



Rep. Eva Dina Delgado

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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. This Act may be referred to as the
5 Intergovernmental Vehicular Hijacking Enforcement Act.

6 Section 5. The Illinois Criminal Justice Information Act
7 is amended by adding Section 7.10 as follows:

8 (20 ILCS 3930/7.10 new)

9 Sec. 7.10. Grants to prevent predatory vehicular
10 hijacking. Subject to appropriation, the Authority shall
11 establish a program by which grants are administered for the
12 purpose of preventing predatory vehicular hijacking. The
13 Authority shall determine eligible recipients for the grants.
14 Grants shall be made of money appropriated from the General
15 Revenue Fund to eligible recipients to provide street-level

1 intervention services for at-risk youth in danger of being
2 recruited for the purpose of predatory vehicular hijacking.
3 Funding appropriated for this program may be used for
4 administrative costs. The Authority shall adopt rules to
5 determine eligibility standards for grants under this Section.

6 Section 10. The Illinois Motor Vehicle Theft Prevention
7 and Insurance Verification Act is amended by changing Sections
8 1, 2, 3, 4, 7, 8, and 8.5 as follows:

9 (20 ILCS 4005/1) (from Ch. 95 1/2, par. 1301)

10 (Section scheduled to be repealed on January 1, 2025)

11 Sec. 1. This Act shall be known as the Illinois Vehicle
12 Hijacking and Motor Vehicle Theft Prevention and Insurance
13 Verification Act.

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

15 (20 ILCS 4005/2) (from Ch. 95 1/2, par. 1302)

16 (Section scheduled to be repealed on January 1, 2025)

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

1 financial resources.

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

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

4 (Section scheduled to be repealed on January 1, 2025)

5 Sec. 3. As used in this Act:

6 (a) (Blank).

7 (b) "Council" means the Illinois Vehicle Hijacking and
8 Motor Vehicle Theft Prevention and Insurance Verification
9 Council.

10 (b-2) "Director" means the Director of the Secretary of
11 State Department of Police.

12 (b-5) "Police" means the Secretary of State Department of
13 Police.

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

15 (c) "Trust Fund" means the Vehicle Hijacking and Motor
16 Vehicle Theft Prevention and Insurance Verification Trust
17 Fund.

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

19 (20 ILCS 4005/4) (from Ch. 95 1/2, par. 1304)

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

21 Sec. 4. There is hereby created an Illinois Vehicle
22 Hijacking and Motor Vehicle Theft Prevention and Insurance
23 Verification Council, which shall exercise its powers, duties
24 and responsibilities. There shall be 11 members of the Council

1 consisting of the Secretary of State or his designee, the
2 Director of the Illinois State Police, the State's Attorney of
3 Cook County, the Superintendent of the Chicago Police
4 Department, and the following 7 additional members, each of
5 whom shall be appointed by the Secretary of State: a state's
6 attorney of a county other than Cook, a chief executive law
7 enforcement official from a jurisdiction other than the City
8 of Chicago, 5 representatives of insurers authorized to write
9 motor vehicle insurance in this State, all of whom shall be
10 domiciled in this State.

11 The Director shall be the Chairman of the Council. All
12 members of the Council appointed by the Secretary shall serve
13 at the discretion of the Secretary for a term not to exceed 4
14 years. The Council shall meet at least quarterly.

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

16 (20 ILCS 4005/7) (from Ch. 95 1/2, par. 1307)

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

18 Sec. 7. The Council shall have the following powers,
19 duties and responsibilities:

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

24 (b) To make grants and to provide financial support
25 for federal and State agencies, units of local government,

1 corporations, and neighborhood, community and business
2 organizations to effectuate the purposes of this Act, to
3 deter, ~~and~~ investigate, and prosecute recyclable metal
4 theft, and for ~~to~~ law enforcement agencies to assist in
5 the identification, apprehension, and prosecution of
6 vehicle hijackers and the recovery of stolen motor
7 vehicles ~~recyclable metal theft~~.

8 (c) To assess the scope of the problem of vehicle
9 hijacking and motor vehicle theft, including particular
10 areas of the State where the problem is greatest and to
11 conduct impact analyses of State and local criminal
12 justice policies, programs, plans and methods for
13 combating the problem.

14 (d) To develop and sponsor the implementation of
15 statewide plans and strategies to combat vehicle hijacking
16 and motor vehicle theft and to improve the administration
17 of vehicle hijacking and ~~the~~ motor vehicle theft laws and
18 provide an effective forum for identification of critical
19 problems associated with vehicle hijacking and motor
20 vehicle theft.

21 (e) To coordinate the development, adoption and
22 implementation of plans and strategies relating to
23 interagency or intergovernmental cooperation with respect
24 to vehicle hijacking and motor vehicle theft law
25 enforcement.

26 (f) To adopt rules or regulations necessary to ensure

1 that appropriate agencies, units of government, private
2 organizations and combinations thereof are included in the
3 development and implementation of strategies or plans
4 adopted pursuant to this Act and to adopt rules or
5 regulations as may otherwise be necessary to effectuate
6 the purposes of this Act.

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

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

19 (i) To provide funding to the Secretary for the
20 creation, implementation, and maintenance of an electronic
21 motor vehicle liability insurance policy verification
22 program.

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

24 (20 ILCS 4005/8) (from Ch. 95 1/2, par. 1308)

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

1 Sec. 8. (a) A special fund is created in the State Treasury
2 known as the Vehicle Hijacking and Motor Vehicle Theft
3 Prevention and Insurance Verification Trust Fund, which shall
4 be administered by the Secretary at the direction of the
5 Council. All interest earned from the investment or deposit of
6 monies accumulated in the Trust Fund shall, pursuant to
7 Section 4.1 of the State Finance Act, be deposited in the Trust
8 Fund.

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

11 (c) Money deposited in the Trust Fund shall be used only to
12 enhance efforts to effectuate the purposes of this Act as
13 determined by the Council and shall not be appropriated,
14 loaned or in any manner transferred to the General Revenue
15 Fund of the State of Illinois.

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

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

2 (1) To pay the Secretary's costs to administer the
3 Council and the Trust Fund, but for this purpose in an
4 amount not to exceed 10% in any one fiscal year of the
5 amount collected pursuant to paragraph (d) of this Section
6 in that same fiscal year.

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

10 (A) To provide financial support to law
11 enforcement and correctional agencies, prosecutors,
12 and the judiciary for programs designed to reduce
13 vehicle hijacking and motor vehicle theft and to
14 improve the administration of motor vehicle theft
15 laws.

16 (B) To provide financial support for federal and
17 State agencies, units of local government,
18 corporations and neighborhood, community or business
19 organizations for programs designed to reduce motor
20 vehicle theft and to improve the administration of
21 vehicle hijacking and motor vehicle theft laws.

22 (C) To provide financial support to conduct
23 programs designed to inform owners of motor vehicles
24 about the financial and social costs of vehicle
25 hijacking, interstate shootings, and motor vehicle
26 theft and to suggest to those owners methods for

1 preventing motor vehicle theft.

2 (D) To provide financial support for plans,
3 programs and projects designed to achieve the purposes
4 of this Act.

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

16 (f) Insurers contributing to the Trust Fund shall have a
17 property interest in the unexpended money in the Trust Fund,
18 which property interest shall not be retroactively changed or
19 extinguished by the General Assembly.

20 (g) In the event the Trust Fund were to be discontinued or
21 the Council were to be dissolved by act of the General Assembly
22 or by operation of law, then, notwithstanding the provisions
23 of Section 5 of the State Finance Act, any balance remaining
24 therein shall be returned to the insurers writing private
25 passenger motor vehicle insurance in proportion to their
26 financial contributions to the Trust Fund and any assets of

1 the Council shall be liquidated and returned in the same
2 manner after deduction of administrative costs.

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

4 (20 ILCS 4005/8.5)

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

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

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

19 (20 ILCS 4005/12 rep.)

20 Section 15. The Illinois Motor Vehicle Theft Prevention
21 and Insurance Verification Act is amended by repealing Section
22 12.

23 Section 20. The State Finance Act is amended by changing

1 Sections 5, 5.295, 6z-125, and 6z-126 as follows:

2 (30 ILCS 105/5) (from Ch. 127, par. 141)

3 Sec. 5. Special funds.

4 (a) There are special funds in the State Treasury
5 designated as specified in the Sections which succeed this
6 Section 5 and precede Section 6.

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

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

25 The Comptroller shall be allowed the discretion to

1 maintain or dissolve any federal trust fund which has been
2 inactive for 18 months or longer.

3 (d) (Blank).

4 (e) (Blank).

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

6 (30 ILCS 105/5.295) (from Ch. 127, par. 141.295)

7 Sec. 5.295. The Vehicle Hijacking and Motor Vehicle Theft
8 Prevention and Insurance Verification Trust Fund.

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

10 (30 ILCS 105/6z-125)

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

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

1 (30 ILCS 105/6z-126)

2 Sec. 6z-126. Law Enforcement Training Fund. The Law
3 Enforcement Training Fund is hereby created as a special fund
4 in the State treasury. Moneys in the Fund shall consist of: (i)
5 90% of the revenue from increasing the insurance producer
6 license fees, as provided under subsection (a-5) of Section
7 500-135 of the Illinois Insurance Code; and (ii) 90% of the
8 moneys collected from auto insurance policy fees under Section
9 8.6 of the Illinois Vehicle Hijacking and Motor Vehicle Theft
10 Prevention and Insurance Verification Act. This Fund shall be
11 used by the Illinois Law Enforcement Training and Standards
12 Board to fund law enforcement certification compliance and the
13 development and provision of basic courses by Board-approved
14 academics, and in-service courses by approved academies.

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

16 Section 25. The Illinois Vehicle Code is amended by
17 changing Section 4-109 as follows:

18 (625 ILCS 5/4-109)

19 Sec. 4-109. Motor Vehicle Theft Prevention Program. The
20 Secretary of State, in conjunction with the Motor Vehicle
21 Theft Prevention and Insurance Verification Council, is hereby
22 authorized to establish and operate a Motor Vehicle Theft
23 Prevention Program as follows:

24 (a) Voluntary program participation.

1 (b) The registered owner of a motor vehicle interested in
2 participating in the program shall sign an informed consent
3 agreement designed by the Secretary of State under subsection
4 (e) of this Section indicating that the motor vehicle
5 registered to him is not normally operated between the hours
6 of 1:00 a.m. and 5:00 a.m. The form and fee, if any, shall be
7 submitted to the Secretary of State for processing.

8 (c) Upon processing the form, the Secretary of State shall
9 issue to the registered owner a decal. The registered owner
10 shall affix the decal in a conspicuous place on his motor
11 vehicle as prescribed by the Secretary of State.

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

25 (e) The Secretary of State, in consultation with the
26 Director of the Illinois State Police and Motor Vehicle Theft

1 Prevention and Insurance Verification Council, shall design
2 the manner and form of the informed consent agreement required
3 under subsection (b) of this Section and the decal required
4 under subsection (c) of this Section.

5 (f) The Secretary of State shall provide for the recording
6 of registered owners of motor vehicles who participate in the
7 program. The records shall be available to all law enforcement
8 departments, agencies, and forces. The Secretary of State
9 shall cooperate with and assist all law enforcement officers
10 and other agencies in tracing or examining any questionable
11 motor vehicles in order to determine the ownership of the
12 motor vehicles.

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

20 (h) The Secretary of State, in consultation with the
21 Director of the Illinois State Police and the Motor Vehicle
22 Theft Prevention and Insurance Verification Council shall
23 promulgate rules and regulations to effectuate the purposes of
24 this Section.

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

1 Section 30. The Criminal Code of 2012 is amended by adding
2 Section 12C-36 as follows:

3 (720 ILCS 5/12C-36 new)

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

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

9 (b) Sentence. Predatory vehicular hijacking is a Class 1
10 felony.

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

12 Section 35. The Crime Victims Compensation Act is amended
13 by changing Section 2 as follows:

14 (740 ILCS 45/2) (from Ch. 70, par. 72)

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

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

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

4 (b) "Court of Claims" means the Court of Claims created by
5 the Court of Claims Act.

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

1 vehicle except those vehicle offenses specifically provided
2 for in this paragraph. "Crime of violence" does include all of
3 the offenses specifically provided for in this paragraph that
4 occur within this State but are subject to federal
5 jurisdiction and crimes involving terrorism as defined in 18
6 U.S.C. 2331.

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

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

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

26 (f) "Relative" means a spouse, parent, grandparent,

1 stepfather, stepmother, child, grandchild, brother,
2 brother-in-law, sister, sister-in-law, half brother, half
3 sister, spouse's parent, nephew, niece, uncle, aunt, or anyone
4 living in the household of a person killed or injured in a
5 relationship that is substantially similar to that of a
6 parent, spouse, or child.

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

9 (h) "Pecuniary loss" means, in the case of injury,
10 appropriate medical expenses and hospital expenses including
11 expenses of medical examinations, rehabilitation, medically
12 required nursing care expenses, appropriate psychiatric care
13 or psychiatric counseling expenses, appropriate expenses for
14 care or counseling by a licensed clinical psychologist,
15 licensed clinical social worker, licensed professional
16 counselor, or licensed clinical professional counselor and
17 expenses for treatment by Christian Science practitioners and
18 nursing care appropriate thereto; transportation expenses to
19 and from medical and counseling treatment facilities;
20 prosthetic appliances, eyeglasses, and hearing aids necessary
21 or damaged as a result of the crime; expenses incurred for the
22 towing of a victim's vehicle in connection with a crime of
23 violence; costs associated with trafficking tattoo removal by
24 a person authorized or licensed to perform the specific
25 removal procedure; replacement costs for clothing and bedding
26 used as evidence; costs associated with temporary lodging or

1 relocation necessary as a result of the crime, including, but
2 not limited to, the first month's rent and security deposit of
3 the dwelling that the claimant relocated to and other
4 reasonable relocation expenses incurred as a result of the
5 violent crime; locks or windows necessary or damaged as a
6 result of the crime; the purchase, lease, or rental of
7 equipment necessary to create usability of and accessibility
8 to the victim's real and personal property, or the real and
9 personal property which is used by the victim, necessary as a
10 result of the crime; the costs of appropriate crime scene
11 clean-up; replacement services loss, to a maximum of \$1,250
12 per month; dependents replacement services loss, to a maximum
13 of \$1,250 per month; loss of tuition paid to attend grammar
14 school or high school when the victim had been enrolled as a
15 student prior to the injury, or college or graduate school
16 when the victim had been enrolled as a day or night student
17 prior to the injury when the victim becomes unable to continue
18 attendance at school as a result of the crime of violence
19 perpetrated against him or her; loss of earnings, loss of
20 future earnings because of disability resulting from the
21 injury, and, in addition, in the case of death, expenses for
22 funeral, burial, and travel and transport for survivors of
23 homicide victims to secure bodies of deceased victims and to
24 transport bodies for burial all of which may be awarded up to a
25 maximum of \$10,000 and loss of support of the dependents of the
26 victim; in the case of dismemberment or desecration of a body,

1 expenses for funeral and burial, all of which may be awarded up
2 to a maximum of \$10,000. Loss of future earnings shall be
3 reduced by any income from substitute work actually performed
4 by the victim or by income he or she would have earned in
5 available appropriate substitute work he or she was capable of
6 performing but unreasonably failed to undertake. Loss of
7 earnings, loss of future earnings and loss of support shall be
8 determined on the basis of the victim's average net monthly
9 earnings for the 6 months immediately preceding the date of
10 the injury or on \$2,400 per month, whichever is less or, in
11 cases where the absences commenced more than 3 years from the
12 date of the crime, on the basis of the net monthly earnings for
13 the 6 months immediately preceding the date of the first
14 absence, not to exceed \$2,400 per month. If a divorced or
15 legally separated applicant is claiming loss of support for a
16 minor child of the deceased, the amount of support for each
17 child shall be based either on the amount of support pursuant
18 to the judgment prior to the date of the deceased victim's
19 injury or death, or, if the subject of pending litigation
20 filed by or on behalf of the divorced or legally separated
21 applicant prior to the injury or death, on the result of that
22 litigation. Real and personal property includes, but is not
23 limited to, vehicles, houses, apartments, town houses, or
24 condominiums. Pecuniary loss does not include pain and
25 suffering or property loss or damage.

26 The changes made to this subsection by this amendatory Act

1 of the 101st General Assembly apply to actions commenced or
2 pending on or after January 1, 2022.

3 (i) "Replacement services loss" means expenses reasonably
4 incurred in obtaining ordinary and necessary services in lieu
5 of those the injured person would have performed, not for
6 income, but for the benefit of himself or herself or his or her
7 family, if he or she had not been injured.

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

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

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

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

21 (Source: P.A. 101-81, eff. 7-12-19; 101-652, eff. 7-1-21;
22 102-27, eff. 6-25-21.)".