



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5425

Introduced 1/31/2022, by Rep. Justin Slaughter

SYNOPSIS AS INTRODUCED:

20 ILCS 2630/5.2
30 ILCS 105/6z-112

Amends the Criminal Identification Act. Provides for expungement of misdemeanor and petty offense violations of ordinances that are similar to minor cannabis violations under State law. Also provides for the expungement of municipal ordinance and State law violations concerning drug paraphernalia used for cannabis. Provides that in relation to minor cannabis offenses as defined in the expungement, sealing, and immediate sealing statute, includes satisfactory terminations of supervision and satisfactory terminations of qualified probation in the disposition records for which the Illinois State Police shall identify and notify the Prisoner Review Board for the Board to make a confidential and privileged recommendation to the Governor as to whether to grant a pardon authorizing expungement for each of the records identified. Amends the State Finance Act. Provides that allocations to the clerks of the circuit court from the Cannabis Expungement Fund shall be appropriated to the Supreme Court for disbursement to the circuit clerks to be deposited into the Circuit Court Clerk Operation and Administrative Fund.

LRB102 23313 RLC 34481 b

1 AN ACT concerning cannabis.

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

4 Section 5. The Criminal Identification Act is amended by
 5 changing Section 5.2 as follows:

6 (20 ILCS 2630/5.2)

7 Sec. 5.2. Expungement, sealing, and immediate sealing.

8 (a) General Provisions.

9 (1) Definitions. In this Act, words and phrases have
 10 the meanings set forth in this subsection, except when a
 11 particular context clearly requires a different meaning.

12 (A) The following terms shall have the meanings
 13 ascribed to them in the following Sections of the
 14 Unified Code of Corrections, 730 ILCS 5/5-1-2 through
 15 5/5-1-22:

16 ~~(i) Business Offense, Section 5-1-2. (730 ILCS~~
 17 ~~5/5-1-2),~~

18 ~~(ii) Charge, Section 5-1-3. (730 ILCS~~
 19 ~~5/5-1-3),~~

20 ~~(iii) Court, Section 5-1-6. (730 ILCS~~
 21 ~~5/5-1-6),~~

22 ~~(iv) Defendant, Section 5-1-7. (730 ILCS~~
 23 ~~5/5-1-7),~~

- 1 ~~(v) Felony, Section 5-1-9. ~~(730 ILCS 5/5-1-9),~~~~
2 ~~(vi) Imprisonment, Section 5-1-10. ~~(730 ILCS~~
3 ~~5/5-1-10),~~
4 ~~(vii) Judgment, Section 5-1-12. ~~(730 ILCS~~
5 ~~5/5-1-12),~~
6 ~~(viii) Misdemeanor, Section 5-1-14. ~~(730 ILCS~~
7 ~~5/5-1-14),~~
8 ~~(ix) Offense, Section 5-1-15. ~~(730 ILCS~~
9 ~~5/5-1-15),~~
10 ~~(x) Parole, Section 5-1-16. ~~(730 ILCS~~
11 ~~5/5-1-16),~~
12 ~~(xi) Petty Offense, Section 5-1-17. ~~(730 ILCS~~
13 ~~5/5-1-17),~~
14 ~~(xii) Probation, Section 5-1-18. ~~(730 ILCS~~
15 ~~5/5-1-18),~~
16 ~~(xiii) Sentence, Section 5-1-19. ~~(730 ILCS~~
17 ~~5/5-1-19),~~
18 ~~(xiv) Supervision, Section 5-1-21. ~~(730 ILCS~~
19 ~~5/5-1-21), and~~
20 ~~(xv) Victim, Section 5-1-22. ~~(730 ILCS~~
21 ~~5/5-1-22).~~~~~~~~~~~~~~~~~~~~~~

22 (B) As used in this Section, "charge not initiated
23 by arrest" means a charge (as defined by Section 5-1-3
24 of the Unified Code of Corrections ~~730 ILCS 5/5-1-3)~~
25 brought against a defendant where the defendant is not
26 arrested prior to or as a direct result of the charge.

1 (C) "Conviction" means a judgment of conviction or
2 sentence entered upon a plea of guilty or upon a
3 verdict or finding of guilty of an offense, rendered
4 by a legally constituted jury or by a court of
5 competent jurisdiction authorized to try the case
6 without a jury. An order of supervision successfully
7 completed by the petitioner is not a conviction. An
8 order of qualified probation (as defined in subsection
9 (a)(1)(J)) successfully completed by the petitioner is
10 not a conviction. An order of supervision or an order
11 of qualified probation that is terminated
12 unsatisfactorily is a conviction, unless the
13 unsatisfactory termination is reversed, vacated, or
14 modified and the judgment of conviction, if any, is
15 reversed or vacated.

16 (D) "Criminal offense" means a petty offense,
17 business offense, misdemeanor, felony, or municipal
18 ordinance violation (as defined in subsection
19 (a)(1)(H)). As used in this Section, a minor traffic
20 offense (as defined in subsection (a)(1)(G)) shall not
21 be considered a criminal offense.

22 (E) "Expunge" means to physically destroy the
23 records or return them to the petitioner and to
24 obliterate the petitioner's name from any official
25 index or public record, or both. Nothing in this Act
26 shall require the physical destruction of the circuit

1 court file, but such records relating to arrests or
2 charges, or both, ordered expunged shall be impounded
3 as required by subsections (d)(9)(A)(ii) and
4 (d)(9)(B)(ii).

5 (F) As used in this Section, "last sentence" means
6 the sentence, order of supervision, or order of
7 qualified probation (as defined by subsection
8 (a)(1)(J)), for a criminal offense (as defined by
9 subsection (a)(1)(D)) that terminates last in time in
10 any jurisdiction, regardless of whether the petitioner
11 has included the criminal offense for which the
12 sentence or order of supervision or qualified
13 probation was imposed in his or her petition. If
14 multiple sentences, orders of supervision, or orders
15 of qualified probation terminate on the same day and
16 are last in time, they shall be collectively
17 considered the "last sentence" regardless of whether
18 they were ordered to run concurrently.

19 (G) "Minor traffic offense" means a petty offense,
20 business offense, or Class C misdemeanor under the
21 Illinois Vehicle Code or a similar provision of a
22 municipal or local ordinance.

23 (G-5) "Minor Cannabis Offense" means a violation
24 of Section 4 or 5 of the Cannabis Control Act
25 concerning not more than 30 grams of any substance
26 containing cannabis, provided the violation did not

1 include a penalty enhancement under Section 7 of the
2 Cannabis Control Act and is not associated with an
3 arrest, conviction or other disposition for a violent
4 crime as defined in subsection (c) of Section 3 of the
5 Rights of Crime Victims and Witnesses Act.

6 (H) "Municipal ordinance violation" means an
7 offense defined by a municipal or local ordinance that
8 is criminal in nature and with which the petitioner
9 was charged or for which the petitioner was arrested
10 and released without charging.

11 (I) "Petitioner" means an adult or a minor
12 prosecuted as an adult who has applied for relief
13 under this Section.

14 (J) "Qualified probation" means an order of
15 probation under Section 10 of the Cannabis Control
16 Act, Section 410 of the Illinois Controlled Substances
17 Act, Section 70 of the Methamphetamine Control and
18 Community Protection Act, Section 5-6-3.3 or 5-6-3.4
19 of the Unified Code of Corrections, Section
20 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as
21 those provisions existed before their deletion by
22 Public Act 89-313), Section 10-102 of the Illinois
23 Alcoholism and Other Drug Dependency Act, Section
24 40-10 of the Substance Use Disorder Act, or Section 10
25 of the Steroid Control Act. For the purpose of this
26 Section, "successful completion" of an order of

1 qualified probation under Section 10-102 of the
2 Illinois Alcoholism and Other Drug Dependency Act and
3 Section 40-10 of the Substance Use Disorder Act means
4 that the probation was terminated satisfactorily and
5 the judgment of conviction was vacated.

6 (K) "Seal" means to physically and electronically
7 maintain the records, unless the records would
8 otherwise be destroyed due to age, but to make the
9 records unavailable without a court order, subject to
10 the exceptions in Sections 12 and 13 of this Act. The
11 petitioner's name shall also be obliterated from the
12 official index required to be kept by the circuit
13 court clerk under Section 16 of the Clerks of Courts
14 Act, but any index issued by the circuit court clerk
15 before the entry of the order to seal shall not be
16 affected.

17 (L) "Sexual offense committed against a minor"
18 includes, but is not limited to, the offenses of
19 indecent solicitation of a child or criminal sexual
20 abuse when the victim of such offense is under 18 years
21 of age.

22 (M) "Terminate" as it relates to a sentence or
23 order of supervision or qualified probation includes
24 either satisfactory or unsatisfactory termination of
25 the sentence, unless otherwise specified in this
26 Section. A sentence is terminated notwithstanding any

1 outstanding financial legal obligation.

2 (2) Minor Traffic Offenses. Orders of supervision or
3 convictions for minor traffic offenses shall not affect a
4 petitioner's eligibility to expunge or seal records
5 pursuant to this Section.

6 (2.5) Commencing 180 days after July 29, 2016 (the
7 effective date of Public Act 99-697), the law enforcement
8 agency issuing the citation shall automatically expunge,
9 on or before January 1 and July 1 of each year, the law
10 enforcement records of a person found to have committed a
11 civil law violation of subsection (a) of Section 4 of the
12 Cannabis Control Act or subsection (c) of Section 3.5 of
13 the Drug Paraphernalia Control Act in the law enforcement
14 agency's possession or control and which contains the
15 final satisfactory disposition which pertain to the person
16 issued a citation for that offense. The law enforcement
17 agency shall provide by rule the process for access,
18 review, and to confirm the automatic expungement by the
19 law enforcement agency issuing the citation. Commencing
20 180 days after July 29, 2016 (the effective date of Public
21 Act 99-697), the clerk of the circuit court shall expunge,
22 upon order of the court, or in the absence of a court order
23 on or before January 1 and July 1 of each year, the court
24 records of a person found in the circuit court to have
25 committed a civil law violation of subsection (a) of
26 Section 4 of the Cannabis Control Act or subsection (c) of

1 Section 3.5 of the Drug Paraphernalia Control Act in the
2 clerk's possession or control and which contains the final
3 satisfactory disposition which pertain to the person
4 issued a citation for any of those offenses.

5 (2.6) Commencing 180 days after the effective date of
6 this amendatory Act of the 102nd General Assembly, the
7 Illinois State Police and all law enforcement agencies
8 within this State shall automatically expunge all criminal
9 history records of an arrest, charge not initiated by
10 arrest, or order of supervision of a person whose law
11 enforcement and court records were not automatically
12 expunged under paragraph (2.5) for a conviction of
13 subsection (c) of Section 3.5 of the Drug Paraphernalia
14 Control Act, prior to its repeal by Public Act 101-593,
15 for knowingly possessing an item of drug paraphernalia
16 with the intent to use it in ingesting, inhaling, or
17 otherwise introducing cannabis into the human body, or in
18 preparing cannabis for that use, or whose records were
19 ineligible for an automatic expungement under paragraph
20 (2.5), regardless of the amount of cannabis that the
21 person possessed at the time of the person's arrest or
22 prosecution on the charge. Commencing 180 days after the
23 effective date of this amendatory Act of the 102nd General
24 Assembly, the circuit court shall automatically expunge
25 the court records of persons described in this paragraph
26 (2.6).

1 (2.7) Commencing 180 days after the effective date of
2 this amendatory Act of the 102nd General Assembly, if the
3 corporate authorities of a municipality have enacted a
4 penal ordinance under Section 1-2-1.1 of the Illinois
5 Municipal Code similar to Section 4 or 5 of the Cannabis
6 Control Act prohibiting the possession, manufacture, or
7 delivery of cannabis that is a minor cannabis offense or
8 has enacted an ordinance similar to subsection (c) of
9 Section 3.5 of the Drug Paraphernalia Control Act
10 prohibiting the possession of drug paraphernalia described
11 in paragraph (2.6), the municipal attorney or prosecuting
12 attorney for the municipality shall submit the identifying
13 information of persons arrested, charged, convicted, or
14 placed on supervision for those municipal ordinance
15 violations to the law enforcement agency of the
16 municipality that prosecuted persons for those offenses
17 and to the clerk of the circuit court of the county where
18 the prosecutions occurred. The law enforcement agency of
19 the municipality shall automatically expunge those law
20 enforcement records and the clerk of the circuit court
21 shall expunge the court records of those persons.

22 (3) Exclusions. Except as otherwise provided in
23 subsections (b) (5), (b) (6), (b) (8), (e), (e-5), and (e-6)
24 of this Section, the court shall not order:

25 (A) the sealing or expungement of the records of
26 arrests or charges not initiated by arrest that result

1 in an order of supervision for or conviction of: (i)
2 any sexual offense committed against a minor; (ii)
3 Section 11-501 of the Illinois Vehicle Code or a
4 similar provision of a local ordinance; or (iii)
5 Section 11-503 of the Illinois Vehicle Code or a
6 similar provision of a local ordinance, unless the
7 arrest or charge is for a misdemeanor violation of
8 subsection (a) of Section 11-503 or a similar
9 provision of a local ordinance, that occurred prior to
10 the offender reaching the age of 25 years and the
11 offender has no other conviction for violating Section
12 11-501 or 11-503 of the Illinois Vehicle Code or a
13 similar provision of a local ordinance.

14 (B) the sealing or expungement of records of minor
15 traffic offenses (as defined in subsection (a)(1)(G)),
16 unless the petitioner was arrested and released
17 without charging.

18 (C) the sealing of the records of arrests or
19 charges not initiated by arrest which result in an
20 order of supervision or a conviction for the following
21 offenses:

22 (i) offenses included in Article 11 of the
23 Criminal Code of 1961 or the Criminal Code of 2012
24 or a similar provision of a local ordinance,
25 except Section 11-14 and a misdemeanor violation
26 of Section 11-30 of the Criminal Code of 1961 or

1 the Criminal Code of 2012, or a similar provision
2 of a local ordinance;

3 (ii) Section 11-1.50, 12-3.4, 12-15, 12-30,
4 26-5, or 48-1 of the Criminal Code of 1961 or the
5 Criminal Code of 2012, or a similar provision of a
6 local ordinance;

7 (iii) Sections 12-3.1 or 12-3.2 of the
8 Criminal Code of 1961 or the Criminal Code of
9 2012, or Section 125 of the Stalking No Contact
10 Order Act, or Section 219 of the Civil No Contact
11 Order Act, or a similar provision of a local
12 ordinance;

13 (iv) Class A misdemeanors or felony offenses
14 under the Humane Care for Animals Act; or

15 (v) any offense or attempted offense that
16 would subject a person to registration under the
17 Sex Offender Registration Act.

18 (D) (blank).

19 (b) Expungement.

20 (1) A petitioner may petition the circuit court to
21 expunge the records of his or her arrests and charges not
22 initiated by arrest when each arrest or charge not
23 initiated by arrest sought to be expunged resulted in: (i)
24 acquittal, dismissal, or the petitioner's release without
25 charging, unless excluded by subsection (a) (3) (B); (ii) a
26 conviction which was vacated or reversed, unless excluded

1 by subsection (a)(3)(B); (iii) an order of supervision and
2 such supervision was successfully completed by the
3 petitioner, unless excluded by subsection (a)(3)(A) or
4 (a)(3)(B); or (iv) an order of qualified probation (as
5 defined in subsection (a)(1)(J)) and such probation was
6 successfully completed by the petitioner.

7 (1.5) When a petitioner seeks to have a record of
8 arrest expunged under this Section, and the offender has
9 been convicted of a criminal offense, the State's Attorney
10 may object to the expungement on the grounds that the
11 records contain specific relevant information aside from
12 the mere fact of the arrest.

13 (2) Time frame for filing a petition to expunge.

14 (A) When the arrest or charge not initiated by
15 arrest sought to be expunged resulted in an acquittal,
16 dismissal, the petitioner's release without charging,
17 or the reversal or vacation of a conviction, there is
18 no waiting period to petition for the expungement of
19 such records.

20 (B) When the arrest or charge not initiated by
21 arrest sought to be expunged resulted in an order of
22 supervision, successfully completed by the petitioner,
23 the following time frames will apply:

24 (i) Those arrests or charges that resulted in
25 orders of supervision under Section 3-707, 3-708,
26 3-710, or 5-401.3 of the Illinois Vehicle Code or

1 a similar provision of a local ordinance, or under
2 Section 11-1.50, 12-3.2, or 12-15 of the Criminal
3 Code of 1961 or the Criminal Code of 2012, or a
4 similar provision of a local ordinance, shall not
5 be eligible for expungement until 5 years have
6 passed following the satisfactory termination of
7 the supervision.

8 (i-5) Those arrests or charges that resulted
9 in orders of supervision for a misdemeanor
10 violation of subsection (a) of Section 11-503 of
11 the Illinois Vehicle Code or a similar provision
12 of a local ordinance, that occurred prior to the
13 offender reaching the age of 25 years and the
14 offender has no other conviction for violating
15 Section 11-501 or 11-503 of the Illinois Vehicle
16 Code or a similar provision of a local ordinance
17 shall not be eligible for expungement until the
18 petitioner has reached the age of 25 years.

19 (ii) Those arrests or charges that resulted in
20 orders of supervision for any other offenses shall
21 not be eligible for expungement until 2 years have
22 passed following the satisfactory termination of
23 the supervision.

24 (C) When the arrest or charge not initiated by
25 arrest sought to be expunged resulted in an order of
26 qualified probation, successfully completed by the

1 petitioner, such records shall not be eligible for
2 expungement until 5 years have passed following the
3 satisfactory termination of the probation.

4 (3) Those records maintained by the Illinois State
5 Police Department for persons arrested prior to their 17th
6 birthday shall be expunged as provided in Section 5-915 of
7 the Juvenile Court Act of 1987.

8 (4) Whenever a person has been arrested for or
9 convicted of any offense, in the name of a person whose
10 identity he or she has stolen or otherwise come into
11 possession of, the aggrieved person from whom the identity
12 was stolen or otherwise obtained without authorization,
13 upon learning of the person having been arrested using his
14 or her identity, may, upon verified petition to the chief
15 judge of the circuit wherein the arrest was made, have a
16 court order entered nunc pro tunc by the Chief Judge to
17 correct the arrest record, conviction record, if any, and
18 all official records of the arresting authority, the
19 Illinois State Police Department, other criminal justice
20 agencies, the prosecutor, and the trial court concerning
21 such arrest, if any, by removing his or her name from all
22 such records in connection with the arrest and conviction,
23 if any, and by inserting in the records the name of the
24 offender, if known or ascertainable, in lieu of the
25 aggrieved's name. The records of the circuit court clerk
26 shall be sealed until further order of the court upon good

1 cause shown and the name of the aggrieved person
2 obliterated on the official index required to be kept by
3 the circuit court clerk under Section 16 of the Clerks of
4 Courts Act, but the order shall not affect any index
5 issued by the circuit court clerk before the entry of the
6 order. Nothing in this Section shall limit the Illinois
7 ~~Department of~~ State Police or other criminal justice
8 agencies or prosecutors from listing under an offender's
9 name the false names he or she has used.

10 (5) Whenever a person has been convicted of criminal
11 sexual assault, aggravated criminal sexual assault,
12 predatory criminal sexual assault of a child, criminal
13 sexual abuse, or aggravated criminal sexual abuse, the
14 victim of that offense may request that the State's
15 Attorney of the county in which the conviction occurred
16 file a verified petition with the presiding trial judge at
17 the petitioner's trial to have a court order entered to
18 seal the records of the circuit court clerk in connection
19 with the proceedings of the trial court concerning that
20 offense. However, the records of the arresting authority
21 and the Illinois ~~Department of~~ State Police concerning the
22 offense shall not be sealed. The court, upon good cause
23 shown, shall make the records of the circuit court clerk
24 in connection with the proceedings of the trial court
25 concerning the offense available for public inspection.

26 (6) If a conviction has been set aside on direct

1 review or on collateral attack and the court determines by
2 clear and convincing evidence that the petitioner was
3 factually innocent of the charge, the court that finds the
4 petitioner factually innocent of the charge shall enter an
5 expungement order for the conviction for which the
6 petitioner has been determined to be innocent as provided
7 in subsection (b) of Section 5-5-4 of the Unified Code of
8 Corrections.

9 (7) Nothing in this Section shall prevent the Illinois
10 ~~Department of State Police~~ from maintaining all records of
11 any person who is admitted to probation upon terms and
12 conditions and who fulfills those terms and conditions
13 pursuant to Section 10 of the Cannabis Control Act,
14 Section 410 of the Illinois Controlled Substances Act,
15 Section 70 of the Methamphetamine Control and Community
16 Protection Act, Section 5-6-3.3 or 5-6-3.4 of the Unified
17 Code of Corrections, Section 12-4.3 or subdivision (b)(1)
18 of Section 12-3.05 of the Criminal Code of 1961 or the
19 Criminal Code of 2012, Section 10-102 of the Illinois
20 Alcoholism and Other Drug Dependency Act, Section 40-10 of
21 the Substance Use Disorder Act, or Section 10 of the
22 Steroid Control Act.

23 (8) If the petitioner has been granted a certificate
24 of innocence under Section 2-702 of the Code of Civil
25 Procedure, the court that grants the certificate of
26 innocence shall also enter an order expunging the

1 conviction for which the petitioner has been determined to
2 be innocent as provided in subsection (h) of Section 2-702
3 of the Code of Civil Procedure.

4 (c) Sealing.

5 (1) Applicability. Notwithstanding any other provision
6 of this Act to the contrary, and cumulative with any
7 rights to expungement of criminal records, this subsection
8 authorizes the sealing of criminal records of adults and
9 of minors prosecuted as adults. Subsection (g) of this
10 Section provides for immediate sealing of certain records.

11 (2) Eligible Records. The following records may be
12 sealed:

13 (A) All arrests resulting in release without
14 charging;

15 (B) Arrests or charges not initiated by arrest
16 resulting in acquittal, dismissal, or conviction when
17 the conviction was reversed or vacated, except as
18 excluded by subsection (a) (3) (B);

19 (C) Arrests or charges not initiated by arrest
20 resulting in orders of supervision, including orders
21 of supervision for municipal ordinance violations,
22 successfully completed by the petitioner, unless
23 excluded by subsection (a) (3);

24 (D) Arrests or charges not initiated by arrest
25 resulting in convictions, including convictions on
26 municipal ordinance violations, unless excluded by

1 subsection (a) (3);

2 (E) Arrests or charges not initiated by arrest
3 resulting in orders of first offender probation under
4 Section 10 of the Cannabis Control Act, Section 410 of
5 the Illinois Controlled Substances Act, Section 70 of
6 the Methamphetamine Control and Community Protection
7 Act, or Section 5-6-3.3 of the Unified Code of
8 Corrections; and

9 (F) Arrests or charges not initiated by arrest
10 resulting in felony convictions unless otherwise
11 excluded by subsection (a) paragraph (3) of this
12 Section.

13 (3) When Records Are Eligible to Be Sealed. Records
14 identified as eligible under subsection (c) (2) may be
15 sealed as follows:

16 (A) Records identified as eligible under
17 subsection (c) (2) (A) and (c) (2) (B) may be sealed at
18 any time.

19 (B) Except as otherwise provided in subparagraph
20 (E) of this paragraph (3), records identified as
21 eligible under subsection (c) (2) (C) may be sealed 2
22 years after the termination of petitioner's last
23 sentence (as defined in subsection (a) (1) (F)).

24 (C) Except as otherwise provided in subparagraph
25 (E) of this paragraph (3), records identified as
26 eligible under subsections (c) (2) (D), (c) (2) (E), and

1 (c) (2) (F) may be sealed 3 years after the termination
2 of the petitioner's last sentence (as defined in
3 subsection (a) (1) (F)). Convictions requiring public
4 registration under the Arsonist Registration Act, the
5 Sex Offender Registration Act, or the Murderer and
6 Violent Offender Against Youth Registration Act may
7 not be sealed until the petitioner is no longer
8 required to register under that relevant Act.

9 (D) Records identified in subsection
10 (a) (3) (A) (iii) may be sealed after the petitioner has
11 reached the age of 25 years.

12 (E) Records identified as eligible under
13 subsections (c) (2) (C), (c) (2) (D), (c) (2) (E), or
14 (c) (2) (F) may be sealed upon termination of the
15 petitioner's last sentence if the petitioner earned a
16 high school diploma, associate's degree, career
17 certificate, vocational technical certification, or
18 bachelor's degree, or passed the high school level
19 Test of General Educational Development, during the
20 period of his or her sentence or mandatory supervised
21 release. This subparagraph shall apply only to a
22 petitioner who has not completed the same educational
23 goal prior to the period of his or her sentence or
24 mandatory supervised release. If a petition for
25 sealing eligible records filed under this subparagraph
26 is denied by the court, the time periods under

1 subparagraph (B) or (C) shall apply to any subsequent
2 petition for sealing filed by the petitioner.

3 (4) Subsequent felony convictions. A person may not
4 have subsequent felony conviction records sealed as
5 provided in this subsection (c) if he or she is convicted
6 of any felony offense after the date of the sealing of
7 prior felony convictions as provided in this subsection
8 (c). The court may, upon conviction for a subsequent
9 felony offense, order the unsealing of prior felony
10 conviction records previously ordered sealed by the court.

11 (5) Notice of eligibility for sealing. Upon entry of a
12 disposition for an eligible record under this subsection
13 (c), the petitioner shall be informed by the court of the
14 right to have the records sealed and the procedures for
15 the sealing of the records.

16 (d) Procedure. The following procedures apply to
17 expungement under subsections (b), (e), and (e-6) and sealing
18 under subsections (c) and (e-5):

19 (1) Filing the petition. Upon becoming eligible to
20 petition for the expungement or sealing of records under
21 this Section, the petitioner shall file a petition
22 requesting the expungement or sealing of records with the
23 clerk of the court where the arrests occurred or the
24 charges were brought, or both. If arrests occurred or
25 charges were brought in multiple jurisdictions, a petition
26 must be filed in each such jurisdiction. The petitioner

1 shall pay the applicable fee, except no fee shall be
2 required if the petitioner has obtained a court order
3 waiving fees under Supreme Court Rule 298 or it is
4 otherwise waived.

5 (1.5) County fee waiver pilot program. From August 9,
6 2019 (the effective date of Public Act 101-306) through
7 December 31, 2020, in a county of 3,000,000 or more
8 inhabitants, no fee shall be required to be paid by a
9 petitioner if the records sought to be expunged or sealed
10 were arrests resulting in release without charging or
11 arrests or charges not initiated by arrest resulting in
12 acquittal, dismissal, or conviction when the conviction
13 was reversed or vacated, unless excluded by subsection
14 (a) (3) (B). The provisions of this paragraph (1.5), other
15 than this sentence, are inoperative on and after January
16 1, 2022.

17 (2) Contents of petition. The petition shall be
18 verified and shall contain the petitioner's name, date of
19 birth, current address and, for each arrest or charge not
20 initiated by arrest sought to be sealed or expunged, the
21 case number, the date of arrest (if any), the identity of
22 the arresting authority, and such other information as the
23 court may require. During the pendency of the proceeding,
24 the petitioner shall promptly notify the circuit court
25 clerk of any change of his or her address. If the
26 petitioner has received a certificate of eligibility for

1 sealing from the Prisoner Review Board under paragraph
2 (10) of subsection (a) of Section 3-3-2 of the Unified
3 Code of Corrections, the certificate shall be attached to
4 the petition.

5 (3) Drug test. The petitioner must attach to the
6 petition proof that the petitioner has passed a test taken
7 within 30 days before the filing of the petition showing
8 the absence within his or her body of all illegal
9 substances as defined by the Illinois Controlled
10 Substances Act, the Methamphetamine Control and Community
11 Protection Act, and the Cannabis Control Act if he or she
12 is petitioning to:

13 (A) seal felony records under clause (c) (2) (E);

14 (B) seal felony records for a violation of the
15 Illinois Controlled Substances Act, the
16 Methamphetamine Control and Community Protection Act,
17 or the Cannabis Control Act under clause (c) (2) (F);

18 (C) seal felony records under subsection (e-5); or

19 (D) expunge felony records of a qualified
20 probation under clause (b) (1) (iv).

21 (4) Service of petition. The circuit court clerk shall
22 promptly serve a copy of the petition and documentation to
23 support the petition under subsection (e-5) or (e-6) on
24 the State's Attorney or prosecutor charged with the duty
25 of prosecuting the offense, the Illinois ~~Department of~~
26 State Police, the arresting agency and the chief legal

1 officer of the unit of local government effecting the
2 arrest.

3 (5) Objections.

4 (A) Any party entitled to notice of the petition
5 may file an objection to the petition. All objections
6 shall be in writing, shall be filed with the circuit
7 court clerk, and shall state with specificity the
8 basis of the objection. Whenever a person who has been
9 convicted of an offense is granted a pardon by the
10 Governor which specifically authorizes expungement, an
11 objection to the petition may not be filed.

12 (B) Objections to a petition to expunge or seal
13 must be filed within 60 days of the date of service of
14 the petition.

15 (6) Entry of order.

16 (A) The Chief Judge of the circuit wherein the
17 charge was brought, any judge of that circuit
18 designated by the Chief Judge, or in counties of less
19 than 3,000,000 inhabitants, the presiding trial judge
20 at the petitioner's trial, if any, shall rule on the
21 petition to expunge or seal as set forth in this
22 subsection (d) (6).

23 (B) Unless the State's Attorney or prosecutor, the
24 Illinois Department ~~of~~ State Police, the arresting
25 agency, or the chief legal officer files an objection
26 to the petition to expunge or seal within 60 days from

1 the date of service of the petition, the court shall
2 enter an order granting or denying the petition.

3 (C) Notwithstanding any other provision of law,
4 the court shall not deny a petition for sealing under
5 this Section because the petitioner has not satisfied
6 an outstanding legal financial obligation established,
7 imposed, or originated by a court, law enforcement
8 agency, or a municipal, State, county, or other unit
9 of local government, including, but not limited to,
10 any cost, assessment, fine, or fee. An outstanding
11 legal financial obligation does not include any court
12 ordered restitution to a victim under Section 5-5-6 of
13 the Unified Code of Corrections, unless the
14 restitution has been converted to a civil judgment.
15 Nothing in this subparagraph (C) waives, rescinds, or
16 abrogates a legal financial obligation or otherwise
17 eliminates or affects the right of the holder of any
18 financial obligation to pursue collection under
19 applicable federal, State, or local law.

20 (7) Hearings. If an objection is filed, the court
21 shall set a date for a hearing and notify the petitioner
22 and all parties entitled to notice of the petition of the
23 hearing date at least 30 days prior to the hearing. Prior
24 to the hearing, the State's Attorney shall consult with
25 the Illinois State Police ~~Department~~ as to the
26 appropriateness of the relief sought in the petition to

1 expunge or seal. At the hearing, the court shall hear
2 evidence on whether the petition should or should not be
3 granted, and shall grant or deny the petition to expunge
4 or seal the records based on the evidence presented at the
5 hearing. The court may consider the following:

6 (A) the strength of the evidence supporting the
7 defendant's conviction;

8 (B) the reasons for retention of the conviction
9 records by the State;

10 (C) the petitioner's age, criminal record history,
11 and employment history;

12 (D) the period of time between the petitioner's
13 arrest on the charge resulting in the conviction and
14 the filing of the petition under this Section; and

15 (E) the specific adverse consequences the
16 petitioner may be subject to if the petition is
17 denied.

18 (8) Service of order. After entering an order to
19 expunge or seal records, the court must provide copies of
20 the order to the Illinois State Police Department, in a
21 form and manner prescribed by the Illinois State Police
22 ~~Department~~, to the petitioner, to the State's Attorney or
23 prosecutor charged with the duty of prosecuting the
24 offense, to the arresting agency, to the chief legal
25 officer of the unit of local government effecting the
26 arrest, and to such other criminal justice agencies as may

1 be ordered by the court.

2 (9) Implementation of order.

3 (A) Upon entry of an order to expunge records
4 pursuant to subsection (b) (2) (A) or (b) (2) (B) (ii), or
5 both:

6 (i) the records shall be expunged (as defined
7 in subsection (a) (1) (E)) by the arresting agency,
8 the Illinois State Police Department, and any
9 other agency as ordered by the court, within 60
10 days of the date of service of the order, unless a
11 motion to vacate, modify, or reconsider the order
12 is filed pursuant to paragraph (12) of subsection
13 (d) of this Section;

14 (ii) the records of the circuit court clerk
15 shall be impounded until further order of the
16 court upon good cause shown and the name of the
17 petitioner obliterated on the official index
18 required to be kept by the circuit court clerk
19 under Section 16 of the Clerks of Courts Act, but
20 the order shall not affect any index issued by the
21 circuit court clerk before the entry of the order;
22 and

23 (iii) in response to an inquiry for expunged
24 records, the court, the Illinois State Police
25 ~~Department~~, or the agency receiving such inquiry,
26 shall reply as it does in response to inquiries

1 when no records ever existed.

2 (B) Upon entry of an order to expunge records
3 pursuant to subsection (b) (2) (B) (i) or (b) (2) (C), or
4 both:

5 (i) the records shall be expunged (as defined
6 in subsection (a) (1) (E)) by the arresting agency
7 and any other agency as ordered by the court,
8 within 60 days of the date of service of the order,
9 unless a motion to vacate, modify, or reconsider
10 the order is filed pursuant to paragraph (12) of
11 subsection (d) of this Section;

12 (ii) the records of the circuit court clerk
13 shall be impounded until further order of the
14 court upon good cause shown and the name of the
15 petitioner obliterated on the official index
16 required to be kept by the circuit court clerk
17 under Section 16 of the Clerks of Courts Act, but
18 the order shall not affect any index issued by the
19 circuit court clerk before the entry of the order;

20 (iii) the records shall be impounded by the
21 Illinois State Police Department within 60 days of
22 the date of service of the order as ordered by the
23 court, unless a motion to vacate, modify, or
24 reconsider the order is filed pursuant to
25 paragraph (12) of subsection (d) of this Section;

26 (iv) records impounded by the Illinois State

1 Police Department may be disseminated by the
2 Illinois State Police Department only as required
3 by law or to the arresting authority, the State's
4 Attorney, and the court upon a later arrest for
5 the same or a similar offense or for the purpose of
6 sentencing for any subsequent felony, and to the
7 Department of Corrections upon conviction for any
8 offense; and

9 (v) in response to an inquiry for such records
10 from anyone not authorized by law to access such
11 records, the court, the Illinois State Police
12 ~~Department~~, or the agency receiving such inquiry
13 shall reply as it does in response to inquiries
14 when no records ever existed.

15 (B-5) Upon entry of an order to expunge records
16 under subsection (e-6):

17 (i) the records shall be expunged (as defined
18 in subsection (a)(1)(E)) by the arresting agency
19 and any other agency as ordered by the court,
20 within 60 days of the date of service of the order,
21 unless a motion to vacate, modify, or reconsider
22 the order is filed under paragraph (12) of
23 subsection (d) of this Section;

24 (ii) the records of the circuit court clerk
25 shall be impounded until further order of the
26 court upon good cause shown and the name of the

1 petitioner obliterated on the official index
2 required to be kept by the circuit court clerk
3 under Section 16 of the Clerks of Courts Act, but
4 the order shall not affect any index issued by the
5 circuit court clerk before the entry of the order;

6 (iii) the records shall be impounded by the
7 Illinois State Police Department within 60 days of
8 the date of service of the order as ordered by the
9 court, unless a motion to vacate, modify, or
10 reconsider the order is filed under paragraph (12)
11 of subsection (d) of this Section;

12 (iv) records impounded by the Illinois State
13 Police Department may be disseminated by the
14 Illinois State Police Department only as required
15 by law or to the arresting authority, the State's
16 Attorney, and the court upon a later arrest for
17 the same or a similar offense or for the purpose of
18 sentencing for any subsequent felony, and to the
19 Department of Corrections upon conviction for any
20 offense; and

21 (v) in response to an inquiry for these
22 records from anyone not authorized by law to
23 access the records, the court, the Illinois State
24 Police Department, or the agency receiving the
25 inquiry shall reply as it does in response to
26 inquiries when no records ever existed.

1 (C) Upon entry of an order to seal records under
2 subsection (c), the arresting agency, any other agency
3 as ordered by the court, the Illinois State Police
4 ~~Department~~, and the court shall seal the records (as
5 defined in subsection (a)(1)(K)). In response to an
6 inquiry for such records, from anyone not authorized
7 by law to access such records, the court, the Illinois
8 State Police ~~Department~~, or the agency receiving such
9 inquiry shall reply as it does in response to
10 inquiries when no records ever existed.

11 (D) The Illinois State Police ~~Department~~ shall
12 send written notice to the petitioner of its
13 compliance with each order to expunge or seal records
14 within 60 days of the date of service of that order or,
15 if a motion to vacate, modify, or reconsider is filed,
16 within 60 days of service of the order resolving the
17 motion, if that order requires the Illinois State
18 Police ~~Department~~ to expunge or seal records. In the
19 event of an appeal from the circuit court order, the
20 Illinois State Police ~~Department~~ shall send written
21 notice to the petitioner of its compliance with an
22 Appellate Court or Supreme Court judgment to expunge
23 or seal records within 60 days of the issuance of the
24 court's mandate. The notice is not required while any
25 motion to vacate, modify, or reconsider, or any appeal
26 or petition for discretionary appellate review, is

1 pending.

2 (E) Upon motion, the court may order that a sealed
3 judgment or other court record necessary to
4 demonstrate the amount of any legal financial
5 obligation due and owing be made available for the
6 limited purpose of collecting any legal financial
7 obligations owed by the petitioner that were
8 established, imposed, or originated in the criminal
9 proceeding for which those records have been sealed.
10 The records made available under this subparagraph (E)
11 shall not be entered into the official index required
12 to be kept by the circuit court clerk under Section 16
13 of the Clerks of Courts Act and shall be immediately
14 re-impounded upon the collection of the outstanding
15 financial obligations.

16 (F) Notwithstanding any other provision of this
17 Section, a circuit court clerk may access a sealed
18 record for the limited purpose of collecting payment
19 for any legal financial obligations that were
20 established, imposed, or originated in the criminal
21 proceedings for which those records have been sealed.

22 (10) Fees. The Illinois State Police ~~Department~~ may
23 charge the petitioner a fee equivalent to the cost of
24 processing any order to expunge or seal records.
25 Notwithstanding any provision of the Clerks of Courts Act
26 to the contrary, the circuit court clerk may charge a fee

1 equivalent to the cost associated with the sealing or
2 expungement of records by the circuit court clerk. From
3 the total filing fee collected for the petition to seal or
4 expunge, the circuit court clerk shall deposit \$10 into
5 the Circuit Court Clerk Operation and Administrative Fund,
6 to be used to offset the costs incurred by the circuit
7 court clerk in performing the additional duties required
8 to serve the petition to seal or expunge on all parties.
9 The circuit court clerk shall collect and remit the
10 Illinois ~~Department of~~ State Police portion of the fee to
11 the State Treasurer and it shall be deposited in the State
12 Police Services Fund. If the record brought under an
13 expungement petition was previously sealed under this
14 Section, the fee for the expungement petition for that
15 same record shall be waived.

16 (11) Final Order. No court order issued under the
17 expungement or sealing provisions of this Section shall
18 become final for purposes of appeal until 30 days after
19 service of the order on the petitioner and all parties
20 entitled to notice of the petition.

21 (12) Motion to Vacate, Modify, or Reconsider. Under
22 Section 2-1203 of the Code of Civil Procedure, the
23 petitioner or any party entitled to notice may file a
24 motion to vacate, modify, or reconsider the order granting
25 or denying the petition to expunge or seal within 60 days
26 of service of the order. If filed more than 60 days after

1 service of the order, a petition to vacate, modify, or
2 reconsider shall comply with subsection (c) of Section
3 2-1401 of the Code of Civil Procedure. Upon filing of a
4 motion to vacate, modify, or reconsider, notice of the
5 motion shall be served upon the petitioner and all parties
6 entitled to notice of the petition.

7 (13) Effect of Order. An order granting a petition
8 under the expungement or sealing provisions of this
9 Section shall not be considered void because it fails to
10 comply with the provisions of this Section or because of
11 any error asserted in a motion to vacate, modify, or
12 reconsider. The circuit court retains jurisdiction to
13 determine whether the order is voidable and to vacate,
14 modify, or reconsider its terms based on a motion filed
15 under paragraph (12) of this subsection (d).

16 (14) Compliance with Order Granting Petition to Seal
17 Records. Unless a court has entered a stay of an order
18 granting a petition to seal, all parties entitled to
19 notice of the petition must fully comply with the terms of
20 the order within 60 days of service of the order even if a
21 party is seeking relief from the order through a motion
22 filed under paragraph (12) of this subsection (d) or is
23 appealing the order.

24 (15) Compliance with Order Granting Petition to
25 Expunge Records. While a party is seeking relief from the
26 order granting the petition to expunge through a motion

1 filed under paragraph (12) of this subsection (d) or is
2 appealing the order, and unless a court has entered a stay
3 of that order, the parties entitled to notice of the
4 petition must seal, but need not expunge, the records
5 until there is a final order on the motion for relief or,
6 in the case of an appeal, the issuance of that court's
7 mandate.

8 (16) The changes to this subsection (d) made by Public
9 Act 98-163 apply to all petitions pending on August 5,
10 2013 (the effective date of Public Act 98-163) and to all
11 orders ruling on a petition to expunge or seal on or after
12 August 5, 2013 (the effective date of Public Act 98-163).

13 (e) Whenever a person who has been convicted of an offense
14 is granted a pardon by the Governor which specifically
15 authorizes expungement, he or she may, upon verified petition
16 to the Chief Judge of the circuit where the person had been
17 convicted, any judge of the circuit designated by the Chief
18 Judge, or in counties of less than 3,000,000 inhabitants, the
19 presiding trial judge at the defendant's trial, have a court
20 order entered expunging the record of arrest from the official
21 records of the arresting authority and order that the records
22 of the circuit court clerk and the Illinois State Police
23 ~~Department~~ be sealed until further order of the court upon
24 good cause shown or as otherwise provided herein, and the name
25 of the defendant obliterated from the official index requested
26 to be kept by the circuit court clerk under Section 16 of the

1 Clerks of Courts Act in connection with the arrest and
2 conviction for the offense for which he or she had been
3 pardoned but the order shall not affect any index issued by the
4 circuit court clerk before the entry of the order. All records
5 sealed by the Illinois State Police ~~Department~~ may be
6 disseminated by the Illinois State Police ~~Department~~ only to
7 the arresting authority, the State's Attorney, and the court
8 upon a later arrest for the same or similar offense or for the
9 purpose of sentencing for any subsequent felony. Upon
10 conviction for any subsequent offense, the Department of
11 Corrections shall have access to all sealed records of the
12 Illinois State Police ~~Department~~ pertaining to that
13 individual. Upon entry of the order of expungement, the
14 circuit court clerk shall promptly mail a copy of the order to
15 the person who was pardoned.

16 (e-5) Whenever a person who has been convicted of an
17 offense is granted a certificate of eligibility for sealing by
18 the Prisoner Review Board which specifically authorizes
19 sealing, he or she may, upon verified petition to the Chief
20 Judge of the circuit where the person had been convicted, any
21 judge of the circuit designated by the Chief Judge, or in
22 counties of less than 3,000,000 inhabitants, the presiding
23 trial judge at the petitioner's trial, have a court order
24 entered sealing the record of arrest from the official records
25 of the arresting authority and order that the records of the
26 circuit court clerk and the Illinois State Police ~~Department~~

1 be sealed until further order of the court upon good cause
2 shown or as otherwise provided herein, and the name of the
3 petitioner obliterated from the official index requested to be
4 kept by the circuit court clerk under Section 16 of the Clerks
5 of Courts Act in connection with the arrest and conviction for
6 the offense for which he or she had been granted the
7 certificate but the order shall not affect any index issued by
8 the circuit court clerk before the entry of the order. All
9 records sealed by the Illinois State Police ~~Department~~ may be
10 disseminated by the Illinois State Police ~~Department~~ only as
11 required by this Act or to the arresting authority, a law
12 enforcement agency, the State's Attorney, and the court upon a
13 later arrest for the same or similar offense or for the purpose
14 of sentencing for any subsequent felony. Upon conviction for
15 any subsequent offense, the Department of Corrections shall
16 have access to all sealed records of the Illinois State Police
17 ~~Department~~ pertaining to that individual. Upon entry of the
18 order of sealing, the circuit court clerk shall promptly mail
19 a copy of the order to the person who was granted the
20 certificate of eligibility for sealing.

21 (e-6) Whenever a person who has been convicted of an
22 offense is granted a certificate of eligibility for
23 expungement by the Prisoner Review Board which specifically
24 authorizes expungement, he or she may, upon verified petition
25 to the Chief Judge of the circuit where the person had been
26 convicted, any judge of the circuit designated by the Chief

1 Judge, or in counties of less than 3,000,000 inhabitants, the
2 presiding trial judge at the petitioner's trial, have a court
3 order entered expunging the record of arrest from the official
4 records of the arresting authority and order that the records
5 of the circuit court clerk and the Illinois State Police
6 ~~Department~~ be sealed until further order of the court upon
7 good cause shown or as otherwise provided herein, and the name
8 of the petitioner obliterated from the official index
9 requested to be kept by the circuit court clerk under Section
10 16 of the Clerks of Courts Act in connection with the arrest
11 and conviction for the offense for which he or she had been
12 granted the certificate but the order shall not affect any
13 index issued by the circuit court clerk before the entry of the
14 order. All records sealed by the Illinois State Police
15 ~~Department~~ may be disseminated by the Illinois State Police
16 ~~Department~~ only as required by this Act or to the arresting
17 authority, a law enforcement agency, the State's Attorney, and
18 the court upon a later arrest for the same or similar offense
19 or for the purpose of sentencing for any subsequent felony.
20 Upon conviction for any subsequent offense, the Department of
21 Corrections shall have access to all expunged records of the
22 Illinois State Police ~~Department~~ pertaining to that
23 individual. Upon entry of the order of expungement, the
24 circuit court clerk shall promptly mail a copy of the order to
25 the person who was granted the certificate of eligibility for
26 expungement.

1 (f) Subject to available funding, the Illinois Department
2 of Corrections shall conduct a study of the impact of sealing,
3 especially on employment and recidivism rates, utilizing a
4 random sample of those who apply for the sealing of their
5 criminal records under Public Act 93-211. At the request of
6 the Illinois Department of Corrections, records of the
7 Illinois Department of Employment Security shall be utilized
8 as appropriate to assist in the study. The study shall not
9 disclose any data in a manner that would allow the
10 identification of any particular individual or employing unit.
11 The study shall be made available to the General Assembly no
12 later than September 1, 2010.

13 (g) Immediate Sealing.

14 (1) Applicability. Notwithstanding any other provision
15 of this Act to the contrary, and cumulative with any
16 rights to expungement or sealing of criminal records, this
17 subsection authorizes the immediate sealing of criminal
18 records of adults and of minors prosecuted as adults.

19 (2) Eligible Records. Arrests or charges not initiated
20 by arrest resulting in acquittal or dismissal with
21 prejudice, except as excluded by subsection (a)(3)(B),
22 that occur on or after January 1, 2018 (the effective date
23 of Public Act 100-282), may be sealed immediately if the
24 petition is filed with the circuit court clerk on the same
25 day and during the same hearing in which the case is
26 disposed.

1 (3) When Records are Eligible to be Immediately
2 Sealed. Eligible records under paragraph (2) of this
3 subsection (g) may be sealed immediately after entry of
4 the final disposition of a case, notwithstanding the
5 disposition of other charges in the same case.

6 (4) Notice of Eligibility for Immediate Sealing. Upon
7 entry of a disposition for an eligible record under this
8 subsection (g), the defendant shall be informed by the
9 court of his or her right to have eligible records
10 immediately sealed and the procedure for the immediate
11 sealing of these records.

12 (5) Procedure. The following procedures apply to
13 immediate sealing under this subsection (g).

14 (A) Filing the Petition. Upon entry of the final
15 disposition of the case, the defendant's attorney may
16 immediately petition the court, on behalf of the
17 defendant, for immediate sealing of eligible records
18 under paragraph (2) of this subsection (g) that are
19 entered on or after January 1, 2018 (the effective
20 date of Public Act 100-282). The immediate sealing
21 petition may be filed with the circuit court clerk
22 during the hearing in which the final disposition of
23 the case is entered. If the defendant's attorney does
24 not file the petition for immediate sealing during the
25 hearing, the defendant may file a petition for sealing
26 at any time as authorized under subsection (c) (3) (A).

1 (B) Contents of Petition. The immediate sealing
2 petition shall be verified and shall contain the
3 petitioner's name, date of birth, current address, and
4 for each eligible record, the case number, the date of
5 arrest if applicable, the identity of the arresting
6 authority if applicable, and other information as the
7 court may require.

8 (C) Drug Test. The petitioner shall not be
9 required to attach proof that he or she has passed a
10 drug test.

11 (D) Service of Petition. A copy of the petition
12 shall be served on the State's Attorney in open court.
13 The petitioner shall not be required to serve a copy of
14 the petition on any other agency.

15 (E) Entry of Order. The presiding trial judge
16 shall enter an order granting or denying the petition
17 for immediate sealing during the hearing in which it
18 is filed. Petitions for immediate sealing shall be
19 ruled on in the same hearing in which the final
20 disposition of the case is entered.

21 (F) Hearings. The court shall hear the petition
22 for immediate sealing on the same day and during the
23 same hearing in which the disposition is rendered.

24 (G) Service of Order. An order to immediately seal
25 eligible records shall be served in conformance with
26 subsection (d) (8).

1 (H) Implementation of Order. An order to
2 immediately seal records shall be implemented in
3 conformance with subsections (d) (9) (C) and (d) (9) (D).

4 (I) Fees. The fee imposed by the circuit court
5 clerk and the Illinois ~~Department of~~ State Police
6 shall comply with paragraph (1) of subsection (d) of
7 this Section.

8 (J) Final Order. No court order issued under this
9 subsection (g) shall become final for purposes of
10 appeal until 30 days after service of the order on the
11 petitioner and all parties entitled to service of the
12 order in conformance with subsection (d) (8).

13 (K) Motion to Vacate, Modify, or Reconsider. Under
14 Section 2-1203 of the Code of Civil Procedure, the
15 petitioner, State's Attorney, or the Illinois
16 ~~Department of~~ State Police may file a motion to
17 vacate, modify, or reconsider the order denying the
18 petition to immediately seal within 60 days of service
19 of the order. If filed more than 60 days after service
20 of the order, a petition to vacate, modify, or
21 reconsider shall comply with subsection (c) of Section
22 2-1401 of the Code of Civil Procedure.

23 (L) Effect of Order. An order granting an
24 immediate sealing petition shall not be considered
25 void because it fails to comply with the provisions of
26 this Section or because of an error asserted in a

1 motion to vacate, modify, or reconsider. The circuit
2 court retains jurisdiction to determine whether the
3 order is voidable, and to vacate, modify, or
4 reconsider its terms based on a motion filed under
5 subparagraph (L) of this subsection (g).

6 (M) Compliance with Order Granting Petition to
7 Seal Records. Unless a court has entered a stay of an
8 order granting a petition to immediately seal, all
9 parties entitled to service of the order must fully
10 comply with the terms of the order within 60 days of
11 service of the order.

12 (h) Sealing; trafficking victims.

13 (1) A trafficking victim as defined by paragraph (10)
14 of subsection (a) of Section 10-9 of the Criminal Code of
15 2012 shall be eligible to petition for immediate sealing
16 of his or her criminal record upon the completion of his or
17 her last sentence if his or her participation in the
18 underlying offense was a direct result of human
19 trafficking under Section 10-9 of the Criminal Code of
20 2012 or a severe form of trafficking under the federal
21 Trafficking Victims Protection Act.

22 (2) A petitioner under this subsection (h), in
23 addition to the requirements provided under paragraph (4)
24 of subsection (d) of this Section, shall include in his or
25 her petition a clear and concise statement that: (A) he or
26 she was a victim of human trafficking at the time of the

1 offense; and (B) that his or her participation in the
2 offense was a direct result of human trafficking under
3 Section 10-9 of the Criminal Code of 2012 or a severe form
4 of trafficking under the federal Trafficking Victims
5 Protection Act.

6 (3) If an objection is filed alleging that the
7 petitioner is not entitled to immediate sealing under this
8 subsection (h), the court shall conduct a hearing under
9 paragraph (7) of subsection (d) of this Section and the
10 court shall determine whether the petitioner is entitled
11 to immediate sealing under this subsection (h). A
12 petitioner is eligible for immediate relief under this
13 subsection (h) if he or she shows, by a preponderance of
14 the evidence, that: (A) he or she was a victim of human
15 trafficking at the time of the offense; and (B) that his or
16 her participation in the offense was a direct result of
17 human trafficking under Section 10-9 of the Criminal Code
18 of 2012 or a severe form of trafficking under the federal
19 Trafficking Victims Protection Act.

20 (i) Minor Cannabis Offenses under the Cannabis Control
21 Act.

22 (1) Expungement of Arrest Records of Minor Cannabis
23 Offenses.

24 (A) The Illinois ~~Department of~~ State Police and
25 all law enforcement agencies within the State shall
26 automatically expunge all criminal history records of

1 an arrest, charge not initiated by arrest, order of
2 supervision, or order of qualified probation for a
3 Minor Cannabis Offense committed prior to June 25,
4 2019 (the effective date of Public Act 101-27) if:

5 (i) One year or more has elapsed since the
6 date of the arrest or law enforcement interaction
7 documented in the records; and

8 (ii) No criminal charges were filed relating
9 to the arrest or law enforcement interaction or
10 criminal charges were filed and subsequently
11 dismissed or vacated or the arrestee was
12 acquitted.

13 (B) If the law enforcement agency is unable to
14 verify satisfaction of condition (ii) in paragraph
15 (A), records that satisfy condition (i) in paragraph
16 (A) shall be automatically expunged.

17 (C) Records shall be expunged by the law
18 enforcement agency under the following timelines:

19 (i) Records created prior to June 25, 2019
20 (the effective date of Public Act 101-27), but on
21 or after January 1, 2013, shall be automatically
22 expunged prior to January 1, 2021;

23 (ii) Records created prior to January 1, 2013,
24 but on or after January 1, 2000, shall be
25 automatically expunged prior to January 1, 2023;

26 (iii) Records created prior to January 1, 2000

1 shall be automatically expunged prior to January
2 1, 2025.

3 In response to an inquiry for expunged records,
4 the law enforcement agency receiving such inquiry
5 shall reply as it does in response to inquiries when no
6 records ever existed; however, it shall provide a
7 certificate of disposition or confirmation that the
8 record was expunged to the individual whose record was
9 expunged if such a record exists.

10 (D) Nothing in this Section shall be construed to
11 restrict or modify an individual's right to have that
12 individual's records expunged except as otherwise may
13 be provided in this Act, or diminish or abrogate any
14 rights or remedies otherwise available to the
15 individual.

16 (2) Pardons Authorizing Expungement of Minor Cannabis
17 Offenses.

18 (A) Upon June 25, 2019 (the effective date of
19 Public Act 101-27), the Department of State Police
20 shall review all criminal history record information
21 and identify all records that meet all of the
22 following criteria:

23 (i) one or more convictions, satisfactory
24 terminations of supervision, or satisfactory
25 terminations of qualified probation for a Minor
26 Cannabis Offense;

1 (ii) the conviction, satisfactory termination
2 of supervision, or satisfactory termination of
3 qualified probation identified in paragraph
4 (2) (A) (i) did not include a penalty enhancement
5 under Section 7 of the Cannabis Control Act; and

6 (iii) the conviction, satisfactory termination
7 of supervision, or satisfactory termination of
8 qualified probation identified in paragraph
9 (2) (A) (i) is not associated with a conviction for
10 a violent crime as defined in subsection (c) of
11 Section 3 of the Rights of Crime Victims and
12 Witnesses Act.

13 (B) Within 180 days after June 25, 2019 (the
14 effective date of Public Act 101-27), the Department
15 of State Police shall notify the Prisoner Review Board
16 of all such records that meet the criteria established
17 in paragraph (2) (A).

18 (i) The Prisoner Review Board shall notify the
19 State's Attorney of the county of conviction of
20 each record identified by State Police in
21 paragraph (2) (A) that is classified as a Class 4
22 felony. The State's Attorney may provide a written
23 objection to the Prisoner Review Board on the sole
24 basis that the record identified does not meet the
25 criteria established in paragraph (2) (A). Such an
26 objection must be filed within 60 days or by such

1 later date set by the Prisoner Review Board in the
2 notice after the State's Attorney received notice
3 from the Prisoner Review Board.

4 (ii) In response to a written objection from a
5 State's Attorney, the Prisoner Review Board is
6 authorized to conduct a non-public hearing to
7 evaluate the information provided in the
8 objection.

9 (iii) The Prisoner Review Board shall make a
10 confidential and privileged recommendation to the
11 Governor as to whether to grant a pardon
12 authorizing expungement for each of the records
13 identified by the Department of State Police as
14 described in paragraph (2) (A).

15 (C) If an individual has been granted a pardon
16 authorizing expungement as described in this Section,
17 the Prisoner Review Board, through the Attorney
18 General, shall file a petition for expungement with
19 the Chief Judge of the circuit or any judge of the
20 circuit designated by the Chief Judge where the
21 individual had been convicted. Such petition may
22 include more than one individual. Whenever an
23 individual who has been convicted of an offense is
24 granted a pardon by the Governor that specifically
25 authorizes expungement, an objection to the petition
26 may not be filed. Petitions to expunge under this

1 subsection (i) may include more than one individual.
2 Within 90 days of the filing of such a petition, the
3 court shall enter an order expunging the records of
4 arrest from the official records of the arresting
5 authority and order that the records of the circuit
6 court clerk and the Illinois ~~Department of~~ State
7 Police be expunged and the name of the defendant
8 obliterated from the official index requested to be
9 kept by the circuit court clerk under Section 16 of the
10 Clerks of Courts Act in connection with the arrest and
11 conviction for the offense for which the individual
12 had received a pardon but the order shall not affect
13 any index issued by the circuit court clerk before the
14 entry of the order. Upon entry of the order of
15 expungement, the circuit court clerk shall promptly
16 provide a copy of the order and a certificate of
17 disposition to the individual who was pardoned to the
18 individual's last known address or by electronic means
19 (if available) or otherwise make it available to the
20 individual upon request.

21 (D) Nothing in this Section is intended to
22 diminish or abrogate any rights or remedies otherwise
23 available to the individual.

24 (3) Any individual may file a motion to vacate and
25 expunge a conviction for a misdemeanor or Class 4 felony
26 violation of Section 4 or Section 5 of the Cannabis

1 Control Act. Motions to vacate and expunge under this
2 subsection (i) may be filed with the circuit court, Chief
3 Judge of a judicial circuit or any judge of the circuit
4 designated by the Chief Judge. The circuit court clerk
5 shall promptly serve a copy of the motion to vacate and
6 expunge, and any supporting documentation, on the State's
7 Attorney or prosecutor charged with the duty of
8 prosecuting the offense. When considering such a motion to
9 vacate and expunge, a court shall consider the following:
10 the reasons to retain the records provided by law
11 enforcement, the petitioner's age, the petitioner's age at
12 the time of offense, the time since the conviction, and
13 the specific adverse consequences if denied. An individual
14 may file such a petition after the completion of any
15 non-financial sentence or non-financial condition imposed
16 by the conviction. Within 60 days of the filing of such
17 motion, a State's Attorney may file an objection to such a
18 petition along with supporting evidence. If a motion to
19 vacate and expunge is granted, the records shall be
20 expunged in accordance with subparagraphs (d)(8) and
21 (d)(9)(A) of this Section. An agency providing civil legal
22 aid, as defined by Section 15 of the Public Interest
23 Attorney Assistance Act, assisting individuals seeking to
24 file a motion to vacate and expunge under this subsection
25 may file motions to vacate and expunge with the Chief
26 Judge of a judicial circuit or any judge of the circuit

1 designated by the Chief Judge, and the motion may include
2 more than one individual. Motions filed by an agency
3 providing civil legal aid concerning more than one
4 individual may be prepared, presented, and signed
5 electronically.

6 (4) Any State's Attorney may file a motion to vacate
7 and expunge a conviction for a misdemeanor or Class 4
8 felony violation of Section 4 or Section 5 of the Cannabis
9 Control Act. Motions to vacate and expunge under this
10 subsection (i) may be filed with the circuit court, Chief
11 Judge of a judicial circuit or any judge of the circuit
12 designated by the Chief Judge, and may include more than
13 one individual. Motions filed by a State's Attorney
14 concerning more than one individual may be prepared,
15 presented, and signed electronically. When considering
16 such a motion to vacate and expunge, a court shall
17 consider the following: the reasons to retain the records
18 provided by law enforcement, the individual's age, the
19 individual's age at the time of offense, the time since
20 the conviction, and the specific adverse consequences if
21 denied. Upon entry of an order granting a motion to vacate
22 and expunge records pursuant to this Section, the State's
23 Attorney shall notify the Prisoner Review Board within 30
24 days. Upon entry of the order of expungement, the circuit
25 court clerk shall promptly provide a copy of the order and
26 a certificate of disposition to the individual whose

1 records will be expunged to the individual's last known
2 address or by electronic means (if available) or otherwise
3 make available to the individual upon request. If a motion
4 to vacate and expunge is granted, the records shall be
5 expunged in accordance with subparagraphs (d)(8) and
6 (d)(9)(A) of this Section.

7 (5) In the public interest, the State's Attorney of a
8 county has standing to file motions to vacate and expunge
9 pursuant to this Section in the circuit court with
10 jurisdiction over the underlying conviction.

11 (6) If a person is arrested for a Minor Cannabis
12 Offense as defined in this Section before June 25, 2019
13 (the effective date of Public Act 101-27) and the person's
14 case is still pending but a sentence has not been imposed,
15 the person may petition the court in which the charges are
16 pending for an order to summarily dismiss those charges
17 against him or her, and expunge all official records of
18 his or her arrest, plea, trial, conviction, incarceration,
19 supervision, or expungement. If the court determines, upon
20 review, that: (A) the person was arrested before June 25,
21 2019 (the effective date of Public Act 101-27) for an
22 offense that has been made eligible for expungement; (B)
23 the case is pending at the time; and (C) the person has not
24 been sentenced of the minor cannabis violation eligible
25 for expungement under this subsection, the court shall
26 consider the following: the reasons to retain the records

1 provided by law enforcement, the petitioner's age, the
2 petitioner's age at the time of offense, the time since
3 the conviction, and the specific adverse consequences if
4 denied. If a motion to dismiss and expunge is granted, the
5 records shall be expunged in accordance with subparagraph
6 (d) (9) (A) of this Section.

7 (7) A person imprisoned solely as a result of one or
8 more convictions for Minor Cannabis Offenses under this
9 subsection (i) shall be released from incarceration upon
10 the issuance of an order under this subsection.

11 (8) The Illinois ~~Department of~~ State Police shall
12 allow a person to use the access and review process,
13 established in the Illinois ~~Department of~~ State Police,
14 for verifying that his or her records relating to Minor
15 Cannabis Offenses of the Cannabis Control Act eligible
16 under this Section have been expunged.

17 (9) No conviction vacated pursuant to this Section
18 shall serve as the basis for damages for time unjustly
19 served as provided in the Court of Claims Act.

20 (10) Effect of Expungement. A person's right to
21 expunge an expungeable offense shall not be limited under
22 this Section. The effect of an order of expungement shall
23 be to restore the person to the status he or she occupied
24 before the arrest, charge, or conviction.

25 (11) Information. The Illinois ~~Department of~~ State
26 Police shall post general information on its website about

1 the expungement process described in this subsection (i).

2 (j) Felony Prostitution Convictions.

3 (1) Any individual may file a motion to vacate and
4 expunge a conviction for a prior Class 4 felony violation
5 of prostitution. Motions to vacate and expunge under this
6 subsection (j) may be filed with the circuit court, Chief
7 Judge of a judicial circuit, or any judge of the circuit
8 designated by the Chief Judge. When considering the motion
9 to vacate and expunge, a court shall consider the
10 following:

11 (A) the reasons to retain the records provided by
12 law enforcement;

13 (B) the petitioner's age;

14 (C) the petitioner's age at the time of offense;

15 and

16 (D) the time since the conviction, and the
17 specific adverse consequences if denied. An individual
18 may file the petition after the completion of any
19 sentence or condition imposed by the conviction.
20 Within 60 days of the filing of the motion, a State's
21 Attorney may file an objection to the petition along
22 with supporting evidence. If a motion to vacate and
23 expunge is granted, the records shall be expunged in
24 accordance with subparagraph (d)(9)(A) of this
25 Section. An agency providing civil legal aid, as
26 defined in Section 15 of the Public Interest Attorney

1 Assistance Act, assisting individuals seeking to file
2 a motion to vacate and expunge under this subsection
3 may file motions to vacate and expunge with the Chief
4 Judge of a judicial circuit or any judge of the circuit
5 designated by the Chief Judge, and the motion may
6 include more than one individual.

7 (2) Any State's Attorney may file a motion to vacate
8 and expunge a conviction for a Class 4 felony violation of
9 prostitution. Motions to vacate and expunge under this
10 subsection (j) may be filed with the circuit court, Chief
11 Judge of a judicial circuit, or any judge of the circuit
12 court designated by the Chief Judge, and may include more
13 than one individual. When considering the motion to vacate
14 and expunge, a court shall consider the following reasons:

15 (A) the reasons to retain the records provided by
16 law enforcement;

17 (B) the petitioner's age;

18 (C) the petitioner's age at the time of offense;

19 (D) the time since the conviction; and

20 (E) the specific adverse consequences if denied.

21 If the State's Attorney files a motion to vacate and
22 expunge records for felony prostitution convictions
23 pursuant to this Section, the State's Attorney shall
24 notify the Prisoner Review Board within 30 days of the
25 filing. If a motion to vacate and expunge is granted, the
26 records shall be expunged in accordance with subparagraph

1 (d) (9) (A) of this Section.

2 (3) In the public interest, the State's Attorney of a
3 county has standing to file motions to vacate and expunge
4 pursuant to this Section in the circuit court with
5 jurisdiction over the underlying conviction.

6 (4) The Illinois State Police shall allow a person to
7 a use the access and review process, established in the
8 Illinois State Police, for verifying that his or her
9 records relating to felony prostitution eligible under
10 this Section have been expunged.

11 (5) No conviction vacated pursuant to this Section
12 shall serve as the basis for damages for time unjustly
13 served as provided in the Court of Claims Act.

14 (6) Effect of Expungement. A person's right to expunge
15 an expungeable offense shall not be limited under this
16 Section. The effect of an order of expungement shall be to
17 restore the person to the status he or she occupied before
18 the arrest, charge, or conviction.

19 (7) Information. The Illinois State Police shall post
20 general information on its website about the expungement
21 process described in this subsection (j).

22 (Source: P.A. 101-27, eff. 6-25-19; 101-81, eff. 7-12-19;
23 101-159, eff. 1-1-20; 101-306, eff. 8-9-19; 101-593, eff.
24 12-4-19; 101-645, eff. 6-26-20; 102-145, eff. 7-23-21;
25 102-558, 8-20-21; 102-639, eff. 8-27-21; revised 10-5-21.)

1 Section 10. The State Finance Act is amended by changing
2 Section 6z-112 as follows:

3 (30 ILCS 105/6z-112)

4 Sec. 6z-112. The Cannabis Regulation Fund.

5 (a) There is created the Cannabis Regulation Fund in the
6 State treasury, subject to appropriations unless otherwise
7 provided in this Section. All moneys collected under the
8 Cannabis Regulation and Tax Act shall be deposited into the
9 Cannabis Regulation Fund, consisting of taxes, license fees,
10 other fees, and any other amounts required to be deposited or
11 transferred into the Fund.

12 (b) Whenever the Department of Revenue determines that a
13 refund should be made under the Cannabis Regulation and Tax
14 Act to a claimant, the Department of Revenue shall submit a
15 voucher for payment to the State Comptroller, who shall cause
16 the order to be drawn for the amount specified and to the
17 person named in the notification from the Department of
18 Revenue. This subsection (b) shall constitute an irrevocable
19 and continuing appropriation of all amounts necessary for the
20 payment of refunds out of the Fund as authorized under this
21 subsection (b).

22 (c) On or before the 25th day of each calendar month, the
23 Department of Revenue shall prepare and certify to the State
24 Comptroller the transfer and allocations of stated sums of
25 money from the Cannabis Regulation Fund to other named funds

1 in the State treasury. The amount subject to transfer shall be
2 the amount of the taxes, license fees, other fees, and any
3 other amounts paid into the Fund during the second preceding
4 calendar month, minus the refunds made under subsection (b)
5 during the second preceding calendar month by the Department.
6 The transfers shall be certified as follows:

7 (1) The Department of Revenue shall first determine
8 the allocations which shall remain in the Cannabis
9 Regulation Fund, subject to appropriations, to pay for the
10 direct and indirect costs associated with the
11 implementation, administration, and enforcement of the
12 Cannabis Regulation and Tax Act by the Department of
13 Revenue, the Department of State Police, the Department of
14 Financial and Professional Regulation, the Department of
15 Agriculture, the Department of Public Health, the
16 Department of Commerce and Economic Opportunity, and the
17 Illinois Criminal Justice Information Authority.

18 (2) After the allocations have been made as provided
19 in paragraph (1) of this subsection (c), of the remainder
20 of the amount subject to transfer for the month as
21 determined in this subsection (c), the Department shall
22 certify the transfer into the Cannabis Expungement Fund
23 1/12 of the fiscal year amount appropriated from the
24 Cannabis Expungement Fund for payment of costs incurred by
25 clerks of the circuit court ~~State courts~~, the Attorney
26 General, State's Attorneys, civil legal aid, as defined by

1 Section 15 of the Public Interest Attorney Assistance Act,
2 and the Department of State Police to facilitate petitions
3 for expungement of Minor Cannabis Offenses pursuant to
4 Public Act 101-27, as adjusted by any supplemental
5 appropriation, plus cumulative deficiencies in such
6 transfers for prior months. Allocations to the clerks of
7 the circuit court shall be appropriated to the Supreme
8 Court for disbursement to the circuit clerks to be
9 deposited into the Circuit Court Clerk Operation and
10 Administrative Fund.

11 (3) After the allocations have been made as provided
12 in paragraphs (1) and (2) of this subsection (c), the
13 Department of Revenue shall certify to the State
14 Comptroller and the State Treasurer shall transfer the
15 amounts that the Department of Revenue determines shall be
16 transferred into the following named funds according to
17 the following:

18 (A) 2% shall be transferred to the Drug Treatment
19 Fund to be used by the Department of Human Services
20 for: (i) developing and administering a scientifically
21 and medically accurate public education campaign
22 educating youth and adults about the health and safety
23 risks of alcohol, tobacco, illegal drug use (including
24 prescription drugs), and cannabis, including use by
25 pregnant women; and (ii) data collection and analysis
26 of the public health impacts of legalizing the

1 recreational use of cannabis. Expenditures for these
2 purposes shall be subject to appropriations.

3 (B) 8% shall be transferred to the Local
4 Government Distributive Fund and allocated as provided
5 in Section 2 of the State Revenue Sharing Act. The
6 moneys shall be used to fund crime prevention
7 programs, training, and interdiction efforts,
8 including detection, enforcement, and prevention
9 efforts, relating to the illegal cannabis market and
10 driving under the influence of cannabis.

11 (C) 25% shall be transferred to the Criminal
12 Justice Information Projects Fund to be used for the
13 purposes of the Restore, Reinvest, and Renew Program
14 to address economic development, violence prevention
15 services, re-entry services, youth development, and
16 civil legal aid, as defined by Section 15 of the Public
17 Interest Attorney Assistance Act. The Restore,
18 Reinvest, and Renew Program shall address these issues
19 through targeted investments and intervention programs
20 and promotion of an employment infrastructure and
21 capacity building related to the social determinants
22 of health in impacted community areas. Expenditures
23 for these purposes shall be subject to appropriations.

24 (D) 20% shall be transferred to the Department of
25 Human Services Community Services Fund, to be used to
26 address substance abuse and prevention and mental

1 health concerns, including treatment, education, and
2 prevention to address the negative impacts of
3 substance abuse and mental health issues, including
4 concentrated poverty, violence, and the historical
5 overuse of criminal justice responses in certain
6 communities, on the individual, family, and community,
7 including federal, State, and local governments,
8 health care institutions and providers, and
9 correctional facilities. Expenditures for these
10 purposes shall be subject to appropriations.

11 (E) 10% shall be transferred to the Budget
12 Stabilization Fund.

13 (F) 35%, or any remaining balance, shall be
14 transferred to the General Revenue Fund.

15 As soon as may be practical, but no later than 10 days
16 after receipt, by the State Comptroller of the transfer
17 certification provided for in this subsection (c) to be given
18 to the State Comptroller by the Department of Revenue, the
19 State Comptroller shall direct and the State Treasurer shall
20 transfer the respective amounts in accordance with the
21 directions contained in such certification.

22 (d) On July 1, 2019 the Department of Revenue shall
23 certify to the State Comptroller and the State Treasurer shall
24 transfer \$5,000,000 from the Compassionate Use of Medical
25 Cannabis Fund to the Cannabis Regulation Fund.

26 (e) Notwithstanding any other law to the contrary and

1 except as otherwise provided in this Section, this Fund is not
2 subject to sweeps, administrative charge-backs, or any other
3 fiscal or budgetary maneuver that would in any way transfer
4 any amounts from this Fund into any other fund of the State.

5 (f) The Cannabis Regulation Fund shall retain a balance of
6 \$1,000,000 for the purposes of administrative costs.

7 (g) In Fiscal Year 2024 the allocations in subsection (c)
8 of this Section shall be reviewed and adjusted if the General
9 Assembly finds there is a greater need for funding for a
10 specific purpose in the State as it relates to Public Act
11 101-27.

12 (Source: P.A. 101-27, eff. 6-25-19; 102-558, eff. 8-20-21.)