

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 1. Short title. This Act may be cited as the  
5 Lodging Services Human Trafficking Recognition Training Act.

6 Section 5. Definitions. In this Act:

7 "Department" means the Department of Human Services.

8 "Employee" means a person employed by a lodging  
9 establishment who has recurring interactions with the public,  
10 including, but not limited to, an employee who works in a  
11 reception area, performs housekeeping duties, helps customers  
12 in moving their possessions, or transports by vehicle customers  
13 of the lodging establishment.

14 "Human trafficking" means the deprivation or violation of  
15 the personal liberty of another with the intent to obtain  
16 forced labor or services, procure or sell the individual for  
17 commercial sex, or exploit the individual in obscene matter.  
18 Depriving or violating a person's liberty includes substantial  
19 and sustained restriction of another's liberty accomplished  
20 through fraud, deceit, coercion, violence, duress, menace, or  
21 threat of unlawful injury to the victim or to another person,  
22 under circumstances where the person receiving or apprehending  
23 the threat reasonably believes that it is likely that the

1 person making the threat would carry it out.

2 "Lodging establishment" means an establishment classified  
3 as a hotel or motel in the 2017 North American Industry  
4 Classification System under code 721110, and an establishment  
5 classified as a casino hotel in the 2017 North American  
6 Industry Classification System under code 721120.

7 Section 10. Human trafficking recognition training.  
8 Beginning June 1, 2020, a lodging establishment shall provide  
9 its employees with training in the recognition of human  
10 trafficking and protocols for reporting observed human  
11 trafficking to the appropriate authority. The employees must  
12 complete the training within 6 months after beginning  
13 employment in such role with the lodging establishment and  
14 every 2 years thereafter, if still employed by the lodging  
15 establishment. The training shall be at least 20 minutes in  
16 duration.

17 Section 15. Human trafficking recognition training  
18 curriculum.

19 (a) A lodging establishment may use its own human  
20 trafficking training program or that of a third party and be in  
21 full compliance with this Act if the human trafficking training  
22 program includes, at a minimum, all of the following:

23 (1) a definition of human trafficking and commercial  
24 exploitation of children;

1           (2) guidance on how to identify individuals who are  
2 most at risk for human trafficking;

3           (3) the difference between human trafficking for  
4 purposes of labor and for purposes of sex as the  
5 trafficking relates to lodging establishments; and

6           (4) guidance on the role of lodging establishment  
7 employees in reporting and responding to instances of human  
8 trafficking.

9           (b) The Department shall develop a curriculum for an  
10 approved human trafficking training recognition program which  
11 shall be used by a lodging establishment that does not  
12 administer its own human trafficking recognition program as  
13 described in subsection (a). The human trafficking training  
14 recognition program developed by the Department shall include,  
15 at a minimum, all of the following:

16           (1) a definition of human trafficking and commercial  
17 exploitation of children;

18           (2) guidance on how to identify individuals who are  
19 most at risk for human trafficking;

20           (3) the difference between human trafficking for  
21 purposes of labor and for purposes of sex as the  
22 trafficking relates to lodging establishments; and

23           (4) guidance on the role of lodging establishment  
24 employees in reporting and responding to instances of human  
25 trafficking.

26           The Department may consult the United States Department of

1 Justice for the human trafficking recognition training program  
2 developed under this subsection.

3 The Department shall develop and publish the human  
4 trafficking recognition training program described in this  
5 subsection no later than July 1, 2020.

6 Section 100. The Department of State Police Law of the  
7 Civil Administrative Code of Illinois is amended by adding  
8 Section 2605-99 as follows:

9 (20 ILCS 2605/2605-99 new)

10 Sec. 2605-99. Training; human trafficking. The Director  
11 shall conduct or approve a training program in the detection  
12 and investigation of all forms of human trafficking, including,  
13 but not limited to "involuntary servitude" under subsection (b)  
14 of Section 10-9 of the Criminal Code of 2012, "involuntary  
15 sexual servitude of a minor" under subsection (c) of Section  
16 10-9 of the Criminal Code of 2012, and "trafficking in persons"  
17 under subsection (d) of Section 10-9 of the Criminal Code of  
18 2012. This program shall be made available to all cadets and  
19 state police officers.

20 Section 105. The Illinois Police Training Act is amended by  
21 changing Section 7 and by adding Section 10.23 as follows:

22 (50 ILCS 705/7) (from Ch. 85, par. 507)

1           Sec. 7. Rules and standards for schools. The Board shall  
2 adopt rules and minimum standards for such schools which shall  
3 include, but not be limited to, the following:

4           a. The curriculum for probationary police officers  
5 which shall be offered by all certified schools shall  
6 include, but not be limited to, courses of procedural  
7 justice, arrest and use and control tactics, search and  
8 seizure, including temporary questioning, civil rights,  
9 human rights, human relations, cultural competency,  
10 including implicit bias and racial and ethnic sensitivity,  
11 criminal law, law of criminal procedure, constitutional  
12 and proper use of law enforcement authority, vehicle and  
13 traffic law including uniform and non-discriminatory  
14 enforcement of the Illinois Vehicle Code, traffic control  
15 and accident investigation, techniques of obtaining  
16 physical evidence, court testimonies, statements, reports,  
17 firearms training, training in the use of electronic  
18 control devices, including the psychological and  
19 physiological effects of the use of those devices on  
20 humans, first-aid (including cardiopulmonary  
21 resuscitation), training in the administration of opioid  
22 antagonists as defined in paragraph (1) of subsection (e)  
23 of Section 5-23 of the Substance Use Disorder Act, handling  
24 of juvenile offenders, recognition of mental conditions  
25 and crises, including, but not limited to, the disease of  
26 addiction, which require immediate assistance and response

1 and methods to safeguard and provide assistance to a person  
2 in need of mental treatment, recognition of abuse, neglect,  
3 financial exploitation, and self-neglect of adults with  
4 disabilities and older adults, as defined in Section 2 of  
5 the Adult Protective Services Act, crimes against the  
6 elderly, law of evidence, the hazards of high-speed police  
7 vehicle chases with an emphasis on alternatives to the  
8 high-speed chase, and physical training. The curriculum  
9 shall include specific training in techniques for  
10 immediate response to and investigation of cases of  
11 domestic violence and of sexual assault of adults and  
12 children, including cultural perceptions and common myths  
13 of sexual assault and sexual abuse as well as interview  
14 techniques that are age sensitive and are trauma informed,  
15 victim centered, and victim sensitive. The curriculum  
16 shall include training in techniques designed to promote  
17 effective communication at the initial contact with crime  
18 victims and ways to comprehensively explain to victims and  
19 witnesses their rights under the Rights of Crime Victims  
20 and Witnesses Act and the Crime Victims Compensation Act.  
21 The curriculum shall also include training in effective  
22 recognition of and responses to stress, trauma, and  
23 post-traumatic stress experienced by police officers. The  
24 curriculum shall also include a block of instruction aimed  
25 at identifying and interacting with persons with autism and  
26 other developmental or physical disabilities, reducing

1 barriers to reporting crimes against persons with autism,  
2 and addressing the unique challenges presented by cases  
3 involving victims or witnesses with autism and other  
4 developmental disabilities. The curriculum shall include  
5 training in the detection and investigation of all forms of  
6 human trafficking. The curriculum for permanent police  
7 officers shall include, but not be limited to: (1)  
8 refresher and in-service training in any of the courses  
9 listed above in this subparagraph, (2) advanced courses in  
10 any of the subjects listed above in this subparagraph, (3)  
11 training for supervisory personnel, and (4) specialized  
12 training in subjects and fields to be selected by the  
13 board. The training in the use of electronic control  
14 devices shall be conducted for probationary police  
15 officers, including University police officers.

16 b. Minimum courses of study, attendance requirements  
17 and equipment requirements.

18 c. Minimum requirements for instructors.

19 d. Minimum basic training requirements, which a  
20 probationary police officer must satisfactorily complete  
21 before being eligible for permanent employment as a local  
22 law enforcement officer for a participating local  
23 governmental agency. Those requirements shall include  
24 training in first aid (including cardiopulmonary  
25 resuscitation).

26 e. Minimum basic training requirements, which a

1           probationary       county       corrections       officer       must  
2           satisfactorily   complete   before   being   eligible   for  
3           permanent employment as a county corrections officer for a  
4           participating local governmental agency.

5           f.   Minimum basic training requirements which a  
6           probationary court security officer must satisfactorily  
7           complete before being eligible for permanent employment as  
8           a court security officer for a participating local  
9           governmental agency. The Board shall establish those  
10          training requirements which it considers appropriate for  
11          court security officers and shall certify schools to  
12          conduct that training.

13          A person hired to serve as a court security officer  
14          must obtain from the Board a certificate (i) attesting to  
15          his or her successful completion of the training course;  
16          (ii) attesting to his or her satisfactory completion of a  
17          training program of similar content and number of hours  
18          that has been found acceptable by the Board under the  
19          provisions of this Act; or (iii) attesting to the Board's  
20          determination that the training course is unnecessary  
21          because of the person's extensive prior law enforcement  
22          experience.

23          Individuals who currently serve as court security  
24          officers shall be deemed qualified to continue to serve in  
25          that capacity so long as they are certified as provided by  
26          this Act within 24 months of June 1, 1997 (the effective



1 date of Public Act 89-685). Failure to be so certified,  
2 absent a waiver from the Board, shall cause the officer to  
3 forfeit his or her position.

4 All individuals hired as court security officers on or  
5 after June 1, 1997 (the effective date of Public Act  
6 89-685) shall be certified within 12 months of the date of  
7 their hire, unless a waiver has been obtained by the Board,  
8 or they shall forfeit their positions.

9 The Sheriff's Merit Commission, if one exists, or the  
10 Sheriff's Office if there is no Sheriff's Merit Commission,  
11 shall maintain a list of all individuals who have filed  
12 applications to become court security officers and who meet  
13 the eligibility requirements established under this Act.  
14 Either the Sheriff's Merit Commission, or the Sheriff's  
15 Office if no Sheriff's Merit Commission exists, shall  
16 establish a schedule of reasonable intervals for  
17 verification of the applicants' qualifications under this  
18 Act and as established by the Board.

19 g. Minimum in-service training requirements, which a  
20 police officer must satisfactorily complete every 3 years.  
21 Those requirements shall include constitutional and proper  
22 use of law enforcement authority, procedural justice,  
23 civil rights, human rights, mental health awareness and  
24 response, and cultural competency.

25 h. Minimum in-service training requirements, which a  
26 police officer must satisfactorily complete at least

1           annually. Those requirements shall include law updates and  
2           use of force training which shall include scenario based  
3           training, or similar training approved by the Board.

4           (Source: P.A. 99-352, eff. 1-1-16; 99-480, eff. 9-9-15; 99-642,  
5           eff. 7-28-16; 99-801, eff. 1-1-17; 100-121, eff. 1-1-18;  
6           100-247, eff. 1-1-18; 100-759, eff. 1-1-19; 100-863, eff.  
7           8-14-18; 100-910, eff. 1-1-19; revised 9-28-19.)

8           (50 ILCS 705/10.23 new)

9           Sec. 10.23. Training; human trafficking. The Board shall  
10          conduct or approve an in-service training program in the  
11          detection and investigation of all forms of human trafficking,  
12          including, but not limited to, "involuntary servitude" under  
13          subsection (b) of Section 10-9 of the Criminal Code of 2012,  
14          "involuntary sexual servitude of a minor" under subsection (c)  
15          of Section 10-9 of the Criminal Code of 2012, and "trafficking  
16          in persons" under subsection (d) of Section 10-9 of the  
17          Criminal Code of 2012. This program shall be made available to  
18          all certified law enforcement, correctional, and court  
19          security officers.

20          Section 110. The Criminal Code of 2012 is amended by  
21          changing Sections 3-6 and 10-9 as follows:

22          (720 ILCS 5/3-6) (from Ch. 38, par. 3-6)

23          Sec. 3-6. Extended limitations. The period within which a

1 prosecution must be commenced under the provisions of Section  
2 3-5 or other applicable statute is extended under the following  
3 conditions:

4 (a) A prosecution for theft involving a breach of a  
5 fiduciary obligation to the aggrieved person may be commenced  
6 as follows:

7 (1) If the aggrieved person is a minor or a person  
8 under legal disability, then during the minority or legal  
9 disability or within one year after the termination  
10 thereof.

11 (2) In any other instance, within one year after the  
12 discovery of the offense by an aggrieved person, or by a  
13 person who has legal capacity to represent an aggrieved  
14 person or has a legal duty to report the offense, and is  
15 not himself or herself a party to the offense; or in the  
16 absence of such discovery, within one year after the proper  
17 prosecuting officer becomes aware of the offense. However,  
18 in no such case is the period of limitation so extended  
19 more than 3 years beyond the expiration of the period  
20 otherwise applicable.

21 (b) A prosecution for any offense based upon misconduct in  
22 office by a public officer or employee may be commenced within  
23 one year after discovery of the offense by a person having a  
24 legal duty to report such offense, or in the absence of such  
25 discovery, within one year after the proper prosecuting officer  
26 becomes aware of the offense. However, in no such case is the

1 period of limitation so extended more than 3 years beyond the  
2 expiration of the period otherwise applicable.

3 (b-5) When the victim is under 18 years of age at the time  
4 of the offense, a prosecution for involuntary servitude,  
5 involuntary sexual servitude of a minor, or trafficking in  
6 persons and related offenses under Section 10-9 of this Code  
7 may be commenced within 25 years of the victim attaining the  
8 age of 18 years.

9 (b-6) When the victim is 18 years of age or over at the  
10 time of the offense, a prosecution for involuntary servitude,  
11 involuntary sexual servitude of a minor, or trafficking in  
12 persons and related offenses under Section 10-9 of this Code  
13 may be commenced within 25 years after the commission of the  
14 offense.

15 (c) (Blank).

16 (d) A prosecution for child pornography, aggravated child  
17 pornography, indecent solicitation of a child, soliciting for a  
18 juvenile prostitute, juvenile pimping, exploitation of a  
19 child, or promoting juvenile prostitution except for keeping a  
20 place of juvenile prostitution may be commenced within one year  
21 of the victim attaining the age of 18 years. However, in no  
22 such case shall the time period for prosecution expire sooner  
23 than 3 years after the commission of the offense.

24 (e) Except as otherwise provided in subdivision (j), a  
25 prosecution for any offense involving sexual conduct or sexual  
26 penetration, as defined in Section 11-0.1 of this Code, where

1 the defendant was within a professional or fiduciary  
2 relationship or a purported professional or fiduciary  
3 relationship with the victim at the time of the commission of  
4 the offense may be commenced within one year after the  
5 discovery of the offense by the victim.

6 (f) A prosecution for any offense set forth in Section 44  
7 of the Environmental Protection Act may be commenced within 5  
8 years after the discovery of such an offense by a person or  
9 agency having the legal duty to report the offense or in the  
10 absence of such discovery, within 5 years after the proper  
11 prosecuting officer becomes aware of the offense.

12 (f-5) A prosecution for any offense set forth in Section  
13 16-30 of this Code may be commenced within 5 years after the  
14 discovery of the offense by the victim of that offense.

15 (g) (Blank).

16 (h) (Blank).

17 (i) Except as otherwise provided in subdivision (j), a  
18 prosecution for criminal sexual assault, aggravated criminal  
19 sexual assault, or aggravated criminal sexual abuse may be  
20 commenced within 10 years of the commission of the offense if  
21 the victim reported the offense to law enforcement authorities  
22 within 3 years after the commission of the offense. If the  
23 victim consented to the collection of evidence using an  
24 Illinois State Police Sexual Assault Evidence Collection Kit  
25 under the Sexual Assault Survivors Emergency Treatment Act, it  
26 shall constitute reporting for purposes of this Section.

1           Nothing in this subdivision (i) shall be construed to  
2 shorten a period within which a prosecution must be commenced  
3 under any other provision of this Section.

4           (i-5) A prosecution for armed robbery, home invasion,  
5 kidnapping, or aggravated kidnaping may be commenced within 10  
6 years of the commission of the offense if it arises out of the  
7 same course of conduct and meets the criteria under one of the  
8 offenses in subsection (i) of this Section.

9           (j) (1) When the victim is under 18 years of age at the  
10 time of the offense, a prosecution for criminal sexual assault,  
11 aggravated criminal sexual assault, predatory criminal sexual  
12 assault of a child, aggravated criminal sexual abuse, or felony  
13 criminal sexual abuse may be commenced at any time.

14           (2) When the victim is under 18 years of age at the time of  
15 the offense, a prosecution for failure of a person who is  
16 required to report an alleged or suspected commission of  
17 criminal sexual assault, aggravated criminal sexual assault,  
18 predatory criminal sexual assault of a child, aggravated  
19 criminal sexual abuse, or felony criminal sexual abuse under  
20 the Abused and Neglected Child Reporting Act may be commenced  
21 within 20 years after the child victim attains 18 years of age.

22           (3) When the victim is under 18 years of age at the time of  
23 the offense, a prosecution for misdemeanor criminal sexual  
24 abuse may be commenced within 10 years after the child victim  
25 attains 18 years of age.

26           (4) Nothing in this subdivision (j) shall be construed to

1 shorten a period within which a prosecution must be commenced  
2 under any other provision of this Section.

3 (j-5) A prosecution for armed robbery, home invasion,  
4 kidnapping, or aggravated kidnaping may be commenced at any  
5 time if it arises out of the same course of conduct and meets  
6 the criteria under one of the offenses in subsection (j) of  
7 this Section.

8 (k) (Blank).

9 (l) A prosecution for any offense set forth in Section 26-4  
10 of this Code may be commenced within one year after the  
11 discovery of the offense by the victim of that offense.

12 (l-5) A prosecution for any offense involving sexual  
13 conduct or sexual penetration, as defined in Section 11-0.1 of  
14 this Code, in which the victim was 18 years of age or older at  
15 the time of the offense, may be commenced within one year after  
16 the discovery of the offense by the victim when corroborating  
17 physical evidence is available. The charging document shall  
18 state that the statute of limitations is extended under this  
19 subsection (l-5) and shall state the circumstances justifying  
20 the extension. Nothing in this subsection (l-5) shall be  
21 construed to shorten a period within which a prosecution must  
22 be commenced under any other provision of this Section or  
23 Section 3-5 of this Code.

24 (m) The prosecution shall not be required to prove at trial  
25 facts which extend the general limitations in Section 3-5 of  
26 this Code when the facts supporting extension of the period of

1 general limitations are properly pled in the charging document.  
2 Any challenge relating to the extension of the general  
3 limitations period as defined in this Section shall be  
4 exclusively conducted under Section 114-1 of the Code of  
5 Criminal Procedure of 1963.

6 (n) A prosecution for any offense set forth in subsection  
7 (a), (b), or (c) of Section 8A-3 or Section 8A-13 of the  
8 Illinois Public Aid Code, in which the total amount of money  
9 involved is \$5,000 or more, including the monetary value of  
10 food stamps and the value of commodities under Section 16-1 of  
11 this Code may be commenced within 5 years of the last act  
12 committed in furtherance of the offense.

13 (Source: P.A. 99-234, eff. 8-3-15; 99-820, eff. 8-15-16;  
14 100-80, eff. 8-11-17; 100-318, eff. 8-24-17; 100-434, eff.  
15 1-1-18; 100-863, eff. 8-14-18; 100-998, eff. 1-1-19; 100-1010,  
16 eff. 1-1-19; 100-1087, eff. 1-1-19; revised 10-9-18.)

17 (720 ILCS 5/10-9)

18 Sec. 10-9. Trafficking in persons, involuntary servitude,  
19 and related offenses.

20 (a) Definitions. In this Section:

21 (1) "Intimidation" has the meaning prescribed in  
22 Section 12-6.

23 (2) "Commercial sexual activity" means any sex act on  
24 account of which anything of value is given, promised to,  
25 or received by any person.



1           (2.5) "Company" means any sole proprietorship,  
2           organization, association, corporation, partnership, joint  
3           venture, limited partnership, limited liability  
4           partnership, limited liability limited partnership,  
5           limited liability company, or other entity or business  
6           association, including all wholly owned subsidiaries,  
7           majority-owned subsidiaries, parent companies, or  
8           affiliates of those entities or business associations,  
9           that exist for the purpose of making profit.

10           (3) "Financial harm" includes intimidation that brings  
11           about financial loss, criminal usury, or employment  
12           contracts that violate the Frauds Act.

13           (4) (Blank).

14           (5) "Labor" means work of economic or financial value.

15           (6) "Maintain" means, in relation to labor or services,  
16           to secure continued performance thereof, regardless of any  
17           initial agreement on the part of the victim to perform that  
18           type of service.

19           (7) "Obtain" means, in relation to labor or services,  
20           to secure performance thereof.

21           (7.5) "Serious harm" means any harm, whether physical  
22           or nonphysical, including psychological, financial, or  
23           reputational harm, that is sufficiently serious, under all  
24           the surrounding circumstances, to compel a reasonable  
25           person of the same background and in the same circumstances  
26           to perform or to continue performing labor or services in

1 order to avoid incurring that harm.

2 (8) "Services" means activities resulting from a  
3 relationship between a person and the actor in which the  
4 person performs activities under the supervision of or for  
5 the benefit of the actor. Commercial sexual activity and  
6 sexually-explicit performances are forms of activities  
7 that are "services" under this Section. Nothing in this  
8 definition may be construed to legitimize or legalize  
9 prostitution.

10 (9) "Sexually-explicit performance" means a live,  
11 recorded, broadcast (including over the Internet), or  
12 public act or show intended to arouse or satisfy the sexual  
13 desires or appeal to the prurient interests of patrons.

14 (10) "Trafficking victim" means a person subjected to  
15 the practices set forth in subsection (b), (c), or (d).

16 (b) Involuntary servitude. A person commits involuntary  
17 servitude when he or she knowingly subjects, attempts to  
18 subject, or engages in a conspiracy to subject another person  
19 to labor or services obtained or maintained through any of the  
20 following means, or any combination of these means:

21 (1) causes or threatens to cause physical harm to any  
22 person;

23 (2) physically restrains or threatens to physically  
24 restrain another person;

25 (3) abuses or threatens to abuse the law or legal  
26 process;

1           (4) knowingly destroys, conceals, removes,  
2           confiscates, or possesses any actual or purported passport  
3           or other immigration document, or any other actual or  
4           purported government identification document, of another  
5           person;

6           (5) uses intimidation, or exerts financial control  
7           over any person; or

8           (6) uses any scheme, plan, or pattern intended to cause  
9           the person to believe that, if the person did not perform  
10          the labor or services, that person or another person would  
11          suffer serious harm or physical restraint.

12          Sentence. Except as otherwise provided in subsection (e) or  
13          (f), a violation of subsection (b) (1) is a Class X felony,  
14          (b) (2) is a Class 1 felony, (b) (3) is a Class 2 felony, (b) (4)  
15          is a Class 3 felony, (b) (5) and (b) (6) is a Class 4 felony.

16          (c) Involuntary sexual servitude of a minor. A person  
17          commits involuntary sexual servitude of a minor when he or she  
18          knowingly recruits, entices, harbors, transports, provides, or  
19          obtains by any means, or attempts to recruit, entice, harbor,  
20          provide, or obtain by any means, another person under 18 years  
21          of age, knowing that the minor will engage in commercial sexual  
22          activity, a sexually-explicit performance, or the production  
23          of pornography, or causes or attempts to cause a minor to  
24          engage in one or more of those activities and:

25                 (1) there is no overt force or threat and the minor is  
26                 between the ages of 17 and 18 years;

1           (2) there is no overt force or threat and the minor is  
2           under the age of 17 years; or

3           (3) there is overt force or threat.

4           Sentence. Except as otherwise provided in subsection (e) or  
5           (f), a violation of subsection (c)(1) is a Class 1 felony,  
6           (c)(2) is a Class X felony, and (c)(3) is a Class X felony.

7           (d) Trafficking in persons. A person commits trafficking in  
8           persons when he or she knowingly: (1) recruits, entices,  
9           harbors, transports, provides, or obtains by any means, or  
10          attempts to recruit, entice, harbor, transport, provide, or  
11          obtain by any means, another person, intending or knowing that  
12          the person will be subjected to involuntary servitude; or (2)  
13          benefits, financially or by receiving anything of value, from  
14          participation in a venture that has engaged in an act of  
15          involuntary servitude or involuntary sexual servitude of a  
16          minor. A company commits trafficking in persons when the  
17          company knowingly benefits, financially or by receiving  
18          anything of value, from participation in a venture that has  
19          engaged in an act of involuntary servitude or involuntary  
20          sexual servitude of a minor.

21          Sentence. Except as otherwise provided in subsection (e) or  
22          (f), a violation of this subsection by a person is a Class 1  
23          felony. A violation of this subsection by a company is a  
24          business offense for which a fine of up to \$100,000 may be  
25          imposed.

26          (e) Aggravating factors. A violation of this Section

1 involving kidnapping or an attempt to kidnap, aggravated  
2 criminal sexual assault or an attempt to commit aggravated  
3 criminal sexual assault, or an attempt to commit first degree  
4 murder is a Class X felony.

5 (f) Sentencing considerations.

6 (1) Bodily injury. If, pursuant to a violation of this  
7 Section, a victim suffered bodily injury, the defendant may  
8 be sentenced to an extended-term sentence under Section  
9 5-8-2 of the Unified Code of Corrections. The sentencing  
10 court must take into account the time in which the victim  
11 was held in servitude, with increased penalties for cases  
12 in which the victim was held for between 180 days and one  
13 year, and increased penalties for cases in which the victim  
14 was held for more than one year.

15 (2) Number of victims. In determining sentences within  
16 statutory maximums, the sentencing court should take into  
17 account the number of victims, and may provide for  
18 substantially increased sentences in cases involving more  
19 than 10 victims.

20 (g) Restitution. Restitution is mandatory under this  
21 Section. In addition to any other amount of loss identified,  
22 the court shall order restitution including the greater of (1)  
23 the gross income or value to the defendant of the victim's  
24 labor or services or (2) the value of the victim's labor as  
25 guaranteed under the Minimum Wage Law and overtime provisions  
26 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,

1 whichever is greater.

2 (g-5) Fine distribution. If the court imposes a fine under  
3 subsection (b), (c), or (d) of this Section, it shall be  
4 collected and distributed to the Specialized Services for  
5 Survivors of Human Trafficking Fund in accordance with Section  
6 5-9-1.21 of the Unified Code of Corrections.

7 (h) Trafficking victim services. Subject to the  
8 availability of funds, the Department of Human Services may  
9 provide or fund emergency services and assistance to  
10 individuals who are victims of one or more offenses defined in  
11 this Section.

12 (i) Certification. The Attorney General, a State's  
13 Attorney, or any law enforcement official shall certify in  
14 writing to the United States Department of Justice or other  
15 federal agency, such as the United States Department of  
16 Homeland Security, that an investigation or prosecution under  
17 this Section has begun and the individual who is a likely  
18 victim of a crime described in this Section is willing to  
19 cooperate or is cooperating with the investigation to enable  
20 the individual, if eligible under federal law, to qualify for  
21 an appropriate special immigrant visa and to access available  
22 federal benefits. Cooperation with law enforcement shall not be  
23 required of victims of a crime described in this Section who  
24 are under 18 years of age. This certification shall be made  
25 available to the victim and his or her designated legal  
26 representative.

1 (j) A person who commits involuntary servitude,  
2 involuntary sexual servitude of a minor, or trafficking in  
3 persons under subsection (b), (c), or (d) of this Section is  
4 subject to the property forfeiture provisions set forth in  
5 Article 124B of the Code of Criminal Procedure of 1963.

6 (Source: P.A. 97-897, eff. 1-1-13; 98-756, eff. 7-16-14;  
7 98-1013, eff. 1-1-15.)

8 Section 115. The Code of Civil Procedure is amended by  
9 changing Section 13-225 as follows:

10 (735 ILCS 5/13-225)

11 Sec. 13-225. Trafficking victims protection. (a) In  
12 this Section, "human trafficking", "involuntary servitude",  
13 "sex trade", and "victim of the sex trade" have the meanings  
14 ascribed to them in Section 10 of the Trafficking Victims  
15 Protection Act.

16 (b) Subject to both subsections (e) and (f) and  
17 notwithstanding any other provision of law, an action under the  
18 Trafficking Victims Protection Act must be commenced within 25  
19 ~~10~~ years of the date the limitation period begins to run under  
20 subsection (d) or within 25 ~~10~~ years of the date the plaintiff  
21 discovers or through the use of reasonable diligence should  
22 discover both (i) that the sex trade, involuntary servitude, or  
23 human trafficking act occurred, and (ii) that the defendant  
24 caused, was responsible for, or profited from the sex trade,

1 involuntary servitude, or human trafficking act. The fact that  
2 the plaintiff discovers or through the use of reasonable  
3 diligence should discover that the sex trade, involuntary  
4 servitude, or human trafficking act occurred is not, by itself,  
5 sufficient to start the discovery period under this subsection  
6 (b).

7 (c) If the injury is caused by 2 or more acts that are part  
8 of a continuing series of sex trade, involuntary servitude, or  
9 human trafficking acts by the same defendant, then the  
10 discovery period under subsection (b) shall be computed from  
11 the date the person abused discovers or through the use of  
12 reasonable diligence should discover (i) that the last sex  
13 trade, involuntary servitude, or human trafficking act in the  
14 continuing series occurred, and (ii) that the defendant caused,  
15 was responsible for, or profited from the series of sex trade,  
16 involuntary servitude, or human trafficking acts. The fact that  
17 the plaintiff discovers or through the use of reasonable  
18 diligence should discover that the last sex trade, involuntary  
19 servitude, or human trafficking act in the continuing series  
20 occurred is not, by itself, sufficient to start the discovery  
21 period under subsection (b).

22 (d) The limitation periods in subsection (b) do not begin  
23 to run before the plaintiff attains the age of 18 years; and,  
24 if at the time the plaintiff attains the age of 18 years he or  
25 she is under other legal disability, the limitation periods  
26 under subsection (b) do not begin to run until the removal of



1 the disability.

2 (e) The limitation periods in subsection (b) do not run  
3 during a time period when the plaintiff is subject to threats,  
4 intimidation, manipulation, or fraud perpetrated by the  
5 defendant or by any person acting in the interest of the  
6 defendant.

7 (f) The limitation periods in subsection (b) do not  
8 commence running until the expiration of all limitations  
9 periods applicable to the criminal prosecution of the plaintiff  
10 for any acts which form the basis of a cause of action under  
11 the Trafficking Victims Protection Act.

12 (Source: P.A. 100-939, eff. 1-1-19.)

13 Section 999. Effective date. This Section and Sections 1  
14 through 15 take effect upon becoming law.