



Rep. Eva Dina Delgado

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LRB102 03114 HEP 38623 a

1 AMENDMENT TO HOUSE BILL 1100

2 AMENDMENT NO. _____. Amend House Bill 1100 by replacing
3 everything after the enacting clause with the following:

4 "Section 1. Short title. This Act may be cited as the
5 Intergovernmental Vehicular Hijacking Enforcement Act.

6 Section 5. Definitions. As used in this Act:

7 "Director" means the Director of the Illinois State
8 Police.

9 "Metropolitan Enforcement Group" or "MEG" means a
10 combination of units of local government established under
11 this Act to enforce the vehicular hijacking laws of this
12 State.

13 "Unit of local government" has the same meaning as in
14 Article VII, Section 1 of the Illinois Constitution. "Unit of
15 local government" includes both home rule units and units that
16 are not home rule units.

1 Section 10. Metropolitan Enforcement Group eligibility for
2 grants. A Metropolitan Enforcement Group that meets the
3 minimum criteria established in this Section is eligible to
4 receive State grants to help defray the costs of operation. To
5 be eligible, a MEG must:

6 (1) Be established and operating pursuant to
7 intergovernmental contracts written and executed in
8 conformity with the Intergovernmental Cooperation Act and
9 involve 2 or more units of local government.

10 (2) Establish a MEG Policy Board composed of an
11 elected official, or his or her designee, and the chief
12 law enforcement officer, or his or her designee, from each
13 participating unit of local government to oversee the
14 operations of the MEG and make such reports to the
15 Illinois State Police as the Department may require.

16 (3) Designate a single appropriate elected official of
17 a participating unit of local government to act as the
18 financial officer of the MEG for all participating units
19 of local government and to receive funds for the operation
20 of the MEG.

21 (4) Focus its operations to enforcement of Sections
22 18-3 and 18-4 of the Criminal Code of 2012.

23 (5) Cooperate with the Illinois State Police in order
24 to ensure compliance with this Act and to enable the
25 Illinois State Police to fulfill its duties under this

1 Act, and supply the Illinois State Police with all
2 information the Illinois State Police deems necessary.

3 (6) Receive funding of at least 50% of the total
4 operating budget of the MEG from the participating units
5 of local government.

6 Section 15. Monitoring of operations. The Illinois State
7 Police shall monitor the operations of all MEG units and
8 determine their eligibility to receive State grants under this
9 Act. From the money appropriated annually by the General
10 Assembly for this purpose, the Director shall determine and
11 certify to the Comptroller the amount of the grant to be made
12 to each designated MEG financial officer. The amount of the
13 State grant which a MEG may receive under this Act may not
14 exceed 50% of the total operating budget of that MEG.

15 Section 20. Coordination of operations. The Illinois State
16 Police shall coordinate the operations of all MEG units and
17 may establish such reasonable rules and conduct those
18 investigations the Director deems necessary to carry out its
19 duties under this Act, including the establishment of forms
20 for reporting by each MEG to the Illinois State Police.

21 Section 25. Assignment of functions and duties. The
22 Director may assign the functions and duties created under
23 this Act to be administered by the Illinois State Police,

1 Division of Investigation.

2 Section 30. Reporting. In the manner set forth in Section
3 3.1 of the General Assembly Organization Act, the Director
4 shall report annually no later than February 1 to the Governor
5 and the General Assembly on the operations of the Metropolitan
6 Enforcement Groups, including a breakdown of the appropriation
7 for the current fiscal year indicating the amount of the State
8 grant each MEG received or will receive.

9 Section 90. The Illinois Criminal Justice Information Act
10 is amended by adding Section 7.10 as follows:

11 (20 ILCS 3930/7.10 new)

12 Sec. 7.10. Grants to prevent predatory vehicular
13 hijacking. Subject to appropriation, the Authority shall
14 establish a program by which grants are administered for the
15 purpose of preventing predatory vehicular hijacking. The
16 Authority shall determine eligible recipients for the grants.
17 Grants shall be made of money appropriated from the General
18 Revenue Fund to eligible recipients to provide street-level
19 intervention services for at-risk youth in danger of being
20 recruited for the purpose of predatory vehicular hijacking.
21 Funding appropriated for this program may be used for
22 administrative costs. The Authority shall adopt rules to
23 determine eligibility standards for grants under this Section.

1 Section 95. The Illinois Motor Vehicle Theft Prevention
2 and Insurance Verification Act is amended by changing Sections
3 1, 2, 3, 4, 7, 8, and 8.5 as follows:

4 (20 ILCS 4005/1) (from Ch. 95 1/2, par. 1301)

5 (Section scheduled to be repealed on January 1, 2025)

6 Sec. 1. This Act shall be known as the Illinois Vehicle
7 Hijacking and Motor Vehicle Theft Prevention and Insurance
8 Verification Act.

9 (Source: P.A. 100-373, eff. 1-1-18.)

10 (20 ILCS 4005/2) (from Ch. 95 1/2, par. 1302)

11 (Section scheduled to be repealed on January 1, 2025)

12 Sec. 2. The purpose of this Act is to prevent, combat and
13 reduce vehicle hijacking and related violent crime as well as
14 motor vehicle theft in Illinois; to improve and support
15 vehicle hijacking and motor vehicle theft law enforcement,
16 prosecution and administration of vehicle hijacking and motor
17 vehicle theft and insurance verification laws by establishing
18 statewide planning capabilities for and coordination of
19 financial resources.

20 (Source: P.A. 100-373, eff. 1-1-18.)

21 (20 ILCS 4005/3) (from Ch. 95 1/2, par. 1303)

22 (Section scheduled to be repealed on January 1, 2025)

1 Sec. 3. As used in this Act:

2 (a) (Blank).

3 (b) "Council" means the Illinois Vehicle Hijacking and
4 Motor Vehicle Theft Prevention and Insurance Verification
5 Council.

6 (b-2) "Director" means the Director of the Secretary of
7 State Department of Police.

8 (b-5) "Police" means the Secretary of State Department of
9 Police.

10 (b-7) "Secretary" means the Secretary of State.

11 (c) "Trust Fund" means the Vehicle Hijacking and Motor
12 Vehicle Theft Prevention and Insurance Verification Trust
13 Fund.

14 (Source: P.A. 100-373, eff. 1-1-18.)

15 (20 ILCS 4005/4) (from Ch. 95 1/2, par. 1304)

16 (Section scheduled to be repealed on January 1, 2025)

17 Sec. 4. There is hereby created an Illinois Vehicle
18 Hijacking and Motor Vehicle Theft Prevention and Insurance
19 Verification Council, which shall exercise its powers, duties
20 and responsibilities. There shall be 11 members of the Council
21 consisting of the Secretary of State or his designee, the
22 Director of the Illinois State Police, the State's Attorney of
23 Cook County, the Superintendent of the Chicago Police
24 Department, and the following 7 additional members, each of
25 whom shall be appointed by the Secretary of State: a state's

1 attorney of a county other than Cook, a chief executive law
2 enforcement official from a jurisdiction other than the City
3 of Chicago, 5 representatives of insurers authorized to write
4 motor vehicle insurance in this State, all of whom shall be
5 domiciled in this State.

6 The Director shall be the Chairman of the Council. All
7 members of the Council appointed by the Secretary shall serve
8 at the discretion of the Secretary for a term not to exceed 4
9 years. The Council shall meet at least quarterly.

10 (Source: P.A. 102-538, eff. 8-20-21.)

11 (20 ILCS 4005/7) (from Ch. 95 1/2, par. 1307)

12 (Section scheduled to be repealed on January 1, 2025)

13 Sec. 7. The Council shall have the following powers,
14 duties and responsibilities:

15 (a) To apply for, solicit, receive, establish
16 priorities for, allocate, disburse, contract for, and
17 spend funds that are made available to the Council from
18 any source to effectuate the purposes of this Act.

19 (b) To make grants and to provide financial support
20 for federal and State agencies, units of local government,
21 corporations, and neighborhood, community and business
22 organizations to effectuate the purposes of this Act, to
23 deter, ~~and~~ investigate, and prosecute recyclable metal
24 theft, and for ~~to~~ law enforcement agencies to assist in
25 the identification, apprehension, and prosecution of

1 vehicle hijackers and the recovery of stolen motor
2 vehicles ~~recyclable metal theft.~~

3 (c) To assess the scope of the problem of vehicle
4 hijacking and motor vehicle theft, including particular
5 areas of the State where the problem is greatest and to
6 conduct impact analyses of State and local criminal
7 justice policies, programs, plans and methods for
8 combating the problem.

9 (d) To develop and sponsor the implementation of
10 statewide plans and strategies to combat vehicle hijacking
11 and motor vehicle theft and to improve the administration
12 of vehicle hijacking and ~~the~~ motor vehicle theft laws and
13 provide an effective forum for identification of critical
14 problems associated with vehicle hijacking and motor
15 vehicle theft.

16 (e) To coordinate the development, adoption and
17 implementation of plans and strategies relating to
18 interagency or intergovernmental cooperation with respect
19 to vehicle hijacking and motor vehicle theft law
20 enforcement.

21 (f) To adopt rules or regulations necessary to ensure
22 that appropriate agencies, units of government, private
23 organizations and combinations thereof are included in the
24 development and implementation of strategies or plans
25 adopted pursuant to this Act and to adopt rules or
26 regulations as may otherwise be necessary to effectuate

1 the purposes of this Act.

2 (g) To report annually, on or before January 1, 2019
3 to the Governor, General Assembly, and, upon request, to
4 members of the general public on the Council's activities
5 in the preceding year.

6 (h) To exercise any other powers that are reasonable,
7 necessary or convenient to fulfill its responsibilities,
8 to carry out and to effectuate the objectives and purposes
9 of the Council and the provisions of this Act, and to
10 comply with the requirements of applicable federal or
11 State laws, rules, or regulations; provided, however, that
12 these powers shall not include the power to subpoena or
13 arrest.

14 (i) To provide funding to the Secretary for the
15 creation, implementation, and maintenance of an electronic
16 motor vehicle liability insurance policy verification
17 program.

18 (Source: P.A. 100-373, eff. 1-1-18.)

19 (20 ILCS 4005/8) (from Ch. 95 1/2, par. 1308)

20 (Section scheduled to be repealed on January 1, 2025)

21 Sec. 8. (a) A special fund is created in the State Treasury
22 known as the Vehicle Hijacking and Motor Vehicle Theft
23 Prevention and Insurance Verification Trust Fund, which shall
24 be administered by the Secretary at the direction of the
25 Council. All interest earned from the investment or deposit of

1 monies accumulated in the Trust Fund shall, pursuant to
2 Section 4.1 of the State Finance Act, be deposited in the Trust
3 Fund.

4 (b) Money deposited in this Trust Fund shall not be
5 considered general revenue of the State of Illinois.

6 (c) Money deposited in the Trust Fund shall be used only to
7 enhance efforts to effectuate the purposes of this Act as
8 determined by the Council and shall not be appropriated,
9 loaned or in any manner transferred to the General Revenue
10 Fund of the State of Illinois.

11 (d) Prior to April 1, 1991, and prior to April 1 of each
12 year thereafter, each insurer engaged in writing private
13 passenger motor vehicle insurance coverages which are included
14 in Class 2 and Class 3 of Section 4 of the Illinois Insurance
15 Code, as a condition of its authority to transact business in
16 this State, may collect and shall pay into the Trust Fund an
17 amount equal to \$1.00, or a lesser amount determined by the
18 Council, multiplied by the insurer's total earned car years of
19 private passenger motor vehicle insurance policies providing
20 physical damage insurance coverage written in this State
21 during the preceding calendar year.

22 (e) Money in the Trust Fund shall be expended as follows:

23 (1) To pay the Secretary's costs to administer the
24 Council and the Trust Fund, but for this purpose in an
25 amount not to exceed 10% in any one fiscal year of the
26 amount collected pursuant to paragraph (d) of this Section

1 in that same fiscal year.

2 (2) To achieve the purposes and objectives of this
3 Act, which may include, but not be limited to, the
4 following:

5 (A) To provide financial support to law
6 enforcement and correctional agencies, prosecutors,
7 and the judiciary for programs designed to reduce
8 vehicle hijacking and motor vehicle theft and to
9 improve the administration of motor vehicle theft
10 laws.

11 (B) To provide financial support for federal and
12 State agencies, units of local government,
13 corporations and neighborhood, community or business
14 organizations for programs designed to reduce motor
15 vehicle theft and to improve the administration of
16 vehicle hijacking and motor vehicle theft laws.

17 (C) To provide financial support to conduct
18 programs designed to inform owners of motor vehicles
19 about the financial and social costs of vehicle
20 hijacking, interstate shootings, and motor vehicle
21 theft and to suggest to those owners methods for
22 preventing motor vehicle theft.

23 (D) To provide financial support for plans,
24 programs and projects designed to achieve the purposes
25 of this Act.

26 (3) To provide funding to the Secretary's Vehicle

1 Services Department for the creation, implementation, and
2 maintenance of an electronic motor vehicle liability
3 insurance policy verification program by allocating no
4 more than 75% of each dollar collected for the first
5 calendar year after the effective date of this amendatory
6 Act of the 100th General Assembly and no more than 50% of
7 each dollar collected for every other year after the first
8 calendar year. The Secretary shall distribute the funds to
9 the Vehicle Services Department at the beginning of each
10 calendar year.

11 (f) Insurers contributing to the Trust Fund shall have a
12 property interest in the unexpended money in the Trust Fund,
13 which property interest shall not be retroactively changed or
14 extinguished by the General Assembly.

15 (g) In the event the Trust Fund were to be discontinued or
16 the Council were to be dissolved by act of the General Assembly
17 or by operation of law, then, notwithstanding the provisions
18 of Section 5 of the State Finance Act, any balance remaining
19 therein shall be returned to the insurers writing private
20 passenger motor vehicle insurance in proportion to their
21 financial contributions to the Trust Fund and any assets of
22 the Council shall be liquidated and returned in the same
23 manner after deduction of administrative costs.

24 (Source: P.A. 100-373, eff. 1-1-18.)

1 (Section scheduled to be repealed on January 1, 2025)

2 Sec. 8.5. State Police Vehicle Hijacking and Motor Vehicle
3 Theft Prevention Trust Fund. The State Police Vehicle
4 Hijacking and Motor Vehicle Theft Prevention Trust Fund is
5 created as a trust fund in the State treasury. The State
6 Treasurer shall be the custodian of the Trust Fund. The Trust
7 Fund is established to receive funds from the Illinois Vehicle
8 Hijacking and Motor Vehicle Theft Prevention and Insurance
9 Verification Council. All interest earned from the investment
10 or deposit of moneys accumulated in the Trust Fund shall be
11 deposited into the Trust Fund. Moneys in the Trust Fund shall
12 be used by the Illinois State Police for motor vehicle theft
13 prevention purposes.

14 (Source: P.A. 102-538, eff. 8-20-21.)

15 (20 ILCS 4005/12 rep.)

16 Section 100. The Illinois Motor Vehicle Theft Prevention
17 and Insurance Verification Act is amended by repealing Section
18 12.

19 Section 105. The State Finance Act is amended by changing
20 Sections 5, 5.295, 6z-125, and 6z-126 as follows:

21 (30 ILCS 105/5) (from Ch. 127, par. 141)

22 Sec. 5. Special funds.

23 (a) There are special funds in the State Treasury

1 designated as specified in the Sections which succeed this
2 Section 5 and precede Section 6.

3 (b) Except as provided in the Illinois Vehicle Hijacking
4 and Motor Vehicle Theft Prevention and Insurance Verification
5 Act, when any special fund in the State Treasury is
6 discontinued by an Act of the General Assembly, any balance
7 remaining therein on the effective date of such Act shall be
8 transferred to the General Revenue Fund, or to such other fund
9 as such Act shall provide. Warrants outstanding against such
10 discontinued fund at the time of the transfer of any such
11 balance therein shall be paid out of the fund to which the
12 transfer was made.

13 (c) When any special fund in the State Treasury has been
14 inactive for 18 months or longer, the fund is automatically
15 terminated by operation of law and the balance remaining in
16 such fund shall be transferred by the Comptroller to the
17 General Revenue Fund. When a special fund has been terminated
18 by operation of law as provided in this Section, the General
19 Assembly shall repeal or amend all Sections of the statutes
20 creating or otherwise referring to that fund.

21 The Comptroller shall be allowed the discretion to
22 maintain or dissolve any federal trust fund which has been
23 inactive for 18 months or longer.

24 (d) (Blank).

25 (e) (Blank).

26 (Source: P.A. 100-373, eff. 1-1-18.)

1 (30 ILCS 105/5.295) (from Ch. 127, par. 141.295)

2 Sec. 5.295. The Vehicle Hijacking and Motor Vehicle Theft
3 Prevention and Insurance Verification Trust Fund.

4 (Source: P.A. 100-373, eff. 1-1-18.)

5 (30 ILCS 105/6z-125)

6 Sec. 6z-125. State Police Training and Academy Fund. The
7 State Police Training and Academy Fund is hereby created as a
8 special fund in the State treasury. Moneys in the Fund shall
9 consist of: (i) 10% of the revenue from increasing the
10 insurance producer license fees, as provided under subsection
11 (a-5) of Section 500-135 of the Illinois Insurance Code; and
12 (ii) 10% of the moneys collected from auto insurance policy
13 fees under Section 8.6 of the Illinois Vehicle Hijacking and
14 Motor Vehicle Theft Prevention and Insurance Verification Act.
15 This Fund shall be used by the Illinois State Police to fund
16 training and other State Police institutions, including, but
17 not limited to, forensic laboratories.

18 (Source: P.A. 102-16, eff. 6-17-21.)

19 (30 ILCS 105/6z-126)

20 Sec. 6z-126. Law Enforcement Training Fund. The Law
21 Enforcement Training Fund is hereby created as a special fund
22 in the State treasury. Moneys in the Fund shall consist of: (i)
23 90% of the revenue from increasing the insurance producer

1 license fees, as provided under subsection (a-5) of Section
2 500-135 of the Illinois Insurance Code; and (ii) 90% of the
3 moneys collected from auto insurance policy fees under Section
4 8.6 of the Illinois Vehicle Hijacking and Motor Vehicle Theft
5 Prevention and Insurance Verification Act. This Fund shall be
6 used by the Illinois Law Enforcement Training and Standards
7 Board to fund law enforcement certification compliance and the
8 development and provision of basic courses by Board-approved
9 academics, and in-service courses by approved academies.

10 (Source: P.A. 102-16, eff. 6-17-21.)

11 Section 110. The Illinois Vehicle Code is amended by
12 changing Section 4-109 as follows:

13 (625 ILCS 5/4-109)

14 Sec. 4-109. Motor Vehicle Theft Prevention Program. The
15 Secretary of State, in conjunction with the Motor Vehicle
16 Theft Prevention and Insurance Verification Council, is hereby
17 authorized to establish and operate a Motor Vehicle Theft
18 Prevention Program as follows:

19 (a) Voluntary program participation.

20 (b) The registered owner of a motor vehicle interested in
21 participating in the program shall sign an informed consent
22 agreement designed by the Secretary of State under subsection
23 (e) of this Section indicating that the motor vehicle
24 registered to him is not normally operated between the hours

1 of 1:00 a.m. and 5:00 a.m. The form and fee, if any, shall be
2 submitted to the Secretary of State for processing.

3 (c) Upon processing the form, the Secretary of State shall
4 issue to the registered owner a decal. The registered owner
5 shall affix the decal in a conspicuous place on his motor
6 vehicle as prescribed by the Secretary of State.

7 (d) Whenever any law enforcement officer shall see a motor
8 vehicle displaying a decal issued under the provisions of
9 subsection (c) of this Section being operated upon the public
10 highways of this State between the hours of 1:00 a.m. and 5:00
11 a.m., the officer is authorized to stop that motor vehicle and
12 to request the driver to produce a valid driver's license and
13 motor vehicle registration card if required to be carried in
14 the vehicle. Whenever the operator of a motor vehicle
15 displaying a decal is unable to produce the documentation set
16 forth in this Section, the police officer shall investigate
17 further to determine if the person operating the motor vehicle
18 is the registered owner or has the authorization of the owner
19 to operate the vehicle.

20 (e) The Secretary of State, in consultation with the
21 Director of the Illinois State Police and Motor Vehicle Theft
22 Prevention and Insurance Verification Council, shall design
23 the manner and form of the informed consent agreement required
24 under subsection (b) of this Section and the decal required
25 under subsection (c) of this Section.

26 (f) The Secretary of State shall provide for the recording

1 of registered owners of motor vehicles who participate in the
2 program. The records shall be available to all law enforcement
3 departments, agencies, and forces. The Secretary of State
4 shall cooperate with and assist all law enforcement officers
5 and other agencies in tracing or examining any questionable
6 motor vehicles in order to determine the ownership of the
7 motor vehicles.

8 (g) A fee not to exceed \$10 may be charged for the informed
9 consent form and decal provided under this Section. The fee,
10 if any, shall be set by the Motor Vehicle Theft Prevention and
11 Insurance Verification Council and shall be collected by the
12 Secretary of State and deposited into the Vehicle Hijacking
13 and Motor Vehicle Theft Prevention and Insurance Verification
14 Trust Fund.

15 (h) The Secretary of State, in consultation with the
16 Director of the Illinois State Police and the Motor Vehicle
17 Theft Prevention and Insurance Verification Council shall
18 promulgate rules and regulations to effectuate the purposes of
19 this Section.

20 (Source: P.A. 102-538, eff. 8-20-21.)

21 Section 115. The Criminal Code of 2012 is amended by
22 adding Section 12C-36 as follows:

23 (720 ILCS 5/12C-36 new)

24 Sec. 12C-36. Predatory vehicular hijacking.

1 (a) A person commits predatory vehicular hijacking when
2 that person is 18 years of age or over and he or she knowingly
3 commands or coerces a minor under 18 years of age to commit a
4 violation of Section 18-3.

5 (b) Sentence. Predatory vehicular hijacking is a Class 1
6 felony.

7 (c) This Section is repealed on January 1, 2026.

8 Section 120. The Crime Victims Compensation Act is amended
9 by changing Section 2 as follows:

10 (740 ILCS 45/2) (from Ch. 70, par. 72)

11 Sec. 2. Definitions. As used in this Act, unless the
12 context otherwise requires:

13 (a) "Applicant" means any person who applies for
14 compensation under this Act or any person the Court of Claims
15 or the Attorney General finds is entitled to compensation,
16 including the guardian of a minor or of a person under legal
17 disability. It includes any person who was a dependent of a
18 deceased victim of a crime of violence for his or her support
19 at the time of the death of that victim.

20 The changes made to this subsection by this amendatory Act
21 of the 101st General Assembly apply to actions commenced or
22 pending on or after January 1, 2022.

23 (b) "Court of Claims" means the Court of Claims created by
24 the Court of Claims Act.

1 (c) "Crime of violence" means and includes any offense
2 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
3 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
4 11-11, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 11-23, 11-23.5,
5 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-4,
6 12-4.1, 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13,
7 12-14, 12-14.1, 12-15, 12-16, 12-20.5, 12-30, 20-1 or 20-1.1,
8 or Section 12-3.05 except for subdivision (a) (4) or (g) (1), or
9 subdivision (a) (4) of Section 11-14.4, of the Criminal Code of
10 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of
11 the Cemetery Protection Act, Section 125 of the Stalking No
12 Contact Order Act, Section 219 of the Civil No Contact Order
13 Act, driving under the influence as defined in Section 11-501
14 of the Illinois Vehicle Code, a violation of Section 11-401 of
15 the Illinois Vehicle Code, provided the victim was a
16 pedestrian or was operating a vehicle moved solely by human
17 power or a mobility device at the time of contact, and a
18 violation of Section 11-204.1 of the Illinois Vehicle Code; so
19 long as the offense did not occur during a civil riot,
20 insurrection or rebellion. "Crime of violence" does not
21 include any other offense or accident involving a motor
22 vehicle except those vehicle offenses specifically provided
23 for in this paragraph. "Crime of violence" does include all of
24 the offenses specifically provided for in this paragraph that
25 occur within this State but are subject to federal
26 jurisdiction and crimes involving terrorism as defined in 18

1 U.S.C. 2331.

2 (d) "Victim" means (1) a person killed or injured in this
3 State as a result of a crime of violence perpetrated or
4 attempted against him or her, (2) the spouse, parent, or child
5 of a person killed or injured in this State as a result of a
6 crime of violence perpetrated or attempted against the person,
7 or anyone living in the household of a person killed or injured
8 in a relationship that is substantially similar to that of a
9 parent, spouse, or child, (3) a person killed or injured in
10 this State while attempting to assist a person against whom a
11 crime of violence is being perpetrated or attempted, if that
12 attempt of assistance would be expected of a reasonable person
13 under the circumstances, (4) a person killed or injured in
14 this State while assisting a law enforcement official
15 apprehend a person who has perpetrated a crime of violence or
16 prevent the perpetration of any such crime if that assistance
17 was in response to the express request of the law enforcement
18 official, (5) a person who personally witnessed a violent
19 crime, (5.05) a person who will be called as a witness by the
20 prosecution to establish a necessary nexus between the
21 offender and the violent crime, (5.1) solely for the purpose
22 of compensating for pecuniary loss incurred for psychological
23 treatment of a mental or emotional condition caused or
24 aggravated by the crime, any other person under the age of 18
25 who is the brother, sister, half brother, or half sister of a
26 person killed or injured in this State as a result of a crime

1 of violence, (6) an Illinois resident who is a victim of a
2 "crime of violence" as defined in this Act except, if the crime
3 occurred outside this State, the resident has the same rights
4 under this Act as if the crime had occurred in this State upon
5 a showing that the state, territory, country, or political
6 subdivision of a country in which the crime occurred does not
7 have a compensation of victims of crimes law for which that
8 Illinois resident is eligible, (7) a deceased person whose
9 body is dismembered or whose remains are desecrated as the
10 result of a crime of violence, or (8) solely for the purpose of
11 compensating for pecuniary loss incurred for psychological
12 treatment of a mental or emotional condition caused or
13 aggravated by the crime, any parent, spouse, or child under
14 the age of 18 of a deceased person whose body is dismembered or
15 whose remains are desecrated as the result of a crime of
16 violence.

17 (e) "Dependent" means a relative of a deceased victim who
18 was wholly or partially dependent upon the victim's income at
19 the time of his or her death and shall include the child of a
20 victim born after his or her death.

21 (f) "Relative" means a spouse, parent, grandparent,
22 stepfather, stepmother, child, grandchild, brother,
23 brother-in-law, sister, sister-in-law, half brother, half
24 sister, spouse's parent, nephew, niece, uncle, aunt, or anyone
25 living in the household of a person killed or injured in a
26 relationship that is substantially similar to that of a

1 parent, spouse, or child.

2 (g) "Child" means a son or daughter and includes a
3 stepchild, an adopted child or a child born out of wedlock.

4 (h) "Pecuniary loss" means, in the case of injury,
5 appropriate medical expenses and hospital expenses including
6 expenses of medical examinations, rehabilitation, medically
7 required nursing care expenses, appropriate psychiatric care
8 or psychiatric counseling expenses, appropriate expenses for
9 care or counseling by a licensed clinical psychologist,
10 licensed clinical social worker, licensed professional
11 counselor, or licensed clinical professional counselor and
12 expenses for treatment by Christian Science practitioners and
13 nursing care appropriate thereto; transportation expenses to
14 and from medical and counseling treatment facilities;
15 prosthetic appliances, eyeglasses, and hearing aids necessary
16 or damaged as a result of the crime; expenses incurred for the
17 towing of a victim's vehicle in connection with a crime of
18 violence; costs associated with trafficking tattoo removal by
19 a person authorized or licensed to perform the specific
20 removal procedure; replacement costs for clothing and bedding
21 used as evidence; costs associated with temporary lodging or
22 relocation necessary as a result of the crime, including, but
23 not limited to, the first month's rent and security deposit of
24 the dwelling that the claimant relocated to and other
25 reasonable relocation expenses incurred as a result of the
26 violent crime; locks or windows necessary or damaged as a

1 result of the crime; the purchase, lease, or rental of
2 equipment necessary to create usability of and accessibility
3 to the victim's real and personal property, or the real and
4 personal property which is used by the victim, necessary as a
5 result of the crime; the costs of appropriate crime scene
6 clean-up; replacement services loss, to a maximum of \$1,250
7 per month; dependents replacement services loss, to a maximum
8 of \$1,250 per month; loss of tuition paid to attend grammar
9 school or high school when the victim had been enrolled as a
10 student prior to the injury, or college or graduate school
11 when the victim had been enrolled as a day or night student
12 prior to the injury when the victim becomes unable to continue
13 attendance at school as a result of the crime of violence
14 perpetrated against him or her; loss of earnings, loss of
15 future earnings because of disability resulting from the
16 injury, and, in addition, in the case of death, expenses for
17 funeral, burial, and travel and transport for survivors of
18 homicide victims to secure bodies of deceased victims and to
19 transport bodies for burial all of which may be awarded up to a
20 maximum of \$10,000 and loss of support of the dependents of the
21 victim; in the case of dismemberment or desecration of a body,
22 expenses for funeral and burial, all of which may be awarded up
23 to a maximum of \$10,000. Loss of future earnings shall be
24 reduced by any income from substitute work actually performed
25 by the victim or by income he or she would have earned in
26 available appropriate substitute work he or she was capable of

1 performing but unreasonably failed to undertake. Loss of
2 earnings, loss of future earnings and loss of support shall be
3 determined on the basis of the victim's average net monthly
4 earnings for the 6 months immediately preceding the date of
5 the injury or on \$2,400 per month, whichever is less or, in
6 cases where the absences commenced more than 3 years from the
7 date of the crime, on the basis of the net monthly earnings for
8 the 6 months immediately preceding the date of the first
9 absence, not to exceed \$2,400 per month. If a divorced or
10 legally separated applicant is claiming loss of support for a
11 minor child of the deceased, the amount of support for each
12 child shall be based either on the amount of support pursuant
13 to the judgment prior to the date of the deceased victim's
14 injury or death, or, if the subject of pending litigation
15 filed by or on behalf of the divorced or legally separated
16 applicant prior to the injury or death, on the result of that
17 litigation. Real and personal property includes, but is not
18 limited to, vehicles, houses, apartments, town houses, or
19 condominiums. Pecuniary loss does not include pain and
20 suffering or property loss or damage.

21 The changes made to this subsection by this amendatory Act
22 of the 101st General Assembly apply to actions commenced or
23 pending on or after January 1, 2022.

24 (i) "Replacement services loss" means expenses reasonably
25 incurred in obtaining ordinary and necessary services in lieu
26 of those the injured person would have performed, not for

1 income, but for the benefit of himself or herself or his or her
2 family, if he or she had not been injured.

3 (j) "Dependents replacement services loss" means loss
4 reasonably incurred by dependents or private legal guardians
5 of minor dependents after a victim's death in obtaining
6 ordinary and necessary services in lieu of those the victim
7 would have performed, not for income, but for their benefit,
8 if he or she had not been fatally injured.

9 (k) "Survivor" means immediate family including a parent,
10 stepfather, stepmother, child, brother, sister, or spouse.

11 (l) "Parent" means a natural parent, adopted parent,
12 stepparent, or permanent legal guardian of another person.

13 (m) "Trafficking tattoo" is a tattoo which is applied to a
14 victim in connection with the commission of a violation of
15 Section 10-9 of the Criminal Code of 2012.

16 (Source: P.A. 101-81, eff. 7-12-19; 101-652, eff. 7-1-21;
17 102-27, eff. 6-25-21.)".