



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3225

Introduced 2/17/2023, by Rep. Lindsey LaPointe

SYNOPSIS AS INTRODUCED:

50 ILCS 750/15.6d new
725 ILCS 5/115-7.5 new
730 ILCS 5/3-7-4.5 new
730 ILCS 5/5-4-1 from Ch. 38, par. 1005-4-1
730 ILCS 125/26.2 new
735 ILCS 5/Art. VIII Pt. 30 heading new
735 ILCS 5/8-3001 new

Provides that the amendatory Act may be referred to as the Veterans in Justice Act. Includes legislative findings. Amends the Emergency Telephone System Act. Provides that the Illinois State Police, with the advice and recommendation of the Statewide 9-1-1 Administrator, shall adopt rules to allow a veteran to submit his or her name and phone number to the Administrator so that each time that veteran would call 9-1-1 or 9-8-8 that the 9-1-1 or 9-8-8 operator would see that the individual is a veteran and transmit that information to first responders, crisis responders, and deflection teams. Amends the Code of Criminal Procedure of 1963 and the Code of Civil Procedure. Provides that evidence related to a person's veteran status is not admissible in any civil or criminal proceeding, except in specified circumstances. Further amends the Code of Criminal Procedure of 1963 to provide that a person's veteran status shall not be used by the court to enhance the person's sentence. Amends the Unified Code of Corrections and the County Jail Act. Provides that a facility or county jail may not classify an inmate or prisoner as more dangerous or otherwise treat the inmate or prisoner less favorably than other inmates or prisoners due to the fact that the inmate or prisoner is a veteran or a combat veteran. Provides that each facility or county jail shall make available to all veterans within the facility or jail resources available to those inmates because of their veteran status, including benefits provided by the U.S. Department of Veterans Affairs, the Illinois Department of Veterans' Affairs, and other, non-VA benefits.

LRB103 30130 AWJ 56554 b

1 AN ACT concerning government.

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

4 Section 1. This Act be referred to as the Veterans in
5 Justice Act.

6 Section 5. The General Assembly finds:

7 (1) Veterans who encounter or enter the justice system can
8 find themselves being treated in a stereotypical way,
9 classified as dangerous, and not aware of the services
10 available to them. This represents an injustice to our
11 veterans.

12 (2) When a veteran enters the justice system, in addition
13 to the normal issues faced by any person entering the justice
14 system, the veteran may present greater issues than the
15 general population related to Post-Traumatic Stress Disorder,
16 trauma, drug use, and mental health, and, therefore, the
17 veteran is is often perceived as being more dangerous.
18 Veterans need assistance for the challenges they face and also
19 to not be seen as dangerous merely because of their veteran
20 status, especially for those that are combat veterans.

21 Section 10. The Emergency Telephone System Act is amended
22 by adding Section 15.6d as follows:

1 (50 ILCS 750/15.6d new)

2 Sec. 15.6d. 9-1-1 and 9-8-8 veteran identification. The
3 Illinois State Police, with the advice and recommendation of
4 the Administrator, shall adopt rules to allow a veteran, as
5 that term is defined in Section 4 of the Illinois Veteran,
6 Youth, and Young Adult Conservation Jobs Act, to submit his or
7 her name and phone number to the Administrator so that each
8 time that veteran would call 9-1-1 or 9-8-8 that the 9-1-1 or
9 9-8-8 operator would see that the individual is a veteran and
10 transmit that information to first responders, crisis
11 responders, and deflection teams.

12 Section 15. The Code of Criminal Procedure of 1963 is
13 amended by adding Section 115-7.5 as follows:

14 (725 ILCS 5/115-7.5 new)

15 Sec. 115-7.5. Admissibility of veteran status.

16 (a) As used in this Section, "veteran" has the meaning
17 given to that term in Section 4 of the Illinois Veteran, Youth,
18 and Young Adult Conservation Jobs Act.

19 (b) Except as provided in subsection (c) and Section 5-4-1
20 of the Unified Code of Corrections, evidence related to a
21 person's veteran status is not admissible in any criminal
22 proceeding.

23 (c) Evidence otherwise inadmissible under this Section is

1 admissible if:

2 (1) it is essential to prove an element of a crime or a
3 defense;

4 (2) it is offered to prove an interest or bias of a
5 witness, if it does not cause confusion of the issues or
6 mislead the trier of fact, and the probative value of the
7 evidence outweighs its prejudicial nature; or

8 (3) a person or his or her attorney voluntarily
9 reveals his or her veteran status to the court.

10 (d) A party intending to offer evidence relating to a
11 person's veteran status shall file a written motion at least
12 14 days before a hearing or a trial specifically describing
13 the evidence and stating the purpose for which it is offered. A
14 court, for good cause, may require a different time for filing
15 or permit filing during trial.

16 Upon receipt of the motion and notice to all parties, the
17 court shall conduct an in camera hearing, with counsel
18 present, limited to review of the probative value of the
19 person's veteran status to the case. If the court finds that
20 the evidence relating to a person's veteran status meets the
21 criteria set forth in paragraph (1), (2), or (3) of subsection
22 (c), the court shall make findings of fact and conclusions of
23 law regarding the permitted use of the evidence.

24 The motion, related papers, and the record of the hearing
25 shall be sealed and remain under seal unless the court orders
26 otherwise.

1 Section 20. The Unified Code of Corrections is amended by
2 changing Section 5-4-1 and by adding Section 3-7-4.5 as
3 follows:

4 (730 ILCS 5/3-7-4.5 new)

5 Sec. 3-7-4.5. Veteran inmates.

6 (a) As used in this Section, "veteran" has the meaning
7 given to that term in Section 4 of the Illinois Veteran, Youth,
8 and Young Adult Conservation Jobs Act.

9 (b) A facility may not classify an inmate as more
10 dangerous or otherwise treat the inmate less favorably than
11 other inmates due to the fact that the inmate is a veteran or a
12 combat veteran.

13 (c) Each facility shall make available to all veterans
14 within the facility resources available to those inmates
15 because of their veteran status, including benefits provided
16 by the U.S. Department of Veterans Affairs, the Illinois
17 Department of Veterans' Affairs, and other, non-VA benefits.

18 (730 ILCS 5/5-4-1) (from Ch. 38, par. 1005-4-1)

19 Sec. 5-4-1. Sentencing hearing.

20 (a) Except when the death penalty is sought under hearing
21 procedures otherwise specified, after a determination of
22 guilt, a hearing shall be held to impose the sentence.
23 However, prior to the imposition of sentence on an individual

1 being sentenced for an offense based upon a charge for a
2 violation of Section 11-501 of the Illinois Vehicle Code or a
3 similar provision of a local ordinance, the individual must
4 undergo a professional evaluation to determine if an alcohol
5 or other drug abuse problem exists and the extent of such a
6 problem. Programs conducting these evaluations shall be
7 licensed by the Department of Human Services. However, if the
8 individual is not a resident of Illinois, the court may, in its
9 discretion, accept an evaluation from a program in the state
10 of such individual's residence. The court shall make a
11 specific finding about whether the defendant is eligible for
12 participation in a Department impact incarceration program as
13 provided in Section 5-8-1.1 or 5-8-1.3, and if not, provide an
14 explanation as to why a sentence to impact incarceration is
15 not an appropriate sentence. The court may in its sentencing
16 order recommend a defendant for placement in a Department of
17 Corrections substance abuse treatment program as provided in
18 paragraph (a) of subsection (1) of Section 3-2-2 conditioned
19 upon the defendant being accepted in a program by the
20 Department of Corrections. At the hearing the court shall:

21 (1) consider the evidence, if any, received upon the
22 trial;

23 (2) consider any presentence reports;

24 (3) consider the financial impact of incarceration
25 based on the financial impact statement filed with the
26 clerk of the court by the Department of Corrections;

1 (4) consider evidence and information offered by the
2 parties in aggravation and mitigation;

3 (4.5) consider substance abuse treatment, eligibility
4 screening, and an assessment, if any, of the defendant by
5 an agent designated by the State of Illinois to provide
6 assessment services for the Illinois courts;

7 (5) hear arguments as to sentencing alternatives;

8 (6) afford the defendant the opportunity to make a
9 statement in his own behalf;

10 (7) afford the victim of a violent crime or a
11 violation of Section 11-501 of the Illinois Vehicle Code,
12 or a similar provision of a local ordinance, the
13 opportunity to present an oral or written statement, as
14 guaranteed by Article I, Section 8.1 of the Illinois
15 Constitution and provided in Section 6 of the Rights of
16 Crime Victims and Witnesses Act. The court shall allow a
17 victim to make an oral statement if the victim is present
18 in the courtroom and requests to make an oral or written
19 statement. An oral or written statement includes the
20 victim or a representative of the victim reading the
21 written statement. The court may allow persons impacted by
22 the crime who are not victims under subsection (a) of
23 Section 3 of the Rights of Crime Victims and Witnesses Act
24 to present an oral or written statement. A victim and any
25 person making an oral statement shall not be put under
26 oath or subject to cross-examination. All statements

1 offered under this paragraph (7) shall become part of the
2 record of the court. In this paragraph (7), "victim of a
3 violent crime" means a person who is a victim of a violent
4 crime for which the defendant has been convicted after a
5 bench or jury trial or a person who is the victim of a
6 violent crime with which the defendant was charged and the
7 defendant has been convicted under a plea agreement of a
8 crime that is not a violent crime as defined in subsection
9 (c) of 3 of the Rights of Crime Victims and Witnesses Act;

10 (7.5) afford a qualified person affected by: (i) a
11 violation of Section 405, 405.1, 405.2, or 407 of the
12 Illinois Controlled Substances Act or a violation of
13 Section 55 or Section 65 of the Methamphetamine Control
14 and Community Protection Act; or (ii) a Class 4 felony
15 violation of Section 11-14, 11-14.3 except as described in
16 subdivisions (a) (2) (A) and (a) (2) (B), 11-15, 11-17, 11-18,
17 11-18.1, or 11-19 of the Criminal Code of 1961 or the
18 Criminal Code of 2012, committed by the defendant the
19 opportunity to make a statement concerning the impact on
20 the qualified person and to offer evidence in aggravation
21 or mitigation; provided that the statement and evidence
22 offered in aggravation or mitigation shall first be
23 prepared in writing in conjunction with the State's
24 Attorney before it may be presented orally at the hearing.
25 Sworn testimony offered by the qualified person is subject
26 to the defendant's right to cross-examine. All statements

1 and evidence offered under this paragraph (7.5) shall
2 become part of the record of the court. In this paragraph
3 (7.5), "qualified person" means any person who: (i) lived
4 or worked within the territorial jurisdiction where the
5 offense took place when the offense took place; or (ii) is
6 familiar with various public places within the territorial
7 jurisdiction where the offense took place when the offense
8 took place. "Qualified person" includes any peace officer
9 or any member of any duly organized State, county, or
10 municipal peace officer unit assigned to the territorial
11 jurisdiction where the offense took place when the offense
12 took place;

13 (8) in cases of reckless homicide afford the victim's
14 spouse, guardians, parents or other immediate family
15 members an opportunity to make oral statements;

16 (9) in cases involving a felony sex offense as defined
17 under the Sex Offender Management Board Act, consider the
18 results of the sex offender evaluation conducted pursuant
19 to Section 5-3-2 of this Act; and

20 (10) make a finding of whether a motor vehicle was
21 used in the commission of the offense for which the
22 defendant is being sentenced.

23 (b) All sentences shall be imposed by the judge based upon
24 his independent assessment of the elements specified above and
25 any agreement as to sentence reached by the parties. The judge
26 who presided at the trial or the judge who accepted the plea of

1 guilty shall impose the sentence unless he is no longer
2 sitting as a judge in that court. Where the judge does not
3 impose sentence at the same time on all defendants who are
4 convicted as a result of being involved in the same offense,
5 the defendant or the State's Attorney may advise the
6 sentencing court of the disposition of any other defendants
7 who have been sentenced.

8 (b-1) In imposing a sentence of imprisonment or periodic
9 imprisonment for a Class 3 or Class 4 felony for which a
10 sentence of probation or conditional discharge is an available
11 sentence, if the defendant has no prior sentence of probation
12 or conditional discharge and no prior conviction for a violent
13 crime, the defendant shall not be sentenced to imprisonment
14 before review and consideration of a presentence report and
15 determination and explanation of why the particular evidence,
16 information, factor in aggravation, factual finding, or other
17 reasons support a sentencing determination that one or more of
18 the factors under subsection (a) of Section 5-6-1 of this Code
19 apply and that probation or conditional discharge is not an
20 appropriate sentence.

21 (c) In imposing a sentence for a violent crime or for an
22 offense of operating or being in physical control of a vehicle
23 while under the influence of alcohol, any other drug or any
24 combination thereof, or a similar provision of a local
25 ordinance, when such offense resulted in the personal injury
26 to someone other than the defendant, the trial judge shall

1 specify on the record the particular evidence, information,
2 factors in mitigation and aggravation or other reasons that
3 led to his sentencing determination. The full verbatim record
4 of the sentencing hearing shall be filed with the clerk of the
5 court and shall be a public record.

6 (c-1) In imposing a sentence for the offense of aggravated
7 kidnapping for ransom, home invasion, armed robbery,
8 aggravated vehicular hijacking, aggravated discharge of a
9 firearm, or armed violence with a category I weapon or
10 category II weapon, the trial judge shall make a finding as to
11 whether the conduct leading to conviction for the offense
12 resulted in great bodily harm to a victim, and shall enter that
13 finding and the basis for that finding in the record.

14 (c-1.5) Notwithstanding any other provision of law to the
15 contrary, in imposing a sentence for an offense that requires
16 a mandatory minimum sentence of imprisonment, the court may
17 instead sentence the offender to probation, conditional
18 discharge, or a lesser term of imprisonment it deems
19 appropriate if: (1) the offense involves the use or possession
20 of drugs, retail theft, or driving on a revoked license due to
21 unpaid financial obligations; (2) the court finds that the
22 defendant does not pose a risk to public safety; and (3) the
23 interest of justice requires imposing a term of probation,
24 conditional discharge, or a lesser term of imprisonment. The
25 court must state on the record its reasons for imposing
26 probation, conditional discharge, or a lesser term of

1 imprisonment.

2 (c-2) If the defendant is sentenced to prison, other than
3 when a sentence of natural life imprisonment or a sentence of
4 death is imposed, at the time the sentence is imposed the judge
5 shall state on the record in open court the approximate period
6 of time the defendant will serve in custody according to the
7 then current statutory rules and regulations for sentence
8 credit found in Section 3-6-3 and other related provisions of
9 this Code. This statement is intended solely to inform the
10 public, has no legal effect on the defendant's actual release,
11 and may not be relied on by the defendant on appeal.

12 The judge's statement, to be given after pronouncing the
13 sentence, other than when the sentence is imposed for one of
14 the offenses enumerated in paragraph (a)(4) of Section 3-6-3,
15 shall include the following:

16 "The purpose of this statement is to inform the public of
17 the actual period of time this defendant is likely to spend in
18 prison as a result of this sentence. The actual period of
19 prison time served is determined by the statutes of Illinois
20 as applied to this sentence by the Illinois Department of
21 Corrections and the Illinois Prisoner Review Board. In this
22 case, assuming the defendant receives all of his or her
23 sentence credit, the period of estimated actual custody is ...
24 years and ... months, less up to 180 days additional earned
25 sentence credit. If the defendant, because of his or her own
26 misconduct or failure to comply with the institutional

1 regulations, does not receive those credits, the actual time
2 served in prison will be longer. The defendant may also
3 receive an additional one-half day sentence credit for each
4 day of participation in vocational, industry, substance abuse,
5 and educational programs as provided for by Illinois statute."

6 When the sentence is imposed for one of the offenses
7 enumerated in paragraph (a)(2) of Section 3-6-3, other than
8 first degree murder, and the offense was committed on or after
9 June 19, 1998, and when the sentence is imposed for reckless
10 homicide as defined in subsection (e) of Section 9-3 of the
11 Criminal Code of 1961 or the Criminal Code of 2012 if the
12 offense was committed on or after January 1, 1999, and when the
13 sentence is imposed for aggravated driving under the influence
14 of alcohol, other drug or drugs, or intoxicating compound or
15 compounds, or any combination thereof as defined in
16 subparagraph (F) of paragraph (1) of subsection (d) of Section
17 11-501 of the Illinois Vehicle Code, and when the sentence is
18 imposed for aggravated arson if the offense was committed on
19 or after July 27, 2001 (the effective date of Public Act
20 92-176), and when the sentence is imposed for aggravated
21 driving under the influence of alcohol, other drug or drugs,
22 or intoxicating compound or compounds, or any combination
23 thereof as defined in subparagraph (C) of paragraph (1) of
24 subsection (d) of Section 11-501 of the Illinois Vehicle Code
25 committed on or after January 1, 2011 (the effective date of
26 Public Act 96-1230), the judge's statement, to be given after

1 pronouncing the sentence, shall include the following:

2 "The purpose of this statement is to inform the public of
3 the actual period of time this defendant is likely to spend in
4 prison as a result of this sentence. The actual period of
5 prison time served is determined by the statutes of Illinois
6 as applied to this sentence by the Illinois Department of
7 Corrections and the Illinois Prisoner Review Board. In this
8 case, the defendant is entitled to no more than 4 1/2 days of
9 sentence credit for each month of his or her sentence of
10 imprisonment. Therefore, this defendant will serve at least
11 85% of his or her sentence. Assuming the defendant receives 4
12 1/2 days credit for each month of his or her sentence, the
13 period of estimated actual custody is ... years and ...
14 months. If the defendant, because of his or her own misconduct
15 or failure to comply with the institutional regulations
16 receives lesser credit, the actual time served in prison will
17 be longer."

18 When a sentence of imprisonment is imposed for first
19 degree murder and the offense was committed on or after June
20 19, 1998, the judge's statement, to be given after pronouncing
21 the sentence, shall include the following:

22 "The purpose of this statement is to inform the public of
23 the actual period of time this defendant is likely to spend in
24 prison as a result of this sentence. The actual period of
25 prison time served is determined by the statutes of Illinois
26 as applied to this sentence by the Illinois Department of

1 Corrections and the Illinois Prisoner Review Board. In this
2 case, the defendant is not entitled to sentence credit.
3 Therefore, this defendant will serve 100% of his or her
4 sentence."

5 When the sentencing order recommends placement in a
6 substance abuse program for any offense that results in
7 incarceration in a Department of Corrections facility and the
8 crime was committed on or after September 1, 2003 (the
9 effective date of Public Act 93-354), the judge's statement,
10 in addition to any other judge's statement required under this
11 Section, to be given after pronouncing the sentence, shall
12 include the following:

13 "The purpose of this statement is to inform the public of
14 the actual period of time this defendant is likely to spend in
15 prison as a result of this sentence. The actual period of
16 prison time served is determined by the statutes of Illinois
17 as applied to this sentence by the Illinois Department of
18 Corrections and the Illinois Prisoner Review Board. In this
19 case, the defendant shall receive no earned sentence credit
20 under clause (3) of subsection (a) of Section 3-6-3 until he or
21 she participates in and completes a substance abuse treatment
22 program or receives a waiver from the Director of Corrections
23 pursuant to clause (4.5) of subsection (a) of Section 3-6-3."

24 (c-4) Before the sentencing hearing and as part of the
25 presentence investigation under Section 5-3-1, the court shall
26 inquire of the defendant whether the defendant is currently

1 serving in or is a veteran of the Armed Forces of the United
2 States. If the defendant is currently serving in the Armed
3 Forces of the United States or is a veteran of the Armed Forces
4 of the United States and has been diagnosed as having a mental
5 illness by a qualified psychiatrist or clinical psychologist
6 or physician, the court may:

7 (1) order that the officer preparing the presentence
8 report consult with the United States Department of
9 Veterans Affairs, Illinois Department of Veterans'
10 Affairs, or another agency or person with suitable
11 knowledge or experience for the purpose of providing the
12 court with information regarding treatment options
13 available to the defendant, including federal, State, and
14 local programming; and

15 (2) consider the treatment recommendations of any
16 diagnosing or treating mental health professionals
17 together with the treatment options available to the
18 defendant in imposing sentence.

19 A person's veteran status shall not be used by the court to
20 enhance the person's sentence.

21 For the purposes of this subsection (c-4), "qualified
22 psychiatrist" means a reputable physician licensed in Illinois
23 to practice medicine in all its branches, who has specialized
24 in the diagnosis and treatment of mental and nervous disorders
25 for a period of not less than 5 years.

26 (c-6) In imposing a sentence, the trial judge shall

1 specify, on the record, the particular evidence and other
2 reasons which led to his or her determination that a motor
3 vehicle was used in the commission of the offense.

4 (c-7) In imposing a sentence for a Class 3 or 4 felony,
5 other than a violent crime as defined in Section 3 of the
6 Rights of Crime Victims and Witnesses Act, the court shall
7 determine and indicate in the sentencing order whether the
8 defendant has 4 or more or fewer than 4 months remaining on his
9 or her sentence accounting for time served.

10 (d) When the defendant is committed to the Department of
11 Corrections, the State's Attorney shall and counsel for the
12 defendant may file a statement with the clerk of the court to
13 be transmitted to the department, agency or institution to
14 which the defendant is committed to furnish such department,
15 agency or institution with the facts and circumstances of the
16 offense for which the person was committed together with all
17 other factual information accessible to them in regard to the
18 person prior to his commitment relative to his habits,
19 associates, disposition and reputation and any other facts and
20 circumstances which may aid such department, agency or
21 institution during its custody of such person. The clerk shall
22 within 10 days after receiving any such statements transmit a
23 copy to such department, agency or institution and a copy to
24 the other party, provided, however, that this shall not be
25 cause for delay in conveying the person to the department,
26 agency or institution to which he has been committed.

1 (e) The clerk of the court shall transmit to the
2 department, agency or institution, if any, to which the
3 defendant is committed, the following:

4 (1) the sentence imposed;

5 (2) any statement by the court of the basis for
6 imposing the sentence;

7 (3) any presentence reports;

8 (3.5) any sex offender evaluations;

9 (3.6) any substance abuse treatment eligibility
10 screening and assessment of the defendant by an agent
11 designated by the State of Illinois to provide assessment
12 services for the Illinois courts;

13 (4) the number of days, if any, which the defendant
14 has been in custody and for which he is entitled to credit
15 against the sentence, which information shall be provided
16 to the clerk by the sheriff;

17 (4.1) any finding of great bodily harm made by the
18 court with respect to an offense enumerated in subsection
19 (c-1);

20 (5) all statements filed under subsection (d) of this
21 Section;

22 (6) any medical or mental health records or summaries
23 of the defendant;

24 (7) the municipality where the arrest of the offender
25 or the commission of the offense has occurred, where such
26 municipality has a population of more than 25,000 persons;

1 (8) all statements made and evidence offered under
2 paragraph (7) of subsection (a) of this Section; and

3 (9) all additional matters which the court directs the
4 clerk to transmit.

5 (f) In cases in which the court finds that a motor vehicle
6 was used in the commission of the offense for which the
7 defendant is being sentenced, the clerk of the court shall,
8 within 5 days thereafter, forward a report of such conviction
9 to the Secretary of State.

10 (Source: P.A. 101-81, eff. 7-12-19; 101-105, eff. 1-1-20;
11 101-652, Article 10, Section 10-281, eff. 7-1-21; 101-652,
12 Article 20, Section 20-5, eff. 7-1-21; 102-813, eff. 5-13-22.)

13 Section 25. The County Jail Act is amended by adding
14 Section 26.2 as follows:

15 (730 ILCS 125/26.2 new)

16 Sec. 26.2. Veteran prisoners.

17 (a) As used in this Section, "veteran" has the meaning
18 given to that term in Section 4 of the Illinois Veteran, Youth,
19 and Young Adult Conservation Jobs Act.

20 (b) A facility may not classify a prisoner as more
21 dangerous or otherwise treat the prisoner less favorably than
22 other inmates due to the fact that the prisoner is a veteran or
23 a combat veteran.

24 (c) Each jail shall make available to all veterans within

1 the jail resources available to those inmates because of their
2 veteran status, including benefits provided by the U.S.
3 Department of Veterans Affairs, the Illinois Department of
4 Veterans' Affairs, and other, non-VA benefits.

5 Section 30. The Code of Civil Procedure is amended by
6 adding Part 30 of Article VIII as follows:

7 (735 ILCS 5/Art. VIII Pt. 30 heading new)

8 Part 30. Veteran Status

9 (735 ILCS 5/8-3001 new)

10 Sec. 8-3001. Admissibility of evidence; veteran status.

11 (a) As used in this Section, "veteran" has the meaning
12 given to that term in Section 4 of the Illinois Veteran, Youth,
13 and Young Adult Conservation Jobs Act.

14 (b) Except as provided in subsection (c), evidence related
15 to a person's veteran status is not admissible in any civil
16 proceeding.

17 (c) Evidence otherwise inadmissible under this Section is
18 admissible if:

19 (1) it is essential to prove an element of a claim or
20 an affirmative defense;

21 (2) it is offered to prove an interest or bias of a
22 witness, if it does not cause confusion of the issues or
23 mislead the trier of fact, and the probative value of the

1 evidence outweighs its prejudicial nature; or
2 (3) a person or his or her attorney voluntarily
3 reveals his or her veteran status to the court.

4 (d) A party intending to offer evidence relating to a
5 person's veteran status shall file a written motion at least
6 14 days before a hearing or a trial specifically describing
7 the evidence and stating the purpose for which it is offered. A
8 court, for good cause, may require a different time for filing
9 or permit filing during trial.

10 Upon receipt of the motion and notice to all parties, the
11 court shall conduct an in camera hearing, with counsel
12 present, limited to review of the probative value of the
13 person's veteran status to the case. If the court finds that
14 the evidence relating to a person's veteran status meets the
15 criteria set forth in paragraph (1), (2), or (3) of subsection
16 (c), the court shall make findings of fact and conclusions of
17 law regarding the permitted use of the evidence.

18 The motion, related papers, and the record of the hearing
19 shall be sealed and remain under seal unless the court orders
20 otherwise.