensic
18 services to a sexual assault survivor within 90 minutes of the
19 patient presenting to the treatment hospital or treatment
20 hospital with approved pediatric transfer. The provision of
21 medical forensic services by a qualified medical provider shall
22 not delay the provision of life-saving medical care.

23 (b) Any person who is a sexual assault survivor who seeks
24 medical forensic services or follow-up healthcare under this
25 Act shall be provided such services without the consent of any
26 parent, guardian, custodian, surrogate, or agent. If a sexual

1 assault survivor is unable to consent to medical forensic
2 services, the services may be provided under the Consent by
3 Minors to Medical Procedures Act, the Health Care Surrogate
4 Act, or other applicable State and federal laws.

5 (b-5) Every hospital or approved pediatric health care
6 facility providing medical forensic services to sexual assault
7 survivors shall issue a voucher to any sexual assault survivor
8 who is eligible to receive one in accordance with Section 5.2
9 of this Act. The hospital shall make a copy of the voucher and
10 place it in the medical record of the sexual assault survivor.
11 The hospital shall provide a copy of the voucher to the sexual
12 assault survivor after discharge upon request.

13 (c) Nothing in this Section creates a physician-patient
14 relationship that extends beyond discharge from the hospital or
15 approved pediatric health care facility.

16 (Source: P.A. 99-173, eff. 7-29-15; 99-454, eff. 1-1-16;
17 99-642, eff. 7-28-16; 100-513, eff. 1-1-18; 100-775, eff.
18 1-1-19; 100-1087, eff. 1-1-19; revised 10-24-18.)

19 Section 20. The Sexual Assault Evidence Submission Act is
20 amended by adding Section 50 as follows:

21 (725 ILCS 202/50 new)

22 Sec. 50. Sexual assault evidence tracking system.

23 (a) On June 26, 2018 the Sexual Assault Evidence Tracking
24 and Reporting Commission issued its report as required under

1 Section 43. It is the intention of the General Assembly in
2 enacting the provisions of this amendatory Act of the 101st
3 General Assembly to implement the recommendations of the Sexual
4 Assault Evidence Tracking and Reporting Commission set forth in
5 that report in a manner that utilizes the current resources of
6 law enforcement agencies whenever possible and that is
7 adaptable to changing technologies and circumstances.

8 (b) The Department shall by rule establish a sexual assault
9 evidence tracking system that conforms to the recommendations
10 made and guidelines proposed by the Sexual Assault Evidence
11 Tracking and Reporting Commission in its report dated June 26,
12 2018. The Department shall design the criteria for the sexual
13 assault evidence tracking system so that, to the extent
14 reasonably possible, the system can use existing technologies
15 and products, including, but not limited to, currently
16 available tracking systems. The sexual assault evidence
17 tracking system shall be operational and shall begin tracking
18 and reporting sexual assault evidence no later than one year
19 after the effective date of this amendatory Act of the 101st
20 General Assembly. The Department may adopt additional rules as
21 it deems necessary to ensure that the sexual assault evidence
22 tracking system continues to be a useful tool for law
23 enforcement.

24 (c) A treatment hospital, a treatment hospital with
25 approved pediatric transfer, an out-of-state hospital approved
26 by the Department of Public Health to receive transfers of

1 Illinois sexual assault survivors, or an approved pediatric
2 health care facility defined in Section 1a of the Sexual
3 Assault Survivors Emergency Treatment Act shall participate in
4 the sexual assault evidence tracking system created under this
5 Section and in accordance with rules adopted under subsection
6 (b), including, but not limited to, the collection of sexual
7 assault evidence and providing information regarding that
8 evidence, including, but not limited to, providing notice to
9 law enforcement that the evidence has been collected.

10 (d) The operations of the sexual assault evidence tracking
11 system shall be funded by moneys appropriated for that purpose
12 from the State Crime Laboratory Fund and funds provided to the
13 Department through asset forfeiture, together with such other
14 funds as the General Assembly may appropriate.

15 (e) To ensure that the sexual assault evidence tracking
16 system is operational, the Department may adopt emergency rules
17 to implement the provisions of this Section under subsection
18 (ff) of Section 5-45 of the Illinois Administrative Procedure
19 Act.

20 (f) Information, including, but not limited to, evidence
21 and records in the sexual assault evidence tracking system is
22 exempt from disclosure under the Freedom of Information Act.

23 Section 25. The Unified Code of Corrections is amended by
24 changing Section 5-9-1.4 as follows:

1 (730 ILCS 5/5-9-1.4) (from Ch. 38, par. 1005-9-1.4)

2 (Text of Section before amendment by P.A. 100-987)

3 Sec. 5-9-1.4. (a) "Crime laboratory" means any
4 not-for-profit laboratory registered with the Drug Enforcement
5 Administration of the United States Department of Justice,
6 substantially funded by a unit or combination of units of local
7 government or the State of Illinois, which regularly employs at
8 least one person engaged in the analysis of controlled
9 substances, cannabis, methamphetamine, or steroids for
10 criminal justice agencies in criminal matters and provides
11 testimony with respect to such examinations.

12 (b) When a person has been adjudged guilty of an offense in
13 violation of the Cannabis Control Act, the Illinois Controlled
14 Substances Act, the Methamphetamine Control and Community
15 Protection Act, or the Steroid Control Act, in addition to any
16 other disposition, penalty or fine imposed, a criminal
17 laboratory analysis fee of \$100 for each offense for which he
18 was convicted shall be levied by the court. Any person placed
19 on probation pursuant to Section 10 of the Cannabis Control
20 Act, Section 410 of the Illinois Controlled Substances Act,
21 Section 70 of the Methamphetamine Control and Community
22 Protection Act, or Section 10 of the Steroid Control Act or
23 placed on supervision for a violation of the Cannabis Control
24 Act, the Illinois Controlled Substances Act or the Steroid
25 Control Act shall be assessed a criminal laboratory analysis
26 fee of \$100 for each offense for which he was charged. Upon

1 verified petition of the person, the court may suspend payment
2 of all or part of the fee if it finds that the person does not
3 have the ability to pay the fee.

4 (c) In addition to any other disposition made pursuant to
5 the provisions of the Juvenile Court Act of 1987, any minor
6 adjudicated delinquent for an offense which if committed by an
7 adult would constitute a violation of the Cannabis Control Act,
8 the Illinois Controlled Substances Act, the Methamphetamine
9 Control and Community Protection Act, or the Steroid Control
10 Act shall be assessed a criminal laboratory analysis fee of
11 \$100 for each adjudication. Upon verified petition of the
12 minor, the court may suspend payment of all or part of the fee
13 if it finds that the minor does not have the ability to pay the
14 fee. The parent, guardian or legal custodian of the minor may
15 pay some or all of such fee on the minor's behalf.

16 (d) All criminal laboratory analysis fees provided for by
17 this Section shall be collected by the clerk of the court and
18 forwarded to the appropriate crime laboratory fund as provided
19 in subsection (f).

20 (e) Crime laboratory funds shall be established as follows:

21 (1) Any unit of local government which maintains a
22 crime laboratory may establish a crime laboratory fund
23 within the office of the county or municipal treasurer.

24 (2) Any combination of units of local government which
25 maintains a crime laboratory may establish a crime
26 laboratory fund within the office of the treasurer of the

1 county where the crime laboratory is situated.

2 (3) The State Crime Laboratory Fund is hereby created
3 as a special fund in the State Treasury.

4 (f) The analysis fee provided for in subsections (b) and
5 (c) of this Section shall be forwarded to the office of the
6 treasurer of the unit of local government that performed the
7 analysis if that unit of local government has established a
8 crime laboratory fund, or to the State Crime Laboratory Fund if
9 the analysis was performed by a laboratory operated by the
10 Illinois State Police. If the analysis was performed by a crime
11 laboratory funded by a combination of units of local
12 government, the analysis fee shall be forwarded to the
13 treasurer of the county where the crime laboratory is situated
14 if a crime laboratory fund has been established in that county.
15 If the unit of local government or combination of units of
16 local government has not established a crime laboratory fund,
17 then the analysis fee shall be forwarded to the State Crime
18 Laboratory Fund. The clerk of the circuit court may retain the
19 amount of \$10 from each collected analysis fee to offset
20 administrative costs incurred in carrying out the clerk's
21 responsibilities under this Section.

22 (g) Fees deposited into a crime laboratory fund created
23 pursuant to paragraphs (1) or (2) of subsection (e) of this
24 Section shall be in addition to any allocations made pursuant
25 to existing law and shall be designated for the exclusive use
26 of the crime laboratory. These uses may include, but are not

1 limited to, the following:

2 (1) costs incurred in providing analysis for
3 controlled substances in connection with criminal
4 investigations conducted within this State;

5 (2) purchase and maintenance of equipment for use in
6 performing analyses; and

7 (3) continuing education, training and professional
8 development of forensic scientists regularly employed by
9 these laboratories.

10 (h) Fees deposited in the State Crime Laboratory Fund
11 created pursuant to paragraph (3) of subsection (d) of this
12 Section shall be used by State crime laboratories as designated
13 by the Director of State Police. These funds shall be in
14 addition to any allocations made pursuant to existing law and
15 shall be designated for the exclusive use of State crime
16 laboratories or for the sexual assault evidence tracking system
17 created under Section 50 of the Sexual Assault Evidence
18 Submission Act. These uses may include those enumerated in
19 subsection (g) of this Section.

20 (Source: P.A. 94-556, eff. 9-11-05.)

21 (Text of Section after amendment by P.A. 100-987)

22 Sec. 5-9-1.4. (a) "Crime laboratory" means any
23 not-for-profit laboratory registered with the Drug Enforcement
24 Administration of the United States Department of Justice,
25 substantially funded by a unit or combination of units of local

1 government or the State of Illinois, which regularly employs at
2 least one person engaged in the analysis of controlled
3 substances, cannabis, methamphetamine, or steroids for
4 criminal justice agencies in criminal matters and provides
5 testimony with respect to such examinations.

6 (b) (Blank).

7 (c) In addition to any other disposition made pursuant to
8 the provisions of the Juvenile Court Act of 1987, any minor
9 adjudicated delinquent for an offense which if committed by an
10 adult would constitute a violation of the Cannabis Control Act,
11 the Illinois Controlled Substances Act, the Methamphetamine
12 Control and Community Protection Act, or the Steroid Control
13 Act shall be required to pay a criminal laboratory analysis
14 assessment of \$100 for each adjudication. Upon verified
15 petition of the minor, the court may suspend payment of all or
16 part of the assessment if it finds that the minor does not have
17 the ability to pay the assessment. The parent, guardian or
18 legal custodian of the minor may pay some or all of such
19 assessment on the minor's behalf.

20 (d) All criminal laboratory analysis fees provided for by
21 this Section shall be collected by the clerk of the court and
22 forwarded to the appropriate crime laboratory fund as provided
23 in subsection (f).

24 (e) Crime laboratory funds shall be established as follows:

25 (1) Any unit of local government which maintains a
26 crime laboratory may establish a crime laboratory fund

1 within the office of the county or municipal treasurer.

2 (2) Any combination of units of local government which
3 maintains a crime laboratory may establish a crime
4 laboratory fund within the office of the treasurer of the
5 county where the crime laboratory is situated.

6 (3) The State Crime Laboratory Fund is hereby created
7 as a special fund in the State Treasury.

8 (f) The analysis assessment provided for in subsection (c)
9 of this Section shall be forwarded to the office of the
10 treasurer of the unit of local government that performed the
11 analysis if that unit of local government has established a
12 crime laboratory fund, or to the State Crime Laboratory Fund if
13 the analysis was performed by a laboratory operated by the
14 Illinois State Police. If the analysis was performed by a crime
15 laboratory funded by a combination of units of local
16 government, the analysis assessment shall be forwarded to the
17 treasurer of the county where the crime laboratory is situated
18 if a crime laboratory fund has been established in that county.
19 If the unit of local government or combination of units of
20 local government has not established a crime laboratory fund,
21 then the analysis assessment shall be forwarded to the State
22 Crime Laboratory Fund.

23 (g) Moneys deposited into a crime laboratory fund created
24 pursuant to paragraphs (1) or (2) of subsection (e) of this
25 Section shall be in addition to any allocations made pursuant
26 to existing law and shall be designated for the exclusive use

1 of the crime laboratory. These uses may include, but are not
2 limited to, the following:

3 (1) costs incurred in providing analysis for
4 controlled substances in connection with criminal
5 investigations conducted within this State;

6 (2) purchase and maintenance of equipment for use in
7 performing analyses; and

8 (3) continuing education, training and professional
9 development of forensic scientists regularly employed by
10 these laboratories.

11 (h) Moneys deposited in the State Crime Laboratory Fund
12 created pursuant to paragraph (3) of subsection (d) of this
13 Section shall be used by State crime laboratories as designated
14 by the Director of State Police. These funds shall be in
15 addition to any allocations made pursuant to existing law and
16 shall be designated for the exclusive use of State crime
17 laboratories or for the sexual assault evidence tracking system
18 created under Section 50 of the Sexual Assault Evidence
19 Submission Act. These uses may include those enumerated in
20 subsection (g) of this Section.

21 (Source: P.A. 100-987, eff. 7-1-19.)

22 Section 90. The State Mandates Act is amended by adding
23 Section 8.43 as follows:

24 (30 ILCS 805/8.43 new)

1 Sec. 8.43. Exempt mandate. Notwithstanding Sections 6 and 8
2 of this Act, no reimbursement by the State is required for the
3 implementation of any mandate created by this amendatory Act of
4 the 101st General Assembly.

5 Section 95. No acceleration or delay. Where this Act makes
6 changes in a statute that is represented in this Act by text
7 that is not yet or no longer in effect (for example, a Section
8 represented by multiple versions), the use of that text does
9 not accelerate or delay the taking effect of (i) the changes
10 made by this Act or (ii) provisions derived from any other
11 Public Act.

12 Section 99. Effective date. This Act takes effect upon
13 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 5 ILCS 100/5-45 from Ch. 127, par. 1005-45

4 5 ILCS 140/7.5

5 410 ILCS 70/5 from Ch. 111 1/2, par. 87-5

6 725 ILCS 202/50 new

7 730 ILCS 5/5-9-1.4 from Ch. 38, par. 1005-9-1.4

8 30 ILCS 805/8.43 new