



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2220

Introduced 2/26/2021, by Sen. Jason Plummer

#### SYNOPSIS AS INTRODUCED:

See Index

Amends the Illinois Police Training Act. Includes, in the minimum curriculum for police training schools, training in investigating domestic minor sex trafficking. Amends the Abused and Neglected Child Reporting Act. Provides that a child shall be considered abused regardless of the perpetrator of the abuse if the child is a human trafficking victim. Amends the Juvenile Court Act of 1987. Provides for immediate expungement of juvenile court and law enforcement records of minors who are human trafficking victims involved in prostitution. Amends the Criminal Code of 2012. Provides that involuntary sexual servitude of a minor includes purchasing sexual services of the minor whether from the trafficker or minor. Provides that it is not a defense to involuntary sexual servitude of a minor that the accused reasonably believed the trafficking victim to be 18 years of age or over. Eliminates other mistake of age defenses concerning grooming and patronizing a minor engaged in prostitution. Provides that a person who is a victim of involuntary sexual servitude of a minor is deemed a crime victim and is eligible for protections afforded to crime victims. Amends the Code of Criminal Procedure of 1963 to permit a motion to vacate an adjudication of delinquency of a human trafficking victim who engaged in prostitution. Amends the Sex Offender Registration Act. Makes violations concerning trafficking in persons, involuntary servitude, and related offenses registrable offenses under the Act. Amends the Crime Victims Compensation Act to provide that a trafficking victim who is under 18 years of age is not subject to the filing requirements of the Act and is not subject to the eligibility requirements of the Act.

LRB102 11588 KMF 16922 b

1 AN ACT concerning human trafficking.

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

4 Section 5. The Illinois Police Training Act is amended by  
5 changing Section 7 as follows:

6 (50 ILCS 705/7) (from Ch. 85, par. 507)

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

10 a. The curriculum for probationary police officers  
11 which shall be offered by all certified schools shall  
12 include, but not be limited to, courses of procedural  
13 justice, arrest and use and control tactics, search and  
14 seizure, including temporary questioning, civil rights,  
15 human rights, human relations, cultural competency,  
16 including implicit bias and racial and ethnic sensitivity,  
17 criminal law, law of criminal procedure, constitutional  
18 and proper use of law enforcement authority, vehicle and  
19 traffic law including uniform and non-discriminatory  
20 enforcement of the Illinois Vehicle Code, traffic control  
21 and accident investigation, techniques of obtaining  
22 physical evidence, court testimonies, statements, reports,  
23 firearms training, training in the use of electronic

1 control devices, including the psychological and  
2 physiological effects of the use of those devices on  
3 humans, first-aid (including cardiopulmonary  
4 resuscitation), training in the administration of opioid  
5 antagonists as defined in paragraph (1) of subsection (e)  
6 of Section 5-23 of the Substance Use Disorder Act,  
7 handling of juvenile offenders, recognition of mental  
8 conditions and crises, including, but not limited to, the  
9 disease of addiction, which require immediate assistance  
10 and response and methods to safeguard and provide  
11 assistance to a person in need of mental treatment,  
12 recognition of abuse, neglect, financial exploitation, and  
13 self-neglect of adults with disabilities and older adults,  
14 as defined in Section 2 of the Adult Protective Services  
15 Act, crimes against the elderly, training in investigating  
16 domestic minor sex trafficking, law of evidence, the  
17 hazards of high-speed police vehicle chases with an  
18 emphasis on alternatives to the high-speed chase, and  
19 physical training. The curriculum shall include specific  
20 training in techniques for immediate response to and  
21 investigation of cases of domestic violence and of sexual  
22 assault of adults and children, including cultural  
23 perceptions and common myths of sexual assault and sexual  
24 abuse as well as interview techniques that are age  
25 sensitive and are trauma informed, victim centered, and  
26 victim sensitive. The curriculum shall include training in

1 techniques designed to promote effective communication at  
2 the initial contact with crime victims and ways to  
3 comprehensively explain to victims and witnesses their  
4 rights under the Rights of Crime Victims and Witnesses Act  
5 and the Crime Victims Compensation Act. The curriculum  
6 shall also include training in effective recognition of  
7 and responses to stress, trauma, and post-traumatic stress  
8 experienced by police officers that is consistent with  
9 Section 25 of the Illinois Mental Health First Aid  
10 Training Act in a peer setting, including recognizing  
11 signs and symptoms of work-related cumulative stress,  
12 issues that may lead to suicide, and solutions for  
13 intervention with peer support resources. The curriculum  
14 shall include a block of instruction addressing the  
15 mandatory reporting requirements under the Abused and  
16 Neglected Child Reporting Act. The curriculum shall also  
17 include a block of instruction aimed at identifying and  
18 interacting with persons with autism and other  
19 developmental or physical disabilities, reducing barriers  
20 to reporting crimes against persons with autism, and  
21 addressing the unique challenges presented by cases  
22 involving victims or witnesses with autism and other  
23 developmental disabilities. The curriculum shall include  
24 training in the detection and investigation of all forms  
25 of human trafficking. The curriculum shall also include  
26 instruction in trauma-informed responses designed to

1 ensure the physical safety and well-being of a child of an  
2 arrested parent or immediate family member; this  
3 instruction must include, but is not limited to: (1)  
4 understanding the trauma experienced by the child while  
5 maintaining the integrity of the arrest and safety of  
6 officers, suspects, and other involved individuals; (2)  
7 de-escalation tactics that would include the use of force  
8 when reasonably necessary; and (3) inquiring whether a  
9 child will require supervision and care. The curriculum  
10 for permanent police officers shall include, but not be  
11 limited to: (1) refresher and in-service training in any  
12 of the courses listed above in this subparagraph, (2)  
13 advanced courses in any of the subjects listed above in  
14 this subparagraph, (3) training for supervisory personnel,  
15 and (4) specialized training in subjects and fields to be  
16 selected by the board. The training in the use of  
17 electronic control devices shall be conducted for  
18 probationary police officers, including University police  
19 officers.

20 b. Minimum courses of study, attendance requirements  
21 and equipment requirements.

22 c. Minimum requirements for instructors.

23 d. Minimum basic training requirements, which a  
24 probationary police officer must satisfactorily complete  
25 before being eligible for permanent employment as a local  
26 law enforcement officer for a participating local

1 governmental agency. Those requirements shall include  
2 training in first aid (including cardiopulmonary  
3 resuscitation).

4 e. Minimum basic training requirements, which a  
5 probationary county corrections officer must  
6 satisfactorily complete before being eligible for  
7 permanent employment as a county corrections officer for a  
8 participating local governmental agency.

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

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

1           Individuals who currently serve as court security  
2 officers shall be deemed qualified to continue to serve in  
3 that capacity so long as they are certified as provided by  
4 this Act within 24 months of June 1, 1997 (the effective  
5 date of Public Act 89-685). Failure to be so certified,  
6 absent a waiver from the Board, shall cause the officer to  
7 forfeit his or her position.

8           All individuals hired as court security officers on or  
9 after June 1, 1997 (the effective date of Public Act  
10 89-685) shall be certified within 12 months of the date of  
11 their hire, unless a waiver has been obtained by the  
12 Board, or they shall forfeit their positions.

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

23           g. Minimum in-service training requirements, which a  
24 police officer must satisfactorily complete every 3 years.  
25 Those requirements shall include constitutional and proper  
26 use of law enforcement authority, procedural justice,

1 civil rights, human rights, mental health awareness and  
2 response, officer wellness, reporting child abuse and  
3 neglect, and cultural competency.

4 h. Minimum in-service training requirements, which a  
5 police officer must satisfactorily complete at least  
6 annually. Those requirements shall include law updates and  
7 use of force training which shall include scenario based  
8 training, or similar training approved by the Board.

9 (Source: P.A. 100-121, eff. 1-1-18; 100-247, eff. 1-1-18;  
10 100-759, eff. 1-1-19; 100-863, eff. 8-14-18; 100-910, eff.  
11 1-1-19; 101-18, eff. 1-1-20; 101-81, eff. 7-12-19; 101-215,  
12 eff. 1-1-20; 101-224, eff. 8-9-19; 101-375, eff. 8-16-19;  
13 101-564, eff. 1-1-20; revised 9-10-19.)

14 Section 10. The Abused and Neglected Child Reporting Act  
15 is amended by changing Section 3 as follows:

16 (325 ILCS 5/3) (from Ch. 23, par. 2053)

17 Sec. 3. As used in this Act unless the context otherwise  
18 requires:

19 "Adult resident" means any person between 18 and 22 years  
20 of age who resides in any facility licensed by the Department  
21 under the Child Care Act of 1969. For purposes of this Act, the  
22 criteria set forth in the definitions of "abused child" and  
23 "neglected child" shall be used in determining whether an  
24 adult resident is abused or neglected.



1 "Agency" means a child care facility licensed under  
2 Section 2.05 or Section 2.06 of the Child Care Act of 1969 and  
3 includes a transitional living program that accepts children  
4 and adult residents for placement who are in the guardianship  
5 of the Department.

6 "Blatant disregard" means an incident where the real,  
7 significant, and imminent risk of harm would be so obvious to a  
8 reasonable parent or caretaker that it is unlikely that a  
9 reasonable parent or caretaker would have exposed the child to  
10 the danger without exercising precautionary measures to  
11 protect the child from harm. With respect to a person working  
12 at an agency in his or her professional capacity with a child  
13 or adult resident, "blatant disregard" includes a failure by  
14 the person to perform job responsibilities intended to protect  
15 the child's or adult resident's health, physical well-being,  
16 or welfare, and, when viewed in light of the surrounding  
17 circumstances, evidence exists that would cause a reasonable  
18 person to believe that the child was neglected. With respect  
19 to an agency, "blatant disregard" includes a failure to  
20 implement practices that ensure the health, physical  
21 well-being, or welfare of the children and adult residents  
22 residing in the facility.

23 "Child" means any person under the age of 18 years, unless  
24 legally emancipated by reason of marriage or entry into a  
25 branch of the United States armed services.

26 "Department" means Department of Children and Family

1 Services.

2 "Local law enforcement agency" means the police of a city,  
3 town, village or other incorporated area or the sheriff of an  
4 unincorporated area or any sworn officer of the Illinois  
5 Department of State Police.

6 "Abused child" means a child whose parent or immediate  
7 family member, or any person responsible for the child's  
8 welfare, or any individual residing in the same home as the  
9 child, or a paramour of the child's parent:

10 (a) inflicts, causes to be inflicted, or allows to be  
11 inflicted upon such child physical injury, by other than  
12 accidental means, which causes death, disfigurement,  
13 impairment of physical or emotional health, or loss or  
14 impairment of any bodily function;

15 (b) creates a substantial risk of physical injury to  
16 such child by other than accidental means which would be  
17 likely to cause death, disfigurement, impairment of  
18 physical or emotional health, or loss or impairment of any  
19 bodily function;

20 (c) commits or allows to be committed any sex offense  
21 against such child, as such sex offenses are defined in  
22 the Criminal Code of 2012 or in the Wrongs to Children Act,  
23 and extending those definitions of sex offenses to include  
24 children under 18 years of age;

25 (d) commits or allows to be committed an act or acts of  
26 torture upon such child;

1 (e) inflicts excessive corporal punishment or, in the  
2 case of a person working for an agency who is prohibited  
3 from using corporal punishment, inflicts corporal  
4 punishment upon a child or adult resident with whom the  
5 person is working in his or her professional capacity;

6 (f) commits or allows to be committed the offense of  
7 female genital mutilation, as defined in Section 12-34 of  
8 the Criminal Code of 2012, against the child;

9 (g) causes to be sold, transferred, distributed, or  
10 given to such child under 18 years of age, a controlled  
11 substance as defined in Section 102 of the Illinois  
12 Controlled Substances Act in violation of Article IV of  
13 the Illinois Controlled Substances Act or in violation of  
14 the Methamphetamine Control and Community Protection Act,  
15 except for controlled substances that are prescribed in  
16 accordance with Article III of the Illinois Controlled  
17 Substances Act and are dispensed to such child in a manner  
18 that substantially complies with the prescription; or

19 (h) commits or allows to be committed the offense of  
20 involuntary servitude, involuntary sexual servitude of a  
21 minor, or trafficking in persons as defined in Section  
22 10-9 of the Criminal Code of 2012 against the child. A  
23 child shall be considered abused regardless of the  
24 perpetrator of the abuse if the child is a human  
25 trafficking victim as defined in Section 10-9 of the  
26 Criminal Code of 2012.

1           A child shall not be considered abused for the sole reason  
2           that the child has been relinquished in accordance with the  
3           Abandoned Newborn Infant Protection Act.

4           "Neglected child" means any child who is not receiving the  
5           proper or necessary nourishment or medically indicated  
6           treatment including food or care not provided solely on the  
7           basis of the present or anticipated mental or physical  
8           impairment as determined by a physician acting alone or in  
9           consultation with other physicians or otherwise is not  
10          receiving the proper or necessary support or medical or other  
11          remedial care recognized under State law as necessary for a  
12          child's well-being, or other care necessary for his or her  
13          well-being, including adequate food, clothing and shelter; or  
14          who is subjected to an environment which is injurious insofar  
15          as (i) the child's environment creates a likelihood of harm to  
16          the child's health, physical well-being, or welfare and (ii)  
17          the likely harm to the child is the result of a blatant  
18          disregard of parent, caretaker, or agency responsibilities; or  
19          who is abandoned by his or her parents or other person  
20          responsible for the child's welfare without a proper plan of  
21          care; or who has been provided with interim crisis  
22          intervention services under Section 3-5 of the Juvenile Court  
23          Act of 1987 and whose parent, guardian, or custodian refuses  
24          to permit the child to return home and no other living  
25          arrangement agreeable to the parent, guardian, or custodian  
26          can be made, and the parent, guardian, or custodian has not

1 made any other appropriate living arrangement for the child;  
2 or who is a newborn infant whose blood, urine, or meconium  
3 contains any amount of a controlled substance as defined in  
4 subsection (f) of Section 102 of the Illinois Controlled  
5 Substances Act or a metabolite thereof, with the exception of  
6 a controlled substance or metabolite thereof whose presence in  
7 the newborn infant is the result of medical treatment  
8 administered to the mother or the newborn infant. A child  
9 shall not be considered neglected for the sole reason that the  
10 child's parent or other person responsible for his or her  
11 welfare has left the child in the care of an adult relative for  
12 any period of time. A child shall not be considered neglected  
13 for the sole reason that the child has been relinquished in  
14 accordance with the Abandoned Newborn Infant Protection Act. A  
15 child shall not be considered neglected or abused for the sole  
16 reason that such child's parent or other person responsible  
17 for his or her welfare depends upon spiritual means through  
18 prayer alone for the treatment or cure of disease or remedial  
19 care as provided under Section 4 of this Act. A child shall not  
20 be considered neglected or abused solely because the child is  
21 not attending school in accordance with the requirements of  
22 Article 26 of The School Code, as amended.

23 "Child Protective Service Unit" means certain specialized  
24 State employees of the Department assigned by the Director to  
25 perform the duties and responsibilities as provided under  
26 Section 7.2 of this Act.

1 "Near fatality" means an act that, as certified by a  
2 physician, places the child in serious or critical condition,  
3 including acts of great bodily harm inflicted upon children  
4 under 13 years of age, and as otherwise defined by Department  
5 rule.

6 "Great bodily harm" includes bodily injury which creates a  
7 high probability of death, or which causes serious permanent  
8 disfigurement, or which causes a permanent or protracted loss  
9 or impairment of the function of any bodily member or organ, or  
10 other serious bodily harm.

11 "Person responsible for the child's welfare" means the  
12 child's parent; guardian; foster parent; relative caregiver;  
13 any person responsible for the child's welfare in a public or  
14 private residential agency or institution; any person  
15 responsible for the child's welfare within a public or private  
16 profit or not for profit child care facility; or any other  
17 person responsible for the child's welfare at the time of the  
18 alleged abuse or neglect, including any person that is the  
19 custodian of a child under 18 years of age who commits or  
20 allows to be committed, against the child, the offense of  
21 involuntary servitude, involuntary sexual servitude of a  
22 minor, or trafficking in persons for forced labor or services,  
23 as provided in Section 10-9 of the Criminal Code of 2012, or  
24 any person who came to know the child through an official  
25 capacity or position of trust, including but not limited to  
26 health care professionals, educational personnel, recreational

1 supervisors, members of the clergy, and volunteers or support  
2 personnel in any setting where children may be subject to  
3 abuse or neglect.

4 "Temporary protective custody" means custody within a  
5 hospital or other medical facility or a place previously  
6 designated for such custody by the Department, subject to  
7 review by the Court, including a licensed foster home, group  
8 home, or other institution; but such place shall not be a jail  
9 or other place for the detention of criminal or juvenile  
10 offenders.

11 "An unfounded report" means any report made under this Act  
12 for which it is determined after an investigation that no  
13 credible evidence of abuse or neglect exists.

14 "An indicated report" means a report made under this Act  
15 if an investigation determines that credible evidence of the  
16 alleged abuse or neglect exists.

17 "An undetermined report" means any report made under this  
18 Act in which it was not possible to initiate or complete an  
19 investigation on the basis of information provided to the  
20 Department.

21 "Subject of report" means any child reported to the  
22 central register of child abuse and neglect established under  
23 Section 7.7 of this Act as an alleged victim of child abuse or  
24 neglect and the parent or guardian of the alleged victim or  
25 other person responsible for the alleged victim's welfare who  
26 is named in the report or added to the report as an alleged

1 perpetrator of child abuse or neglect.

2 "Perpetrator" means a person who, as a result of  
3 investigation, has been determined by the Department to have  
4 caused child abuse or neglect.

5 "Member of the clergy" means a clergyman or practitioner  
6 of any religious denomination accredited by the religious body  
7 to which he or she belongs.

8 (Source: P.A. 99-350, eff. 6-1-16; 100-733, eff. 1-1-19.)

9 Section 15. The Juvenile Court Act of 1987 is amended by  
10 changing Sections 5-301 and 5-915 as follows:

11 (705 ILCS 405/5-301)

12 Sec. 5-301. Station adjustments. A minor arrested for any  
13 offense or a violation of a condition of previous station  
14 adjustment may receive a station adjustment for that arrest as  
15 provided herein. In deciding whether to impose a station  
16 adjustment, either informal or formal, a juvenile police  
17 officer shall consider the following factors:

18 (A) The seriousness of the alleged offense.

19 (B) The prior history of delinquency of the minor.

20 (C) The age of the minor.

21 (D) The culpability of the minor in committing the  
22 alleged offense.

23 (E) Whether the offense was committed in an aggressive  
24 or premeditated manner.



1 (F) Whether the minor used or possessed a deadly  
2 weapon when committing the alleged offenses.

3 If the minor is alleged to be a human trafficking victim  
4 and has been detained under subsection (d) of Section 11-14 of  
5 the Criminal Code of 2012, the detention shall be for the most  
6 limited period and shall be handled as a station adjustment.  
7 In that case, the minor shall be brought before a juvenile  
8 police officer if available.

9 (1) Informal station adjustment.

10 (a) An informal station adjustment is defined as a  
11 procedure when a juvenile police officer determines that  
12 there is probable cause to believe that the minor has  
13 committed an offense.

14 (b) A minor shall receive no more than 3 informal  
15 station adjustments statewide for a misdemeanor offense  
16 within 3 years without prior approval from the State's  
17 Attorney's Office.

18 (c) A minor shall receive no more than 3 informal  
19 station adjustments statewide for a felony offense within  
20 3 years without prior approval from the State's Attorney's  
21 Office.

22 (d) A minor shall receive a combined total of no more  
23 than 5 informal station adjustments statewide during his  
24 or her minority.

25 (e) The juvenile police officer may make reasonable  
26 conditions of an informal station adjustment which may

1 include but are not limited to:

2 (i) Curfew.

3 (ii) Conditions restricting entry into designated  
4 geographical areas.

5 (iii) No contact with specified persons.

6 (iv) School attendance.

7 (v) Performing up to 25 hours of community service  
8 work.

9 (vi) Community mediation.

10 (vii) Teen court or a peer court.

11 (viii) Restitution limited to 90 days.

12 (f) If the minor refuses or fails to abide by the  
13 conditions of an informal station adjustment, the juvenile  
14 police officer may impose a formal station adjustment or  
15 refer the matter to the State's Attorney's Office.

16 (g) An informal station adjustment does not constitute  
17 an adjudication of delinquency or a criminal conviction.  
18 Beginning January 1, 2000, a record shall be maintained  
19 with the Department of State Police for informal station  
20 adjustments for offenses that would be a felony if  
21 committed by an adult, and may be maintained if the  
22 offense would be a misdemeanor.

23 (2) Formal station adjustment.

24 (a) A formal station adjustment is defined as a  
25 procedure when a juvenile police officer determines that  
26 there is probable cause to believe the minor has committed

1 an offense and an admission by the minor of involvement in  
2 the offense.

3 (b) The minor and parent, guardian, or legal custodian  
4 must agree in writing to the formal station adjustment and  
5 must be advised of the consequences of violation of any  
6 term of the agreement.

7 (c) The minor and parent, guardian or legal custodian  
8 shall be provided a copy of the signed agreement of the  
9 formal station adjustment. The agreement shall include:

10 (i) The offense which formed the basis of the  
11 formal station adjustment.

12 (ii) An acknowledgment that the terms of the  
13 formal station adjustment and the consequences for  
14 violation have been explained.

15 (iii) An acknowledgment that the formal station  
16 adjustments record may be expunged under Section 5-915  
17 of this Act.

18 (iv) An acknowledgement that the minor understands  
19 that his or her admission of involvement in the  
20 offense may be admitted into evidence in future court  
21 hearings.

22 (v) A statement that all parties understand the  
23 terms and conditions of formal station adjustment and  
24 agree to the formal station adjustment process.

25 (d) Conditions of the formal station adjustment may  
26 include, but are not limited to:

- 1 (i) The time shall not exceed 120 days.
- 2 (ii) The minor shall not violate any laws.
- 3 (iii) The juvenile police officer may require the  
4 minor to comply with additional conditions for the  
5 formal station adjustment which may include but are  
6 not limited to:
- 7 (a) Attending school.
- 8 (b) Abiding by a set curfew.
- 9 (c) Payment of restitution.
- 10 (d) Refraining from possessing a firearm or  
11 other weapon.
- 12 (e) Reporting to a police officer at  
13 designated times and places, including reporting  
14 and verification that the minor is at home at  
15 designated hours.
- 16 (f) Performing up to 25 hours of community  
17 service work.
- 18 (g) Refraining from entering designated  
19 geographical areas.
- 20 (h) Participating in community mediation.
- 21 (i) Participating in teen court or peer court.
- 22 (j) Refraining from contact with specified  
23 persons.
- 24 (e) A formal station adjustment does not constitute an  
25 adjudication of delinquency or a criminal conviction.  
26 Beginning January 1, 2000, a record shall be maintained

1 with the Department of State Police for formal station  
2 adjustments.

3 (f) A minor or the minor's parent, guardian, or legal  
4 custodian, or both the minor and the minor's parent,  
5 guardian, or legal custodian, may refuse a formal station  
6 adjustment and have the matter referred for court action  
7 or other appropriate action.

8 (g) A minor or the minor's parent, guardian, or legal  
9 custodian, or both the minor and the minor's parent,  
10 guardian, or legal custodian, may within 30 days of the  
11 commencement of the formal station adjustment revoke their  
12 consent and have the matter referred for court action or  
13 other appropriate action. This revocation must be in  
14 writing and personally served upon the police officer or  
15 his or her supervisor.

16 (h) The admission of the minor as to involvement in  
17 the offense shall be admissible at further court hearings  
18 as long as the statement would be admissible under the  
19 rules of evidence.

20 (i) If the minor violates any term or condition of the  
21 formal station adjustment the juvenile police officer  
22 shall provide written notice of violation to the minor and  
23 the minor's parent, guardian, or legal custodian. After  
24 consultation with the minor and the minor's parent,  
25 guardian, or legal custodian, the juvenile police officer  
26 may take any of the following steps upon violation:

1 (i) Warn the minor of consequences of continued  
2 violations and continue the formal station adjustment.

3 (ii) Extend the period of the formal station  
4 adjustment up to a total of 180 days.

5 (iii) Extend the hours of community service work  
6 up to a total of 40 hours.

7 (iv) Terminate the formal station adjustment  
8 unsatisfactorily and take no other action.

9 (v) Terminate the formal station adjustment  
10 unsatisfactorily and refer the matter to the juvenile  
11 court.

12 (j) A minor shall receive no more than 2 formal  
13 station adjustments statewide for a felony offense without  
14 the State's Attorney's approval within a 3 year period.

15 (k) A minor shall receive no more than 3 formal  
16 station adjustments statewide for a misdemeanor offense  
17 without the State's Attorney's approval within a 3 year  
18 period.

19 (l) The total for formal station adjustments statewide  
20 within the period of minority may not exceed 4 without the  
21 State's Attorney's approval.

22 (m) If the minor is arrested in a jurisdiction where  
23 the minor does not reside, the formal station adjustment  
24 may be transferred to the jurisdiction where the minor  
25 does reside upon written agreement of that jurisdiction to  
26 monitor the formal station adjustment.

1           (3) Beginning January 1, 2000, the juvenile police officer  
2 making a station adjustment shall assure that information  
3 about any offense which would constitute a felony if committed  
4 by an adult and may assure that information about a  
5 misdemeanor is transmitted to the Department of State Police.

6           (4) The total number of station adjustments, both formal  
7 and informal, shall not exceed 9 without the State's  
8 Attorney's approval for any minor arrested anywhere in the  
9 State.

10         (Source: P.A. 99-78, eff. 7-20-15.)

11           (705 ILCS 405/5-915)

12           Sec. 5-915. Expungement of juvenile law enforcement and  
13 juvenile court records.

14           (0.05) (Blank).

15           (0.1) (a) The Department of State Police and all law  
16 enforcement agencies within the State shall automatically  
17 expunge, on or before January 1 of each year, all juvenile law  
18 enforcement records relating to events occurring before an  
19 individual's 18th birthday if:

20                 (1) one year or more has elapsed since the date of the  
21 arrest or law enforcement interaction documented in the  
22 records;

23                 (2) no petition for delinquency or criminal charges  
24 were filed with the clerk of the circuit court relating to  
25 the arrest or law enforcement interaction documented in

1 the records; and

2 (3) 6 months have elapsed since the date of the arrest  
3 without an additional subsequent arrest or filing of a  
4 petition for delinquency or criminal charges whether  
5 related or not to the arrest or law enforcement  
6 interaction documented in the records.

7 (b) If the law enforcement agency is unable to verify  
8 satisfaction of conditions (2) and (3) of this subsection  
9 (0.1), records that satisfy condition (1) of this subsection  
10 (0.1) shall be automatically expunged if the records relate to  
11 an offense that if committed by an adult would not be an  
12 offense classified as Class 2 felony or higher, an offense  
13 under Article 11 of the Criminal Code of 1961 or Criminal Code  
14 of 2012, or an offense under Section 12-13, 12-14, 12-14.1,  
15 12-15, or 12-16 of the Criminal Code of 1961.

16 (0.15) If a juvenile law enforcement record meets  
17 paragraph (a) of subsection (0.1) of this Section, a juvenile  
18 law enforcement record created:

19 (1) prior to January 1, 2018, but on or after January  
20 1, 2013 shall be automatically expunged prior to January  
21 1, 2020;

22 (2) prior to January 1, 2013, but on or after January  
23 1, 2000, shall be automatically expunged prior to January  
24 1, 2023; and

25 (3) prior to January 1, 2000 shall not be subject to  
26 the automatic expungement provisions of this Act.



1 Nothing in this subsection (0.15) shall be construed to  
2 restrict or modify an individual's right to have his or her  
3 juvenile law enforcement records expunged except as otherwise  
4 may be provided in this Act.

5 (0.2) (a) Upon dismissal of a petition alleging  
6 delinquency or upon a finding of not delinquent, the  
7 successful termination of an order of supervision, or the  
8 successful termination of an adjudication for an offense which  
9 would be a Class B misdemeanor, Class C misdemeanor, or a petty  
10 or business offense if committed by an adult, the court shall  
11 automatically order the expungement of the juvenile court  
12 records and juvenile law enforcement records. The clerk shall  
13 deliver a certified copy of the expungement order to the  
14 Department of State Police and the arresting agency. Upon  
15 request, the State's Attorney shall furnish the name of the  
16 arresting agency. The expungement shall be completed within 60  
17 business days after the receipt of the expungement order.

18 (b) If the chief law enforcement officer of the agency, or  
19 his or her designee, certifies in writing that certain  
20 information is needed for a pending investigation involving  
21 the commission of a felony, that information, and information  
22 identifying the juvenile, may be retained until the statute of  
23 limitations for the felony has run. If the chief law  
24 enforcement officer of the agency, or his or her designee,  
25 certifies in writing that certain information is needed with  
26 respect to an internal investigation of any law enforcement

1 office, that information and information identifying the  
2 juvenile may be retained within an intelligence file until the  
3 investigation is terminated or the disciplinary action,  
4 including appeals, has been completed, whichever is later.  
5 Retention of a portion of a juvenile's law enforcement record  
6 does not disqualify the remainder of his or her record from  
7 immediate automatic expungement.

8 (0.3) (a) Upon an adjudication of delinquency based on any  
9 offense except a disqualified offense, the juvenile court  
10 shall automatically order the expungement of the juvenile  
11 court and law enforcement records 2 years or, in the case of a  
12 human trafficking victim as defined in Section 10-9 of the  
13 Criminal Code of 2012 adjudicated delinquent for prostitution,  
14 immediately after the juvenile's case was closed if no  
15 delinquency or criminal proceeding is pending and the person  
16 has had no subsequent delinquency adjudication or criminal  
17 conviction. The clerk shall deliver a certified copy of the  
18 expungement order to the Department of State Police and the  
19 arresting agency. Upon request, the State's Attorney shall  
20 furnish the name of the arresting agency. The expungement  
21 shall be completed within 60 business days after the receipt  
22 of the expungement order. In this subsection (0.3),  
23 "disqualified offense" means any of the following offenses:  
24 Section 8-1.2, 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1, 10-2,  
25 10-3, 10-3.1, 10-4, 10-5, 10-9 if the minor was not a human  
26 trafficking victim as defined in that Section, 11-1.20,

1 11-1.30, 11-1.40, 11-1.50, 11-1.60, 11-6, 11-6.5, 12-2,  
2 12-3.05, 12-3.3, 12-4.4a, 12-5.02, 12-6.2, 12-6.5, 12-7.1,  
3 12-7.5, 12-20.5, 12-32, 12-33, 12-34, 12-34.5, 18-1, 18-2,  
4 18-3, 18-4, 18-6, 19-3, 19-6, 20-1, 20-1.1, 24-1.2, 24-1.2-5,  
5 24-1.5, 24-3A, 24-3B, 24-3.2, 24-3.8, 24-3.9, 29D-14.9,  
6 29D-20, 30-1, 31-1a, 32-4a, or 33A-2 of the Criminal Code of  
7 2012, or subsection (b) of Section 8-1, paragraph (4) of  
8 subsection (a) of Section 11-14.4, subsection (a-5) of Section  
9 12-3.1, paragraph (1), (2), or (3) of subsection (a) of  
10 Section 12-6, subsection (a-3) or (a-5) of Section 12-7.3,  
11 paragraph (1) or (2) of subsection (a) of Section 12-7.4,  
12 subparagraph (i) of paragraph (1) of subsection (a) of Section  
13 12-9, subparagraph (H) of paragraph (3) of subsection (a) of  
14 Section 24-1.6, paragraph (1) of subsection (a) of Section  
15 25-1, or subsection (a-7) of Section 31-1 of the Criminal Code  
16 of 2012.

17 (b) If the chief law enforcement officer of the agency, or  
18 his or her designee, certifies in writing that certain  
19 information is needed for a pending investigation involving  
20 the commission of a felony, that information, and information  
21 identifying the juvenile, may be retained in an intelligence  
22 file until the investigation is terminated or for one  
23 additional year, whichever is sooner. Retention of a portion  
24 of a juvenile's juvenile law enforcement record does not  
25 disqualify the remainder of his or her record from immediate  
26 automatic expungement.

1           (0.4) Automatic expungement for the purposes of this  
2 Section shall not require law enforcement agencies to  
3 obliterate or otherwise destroy juvenile law enforcement  
4 records that would otherwise need to be automatically expunged  
5 under this Act, except after 2 years following the subject  
6 arrest for purposes of use in civil litigation against a  
7 governmental entity or its law enforcement agency or personnel  
8 which created, maintained, or used the records. However, l these  
9 juvenile law enforcement records shall be considered expunged  
10 for all other purposes during this period and the offense,  
11 which the records or files concern, shall be treated as if it  
12 never occurred as required under Section 5-923.

13           (0.5) Subsection (0.1) or (0.2) of this Section does not  
14 apply to violations of traffic, boating, fish and game laws,  
15 or county or municipal ordinances.

16           (0.6) Juvenile law enforcement records of a plaintiff who  
17 has filed civil litigation against the governmental entity or  
18 its law enforcement agency or personnel that created,  
19 maintained, or used the records, or juvenile law enforcement  
20 records that contain information related to the allegations  
21 set forth in the civil litigation may not be expunged until  
22 after 2 years have elapsed after the conclusion of the  
23 lawsuit, including any appeal.

24           (0.7) Officer-worn body camera recordings shall not be  
25 automatically expunged except as otherwise authorized by the  
26 Law Enforcement Officer-Worn Body Camera Act.

1           (1) Whenever a person has been arrested, charged, or  
2 adjudicated delinquent for an incident occurring before his or  
3 her 18th birthday that if committed by an adult would be an  
4 offense, and that person's juvenile law enforcement and  
5 juvenile court records are not eligible for automatic  
6 expungement under subsection (0.1), (0.2), or (0.3), the  
7 person may petition the court at any time for expungement of  
8 juvenile law enforcement records and juvenile court records  
9 relating to the incident and, upon termination of all juvenile  
10 court proceedings relating to that incident, the court shall  
11 order the expungement of all records in the possession of the  
12 Department of State Police, the clerk of the circuit court,  
13 and law enforcement agencies relating to the incident, but  
14 only in any of the following circumstances:

15           (a) the minor was arrested and no petition for  
16 delinquency was filed with the clerk of the circuit court;

17           (a-5) the minor was charged with an offense and the  
18 petition or petitions were dismissed without a finding of  
19 delinquency;

20           (b) the minor was charged with an offense and was  
21 found not delinquent of that offense;

22           (c) the minor was placed under supervision under  
23 Section 5-615, and the order of supervision has since been  
24 successfully terminated; or

25           (d) the minor was adjudicated for an offense which  
26 would be a Class B misdemeanor, Class C misdemeanor, or a

1 petty or business offense if committed by an adult; or  
2 (e) the minor was adjudicated delinquent for  
3 prostitution as a result of being a trafficking victim as  
4 defined in Section 10-9 of the Criminal Code of 2012.

5 (1.5) The Department of State Police shall allow a person  
6 to use the Access and Review process, established in the  
7 Department of State Police, for verifying that his or her  
8 juvenile law enforcement records relating to incidents  
9 occurring before his or her 18th birthday eligible under this  
10 Act have been expunged.

11 (1.6) (Blank).

12 (1.7) (Blank).

13 (1.8) (Blank).

14 (2) Any person whose delinquency adjudications are not  
15 eligible for automatic expungement under subsection (0.3) of  
16 this Section may petition the court to expunge all juvenile  
17 law enforcement records relating to any incidents occurring  
18 before his or her 18th birthday which did not result in  
19 proceedings in criminal court and all juvenile court records  
20 with respect to any adjudications except those based upon  
21 first degree murder or an offense under Article 11 of the  
22 Criminal Code of 2012 if the person is required to register  
23 under the Sex Offender Registration Act at the time he or she  
24 petitions the court for expungement; provided that: ~~(a)~~  
25 ~~(blank); or (b)~~ 2 years have elapsed since all juvenile court  
26 proceedings relating to him or her have been terminated and

1 his or her commitment to the Department of Juvenile Justice  
2 under this Act has been terminated.

3 (2.5) If a minor is arrested and no petition for  
4 delinquency is filed with the clerk of the circuit court at the  
5 time the minor is released from custody, the youth officer, if  
6 applicable, or other designated person from the arresting  
7 agency, shall notify verbally and in writing to the minor or  
8 the minor's parents or guardians that the minor shall have an  
9 arrest record and shall provide the minor and the minor's  
10 parents or guardians with an expungement information packet,  
11 information regarding this State's expungement laws including  
12 a petition to expunge juvenile law enforcement and juvenile  
13 court records obtained from the clerk of the circuit court.

14 (2.6) If a minor is referred to court,    then,    at the time of  
15 sentencing,    ~~or~~ dismissal of the case, or successful completion  
16 of supervision, the judge shall inform the delinquent minor of  
17 his or her rights regarding expungement and the clerk of the  
18 circuit court shall provide an expungement information packet  
19 to the minor, written in plain language, including information  
20 regarding this State's expungement laws and a petition for  
21 expungement, a sample of a completed petition, expungement  
22 instructions that shall include information informing the  
23 minor that (i) once the case is expunged, it shall be treated  
24 as if it never occurred, (ii) he or she may apply to have  
25 petition fees waived, (iii) once he or she obtains an  
26 expungement, he or she may not be required to disclose that he

1 or she had a juvenile law enforcement or juvenile court  
2 record, and (iv) if petitioning he or she may file the petition  
3 on his or her own or with the assistance of an attorney. The  
4 failure of the judge to inform the delinquent minor of his or  
5 her right to petition for expungement as provided by law does  
6 not create a substantive right, nor is that failure grounds  
7 for: (i) a reversal of an adjudication of delinquency; ~~it~~ (ii) a  
8 new trial; or (iii) an appeal.

9 (2.7) (Blank).

10 (2.8) (Blank).

11 (3) (Blank).

12 (3.1) (Blank).

13 (3.2) (Blank).

14 (3.3) (Blank).

15 (4) (Blank).

16 (5) (Blank).

17 (5.5) Whether or not expunged, records eligible for  
18 automatic expungement under subdivision (0.1) (a), (0.2) (a), or  
19 (0.3) (a) may be treated as expunged by the individual subject  
20 to the records.

21 (6) (Blank).

22 (6.5) The Department of State Police or any employee of  
23 the Department shall be immune from civil or criminal  
24 liability for failure to expunge any records of arrest that  
25 are subject to expungement under this Section because of  
26 inability to verify a record. Nothing in this Section shall



1 create Department of State Police liability or responsibility  
2 for the expungement of juvenile law enforcement records it  
3 does not possess.

4 (7) (Blank).

5 (7.5) (Blank).

6 (8) ~~(a) (Blank).~~ ~~(b) (Blank).~~ ~~(c)~~ The expungement of  
7 juvenile law enforcement or juvenile court records under  
8 subsection (0.1), (0.2), or (0.3) of this Section shall be  
9 funded by appropriation by the General Assembly for that  
10 purpose.

11 (9) (Blank).

12 (10) (Blank).

13 (Source: P.A. 99-835, eff. 1-1-17; 99-881, eff. 1-1-17;  
14 100-201, eff. 8-18-17; 100-285, eff. 1-1-18; 100-720, eff.  
15 8-3-18; 100-863, eff. 8-14-18; 100-987, eff. 7-1-19; 100-1162,  
16 eff. 12-20-18; revised 7-16-19.)

17 Section 20. The Criminal Code of 2012 is amended by  
18 changing Sections 10-9, 11-14.1, 11-18.1, 11-20.1, and 11-25  
19 and by adding Section 11-27 as follows:

20 (720 ILCS 5/10-9)

21 Sec. 10-9. Trafficking in persons, involuntary servitude,  
22 and related offenses.

23 (a) Definitions. In this Section:

24 (1) "Intimidation" has the meaning prescribed in Section

1 12-6.

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

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

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

16 (4) (Blank).

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

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

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

24 (7.5) "Serious harm" means any harm, whether physical or  
25 nonphysical, including psychological, financial, or  
26 reputational harm, that is sufficiently serious, under all the

1 surrounding circumstances, to compel a reasonable person of  
2 the same background and in the same circumstances to perform  
3 or to continue performing labor or services in order to avoid  
4 incurring that harm.

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

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

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

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

23 (1) causes or threatens to cause physical harm to any  
24 person;

25 (2) physically restrains or threatens to physically  
26 restrain another person;

1 (3) abuses or threatens to abuse the law or legal  
2 process;

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

8 (5) uses intimidation, or exerts financial control  
9 over any person; or

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

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

18 (c) Involuntary sexual servitude of a minor. A person  
19 commits involuntary sexual servitude of a minor when he or she  
20 knowingly recruits, entices, harbors, transports, provides,  
21 purchases the sexual services of a minor, whether from the  
22 trafficker or minor, or obtains by any means, or attempts to  
23 recruit, entice, harbor, provide, purchase the services of,  
24 whether from the trafficker or minor, or obtain by any means,  
25 another person under 18 years of age, knowing that the minor  
26 will engage in commercial sexual activity, a sexually-explicit

1 performance, or the production of pornography, or causes or  
2 attempts to cause a minor to engage in one or more of those  
3 activities and:

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

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

8 (3) there is overt force or threat.

9 (c-5) Mistake of age not a defense. It is not a defense to  
10 a violation of this Section that the accused reasonably  
11 believed the trafficking victim to be 18 years of age or over.

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

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

1 engaged in an act of involuntary servitude or involuntary  
2 sexual servitude of a minor.

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

8 (e) Aggravating factors. A violation of this Section  
9 involving kidnapping or an attempt to kidnap, aggravated  
10 criminal sexual assault or an attempt to commit aggravated  
11 criminal sexual assault, or an attempt to commit first degree  
12 murder is a Class X felony.

13 (f) Sentencing considerations.

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

23 (2) Number of victims. In determining sentences within  
24 statutory maximums, the sentencing court should take into  
25 account the number of victims, and may provide for  
26 substantially increased sentences in cases involving more

1 than 10 victims.

2 (g) Restitution. Restitution is mandatory under this  
3 Section. In addition to any other amount of loss identified,  
4 the court shall order restitution including the greater of (1)  
5 the gross income or value to the defendant of the victim's  
6 labor or services or (2) the value of the victim's labor as  
7 guaranteed under the Minimum Wage Law and overtime provisions  
8 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,  
9 whichever is greater.

10 (g-1) A person who is a victim of involuntary sexual  
11 servitude of a minor is deemed a crime victim and is eligible  
12 for protections afforded to crime victims, including services  
13 under the Rights of Crime Victims and Witnesses Act, the Crime  
14 Victims Compensation Act, and the Abused and Neglected Child  
15 Reporting Act.

16 (g-5) Fine distribution. If the court imposes a fine under  
17 subsection (b), (c), or (d) of this Section, it shall be  
18 collected and distributed to the Specialized Services for  
19 Survivors of Human Trafficking Fund in accordance with Section  
20 5-9-1.21 of the Unified Code of Corrections.

21 (h) Trafficking victim services. Subject to the  
22 availability of funds, the Department of Human Services may  
23 provide or fund emergency services and assistance to  
24 individuals who are victims of one or more offenses defined in  
25 this Section. These services shall include child welfare  
26 protection for victims of the offense of involuntary sexual

1 servitude of a minor under subsection (c) of Section 10-9 of  
2 the Criminal Code of 2012, irrespective of the perpetrator of  
3 the offense.

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

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

24 (Source: P.A. 101-18, eff. 1-1-20.)

25 (720 ILCS 5/11-14.1)



1           Sec. 11-14.1. Solicitation of a sexual act.

2           (a) Any person who offers a person not his or her spouse  
3 any money, property, token, object, or article or anything of  
4 value for that person or any other person not his or her spouse  
5 to perform any act of sexual penetration as defined in Section  
6 11-0.1 of this Code, or any touching or fondling of the sex  
7 organs of one person by another person for the purpose of  
8 sexual arousal or gratification, commits solicitation of a  
9 sexual act.

10          (b) Sentence. Solicitation of a sexual act is a Class A  
11 misdemeanor. Solicitation of a sexual act from a person who is  
12 under the age of 18 or who is a person with a severe or  
13 profound intellectual disability is a Class 4 felony. If the  
14 court imposes a fine under this subsection (b), it shall be  
15 collected and distributed to the Specialized Services for  
16 Survivors of Human Trafficking Fund in accordance with Section  
17 5-9-1.21 of the Unified Code of Corrections.

18          (b-5) (Blank). ~~It is an affirmative defense to a charge of~~  
19 ~~solicitation of a sexual act with a person who is under the age~~  
20 ~~of 18 or who is a person with a severe or profound intellectual~~  
21 ~~disability that the accused reasonably believed the person was~~  
22 ~~of the age of 18 years or over or was not a person with a~~  
23 ~~severe or profound intellectual disability at the time of the~~  
24 ~~act giving rise to the charge.~~

25          (c) This Section does not apply to a person engaged in  
26 prostitution who is under 18 years of age.

1 (d) A person cannot be convicted under this Section if the  
2 practice of prostitution underlying the offense consists  
3 exclusively of the accused's own acts of prostitution under  
4 Section 11-14 of this Code.

5 (Source: P.A. 98-1013, eff. 1-1-15; 99-143, eff. 7-27-15.)

6 (720 ILCS 5/11-18.1) (from Ch. 38, par. 11-18.1)

7 Sec. 11-18.1. Patronizing a minor engaged in prostitution.

8 (a) Any person who engages in an act of sexual penetration  
9 as defined in Section 11-0.1 of this Code with a person engaged  
10 in prostitution who is under 18 years of age or is a person  
11 with a severe or profound intellectual disability commits  
12 patronizing a minor engaged in prostitution.

13 (a-5) Any person who engages in any touching or fondling,  
14 with a person engaged in prostitution who either is under 18  
15 years of age or is a person with a severe or profound  
16 intellectual disability, of the sex organs of one person by  
17 the other person, with the intent to achieve sexual arousal or  
18 gratification, commits patronizing a minor engaged in  
19 prostitution.

20 (b) (Blank). ~~It is an affirmative defense to the charge of~~  
21 ~~patronizing a minor engaged in prostitution that the accused~~  
22 ~~reasonably believed that the person was of the age of 18 years~~  
23 ~~or over or was not a person with a severe or profound~~  
24 ~~intellectual disability at the time of the act giving rise to~~  
25 ~~the charge.~~

1 (c) Sentence. A person who commits patronizing a juvenile  
2 prostitute is guilty of a Class 3 felony, unless committed  
3 within 1,000 feet of real property comprising a school, in  
4 which case it is a Class 2 felony. A person convicted of a  
5 second or subsequent violation of this Section, or of any  
6 combination of such number of convictions under this Section  
7 and Sections 11-14 (prostitution), 11-14.1 (solicitation of a  
8 sexual act), 11-14.3 (promoting prostitution), 11-14.4  
9 (promoting juvenile prostitution), 11-15 (soliciting for a  
10 prostitute), 11-15.1 (soliciting for a juvenile prostitute),  
11 11-16 (pandering), 11-17 (keeping a place of prostitution),  
12 11-17.1 (keeping a place of juvenile prostitution), 11-18  
13 (patronizing a prostitute), 11-19 (pimping), 11-19.1 (juvenile  
14 pimping or aggravated juvenile pimping), or 11-19.2  
15 (exploitation of a child) of this Code, is guilty of a Class 2  
16 felony. The fact of such conviction is not an element of the  
17 offense and may not be disclosed to the jury during trial  
18 unless otherwise permitted by issues properly raised during  
19 such trial.

20 (Source: P.A. 99-143, eff. 7-27-15.)

21 (720 ILCS 5/11-20.1) (from Ch. 38, par. 11-20.1)

22 Sec. 11-20.1. Child pornography.

23 (a) A person commits child pornography who:

24 (1) films, videotapes, photographs, or otherwise  
25 depicts or portrays by means of any similar visual medium

1 or reproduction or depicts by computer any child whom he  
2 or she knows or reasonably should know to be under the age  
3 of 18 or any person with a severe or profound intellectual  
4 disability where such child or person with a severe or  
5 profound intellectual disability is:

6 (i) actually or by simulation engaged in any act  
7 of sexual penetration or sexual conduct with any  
8 person or animal; or

9 (ii) actually or by simulation engaged in any act  
10 of sexual penetration or sexual conduct involving the  
11 sex organs of the child or person with a severe or  
12 profound intellectual disability and the mouth, anus,  
13 or sex organs of another person or animal; or which  
14 involves the mouth, anus or sex organs of the child or  
15 person with a severe or profound intellectual  
16 disability and the sex organs of another person or  
17 animal; or

18 (iii) actually or by simulation engaged in any act  
19 of masturbation; or

20 (iv) actually or by simulation portrayed as being  
21 the object of, or otherwise engaged in, any act of lewd  
22 fondling, touching, or caressing involving another  
23 person or animal; or

24 (v) actually or by simulation engaged in any act  
25 of excretion or urination within a sexual context; or

26 (vi) actually or by simulation portrayed or

1 depicted as bound, fettered, or subject to sadistic,  
2 masochistic, or sadomasochistic abuse in any sexual  
3 context; or

4 (vii) depicted or portrayed in any pose, posture  
5 or setting involving a lewd exhibition of the  
6 unclothed or transparently clothed genitals, pubic  
7 area, buttocks, or, if such person is female, a fully  
8 or partially developed breast of the child or other  
9 person; or

10 (2) with the knowledge of the nature or content  
11 thereof, reproduces, disseminates, offers to disseminate,  
12 exhibits or possesses with intent to disseminate any film,  
13 videotape, photograph or other similar visual reproduction  
14 or depiction by computer of any child or person with a  
15 severe or profound intellectual disability whom the person  
16 knows or reasonably should know to be under the age of 18  
17 or to be a person with a severe or profound intellectual  
18 disability, engaged in any activity described in  
19 subparagraphs (i) through (vii) of paragraph (1) of this  
20 subsection; or

21 (3) with knowledge of the subject matter or theme  
22 thereof, produces any stage play, live performance, film,  
23 videotape or other similar visual portrayal or depiction  
24 by computer which includes a child whom the person knows  
25 or reasonably should know to be under the age of 18 or a  
26 person with a severe or profound intellectual disability

1 engaged in any activity described in subparagraphs (i)  
2 through (vii) of paragraph (1) of this subsection; or

3 (4) solicits, uses, persuades, induces, entices, or  
4 coerces any child whom he or she knows or reasonably  
5 should know to be under the age of 18 or a person with a  
6 severe or profound intellectual disability to appear in  
7 any stage play, live presentation, film, videotape,  
8 photograph or other similar visual reproduction or  
9 depiction by computer in which the child or person with a  
10 severe or profound intellectual disability is or will be  
11 depicted, actually or by simulation, in any act, pose or  
12 setting described in subparagraphs (i) through (vii) of  
13 paragraph (1) of this subsection; or

14 (5) is a parent, step-parent, legal guardian or other  
15 person having care or custody of a child whom the person  
16 knows or reasonably should know to be under the age of 18  
17 or a person with a severe or profound intellectual  
18 disability and who knowingly permits, induces, promotes,  
19 or arranges for such child or person with a severe or  
20 profound intellectual disability to appear in any stage  
21 play, live performance, film, videotape, photograph or  
22 other similar visual presentation, portrayal or simulation  
23 or depiction by computer of any act or activity described  
24 in subparagraphs (i) through (vii) of paragraph (1) of  
25 this subsection; or

26 (6) with knowledge of the nature or content thereof,

1 possesses any film, videotape, photograph or other similar  
2 visual reproduction or depiction by computer of any child  
3 or person with a severe or profound intellectual  
4 disability whom the person knows or reasonably should know  
5 to be under the age of 18 or to be a person with a severe  
6 or profound intellectual disability, engaged in any  
7 activity described in subparagraphs (i) through (vii) of  
8 paragraph (1) of this subsection; or

9 (7) solicits, or knowingly uses, persuades, induces,  
10 entices, or coerces, a person to provide a child under the  
11 age of 18 or a person with a severe or profound  
12 intellectual disability to appear in any videotape,  
13 photograph, film, stage play, live presentation, or other  
14 similar visual reproduction or depiction by computer in  
15 which the child or person with a severe or profound  
16 intellectual disability will be depicted, actually or by  
17 simulation, in any act, pose, or setting described in  
18 subparagraphs (i) through (vii) of paragraph (1) of this  
19 subsection.

20 (a-5) The possession of each individual film, videotape,  
21 photograph, or other similar visual reproduction or depiction  
22 by computer in violation of this Section constitutes a single  
23 and separate violation. This subsection (a-5) does not apply  
24 to multiple copies of the same film, videotape, photograph, or  
25 other similar visual reproduction or depiction by computer  
26 that are identical to each other.

1           (b)(1) It shall be an affirmative defense to a charge of  
2 child pornography that the defendant reasonably believed,  
3 under all of the circumstances, that the child was 18 years of  
4 age or older or that the person was not a person with a severe  
5 or profound intellectual disability but only where, prior to  
6 the act or acts giving rise to a prosecution under this  
7 Section, he or she took some affirmative action or made a  
8 bonafide inquiry designed to ascertain whether the child was  
9 18 years of age or older or that the person was not a person  
10 with a severe or profound intellectual disability and his or  
11 her reliance upon the information so obtained was clearly  
12 reasonable.

13           (1.5) Telecommunications carriers, commercial mobile  
14 service providers, and providers of information services,  
15 including, but not limited to, Internet service providers and  
16 hosting service providers, are not liable under this Section  
17 by virtue of the transmission, storage, or caching of  
18 electronic communications or messages of others or by virtue  
19 of the provision of other related telecommunications,  
20 commercial mobile services, or information services used by  
21 others in violation of this Section.

22           (2) (Blank).

23           (3) The charge of child pornography shall not apply to the  
24 performance of official duties by law enforcement or  
25 prosecuting officers or persons employed by law enforcement or  
26 prosecuting agencies, court personnel or attorneys, nor to



1 bonafide treatment or professional education programs  
2 conducted by licensed physicians, psychologists or social  
3 workers.

4 (4) If the defendant possessed more than one of the same  
5 film, videotape or visual reproduction or depiction by  
6 computer in which child pornography is depicted, then the  
7 trier of fact may infer that the defendant possessed such  
8 materials with the intent to disseminate them.

9 (5) The charge of child pornography does not apply to a  
10 person who does not voluntarily possess a film, videotape, or  
11 visual reproduction or depiction by computer in which child  
12 pornography is depicted. Possession is voluntary if the  
13 defendant knowingly procures or receives a film, videotape, or  
14 visual reproduction or depiction for a sufficient time to be  
15 able to terminate his or her possession.

16 (6) Any violation of paragraph (1), (2), (3), (4), (5), or  
17 (7) of subsection (a) that includes a child engaged in,  
18 solicited for, depicted in, or posed in any act of sexual  
19 penetration or bound, fettered, or subject to sadistic,  
20 masochistic, or sadomasochistic abuse in a sexual context  
21 shall be deemed a crime of violence.

22 (c) If the violation does not involve a film, videotape,  
23 or other moving depiction, a violation of paragraph (1), (4),  
24 (5), (6), or (7) of subsection (a) is a Class 1 felony with a  
25 mandatory minimum fine of \$2,000 and a maximum fine of  
26 \$100,000. If the violation involves a film, videotape, or

1 other moving depiction, a violation of paragraph (1), (4),  
2 (5), (6), or (7) of subsection (a) is a Class X felony with a  
3 mandatory minimum fine of \$2,000 and a maximum fine of  
4 \$100,000. If the violation does not involve a film, videotape,  
5 or other moving depiction, a violation of paragraph (3) of  
6 subsection (a) is a Class 1 felony with a mandatory minimum  
7 fine of \$1500 and a maximum fine of \$100,000. If the violation  
8 involves a film, videotape, or other moving depiction, a  
9 violation of paragraph (3) of subsection (a) is a Class X  
10 felony with a mandatory minimum fine of \$1500 and a maximum  
11 fine of \$100,000. If the violation does not involve a film,  
12 videotape, or other moving depiction, a violation of paragraph  
13 (2) of subsection (a) is a Class 1 felony with a mandatory  
14 minimum fine of \$1000 and a maximum fine of \$100,000. If the  
15 violation involves a film, videotape, or other moving  
16 depiction, a violation of paragraph (2) of subsection (a) is a  
17 Class X felony with a mandatory minimum fine of \$1000 and a  
18 maximum fine of \$100,000. ~~If the violation does not involve a~~  
19 ~~film, videotape, or other moving depiction, a violation of~~  
20 ~~paragraph (6) of subsection (a) is a Class 3 felony with a~~  
21 ~~mandatory minimum fine of \$1000 and a maximum fine of~~  
22 ~~\$100,000. If the violation involves a film, videotape, or~~  
23 ~~other moving depiction, a violation of paragraph (6) of~~  
24 ~~subsection (a) is a Class 2 felony with a mandatory minimum~~  
25 ~~fine of \$1000 and a maximum fine of \$100,000.~~

26 (c-5) Where the child depicted is under the age of 13, a

1 violation of paragraph (1), (2), (3), (4), (5), or (7) of  
2 subsection (a) is a Class X felony with a mandatory minimum  
3 fine of \$2,000 and a maximum fine of \$100,000. ~~Where the child~~  
4 ~~depicted is under the age of 13, a violation of paragraph (6)~~  
5 ~~of subsection (a) is a Class 2 felony with a mandatory minimum~~  
6 ~~fine of \$1,000 and a maximum fine of \$100,000.~~ Where the child  
7 depicted is under the age of 13, a person who commits a  
8 violation of paragraph (1), (2), (3), (4), (5), or (7) of  
9 subsection (a) where the defendant has previously been  
10 convicted under the laws of this State or any other state of  
11 the offense of child pornography, aggravated child  
12 pornography, aggravated criminal sexual abuse, aggravated  
13 criminal sexual assault, predatory criminal sexual assault of  
14 a child, or any of the offenses formerly known as rape, deviate  
15 sexual assault, indecent liberties with a child, or aggravated  
16 indecent liberties with a child where the victim was under the  
17 age of 18 years or an offense that is substantially equivalent  
18 to those offenses, is guilty of a Class X felony for which the  
19 person shall be sentenced to a term of imprisonment of not less  
20 than 9 years with a mandatory minimum fine of \$2,000 and a  
21 maximum fine of \$100,000. Where the child depicted is under  
22 the age of 13, a person who commits a violation of paragraph  
23 (6) of subsection (a) where the defendant has previously been  
24 convicted under the laws of this State or any other state of  
25 the offense of child pornography, aggravated child  
26 pornography, aggravated criminal sexual abuse, aggravated

1 criminal sexual assault, predatory criminal sexual assault of  
2 a child, or any of the offenses formerly known as rape, deviate  
3 sexual assault, indecent liberties with a child, or aggravated  
4 indecent liberties with a child where the victim was under the  
5 age of 18 years or an offense that is substantially equivalent  
6 to those offenses, is guilty of a Class X ± felony with a  
7 mandatory minimum fine of \$2,000 ~~\$1,000~~ and a maximum fine of  
8 \$100,000. The issue of whether the child depicted is under the  
9 age of 13 is an element of the offense to be resolved by the  
10 trier of fact.

11 (d) If a person is convicted of a second or subsequent  
12 violation of this Section within 10 years of a prior  
13 conviction, the court shall order a presentence psychiatric  
14 examination of the person. The examiner shall report to the  
15 court whether treatment of the person is necessary.

16 (e) Any film, videotape, photograph or other similar  
17 visual reproduction or depiction by computer which includes a  
18 child under the age of 18 or a person with a severe or profound  
19 intellectual disability engaged in any activity described in  
20 subparagraphs (i) through (vii) or paragraph 1 of subsection  
21 (a), and any material or equipment used or intended for use in  
22 photographing, filming, printing, producing, reproducing,  
23 manufacturing, projecting, exhibiting, depiction by computer,  
24 or disseminating such material shall be seized and forfeited  
25 in the manner, method and procedure provided by Section 36-1  
26 of this Code for the seizure and forfeiture of vessels,

1 vehicles and aircraft.

2 In addition, any person convicted under this Section is  
3 subject to the property forfeiture provisions set forth in  
4 Article 124B of the Code of Criminal Procedure of 1963.

5 (e-5) Upon the conclusion of a case brought under this  
6 Section, the court shall seal all evidence depicting a victim  
7 or witness that is sexually explicit. The evidence may be  
8 unsealed and viewed, on a motion of the party seeking to unseal  
9 and view the evidence, only for good cause shown and in the  
10 discretion of the court. The motion must expressly set forth  
11 the purpose for viewing the material. The State's attorney and  
12 the victim, if possible, shall be provided reasonable notice  
13 of the hearing on the motion to unseal the evidence. Any person  
14 entitled to notice of a hearing under this subsection (e-5)  
15 may object to the motion.

16 (f) Definitions. For the purposes of this Section:

17 (1) "Disseminate" means (i) to sell, distribute,  
18 exchange or transfer possession, whether with or without  
19 consideration or (ii) to make a depiction by computer  
20 available for distribution or downloading through the  
21 facilities of any telecommunications network or through  
22 any other means of transferring computer programs or data  
23 to a computer.

24 (2) "Produce" means to direct, promote, advertise,  
25 publish, manufacture, issue, present or show.

26 (3) "Reproduce" means to make a duplication or copy.

1           (4) "Depict by computer" means to generate or create,  
2           or cause to be created or generated, a computer program or  
3           data that, after being processed by a computer either  
4           alone or in conjunction with one or more computer  
5           programs, results in a visual depiction on a computer  
6           monitor, screen, or display.

7           (5) "Depiction by computer" means a computer program  
8           or data that, after being processed by a computer either  
9           alone or in conjunction with one or more computer  
10          programs, results in a visual depiction on a computer  
11          monitor, screen, or display.

12          (6) "Computer", "computer program", and "data" have  
13          the meanings ascribed to them in Section 17.05 of this  
14          Code.

15          (7) For the purposes of this Section, "child  
16          pornography" includes a film, videotape, photograph, or  
17          other similar visual medium or reproduction or depiction  
18          by computer that is, or appears to be, that of a person,  
19          either in part, or in total, under the age of 18 or a  
20          person with a severe or profound intellectual disability,  
21          regardless of the method by which the film, videotape,  
22          photograph, or other similar visual medium or reproduction  
23          or depiction by computer is created, adopted, or modified  
24          to appear as such. "Child pornography" also includes a  
25          film, videotape, photograph, or other similar visual  
26          medium or reproduction or depiction by computer that is

1        advertised, promoted, presented, described, or distributed  
2        in such a manner that conveys the impression that the  
3        film, videotape, photograph, or other similar visual  
4        medium or reproduction or depiction by computer is of a  
5        person under the age of 18 or a person with a severe or  
6        profound intellectual disability.

7        (g) Re-enactment; findings; purposes.

8            (1) The General Assembly finds and declares that:

9            (i) Section 50-5 of Public Act 88-680, effective  
10          January 1, 1995, contained provisions amending the  
11          child pornography statute, Section 11-20.1 of the  
12          Criminal Code of 1961. Section 50-5 also contained  
13          other provisions.

14          (ii) In addition, Public Act 88-680 was entitled  
15          "AN ACT to create a Safe Neighborhoods Law". (A)  
16          Article 5 was entitled JUVENILE JUSTICE and amended  
17          the Juvenile Court Act of 1987. (B) Article 15 was  
18          entitled GANGS and amended various provisions of the  
19          Criminal Code of 1961 and the Unified Code of  
20          Corrections. (C) Article 20 was entitled ALCOHOL ABUSE  
21          and amended various provisions of the Illinois Vehicle  
22          Code. (D) Article 25 was entitled DRUG ABUSE and  
23          amended the Cannabis Control Act and the Illinois  
24          Controlled Substances Act. (E) Article 30 was entitled  
25          FIREARMS and amended the Criminal Code of 1961 and the  
26          Code of Criminal Procedure of 1963. (F) Article 35

1 amended the Criminal Code of 1961, the Rights of Crime  
2 Victims and Witnesses Act, and the Unified Code of  
3 Corrections. (G) Article 40 amended the Criminal Code  
4 of 1961 to increase the penalty for compelling  
5 organization membership of persons. (H) Article 45  
6 created the Secure Residential Youth Care Facility  
7 Licensing Act and amended the State Finance Act, the  
8 Juvenile Court Act of 1987, the Unified Code of  
9 Corrections, and the Private Correctional Facility  
10 Moratorium Act. (I) Article 50 amended the WIC Vendor  
11 Management Act, the Firearm Owners Identification Card  
12 Act, the Juvenile Court Act of 1987, the Criminal Code  
13 of 1961, the Wrongs to Children Act, and the Unified  
14 Code of Corrections.

15 (iii) On September 22, 1998, the Third District  
16 Appellate Court in *People v. Dainty*, 701 N.E. 2d 118,  
17 ruled that Public Act 88-680 violates the single  
18 subject clause of the Illinois Constitution (Article  
19 IV, Section 8 (d)) and was unconstitutional in its  
20 entirety. As of the time this amendatory Act of 1999  
21 was prepared, *People v. Dainty* was still subject to  
22 appeal.

23 (iv) Child pornography is a vital concern to the  
24 people of this State and the validity of future  
25 prosecutions under the child pornography statute of  
26 the Criminal Code of 1961 is in grave doubt.



1           (2) It is the purpose of this amendatory Act of 1999 to  
2 prevent or minimize any problems relating to prosecutions  
3 for child pornography that may result from challenges to  
4 the constitutional validity of Public Act 88-680 by  
5 re-enacting the Section relating to child pornography that  
6 was included in Public Act 88-680.

7           (3) This amendatory Act of 1999 re-enacts Section  
8 11-20.1 of the Criminal Code of 1961, as it has been  
9 amended. This re-enactment is intended to remove any  
10 question as to the validity or content of that Section; it  
11 is not intended to supersede any other Public Act that  
12 amends the text of the Section as set forth in this  
13 amendatory Act of 1999. The material is shown as existing  
14 text (i.e., without underscoring) because, as of the time  
15 this amendatory Act of 1999 was prepared, *People v. Dainty*  
16 was subject to appeal to the Illinois Supreme Court.

17           (4) The re-enactment by this amendatory Act of 1999 of  
18 Section 11-20.1 of the Criminal Code of 1961 relating to  
19 child pornography that was amended by Public Act 88-680 is  
20 not intended, and shall not be construed, to imply that  
21 Public Act 88-680 is invalid or to limit or impair any  
22 legal argument concerning whether those provisions were  
23 substantially re-enacted by other Public Acts.

24 (Source: P.A. 101-87, eff. 1-1-20.)

25 (720 ILCS 5/11-25)

1           Sec. 11-25. Grooming.

2           (a) A person commits grooming when he or she knowingly  
3 uses a computer on-line service, Internet service, local  
4 bulletin board service, or any other device capable of  
5 electronic data storage or transmission to seduce, solicit,  
6 lure, or entice, or attempt to seduce, solicit, lure, or  
7 entice, a child, a child's guardian, or another person  
8 believed by the person to be a child or a child's guardian, to  
9 commit any sex offense as defined in Section 2 of the Sex  
10 Offender Registration Act, to distribute photographs depicting  
11 the sex organs of the child, or to otherwise engage in any  
12 unlawful sexual conduct with a child or with another person  
13 believed by the person to be a child. As used in this Section,  
14 "child" means a person under 17 years of age.

15           (a-5) It is not a defense to a violation of this Section  
16 that the accused reasonably believed the child to be 17 years  
17 of age or over.

18           (b) Sentence. Grooming is a Class 4 felony.

19           (Source: P.A. 100-428, eff. 1-1-18.)

20           (720 ILCS 5/11-27 new)

21           Sec. 11-27. Selling travel services to facilitate sexual  
22 exploitation of a child.

23           (a) In this Section, "child" means a person under 17 years  
24 of age.

25           (b) A person commits selling travel services to facilitate

1 sexual exploitation of a child when he or she knowingly sells  
2 or offers to sell travel services for the purpose of seducing,  
3 soliciting, luring, or enticing, or attempting to seduce,  
4 solicit, lure, or entice a person to travel to a location  
5 within this State to commit any sex offense as defined in  
6 Section 2 of the Sex Offender Registration Act, to distribute  
7 photographs depicting the sex organs of the child, or to  
8 otherwise engage in any unlawful sexual conduct with a child  
9 or with another person believed by the person to be a child.

10 (c) Sentence. Selling travel services to facilitate sexual  
11 exploitation of a child is a Class 4 felony.

12 Section 25. The Code of Criminal Procedure of 1963 is  
13 amended by changing Section 116-2.1 as follows:

14 (725 ILCS 5/116-2.1)

15 Sec. 116-2.1. Motion to vacate prostitution convictions  
16 for sex trafficking victims.

17 (a) A motion under this Section may be filed at any time  
18 following the entry of a verdict or finding of guilty or an  
19 adjudication of delinquency under the Juvenile Court Act of  
20 1987 where the conviction was under Section 11-14  
21 (prostitution) or Section 11-14.2 (first offender; felony  
22 prostitution) of the Criminal Code of 1961 or the Criminal  
23 Code of 2012 or a similar local ordinance and the defendant's  
24 participation in the offense was a result of having been a

1 trafficking victim under Section 10-9 (involuntary servitude,  
2 involuntary sexual servitude of a minor, or trafficking in  
3 persons) of the Criminal Code of 1961 or the Criminal Code of  
4 2012; or a victim of a severe form of trafficking under the  
5 federal Trafficking Victims Protection Act (22 U.S.C. Section  
6 7102(13)); provided that:

7 (1) a motion under this Section shall state why the  
8 facts giving rise to this motion were not presented to the  
9 trial court, and shall be made with due diligence, after  
10 the defendant has ceased to be a victim of such  
11 trafficking or has sought services for victims of such  
12 trafficking, subject to reasonable concerns for the safety  
13 of the defendant, family members of the defendant, or  
14 other victims of such trafficking that may be jeopardized  
15 by the bringing of such motion, or for other reasons  
16 consistent with the purpose of this Section; and

17 (2) reasonable notice of the motion shall be served  
18 upon the State.

19 (b) The court may grant the motion if, in the discretion of  
20 the court, the violation was a result of the defendant having  
21 been a victim of human trafficking. Evidence of such may  
22 include, but is not limited to:

23 (1) certified records of federal or State court  
24 proceedings which demonstrate that the defendant was a  
25 victim of a trafficker charged with a trafficking offense  
26 under Section 10-9 of the Criminal Code of 1961 or the

1 Criminal Code of 2012, or under 22 U.S.C. Chapter 78;

2 (2) certified records of "approval notices" or "law  
3 enforcement certifications" generated from federal  
4 immigration proceedings available to such victims; or

5 (3) a sworn statement from a trained professional  
6 staff of a victim services organization, an attorney, a  
7 member of the clergy, or a medical or other professional  
8 from whom the defendant has sought assistance in  
9 addressing the trauma associated with being trafficked.

10 Alternatively, the court may consider such other evidence  
11 as it deems of sufficient credibility and probative value in  
12 determining whether the defendant is a trafficking victim or  
13 victim of a severe form of trafficking.

14 (c) If the court grants a motion under this Section, it  
15 must vacate the conviction and may take such additional action  
16 as is appropriate in the circumstances.

17 (Source: P.A. 97-267, eff. 1-1-12; 97-897, eff. 1-1-13;  
18 97-1150, eff. 1-25-13.)

19 Section 30. The Sex Offender Registration Act is amended  
20 by changing Section 2 as follows:

21 (730 ILCS 150/2) (from Ch. 38, par. 222)

22 Sec. 2. Definitions.

23 (A) As used in this Article, "sex offender" means any  
24 person who is:

1           (1) charged pursuant to Illinois law, or any  
2 substantially similar federal, Uniform Code of Military  
3 Justice, sister state, or foreign country law, with a sex  
4 offense set forth in subsection (B) of this Section or the  
5 attempt to commit an included sex offense, and:

6           (a) is convicted of such offense or an attempt to  
7 commit such offense; or

8           (b) is found not guilty by reason of insanity of  
9 such offense or an attempt to commit such offense; or

10           (c) is found not guilty by reason of insanity  
11 pursuant to Section 104-25(c) of the Code of Criminal  
12 Procedure of 1963 of such offense or an attempt to  
13 commit such offense; or

14           (d) is the subject of a finding not resulting in an  
15 acquittal at a hearing conducted pursuant to Section  
16 104-25(a) of the Code of Criminal Procedure of 1963  
17 for the alleged commission or attempted commission of  
18 such offense; or

19           (e) is found not guilty by reason of insanity  
20 following a hearing conducted pursuant to a federal,  
21 Uniform Code of Military Justice, sister state, or  
22 foreign country law substantially similar to Section  
23 104-25(c) of the Code of Criminal Procedure of 1963 of  
24 such offense or of the attempted commission of such  
25 offense; or

26           (f) is the subject of a finding not resulting in an

1 acquittal at a hearing conducted pursuant to a  
2 federal, Uniform Code of Military Justice, sister  
3 state, or foreign country law substantially similar to  
4 Section 104-25(a) of the Code of Criminal Procedure of  
5 1963 for the alleged violation or attempted commission  
6 of such offense; or

7 (2) declared as a sexually dangerous person pursuant  
8 to the Illinois Sexually Dangerous Persons Act, or any  
9 substantially similar federal, Uniform Code of Military  
10 Justice, sister state, or foreign country law; or

11 (3) subject to the provisions of Section 2 of the  
12 Interstate Agreements on Sexually Dangerous Persons Act;  
13 or

14 (4) found to be a sexually violent person pursuant to  
15 the Sexually Violent Persons Commitment Act or any  
16 substantially similar federal, Uniform Code of Military  
17 Justice, sister state, or foreign country law; or

18 (5) adjudicated a juvenile delinquent as the result of  
19 committing or attempting to commit an act which, if  
20 committed by an adult, would constitute any of the  
21 offenses specified in item (B), (C), or (C-5) of this  
22 Section or a violation of any substantially similar  
23 federal, Uniform Code of Military Justice, sister state,  
24 or foreign country law, or found guilty under Article V of  
25 the Juvenile Court Act of 1987 of committing or attempting  
26 to commit an act which, if committed by an adult, would

1           constitute any of the offenses specified in item (B), (C),  
2           or (C-5) of this Section or a violation of any  
3           substantially similar federal, Uniform Code of Military  
4           Justice, sister state, or foreign country law.

5           Convictions that result from or are connected with the  
6           same act, or result from offenses committed at the same time,  
7           shall be counted for the purpose of this Article as one  
8           conviction. Any conviction set aside pursuant to law is not a  
9           conviction for purposes of this Article.

10           For purposes of this Section, "convicted" shall have the  
11           same meaning as "adjudicated".

12           (B) As used in this Article, "sex offense" means:

13           (1) A violation of any of the following Sections of  
14           the Criminal Code of 1961 or the Criminal Code of 2012:

15                   10-9 (trafficking in persons, involuntary  
16                   servitude, and related offenses),

17                   11-20.1 (child pornography),

18                   11-20.1B     or     11-20.3     (aggravated     child  
19                   pornography),

20                   11-6 (indecent solicitation of a child),

21                   11-9.1 (sexual exploitation of a child),

22                   11-9.2 (custodial sexual misconduct),

23                   11-9.5 (sexual misconduct with a person with a  
24                   disability),

25                   11-14.4 (promoting juvenile prostitution),

26                   11-15.1 (soliciting for a juvenile prostitute),



1           11-18.1 (patronizing a juvenile prostitute),  
2           11-17.1 (keeping a place of juvenile  
3 prostitution),  
4           11-19.1 (juvenile pimping),  
5           11-19.2 (exploitation of a child),  
6           11-25 (grooming),  
7           11-26 (traveling to meet a minor or traveling to  
8 meet a child),  
9           11-1.20 or 12-13 (criminal sexual assault),  
10          11-1.30 or 12-14 (aggravated criminal sexual  
11 assault),  
12          11-1.40 or 12-14.1 (predatory criminal sexual  
13 assault of a child),  
14          11-1.50 or 12-15 (criminal sexual abuse),  
15          11-1.60 or 12-16 (aggravated criminal sexual  
16 abuse),  
17          12-33 (ritualized abuse of a child).

18           An attempt to commit any of these offenses.

19           (1.5) A violation of any of the following Sections of  
20 the Criminal Code of 1961 or the Criminal Code of 2012,  
21 when the victim is a person under 18 years of age, the  
22 defendant is not a parent of the victim, the offense was  
23 sexually motivated as defined in Section 10 of the Sex  
24 Offender Evaluation and Treatment Act, and the offense was  
25 committed on or after January 1, 1996:

26           10-1 (kidnapping),

1           10-2 (aggravated kidnapping),  
2           10-3 (unlawful restraint),  
3           10-3.1 (aggravated unlawful restraint).

4           If the offense was committed before January 1, 1996,  
5           it is a sex offense requiring registration only when the  
6           person is convicted of any felony after July 1, 2011, and  
7           paragraph (2.1) of subsection (c) of Section 3 of this Act  
8           applies.

9           (1.6) First degree murder under Section 9-1 of the  
10          Criminal Code of 1961 or the Criminal Code of 2012,  
11          provided the offense was sexually motivated as defined in  
12          Section 10 of the Sex Offender Management Board Act.

13          (1.7) (Blank).

14          (1.8) A violation or attempted violation of Section  
15          11-11 (sexual relations within families) of the Criminal  
16          Code of 1961 or the Criminal Code of 2012, and the offense  
17          was committed on or after June 1, 1997. If the offense was  
18          committed before June 1, 1997, it is a sex offense  
19          requiring registration only when the person is convicted  
20          of any felony after July 1, 2011, and paragraph (2.1) of  
21          subsection (c) of Section 3 of this Act applies.

22          (1.9) Child abduction under paragraph (10) of  
23          subsection (b) of Section 10-5 of the Criminal Code of  
24          1961 or the Criminal Code of 2012 committed by luring or  
25          attempting to lure a child under the age of 16 into a motor  
26          vehicle, building, house trailer, or dwelling place

1 without the consent of the parent or lawful custodian of  
2 the child for other than a lawful purpose and the offense  
3 was committed on or after January 1, 1998, provided the  
4 offense was sexually motivated as defined in Section 10 of  
5 the Sex Offender Management Board Act. If the offense was  
6 committed before January 1, 1998, it is a sex offense  
7 requiring registration only when the person is convicted  
8 of any felony after July 1, 2011, and paragraph (2.1) of  
9 subsection (c) of Section 3 of this Act applies.

10 (1.10) A violation or attempted violation of any of  
11 the following Sections of the Criminal Code of 1961 or the  
12 Criminal Code of 2012 when the offense was committed on or  
13 after July 1, 1999:

14 10-4 (forcible detention, if the victim is under  
15 18 years of age), provided the offense was sexually  
16 motivated as defined in Section 10 of the Sex Offender  
17 Management Board Act,

18 11-6.5 (indecent solicitation of an adult),

19 11-14.3 that involves soliciting for a prostitute,  
20 or 11-15 (soliciting for a prostitute, if the victim  
21 is under 18 years of age),

22 subdivision (a) (2) (A) or (a) (2) (B) of Section  
23 11-14.3, or Section 11-16 (pandering, if the victim is  
24 under 18 years of age),

25 11-18 (patronizing a prostitute, if the victim is  
26 under 18 years of age),

1 subdivision (a)(2)(C) of Section 11-14.3, or  
2 Section 11-19 (pimping, if the victim is under 18  
3 years of age).

4 If the offense was committed before July 1, 1999, it  
5 is a sex offense requiring registration only when the  
6 person is convicted of any felony after July 1, 2011, and  
7 paragraph (2.1) of subsection (c) of Section 3 of this Act  
8 applies.

9 (1.11) A violation or attempted violation of any of  
10 the following Sections of the Criminal Code of 1961 or the  
11 Criminal Code of 2012 when the offense was committed on or  
12 after August 22, 2002:

13 11-9 or 11-30 (public indecency for a third or  
14 subsequent conviction).

15 If the third or subsequent conviction was imposed  
16 before August 22, 2002, it is a sex offense requiring  
17 registration only when the person is convicted of any  
18 felony after July 1, 2011, and paragraph (2.1) of  
19 subsection (c) of Section 3 of this Act applies.

20 (1.12) A violation or attempted violation of Section  
21 5.1 of the Wrongs to Children Act or Section 11-9.1A of the  
22 Criminal Code of 1961 or the Criminal Code of 2012  
23 (permitting sexual abuse) when the offense was committed  
24 on or after August 22, 2002. If the offense was committed  
25 before August 22, 2002, it is a sex offense requiring  
26 registration only when the person is convicted of any

1 felony after July 1, 2011, and paragraph (2.1) of  
2 subsection (c) of Section 3 of this Act applies.

3 (2) A violation of any former law of this State  
4 substantially equivalent to any offense listed in  
5 subsection (B) of this Section.

6 (C) A conviction for an offense of federal law, Uniform  
7 Code of Military Justice, or the law of another state or a  
8 foreign country that is substantially equivalent to any  
9 offense listed in subsections (B), (C), (E), and (E-5) of this  
10 Section shall constitute a conviction for the purpose of this  
11 Article. A finding or adjudication as a sexually dangerous  
12 person or a sexually violent person under any federal law,  
13 Uniform Code of Military Justice, or the law of another state  
14 or foreign country that is substantially equivalent to the  
15 Sexually Dangerous Persons Act or the Sexually Violent Persons  
16 Commitment Act shall constitute an adjudication for the  
17 purposes of this Article.

18 (C-5) A person at least 17 years of age at the time of the  
19 commission of the offense who is convicted of first degree  
20 murder under Section 9-1 of the Criminal Code of 1961 or the  
21 Criminal Code of 2012, against a person under 18 years of age,  
22 shall be required to register for natural life. A conviction  
23 for an offense of federal, Uniform Code of Military Justice,  
24 sister state, or foreign country law that is substantially  
25 equivalent to any offense listed in subsection (C-5) of this  
26 Section shall constitute a conviction for the purpose of this

1 Article. This subsection (C-5) applies to a person who  
2 committed the offense before June 1, 1996 if: (i) the person is  
3 incarcerated in an Illinois Department of Corrections facility  
4 on August 20, 2004 (the effective date of Public Act 93-977),  
5 or (ii) subparagraph (i) does not apply and the person is  
6 convicted of any felony after July 1, 2011, and paragraph  
7 (2.1) of subsection (c) of Section 3 of this Act applies.

8 (C-6) A person who is convicted or adjudicated delinquent  
9 of first degree murder as defined in Section 9-1 of the  
10 Criminal Code of 1961 or the Criminal Code of 2012, against a  
11 person 18 years of age or over, shall be required to register  
12 for his or her natural life. A conviction for an offense of  
13 federal, Uniform Code of Military Justice, sister state, or  
14 foreign country law that is substantially equivalent to any  
15 offense listed in subsection (C-6) of this Section shall  
16 constitute a conviction for the purpose of this Article. This  
17 subsection (C-6) does not apply to those individuals released  
18 from incarceration more than 10 years prior to January 1, 2012  
19 (the effective date of Public Act 97-154).

20 (D) As used in this Article, "law enforcement agency  
21 having jurisdiction" means the Chief of Police in each of the  
22 municipalities in which the sex offender expects to reside,  
23 work, or attend school (1) upon his or her discharge, parole or  
24 release or (2) during the service of his or her sentence of  
25 probation or conditional discharge, or the Sheriff of the  
26 county, in the event no Police Chief exists or if the offender

1 intends to reside, work, or attend school in an unincorporated  
2 area. "Law enforcement agency having jurisdiction" includes  
3 the location where out-of-state students attend school and  
4 where out-of-state employees are employed or are otherwise  
5 required to register.

6 (D-1) As used in this Article, "supervising officer" means  
7 the assigned Illinois Department of Corrections parole agent  
8 or county probation officer.

9 (E) As used in this Article, "sexual predator" means any  
10 person who, after July 1, 1999, is:

11 (1) Convicted for an offense of federal, Uniform Code  
12 of Military Justice, sister state, or foreign country law  
13 that is substantially equivalent to any offense listed in  
14 subsection (E) or (E-5) of this Section shall constitute a  
15 conviction for the purpose of this Article. Convicted of a  
16 violation or attempted violation of any of the following  
17 Sections of the Criminal Code of 1961 or the Criminal Code  
18 of 2012:

19 10-5.1 (luring of a minor),

20 11-14.4 that involves keeping a place of juvenile  
21 prostitution, or 11-17.1 (keeping a place of juvenile  
22 prostitution),

23 subdivision (a) (2) or (a) (3) of Section 11-14.4,  
24 or Section 11-19.1 (juvenile pimping),

25 subdivision (a) (4) of Section 11-14.4, or Section  
26 11-19.2 (exploitation of a child),

1           11-20.1 (child pornography),  
2           11-20.1B or 11-20.3 (aggravated child  
3 pornography),  
4           11-1.20 or 12-13 (criminal sexual assault),  
5           11-1.30 or 12-14 (aggravated criminal sexual  
6 assault),  
7           11-1.40 or 12-14.1 (predatory criminal sexual  
8 assault of a child),  
9           11-1.60 or 12-16 (aggravated criminal sexual  
10 abuse),  
11          12-33 (ritualized abuse of a child);  
12          (2) (blank);  
13          (3) declared as a sexually dangerous person pursuant  
14 to the Sexually Dangerous Persons Act or any substantially  
15 similar federal, Uniform Code of Military Justice, sister  
16 state, or foreign country law;  
17          (4) found to be a sexually violent person pursuant to  
18 the Sexually Violent Persons Commitment Act or any  
19 substantially similar federal, Uniform Code of Military  
20 Justice, sister state, or foreign country law;  
21          (5) convicted of a second or subsequent offense which  
22 requires registration pursuant to this Act. For purposes  
23 of this paragraph (5), "convicted" shall include a  
24 conviction under any substantially similar Illinois,  
25 federal, Uniform Code of Military Justice, sister state,  
26 or foreign country law;



1 (6) (blank); or

2 (7) if the person was convicted of an offense set  
3 forth in this subsection (E) on or before July 1, 1999, the  
4 person is a sexual predator for whom registration is  
5 required only when the person is convicted of a felony  
6 offense after July 1, 2011, and paragraph (2.1) of  
7 subsection (c) of Section 3 of this Act applies.

8 (E-5) As used in this Article, "sexual predator" also  
9 means a person convicted of a violation or attempted violation  
10 of any of the following Sections of the Criminal Code of 1961  
11 or the Criminal Code of 2012:

12 (1) Section 9-1 (first degree murder, when the victim  
13 was a person under 18 years of age and the defendant was at  
14 least 17 years of age at the time of the commission of the  
15 offense, provided the offense was sexually motivated as  
16 defined in Section 10 of the Sex Offender Management Board  
17 Act);

18 (2) Section 11-9.5 (sexual misconduct with a person  
19 with a disability);

20 (3) when the victim is a person under 18 years of age,  
21 the defendant is not a parent of the victim, the offense  
22 was sexually motivated as defined in Section 10 of the Sex  
23 Offender Management Board Act, and the offense was  
24 committed on or after January 1, 1996: (A) Section 10-1  
25 (kidnapping), (B) Section 10-2 (aggravated kidnapping),  
26 (C) Section 10-3 (unlawful restraint), and (D) Section

1 10-3.1 (aggravated unlawful restraint); and

2 (4) Section 10-5(b)(10) (child abduction committed by  
3 luring or attempting to lure a child under the age of 16  
4 into a motor vehicle, building, house trailer, or dwelling  
5 place without the consent of the parent or lawful  
6 custodian of the child for other than a lawful purpose and  
7 the offense was committed on or after January 1, 1998,  
8 provided the offense was sexually motivated as defined in  
9 Section 10 of the Sex Offender Management Board Act).

10 (E-10) As used in this Article, "sexual predator" also  
11 means a person required to register in another State due to a  
12 conviction, adjudication or other action of any court  
13 triggering an obligation to register as a sex offender, sexual  
14 predator, or substantially similar status under the laws of  
15 that State.

16 (F) As used in this Article, "out-of-state student" means  
17 any sex offender, as defined in this Section, or sexual  
18 predator who is enrolled in Illinois, on a full-time or  
19 part-time basis, in any public or private educational  
20 institution, including, but not limited to, any secondary  
21 school, trade or professional institution, or institution of  
22 higher learning.

23 (G) As used in this Article, "out-of-state employee" means  
24 any sex offender, as defined in this Section, or sexual  
25 predator who works in Illinois, regardless of whether the  
26 individual receives payment for services performed, for a

1 period of time of 10 or more days or for an aggregate period of  
2 time of 30 or more days during any calendar year. Persons who  
3 operate motor vehicles in the State accrue one day of  
4 employment time for any portion of a day spent in Illinois.

5 (H) As used in this Article, "school" means any public or  
6 private educational institution, including, but not limited  
7 to, any elementary or secondary school, trade or professional  
8 institution, or institution of higher education.

9 (I) As used in this Article, "fixed residence" means any  
10 and all places that a sex offender resides for an aggregate  
11 period of time of 5 or more days in a calendar year.

12 (J) As used in this Article, "Internet protocol address"  
13 means the string of numbers by which a location on the Internet  
14 is identified by routers or other computers connected to the  
15 Internet.

16 (Source: P.A. 100-428, eff. 1-1-18.)

17 Section 35. The Crime Victims Compensation Act is amended  
18 by changing Section 6.1 as follows:

19 (740 ILCS 45/6.1) (from Ch. 70, par. 76.1)

20 Sec. 6.1. Right to compensation. A person is entitled to  
21 compensation under this Act if:

22 (a) Within 2 years of the occurrence of the crime, or  
23 within one year after a criminal charge of a person for an  
24 offense, upon which the claim is based, he files an

1 application, under oath, with the Court of Claims and on a  
2 form prescribed in accordance with Section 7.1 furnished  
3 by the Attorney General. If the person entitled to  
4 compensation is under 18 years of age or under other legal  
5 disability at the time of the occurrence or is determined  
6 by a court to be under a legal disability as a result of  
7 the occurrence, he may file the application required by  
8 this subsection within 2 years after he attains the age of  
9 18 years or the disability is removed, as the case may be.  
10 Legal disability includes a diagnosis of posttraumatic  
11 stress disorder.

12 (b) For all crimes of violence, except those listed in  
13 subsection (b-1) of this Section, the appropriate law  
14 enforcement officials were notified within 72 hours of the  
15 perpetration of the crime allegedly causing the death or  
16 injury to the victim or, in the event such notification  
17 was made more than 72 hours after the perpetration of the  
18 crime, the applicant establishes that such notice was  
19 timely under the circumstances.

20 (b-1) For victims of offenses defined in Sections  
21 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13,  
22 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of  
23 1961 or the Criminal Code of 2012, the appropriate law  
24 enforcement officials were notified within 7 days of the  
25 perpetration of the crime allegedly causing death or  
26 injury to the victim or, in the event that the

1 notification was made more than 7 days after the  
2 perpetration of the crime, the applicant establishes that  
3 the notice was timely under the circumstances. If the  
4 applicant or victim has obtained an order of protection, a  
5 civil no contact order, or a stalking no contact order,  
6 has presented himself or herself to a hospital for sexual  
7 assault evidence collection and medical care, or is  
8 engaged in a legal proceeding involving a claim that the  
9 applicant or victim is a victim of human trafficking, such  
10 action shall constitute appropriate notification under  
11 this subsection (b-1) or subsection (b) of this Section.

12 (c) The applicant has cooperated with law enforcement  
13 officials in the apprehension and prosecution of the  
14 assailant. If the applicant or victim has obtained an  
15 order of protection, a civil no contact order, or a  
16 stalking no contact order, has presented himself or  
17 herself to a hospital for sexual assault evidence  
18 collection and medical care, or is engaged in a legal  
19 proceeding involving a claim that the applicant or victim  
20 is a victim of human trafficking, such action shall  
21 constitute cooperation under this subsection (c). If the  
22 victim is under 18 years of age at the time of the  
23 commission of the offense, the following shall constitute  
24 cooperation under this subsection (c):

25 (1) the applicant or the victim files a police  
26 report with a law enforcement agency;

1 (2) a mandated reporter reports the crime to law  
2 enforcement; or

3 (3) a person with firsthand knowledge of the crime  
4 reports the crime to law enforcement.

5 (d) The applicant is not the offender or an accomplice  
6 of the offender and the award would not unjustly benefit  
7 the offender or his accomplice.

8 (e) The injury to or death of the victim was not  
9 substantially attributable to his own wrongful act and was  
10 not substantially provoked by the victim.

11 (f) For victims of offenses defined in Section 10-9 of  
12 the Criminal Code of 2012, the victim submits a statement  
13 under oath on a form prescribed by the Attorney General  
14 attesting that the removed tattoo was applied in  
15 connection with the commission of the offense.

16 (g) Notwithstanding any other provision of this Act to  
17 the contrary, a trafficking victim as defined in Section  
18 10-9 of the Criminal Code of 2012 who is under 18 years of  
19 age is not subject to the filing requirements of this Act  
20 and is not subject to the eligibility requirements of this  
21 Act.

22 (Source: P.A. 99-143, eff. 7-27-15; 100-575, eff. 1-8-18;  
23 100-1037, eff. 1-1-19.)

24 Section 95. No acceleration or delay. Where this Act makes  
25 changes in a statute that is represented in this Act by text

1 that is not yet or no longer in effect (for example, a Section  
2 represented by multiple versions), the use of that text does  
3 not accelerate or delay the taking effect of (i) the changes  
4 made by this Act or (ii) provisions derived from any other  
5 Public Act.

|    |                      |   |
|----|----------------------|---|
| 1  |                      | INDEX                                   |
| 2  |                      | Statutes amended in order of appearance |
| 3  | 50 ILCS 705/7        | from Ch. 85, par. 507                   |
| 4  | 325 ILCS 5/3         | from Ch. 23, par. 2053                  |
| 5  | 705 ILCS 405/5-301   |   |
| 6  | 705 ILCS 405/5-915   |   |
| 7  | 720 ILCS 5/10-9      |   |
| 8  | 720 ILCS 5/11-14.1   |   |
| 9  | 720 ILCS 5/11-18.1   | from Ch. 38, par. 11-18.1               |
| 10 | 720 ILCS 5/11-20.1   | from Ch. 38, par. 11-20.1               |
| 11 | 720 ILCS 5/11-25     |   |
| 12 | 720 ILCS 5/11-27 new |   |
| 13 | 725 ILCS 5/116-2.1   |   |
| 14 | 730 ILCS 150/2       | from Ch. 38, par. 222                   |
| 15 | 740 ILCS 45/6.1      | from Ch. 70, par. 76.1                  |