



Sen. Patrick J. Joyce

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10300SB0853sam002

LRB103 03312 AWJ 64921 a

1 AMENDMENT TO SENATE BILL 853

2 AMENDMENT NO. _____. Amend Senate Bill 853 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-10 as follows:

7 (20 ILCS 2605/2605-10) (was 20 ILCS 2605/55a in part)

8 (Text of Section before amendment by P.A. 103-34)

9 Sec. 2605-10. Powers and duties, generally.

10 (a) The Illinois State Police shall exercise the rights,
11 powers, and duties that have been vested in the Illinois State
12 Police by the following:

13 The Illinois State Police Act.

14 The Illinois State Police Radio Act.

15 The Criminal Identification Act.

16 The Illinois Vehicle Code.

1 The Firearm Owners Identification Card Act.

2 The Firearm Concealed Carry Act.

3 The Gun Dealer Licensing Act.

4 The Intergovernmental Missing Child Recovery Act of
5 1984.

6 The Intergovernmental Drug Laws Enforcement Act.

7 The Narcotic Control Division Abolition Act.

8 (b) The Illinois State Police shall have the powers and
9 duties set forth in the following Sections.

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

11 (Text of Section after amendment by P.A. 103-34)

12 Sec. 2605-10. Powers and duties, generally.

13 (a) The Illinois State Police shall exercise the rights,
14 powers, and duties that have been vested in the Illinois State
15 Police by the following:

16 The Illinois State Police Act.

17 The Illinois State Police Radio Act.

18 The Criminal Identification Act.

19 The Illinois Vehicle Code.

20 The Firearm Owners Identification Card Act.

21 The Firearm Concealed Carry Act.

22 The Firearm Dealer License Certification Act.

23 The Intergovernmental Missing Child Recovery Act of
24 1984.

25 The Intergovernmental Drug Laws Enforcement Act.

1 The Narcotic Control Division Abolition Act.

2 The Illinois Uniform Conviction Information Act.

3 The Murderer and Violent Offender Against Youth
4 Registration Act.

5 (b) The Illinois State Police shall have the powers and
6 duties set forth in the following Sections.

7 (c) The Illinois State Police shall exercise the rights,
8 powers, and duties vested in the Illinois State Police to
9 implement the following protective service functions for State
10 facilities, State officials, and State employees serving in
11 their official capacity:

12 (1) Utilize subject matter expertise and law
13 enforcement authority to strengthen the protection of
14 State government facilities, State employees, State
15 officials, and State critical infrastructure.

16 (2) Coordinate State, federal, and local law
17 enforcement activities involving the protection of State
18 facilities, officials, and employees.

19 (3) Conduct investigations of criminal threats to
20 State facilities, State critical infrastructure, State
21 officials, and State employees.

22 (4) Train State officials and employees in personal
23 protection, crime prevention, facility occupant emergency
24 planning, and incident management.

25 (5) Establish standard protocols for prevention and
26 response to criminal threats to State facilities, State

1 officials, State employees, and State critical
2 infrastructure, and standard protocols for reporting of
3 suspicious activities.

4 (6) Establish minimum operational standards,
5 qualifications, training, and compliance requirements for
6 State employees and contractors engaged in the protection
7 of State facilities and employees.

8 (7) At the request of departments or agencies of State
9 government, conduct security assessments, including, but
10 not limited to, examination of alarm systems, cameras
11 systems, access points, personnel readiness, and emergency
12 protocols based on risk and need.

13 (8) Oversee the planning and implementation of
14 security and law enforcement activities necessary for the
15 protection of major, multi-jurisdictional events
16 implicating potential criminal threats to State officials,
17 State employees, or State-owned, State-leased, or
18 State-operated critical infrastructure or facilities.

19 (9) Oversee and direct the planning and implementation
20 of security and law enforcement activities by the
21 departments and agencies of the State necessary for the
22 protection of State employees, State officials, and
23 State-owned, State-leased, or State-operated critical
24 infrastructure or facilities from criminal activity.

25 (10) Advise the Governor and Homeland Security Advisor
26 on any matters necessary for the effective protection of

1 State facilities, critical infrastructure, officials, and
2 employees from criminal threats.

3 (11) Utilize intergovernmental agreements and
4 administrative rules as needed for the effective,
5 efficient implementation of law enforcement and support
6 activities necessary for the protection of State
7 facilities, State infrastructure, State employees, and,
8 upon the express written consent of State constitutional
9 officials, State constitutional officials, ~~and State~~
10 ~~employees.~~

11 (Source: P.A. 102-538, eff. 8-20-21; 103-34, eff. 1-1-24;
12 revised 9-25-23.)

13 Section 7. The Alternative Protein Innovation Task Force
14 Act is amended by changing Sections 15 and 20 as follows:

15 (20 ILCS 4128/15)

16 Sec. 15. Membership; appointments; meeting.

17 (a) The Alternative Protein Innovation Task Force shall
18 consist of the following members:

19 (1) one member of the Senate, who shall be appointed
20 by the President of the Senate and shall serve as co-chair
21 of the Task Force;

22 (2) one member of the Senate, who shall be appointed
23 by the Minority Leader of the Senate;

24 (3) one member of the House of Representatives, who

1 shall be appointed by the Speaker of the House of
2 Representatives and shall serve as co-chair of the Task
3 Force;

4 (4) one member of the House of Representatives, who
5 shall be appointed by the Minority Leader of the House of
6 Representatives;

7 (5) the Director ~~Secretary~~ of Commerce and Economic
8 Opportunity or the Director's ~~Secretary's~~ designee;

9 (6) the Director of Agriculture or the Director's
10 designee;

11 (7) 5 members who are appointed by the Director of
12 Agriculture. Of the members appointed by the Director of
13 Agriculture, 3 members shall be commercial producers of
14 agricultural commodities, of which one member shall be
15 from the largest statewide agricultural association; and 2
16 members shall be representatives from the University of
17 Illinois College of Agricultural, Consumer and
18 Environmental Sciences engaged in nutritional research;
19 and

20 (8) 6 members who are appointed by the Governor. Of
21 the members appointed by the Governor, 2 members shall be
22 engaged in academic or scientific research on alternative
23 protein development at a State college or university; one
24 member shall be a representative of a nonprofit
25 organization dedicated to the development and
26 accessibility of alternative proteins; one member shall be

1 a representative of the State's agricultural biotechnology
2 industry; one member shall be the president of the
3 Illinois Biotechnology Industry Organization or the
4 organization's designee; and one member shall be a
5 representative from a multinational food processing and
6 manufacturing corporation headquartered in this State.

7 (b) Members of the Task Force shall not receive
8 compensation for their services to the Task Force.

9 (c) All appointments shall be made not later than 30 days
10 after the effective date of this Act.

11 (d) The co-chairs of the Task Force shall schedule no
12 fewer than 4 meetings of the Task Force, including not less
13 than one public hearing. The co-chairs shall convene the first
14 meeting of the Task Force within 60 days after the effective
15 date of this Act.

16 (e) The Department of Agriculture shall provide
17 administrative and other support to the Task Force.

18 (Source: P.A. 103-543, eff. 8-11-23; revised 10-19-23.)

19 (20 ILCS 4128/20)

20 Sec. 20. Report; dissolution of Task Force; repeal of Act.

21 (a) The Task Force shall submit a report of its findings
22 and recommendations to the General Assembly no later than June
23 30, 2024 ~~December 31, 2023.~~

24 (b) The Task Force shall be dissolved on December 31,
25 2024.

1 (c) This Act is repealed on January 1, 2025.

2 (Source: P.A. 103-543, eff. 8-11-23.)

3 Section 10. The Emergency Telephone System Act is amended
4 by changing Sections 30 and 35 as follows:

5 (50 ILCS 750/30)

6 (Text of Section before amendment by P.A. 103-366)

7 (Section scheduled to be repealed on December 31, 2025)

8 Sec. 30. Statewide 9-1-1 Fund; surcharge disbursement.

9 (a) A special fund in the State treasury known as the
10 Wireless Service Emergency Fund shall be renamed the Statewide
11 9-1-1 Fund. Any appropriations made from the Wireless Service
12 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.
13 The Fund shall consist of the following:

14 (1) 9-1-1 wireless surcharges assessed under the
15 Wireless Emergency Telephone Safety Act.

16 (2) 9-1-1 surcharges assessed under Section 20 of this
17 Act.

18 (3) Prepaid wireless 9-1-1 surcharges assessed under
19 Section 15 of the Prepaid Wireless 9-1-1 Surcharge Act.

20 (4) Any appropriations, grants, or gifts made to the
21 Fund.

22 (5) Any income from interest, premiums, gains, or
23 other earnings on moneys in the Fund.

24 (6) Money from any other source that is deposited in

1 or transferred to the Fund.

2 (b) Subject to appropriation and availability of funds,
3 the Illinois State Police shall distribute the 9-1-1
4 surcharges monthly as follows:

5 (1) From each surcharge collected and remitted under
6 Section 20 of this Act:

7 (A) \$0.013 shall be distributed monthly in equal
8 amounts to each County Emergency Telephone System
9 Board in counties with a population under 100,000
10 according to the most recent census data which is
11 authorized to serve as a primary wireless 9-1-1 public
12 safety answering point for the county and to provide
13 wireless 9-1-1 service as prescribed by subsection (b)
14 of Section 15.6a of this Act, and which does provide
15 such service.

16 (B) \$0.033 shall be transferred by the Comptroller
17 at the direction of the Illinois State Police to the
18 Wireless Carrier Reimbursement Fund until June 30,
19 2017; from July 1, 2017 through June 30, 2018, \$0.026
20 shall be transferred; from July 1, 2018 through June
21 30, 2019, \$0.020 shall be transferred; from July 1,
22 2019, through June 30, 2020, \$0.013 shall be
23 transferred; from July 1, 2020 through June 30, 2021,
24 \$0.007 will be transferred; and after June 30, 2021,
25 no transfer shall be made to the Wireless Carrier
26 Reimbursement Fund.

1 (C) Until December 31, 2017, \$0.007 and on and
2 after January 1, 2018, \$0.017 shall be used to cover
3 the Illinois State Police's administrative costs.

4 (D) Beginning January 1, 2018, until June 30,
5 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
6 be used to make monthly proportional grants to the
7 appropriate 9-1-1 Authority currently taking wireless
8 9-1-1 based upon the United States Postal Zip Code of
9 the billing addresses of subscribers wireless
10 carriers.

11 (E) Until June 30, 2025 ~~2023~~, \$0.05 shall be used
12 by the Illinois State Police for grants for NG9-1-1
13 expenses, with priority given to 9-1-1 Authorities
14 that provide 9-1-1 service within the territory of a
15 Large Electing Provider as defined in Section 13-406.1
16 of the Public Utilities Act.

17 (F) On and after July 1, 2020, \$0.13 shall be used
18 for the implementation of and continuing expenses for
19 the Statewide NG9-1-1 system.

20 (2) After disbursements under paragraph (1) of this
21 subsection (b), all remaining funds in the Statewide 9-1-1
22 Fund shall be disbursed in the following priority order:

23 (A) The Fund shall pay monthly to:

24 (i) the 9-1-1 Authorities that imposed
25 surcharges under Section 15.3 of this Act and were
26 required to report to the Illinois Commerce

1 Commission under Section 27 of the Wireless
2 Emergency Telephone Safety Act on October 1, 2014,
3 except a 9-1-1 Authority in a municipality with a
4 population in excess of 500,000, an amount equal
5 to the average monthly wireline and VoIP surcharge
6 revenue attributable to the most recent 12-month
7 period reported to the Illinois State Police under
8 that Section for the October 1, 2014 filing,
9 subject to the power of the Illinois State Police
10 to investigate the amount reported and adjust the
11 number by order under Article X of the Public
12 Utilities Act, so that the monthly amount paid
13 under this item accurately reflects one-twelfth of
14 the aggregate wireline and VoIP surcharge revenue
15 properly attributable to the most recent 12-month
16 period reported to the Commission; or

17 (ii) county qualified governmental entities
18 that did not impose a surcharge under Section 15.3
19 as of December 31, 2015, and counties that did not
20 impose a surcharge as of June 30, 2015, an amount
21 equivalent to their population multiplied by .37
22 multiplied by the rate of \$0.69; counties that are
23 not county qualified governmental entities and
24 that did not impose a surcharge as of December 31,
25 2015, shall not begin to receive the payment
26 provided for in this subsection until E9-1-1 and

1 wireless E9-1-1 services are provided within their
2 counties; or

3 (iii) counties without 9-1-1 service that had
4 a surcharge in place by December 31, 2015, an
5 amount equivalent to their population multiplied
6 by .37 multiplied by their surcharge rate as
7 established by the referendum.

8 (B) All 9-1-1 network costs for systems outside of
9 municipalities with a population of at least 500,000
10 shall be paid by the Illinois State Police directly to
11 the vendors.

12 (C) All expenses incurred by the Administrator and
13 the Statewide 9-1-1 Advisory Board and costs
14 associated with procurement under Section 15.6b
15 including requests for information and requests for
16 proposals.

17 (D) Funds may be held in reserve by the Statewide
18 9-1-1 Advisory Board and disbursed by the Illinois
19 State Police for grants under Section 15.4b of this
20 Act and for NG9-1-1 expenses up to \$12.5 million per
21 year in State fiscal years 2016 and 2017; up to \$20
22 million in State fiscal year 2018; up to \$20.9 million
23 in State fiscal year 2019; up to \$15.3 million in State
24 fiscal year 2020; up to \$16.2 million in State fiscal
25 year 2021; up to \$23.1 million in State fiscal year
26 2022; and up to \$17.0 million per year for State fiscal

1 year 2023 and each year thereafter. The amount held in
2 reserve in State fiscal years 2021, 2022, and 2023
3 shall not be less than \$6.5 million. Disbursements
4 under this subparagraph (D) shall be prioritized as
5 follows: (i) consolidation grants prioritized under
6 subsection (a) of Section 15.4b of this Act; (ii)
7 NG9-1-1 expenses; and (iii) consolidation grants under
8 Section 15.4b of this Act for consolidation expenses
9 incurred between January 1, 2010, and January 1, 2016.

10 (E) All remaining funds per remit month shall be
11 used to make monthly proportional grants to the
12 appropriate 9-1-1 Authority currently taking wireless
13 9-1-1 based upon the United States Postal Zip Code of
14 the billing addresses of subscribers of wireless
15 carriers.

16 (c) The moneys deposited into the Statewide 9-1-1 Fund
17 under this Section shall not be subject to administrative
18 charges or chargebacks unless otherwise authorized by this
19 Act.

20 (d) Whenever two or more 9-1-1 Authorities consolidate,
21 the resulting Joint Emergency Telephone System Board shall be
22 entitled to the monthly payments that had theretofore been
23 made to each consolidating 9-1-1 Authority. Any reserves held
24 by any consolidating 9-1-1 Authority shall be transferred to
25 the resulting Joint Emergency Telephone System Board. Whenever
26 a county that has no 9-1-1 service as of January 1, 2016 enters

1 into an agreement to consolidate to create or join a Joint
2 Emergency Telephone System Board, the Joint Emergency
3 Telephone System Board shall be entitled to the monthly
4 payments that would have otherwise been paid to the county if
5 it had provided 9-1-1 service.

6 (Source: P.A. 101-639, eff. 6-12-20; 102-9, eff. 6-3-21;
7 102-538, eff. 8-20-21; 102-813, eff. 5-13-22.)

8 (Text of Section after amendment by P.A. 103-366)

9 (Section scheduled to be repealed on December 31, 2025)

10 Sec. 30. Statewide 9-1-1 Fund; surcharge disbursement.

11 (a) A special fund in the State treasury known as the
12 Wireless Service Emergency Fund shall be renamed the Statewide
13 9-1-1 Fund. Any appropriations made from the Wireless Service
14 Emergency Fund shall be payable from the Statewide 9-1-1 Fund.
15 The Fund shall consist of the following:

16 (1) (Blank).

17 (2) 9-1-1 surcharges assessed under Section 20 of this
18 Act.

19 (3) Prepaid wireless 9-1-1 surcharges assessed under
20 Section 15 of the Prepaid Wireless 9-1-1 Surcharge Act.

21 (4) Any appropriations, grants, or gifts made to the
22 Fund.

23 (5) Any income from interest, premiums, gains, or
24 other earnings on moneys in the Fund.

25 (6) Money from any other source that is deposited in

1 or transferred to the Fund.

2 (b) Subject to appropriation and availability of funds,
3 the Illinois State Police shall distribute the 9-1-1
4 surcharges monthly as follows:

5 (1) From each surcharge collected and remitted under
6 Section 20 of this Act:

7 (A) \$0.013 shall be distributed monthly in equal
8 amounts to each County Emergency Telephone System
9 Board in counties with a population under 100,000
10 according to the most recent census data which is
11 authorized to serve as a primary wireless 9-1-1 public
12 safety answering point for the county and to provide
13 wireless 9-1-1 service as prescribed by subsection (b)
14 of Section 15.6a of this Act, and which does provide
15 such service.

16 (B) (Blank).

17 (C) Until December 31, 2017, \$0.007 and on and
18 after January 1, 2018, \$0.017 shall be used to cover
19 the Illinois State Police's administrative costs.

20 (D) Beginning January 1, 2018, until June 30,
21 2020, \$0.12, and on and after July 1, 2020, \$0.04 shall
22 be used to make monthly disbursements to the
23 appropriate 9-1-1 Authority currently taking wireless
24 9-1-1 based upon the United States Postal Zip Code of
25 the billing addresses of subscribers wireless
26 carriers.

1 (E) Until June 30, 2025 ~~2023~~, \$0.05 shall be used
2 by the Illinois State Police for grants for NG9-1-1
3 expenses, with priority given to 9-1-1 Authorities
4 that provide 9-1-1 service within the territory of a
5 Large Electing Provider as defined in Section 13-406.1
6 of the Public Utilities Act.

7 (F) On and after July 1, 2020, \$0.13 shall be used
8 for the implementation of and continuing expenses for
9 the Statewide NG9-1-1 system.

10 (1.5) Beginning on the effective date of this
11 amendatory Act of the 103rd General Assembly, to assist
12 with the implementation of the statewide Next Generation
13 9-1-1 network, the Illinois State Police's administrative
14 costs include the one-time capital cost of upgrading the
15 Illinois State Police's call-handling equipment to meet
16 the standards necessary to access and increase
17 interoperability with the statewide Next Generation 9-1-1
18 network.

19 (A) Upon completion of the Illinois State Police's
20 call-handling equipment upgrades, but no later than
21 June 30, 2024, surplus moneys in excess of \$1,000,000
22 from subparagraph (C) of paragraph (1) not utilized by
23 the Illinois State Police for administrative costs
24 shall be distributed to the 9-1-1 Authorities in
25 accordance with subparagraph (E) of paragraph (2) on
26 an annual basis at the end of the State fiscal year.

1 Any remaining surplus money may also be distributed
2 consistent with this paragraph (1.5) at the discretion
3 of the Illinois State Police.

4 (B) Upon implementation of the Statewide NG9-1-1
5 system, but no later than June 30, 2024, surplus
6 moneys in excess of \$5,000,000 from subparagraph (F)
7 of paragraph (1) not utilized by the Illinois State
8 Police for the implementation of and continuing
9 expenses for the Statewide NG9-1-1 system shall be
10 distributed to the 9-1-1 Authorities in accordance
11 with subparagraph (E) of subsection (2) on an annual
12 basis at the end of the State fiscal year. Any
13 remaining surplus money may also be distributed
14 consistent with this paragraph (1.5) at the discretion
15 of the Illinois State Police.

16 (2) After disbursements under paragraph (1) of this
17 subsection (b), all remaining funds in the Statewide 9-1-1
18 Fund shall be disbursed in the following priority order:

19 (A) The Fund shall pay monthly to:

20 (i) the 9-1-1 Authorities that imposed
21 surcharges under Section 15.3 of this Act and were
22 required to report to the Illinois Commerce
23 Commission under Section 27 of the Wireless
24 Emergency Telephone Safety Act on October 1, 2014,
25 except a 9-1-1 Authority in a municipality with a
26 population in excess of 500,000, an amount equal

1 to the average monthly wireline and VoIP surcharge
2 revenue attributable to the most recent 12-month
3 period reported to the Illinois State Police under
4 that Section for the October 1, 2014 filing,
5 subject to the power of the Illinois State Police
6 to investigate the amount reported and adjust the
7 number by order under Article X of the Public
8 Utilities Act, so that the monthly amount paid
9 under this item accurately reflects one-twelfth of
10 the aggregate wireline and VoIP surcharge revenue
11 properly attributable to the most recent 12-month
12 period reported to the Commission; or

13 (ii) county qualified governmental entities
14 that did not impose a surcharge under Section 15.3
15 as of December 31, 2015, and counties that did not
16 impose a surcharge as of June 30, 2015, an amount
17 equivalent to their population multiplied by .37
18 multiplied by the rate of \$0.69; counties that are
19 not county qualified governmental entities and
20 that did not impose a surcharge as of December 31,
21 2015, shall not begin to receive the payment
22 provided for in this subsection until E9-1-1 and
23 wireless E9-1-1 services are provided within their
24 counties; or

25 (iii) counties without 9-1-1 service that had
26 a surcharge in place by December 31, 2015, an

1 amount equivalent to their population multiplied
2 by .37 multiplied by their surcharge rate as
3 established by the referendum.

4 (B) All 9-1-1 network costs for systems outside of
5 municipalities with a population of at least 500,000
6 shall be paid by the Illinois State Police directly to
7 the vendors.

8 (C) All expenses incurred by the Administrator and
9 the Statewide 9-1-1 Advisory Board and costs
10 associated with procurement under Section 15.6b
11 including requests for information and requests for
12 proposals.

13 (D) Funds may be held in reserve by the Statewide
14 9-1-1 Advisory Board and disbursed by the Illinois
15 State Police for grants under Section 15.4b of this
16 Act and for NG9-1-1 expenses up to \$12.5 million per
17 year in State fiscal years 2016 and 2017; up to \$20
18 million in State fiscal year 2018; up to \$20.9 million
19 in State fiscal year 2019; up to \$15.3 million in State
20 fiscal year 2020; up to \$16.2 million in State fiscal
21 year 2021; up to \$23.1 million in State fiscal year
22 2022; and up to \$17.0 million per year for State fiscal
23 year 2023 and each year thereafter. The amount held in
24 reserve in State fiscal years 2021, 2022, and 2023
25 shall not be less than \$6.5 million. Disbursements
26 under this subparagraph (D) shall be prioritized as

1 follows: (i) consolidation grants prioritized under
2 subsection (a) of Section 15.4b of this Act; (ii)
3 NG9-1-1 expenses; and (iii) consolidation grants under
4 Section 15.4b of this Act for consolidation expenses
5 incurred between January 1, 2010, and January 1, 2016.

6 (E) All remaining funds per remit month shall be
7 used to make monthly disbursements to the appropriate
8 9-1-1 Authority currently taking wireless 9-1-1 based
9 upon the United States Postal Zip Code of the billing
10 addresses of subscribers of wireless carriers.

11 (c) The moneys deposited into the Statewide 9-1-1 Fund
12 under this Section shall not be subject to administrative
13 charges or chargebacks unless otherwise authorized by this
14 Act.

15 (d) Whenever two or more 9-1-1 Authorities consolidate,
16 the resulting Joint Emergency Telephone System Board shall be
17 entitled to the monthly payments that had theretofore been
18 made to each consolidating 9-1-1 Authority. Any reserves held
19 by any consolidating 9-1-1 Authority shall be transferred to
20 the resulting Joint Emergency Telephone System Board. Whenever
21 a county that has no 9-1-1 service as of January 1, 2016 enters
22 into an agreement to consolidate to create or join a Joint
23 Emergency Telephone System Board, the Joint Emergency
24 Telephone System Board shall be entitled to the monthly
25 payments that would have otherwise been paid to the county if
26 it had provided 9-1-1 service.

1 (Source: P.A. 102-9, eff. 6-3-21; 102-538, eff. 8-20-21;
2 102-813, eff. 5-13-22; 103-366, eff. 1-1-24.)

3 (50 ILCS 750/35)

4 (Text of Section before amendment by P.A. 103-366)

5 (Section scheduled to be repealed on December 31, 2025)

6 Sec. 35. 9-1-1 surcharge; allowable expenditures. Except
7 as otherwise provided in this Act, expenditures from surcharge
8 revenues received under this Act may be made by
9 municipalities, counties, and 9-1-1 Authorities only to pay
10 for the costs associated with the following:

11 (1) The design of the Emergency Telephone System.

12 (2) The coding of an initial Master Street Address
13 Guide database, and update and maintenance thereof.

14 (3) The repayment of any moneys advanced for the
15 implementation of the system.

16 (4) The charges for Automatic Number Identification
17 and Automatic Location Identification equipment, a
18 computer aided dispatch system that records, maintains,
19 and integrates information, mobile data transmitters
20 equipped with automatic vehicle locators, and maintenance,
21 replacement, and update thereof to increase operational
22 efficiency and improve the provision of emergency
23 services.

24 (5) The non-recurring charges related to installation
25 of the Emergency Telephone System.

1 (6) The initial acquisition and installation, or the
2 reimbursement of costs therefor to other governmental
3 bodies that have incurred those costs, of road or street
4 signs that are essential to the implementation of the
5 Emergency Telephone System and that are not duplicative of
6 signs that are the responsibility of the jurisdiction
7 charged with maintaining road and street signs. Funds may
8 not be used for ongoing expenses associated with road or
9 street sign maintenance and replacement.

10 (7) Other products and services necessary for the
11 implementation, upgrade, and maintenance of the system and
12 any other purpose related to the operation of the system,
13 including costs attributable directly to the construction,
14 leasing, or maintenance of any buildings or facilities or
15 costs of personnel attributable directly to the operation
16 of the system. Costs attributable directly to the
17 operation of an emergency telephone system do not include
18 the costs of public safety agency personnel who are and
19 equipment that is dispatched in response to an emergency
20 call.

21 (8) The defraying of expenses incurred to implement
22 Next Generation 9-1-1, subject to the conditions set forth
23 in this Act.

24 (9) The implementation of a computer aided dispatch
25 system or hosted supplemental 9-1-1 services.

26 (10) The design, implementation, operation,

1 maintenance, or upgrade of wireless 9-1-1, E9-1-1, or
2 NG9-1-1 emergency services and public safety answering
3 points.

4 In the case of a municipality with a population over
5 500,000, moneys may also be used for any anti-terrorism or
6 emergency preparedness measures, including, but not limited
7 to, preparedness planning, providing local matching funds for
8 federal or State grants, personnel training, and specialized
9 equipment, including surveillance cameras, as needed to deal
10 with natural and terrorist-inspired emergency situations or
11 events.

12 (Source: P.A. 99-6, eff. 1-1-16; 100-20, eff. 7-1-17.)

13 (Text of Section after amendment by P.A. 103-366)

14 (Section scheduled to be repealed on December 31, 2025)

15 Sec. 35. 9-1-1 surcharge; allowable expenditures.

16 (a) Except as otherwise provided in this Act, expenditures
17 from surcharge revenues received under this Act shall be made
18 consistent with 47 CFR 9.23, which include the following:

19 (1) support and implementation of 9-1-1 services
20 provided by or in the State or taxing jurisdiction
21 imposing the fee or charge; and

22 (2) operational expenses of public safety answering
23 points within the State. Examples of allowable
24 expenditures include, but are not limited to:

25 (A) PSAP operating costs, including lease,

1 purchase, maintenance, replacement, and upgrade of
2 customer premises equipment (hardware and software),
3 CAD equipment (hardware and software), and the PSAP
4 building and facility and including NG9-1-1,
5 cybersecurity, pre-arrival instructions, and emergency
6 notification systems. PSAP operating costs include
7 technological innovation that supports 9-1-1;

8 (B) PSAP personnel costs, including
9 telecommunicators' salaries and training;

10 (C) PSAP administration, including costs for
11 administration of 9-1-1 services and travel expenses
12 associated with the provision of 9-1-1 services;

13 (D) integrating public safety and first responder
14 dispatch and 9-1-1 systems, including lease, purchase,
15 maintenance, and upgrade of CAD equipment (hardware
16 and software) to support integrated 9-1-1 and public
17 safety dispatch operations; ~~and~~

18 (E) providing the interoperability of 9-1-1
19 systems with one another and with public safety and
20 first responder radio systems; ~~and~~

21 (F) costs for the initial acquisition and
22 installation of road or street signs that are
23 essential to the implementation of the Emergency
24 Telephone System and that are not duplicative of signs
25 that are the responsibility of the jurisdiction
26 charged with maintaining road and street signs, as

1 well as costs incurred to reimburse governmental
2 bodies for the acquisition and installation of those
3 signs, except that expenditures may not be used for
4 ongoing expenses associated with sign maintenance and
5 replacement.

6 (3) (Blank).

7 (4) (Blank).

8 (5) (Blank).

9 (6) (Blank).

10 (7) (Blank).

11 (8) (Blank).

12 (9) (Blank).

13 (10) (Blank).

14 (b) The obligation or expenditure of surcharge revenues
15 received under this Act for a purpose or function inconsistent
16 with 47 CFR 9.23 and this Section shall constitute diversion,
17 which undermines the purpose of this Act by depriving the
18 9-1-1 system of the funds it needs to function effectively and
19 to modernize 9-1-1 operations. Examples of diversion include,
20 but are not limited to:

21 (1) transfer of 9-1-1 fees into a State or other
22 jurisdiction's general fund or other fund for non-9-1-1
23 purposes;

24 (2) use of surcharge revenues for equipment or
25 infrastructure for constructing or expanding
26 non-public-safety communications networks (e.g.,

1 commercial cellular networks); and

2 (3) use of surcharge revenues for equipment or
3 infrastructure for law enforcement, firefighters, and
4 other public safety or first responder entities that does
5 not directly support providing 9-1-1 services.

6 (c) In the case of a municipality with a population over
7 500,000, moneys may also be used for any anti-terrorism or
8 emergency preparedness measures, including, but not limited
9 to, preparedness planning, providing local matching funds for
10 federal or State grants, personnel training, and specialized
11 equipment, including surveillance cameras, as needed to deal
12 with natural and terrorist-inspired emergency situations or
13 events.

14 (Source: P.A. 103-366, eff. 1-1-24.)

15 Section 15. The Child Care Act of 1969 is amended by
16 changing Sections 2.06 and 2.17 and by adding Section 2.35 as
17 follows:

18 (225 ILCS 10/2.06) (from Ch. 23, par. 2212.06)

19 Sec. 2.06. "Child care institution" means a child care
20 facility where more than 7 children are received and
21 maintained for the purpose of providing them with care or
22 training or both. The term "child care institution" includes
23 residential schools, primarily serving ambulatory children
24 with disabilities, and those operating a full calendar year,

1 but does not include:

2 (a) any State-operated institution for child care
3 established by legislative action;

4 (b) any juvenile detention or shelter care home
5 established and operated by any county or child protection
6 district established under the "Child Protection Act";

7 (c) any institution, home, place or facility operating
8 under a license pursuant to the Nursing Home Care Act, the
9 Specialized Mental Health Rehabilitation Act of 2013, the
10 ID/DD Community Care Act, or the MC/DD Act;

11 (d) any bona fide boarding school in which children
12 are primarily taught branches of education corresponding
13 to those taught in public schools, grades one through 12,
14 or taught in public elementary schools, high schools, or
15 both elementary and high schools, and which operates on a
16 regular academic school year basis; ~~or~~

17 (e) any facility licensed as a "group home" as defined
18 in this Act; or ~~or~~

19 (f) any qualified residential treatment program.

20 (Source: P.A. 98-104, eff. 7-22-13; 99-143, eff. 7-27-15;
21 99-180, eff. 7-29-15; 99-642, eff. 7-28-16.)

22 (225 ILCS 10/2.17) (from Ch. 23, par. 2212.17)

23 Sec. 2.17. "Foster family home" means the home of an
24 individual or family:

25 (1) that is licensed or approved by the state in which it

1 is situated as a foster family home that meets the standards
2 established for the licensing or approval; and

3 (2) in which a child in foster care has been placed in the
4 care of an individual who resides with the child and who has
5 been licensed or approved by the state to be a foster parent
6 and:

7 (A) who the Department of Children and Family Services
8 deems capable of adhering to the reasonable and prudent
9 parent standard;

10 (B) who provides 24-hour substitute care for children
11 placed away from their parents or other caretakers; and

12 (3) who provides the care for ~~a facility for child care in~~
13 ~~residences of families who receive no more than 6 children~~
14 ~~unrelated to them, unless all the children are of common~~
15 ~~parentage, or residences of relatives who receive no more than~~
16 ~~6 related children placed by the Department, unless the~~
17 ~~children are of common parentage, for the purpose of providing~~
18 ~~family care and training for the children on a full time~~
19 ~~basis,~~ except the Director of Children and Family Services,
20 pursuant to Department regulations, may waive the numerical
21 limitation of foster children who may be cared for in a foster
22 family home for any of the following reasons to allow: (i) ~~(1)~~
23 a parenting youth in foster care to remain with the child of
24 the parenting youth; (ii) ~~(2)~~ siblings to remain together;
25 (iii) ~~(3)~~ a child with an established meaningful relationship
26 with the family to remain with the family; or (iv) ~~(4)~~ a family

1 with special training or skills to provide care to a child who
2 has a severe disability. The family's or relative's own
3 children, under 18 years of age, shall be included in
4 determining the maximum number of children served.

5 For purposes of this Section, a "relative" includes any
6 person, 21 years of age or over, other than the parent, who (i)
7 is currently related to the child in any of the following ways
8 by blood or adoption: grandparent, sibling, great-grandparent,
9 uncle, aunt, nephew, niece, first cousin, great-uncle, or
10 great-aunt; or (ii) is the spouse of such a relative; or (iii)
11 is a child's step-father, step-mother, or adult step-brother
12 or step-sister; or (iv) is a fictive kin; "relative" also
13 includes a person related in any of the foregoing ways to a
14 sibling of a child, even though the person is not related to
15 the child, when the child and its sibling are placed together
16 with that person. For purposes of placement of children
17 pursuant to Section 7 of the Children and Family Services Act
18 and for purposes of licensing requirements set forth in
19 Section 4 of this Act, for children under the custody or
20 guardianship of the Department pursuant to the Juvenile Court
21 Act of 1987, after a parent signs a consent, surrender, or
22 waiver or after a parent's rights are otherwise terminated,
23 and while the child remains in the custody or guardianship of
24 the Department, the child is considered to be related to those
25 to whom the child was related under this Section prior to the
26 signing of the consent, surrender, or waiver or the order of

1 termination of parental rights.

2 The term "foster family home" includes homes receiving
3 children from any State-operated institution for child care;
4 or from any agency established by a municipality or other
5 political subdivision of the State of Illinois authorized to
6 provide care for children outside their own homes. The term
7 "foster family home" does not include an "adoption-only home"
8 as defined in Section 2.23 of this Act. The types of foster
9 family homes are defined as follows:

10 (a) "Boarding home" means a foster family home which
11 receives payment for regular full-time care of a child or
12 children.

13 (b) "Free home" means a foster family home other than
14 an adoptive home which does not receive payments for the
15 care of a child or children.

16 (c) "Adoptive home" means a foster family home which
17 receives a child or children for the purpose of adopting
18 the child or children, but does not include an
19 adoption-only home.

20 (d) "Work-wage home" means a foster family home which
21 receives a child or children who pay part or all of their
22 board by rendering some services to the family not
23 prohibited by the Child Labor Law or by standards or
24 regulations of the Department prescribed under this Act.
25 The child or children may receive a wage in connection
26 with the services rendered the foster family.

1 (e) "Agency-supervised home" means a foster family
2 home under the direct and regular supervision of a
3 licensed child welfare agency, of the Department of
4 Children and Family Services, of a circuit court, or of
5 any other State agency which has authority to place
6 children in child care facilities, and which receives no
7 more than 8 children, unless of common parentage, who are
8 placed and are regularly supervised by one of the
9 specified agencies.

10 (f) "Independent home" means a foster family home,
11 other than an adoptive home, which receives no more than 4
12 children, unless of common parentage, directly from
13 parents, or other legally responsible persons, by
14 independent arrangement and which is not subject to direct
15 and regular supervision of a specified agency except as
16 such supervision pertains to licensing by the Department.

17 (g) "Host home" means an emergency foster family home
18 under the direction and regular supervision of a licensed
19 child welfare agency, contracted to provide short-term
20 crisis intervention services to youth served under the
21 Comprehensive Community-Based Youth Services program,
22 under the direction of the Department of Human Services.
23 The youth shall not be under the custody or guardianship
24 of the Department pursuant to the Juvenile Court Act of
25 1987.

26 (Source: P.A. 101-63, eff. 7-12-19; 102-688, eff. 7-1-22.)

1 (225 ILCS 10/2.35 new)

2 Sec. 2.35. "Qualified residential treatment program" means
3 a program that:

4 (1) has a trauma-informed treatment model that is designed
5 to address the needs, including clinical needs as appropriate,
6 of children with serious emotional or behavioral disorders or
7 disturbances and, with respect to a child, is able to
8 implement the treatment identified for the child by the
9 assessment of the child required under 42 U.S.C. 675a(c);

10 (2) whether by acquisition of direct employment or
11 otherwise, has registered or licensed nursing staff and other
12 licensed clinical staff who:

13 (A) provide care within the scope of their practice as
14 defined by law;

15 (B) are located on-site; and

16 (C) are available 24 hours a day, 7 days a week;

17 (3) to the extent appropriate, and in accordance with the
18 child's best interests, facilitates participation of family
19 members in the child's treatment program;

20 (4) facilitates outreach to the family members of the
21 child, including siblings, documents how the outreach is made,
22 including contact information, and maintains contact
23 information for any known biological family and fictive kin of
24 the child;

25 (5) documents how family members are integrated into the

1 treatment process for the child, including post-discharge, and
2 how sibling connections are maintained;

3 (6) provides discharge planning and family-based aftercare
4 support for at least 6 months post-discharge; and

5 (7) is licensed in accordance with this Act and is
6 accredited by any of the following independent, not-for-profit
7 organizations:

8 (A) the Commission on Accreditation of Rehabilitation
9 Facilities;

10 (B) the Joint Commission;

11 (C) the Council on Accreditation; or

12 (D) any other independent, not-for-profit accrediting
13 organization approved by the Secretary of Health and Human
14 Services as described in 42 U.S.C. 672 (k) (4).

15 Section 20. The Juvenile Court Act of 1987 is amended by
16 changing Section 1-3 as follows:

17 (705 ILCS 405/1-3) (from Ch. 37, par. 801-3)

18 Sec. 1-3. Definitions. Terms used in this Act, unless the
19 context otherwise requires, have the following meanings
20 ascribed to them:

21 (1) "Adjudicatory hearing" means a hearing to determine
22 whether the allegations of a petition under Section 2-13,
23 3-15, or 4-12 that a minor under 18 years of age is abused,
24 neglected, or dependent, or requires authoritative

1 intervention, or addicted, respectively, are supported by a
2 preponderance of the evidence or whether the allegations of a
3 petition under Section 5-520 that a minor is delinquent are
4 proved beyond a reasonable doubt.

5 (2) "Adult" means a person 21 years of age or older.

6 (3) "Agency" means a public or private child care facility
7 legally authorized or licensed by this State for placement or
8 institutional care or for both placement and institutional
9 care.

10 (4) "Association" means any organization, public or
11 private, engaged in welfare functions which include services
12 to or on behalf of children but does not include "agency" as
13 herein defined.

14 (4.05) Whenever a "best interest" determination is
15 required, the following factors shall be considered in the
16 context of the child's age and developmental needs:

17 (a) the physical safety and welfare of the child,
18 including food, shelter, health, and clothing;

19 (b) the development of the child's identity;

20 (c) the child's background and ties, including
21 familial, cultural, and religious;

22 (d) the child's sense of attachments, including:

23 (i) where the child actually feels love,
24 attachment, and a sense of being valued (as opposed to
25 where adults believe the child should feel such love,
26 attachment, and a sense of being valued);

- 1 (ii) the child's sense of security;
- 2 (iii) the child's sense of familiarity;
- 3 (iv) continuity of affection for the child;
- 4 (v) the least disruptive placement alternative for
- 5 the child;
- 6 (e) the child's wishes and long-term goals;
- 7 (f) the child's community ties, including church,
- 8 school, and friends;
- 9 (g) the child's need for permanence which includes the
- 10 child's need for stability and continuity of relationships
- 11 with parent figures and with siblings and other relatives;
- 12 (h) the uniqueness of every family and child;
- 13 (i) the risks attendant to entering and being in
- 14 substitute care; and
- 15 (j) the preferences of the persons available to care
- 16 for the child.

17 (4.1) "Chronic truant" shall have the definition ascribed

18 to it in Section 26-2a of the School Code.

19 (5) "Court" means the circuit court in a session or

20 division assigned to hear proceedings under this Act.

21 (6) "Dispositional hearing" means a hearing to determine

22 whether a minor should be adjudged to be a ward of the court,

23 and to determine what order of disposition should be made in

24 respect to a minor adjudged to be a ward of the court.

25 (6.5) "Dissemination" or "disseminate" means to publish,

26 produce, print, manufacture, distribute, sell, lease, exhibit,

1 broadcast, display, transmit, or otherwise share information
2 in any format so as to make the information accessible to
3 others.

4 (7) "Emancipated minor" means any minor 16 years of age or
5 over who has been completely or partially emancipated under
6 the Emancipation of Minors Act or under this Act.

7 (7.03) "Expunge" means to physically destroy the records
8 and to obliterate the minor's name from any official index,
9 public record, or electronic database.

10 (7.05) "Foster parent" includes a relative caregiver
11 selected by the Department of Children and Family Services to
12 provide care for the minor.

13 (8) "Guardianship of the person" of a minor means the duty
14 and authority to act in the best interests of the minor,
15 subject to residual parental rights and responsibilities, to
16 make important decisions in matters having a permanent effect
17 on the life and development of the minor and to be concerned
18 with the minor's general welfare. It includes but is not
19 necessarily limited to:

20 (a) the authority to consent to marriage, to
21 enlistment in the armed forces of the United States, or to
22 a major medical, psychiatric, and surgical treatment; to
23 represent the minor in legal actions; and to make other
24 decisions of substantial legal significance concerning the
25 minor;

26 (b) the authority and duty of reasonable visitation,

1 except to the extent that these have been limited in the
2 best interests of the minor by court order;

3 (c) the rights and responsibilities of legal custody
4 except where legal custody has been vested in another
5 person or agency; and

6 (d) the power to consent to the adoption of the minor,
7 but only if expressly conferred on the guardian in
8 accordance with Section 2-29, 3-30, or 4-27.

9 (8.1) "Juvenile court record" includes, but is not limited
10 to:

11 (a) all documents filed in or maintained by the
12 juvenile court pertaining to a specific incident,
13 proceeding, or individual;

14 (b) all documents relating to a specific incident,
15 proceeding, or individual made available to or maintained
16 by probation officers;

17 (c) all documents, video or audio tapes, photographs,
18 and exhibits admitted into evidence at juvenile court
19 hearings; or

20 (d) all documents, transcripts, records, reports, or
21 other evidence prepared by, maintained by, or released by
22 any municipal, county, or State agency or department, in
23 any format, if indicating involvement with the juvenile
24 court relating to a specific incident, proceeding, or
25 individual.

26 (8.2) "Juvenile law enforcement record" includes records

1 of arrest, station adjustments, fingerprints, probation
2 adjustments, the issuance of a notice to appear, or any other
3 records or documents maintained by any law enforcement agency
4 relating to a minor suspected of committing an offense, and
5 records maintained by a law enforcement agency that identifies
6 a juvenile as a suspect in committing an offense, but does not
7 include records identifying a juvenile as a victim, witness,
8 or missing juvenile and any records created, maintained, or
9 used for purposes of referral to programs relating to
10 diversion as defined in subsection (6) of Section 5-105.

11 (9) "Legal custody" means the relationship created by an
12 order of court in the best interests of the minor which imposes
13 on the custodian the responsibility of physical possession of
14 a minor and the duty to protect, train and discipline the minor
15 and to provide the minor with food, shelter, education, and
16 ordinary medical care, except as these are limited by residual
17 parental rights and responsibilities and the rights and
18 responsibilities of the guardian of the person, if any.

19 (9.1) "Mentally capable adult relative" means a person 21
20 years of age or older who is not suffering from a mental
21 illness that prevents the person from providing the care
22 necessary to safeguard the physical safety and welfare of a
23 minor who is left in that person's care by the parent or
24 parents or other person responsible for the minor's welfare.

25 (10) "Minor" means a person under the age of 21 years
26 subject to this Act.

1 (11) "Parent" means a father or mother of a child and
2 includes any adoptive parent. It also includes a person (i)
3 whose parentage is presumed or has been established under the
4 law of this or another jurisdiction or (ii) who has registered
5 with the Putative Father Registry in accordance with Section
6 12.1 of the Adoption Act and whose paternity has not been ruled
7 out under the law of this or another jurisdiction. It does not
8 include a parent whose rights in respect to the minor have been
9 terminated in any manner provided by law. It does not include a
10 person who has been or could be determined to be a parent under
11 the Illinois Parentage Act of 1984 or the Illinois Parentage
12 Act of 2015, or similar parentage law in any other state, if
13 that person has been convicted of or pled nolo contendere to a
14 crime that resulted in the conception of the child under
15 Section 11-1.20, 11-1.30, 11-1.40, 11-11, 12-13, 12-14,
16 12-14.1, subsection (a) or (b) (but not subsection (c)) of
17 Section 11-1.50 or 12-15, or subsection (a), (b), (c), (e), or
18 (f) (but not subsection (d)) of Section 11-1.60 or 12-16 of the
19 Criminal Code of 1961 or the Criminal Code of 2012, or similar
20 statute in another jurisdiction unless upon motion of any
21 party, other than the offender, to the juvenile court
22 proceedings the court finds it is in the child's best interest
23 to deem the offender a parent for purposes of the juvenile
24 court proceedings.

25 (11.1) "Permanency goal" means a goal set by the court as
26 defined in subdivision (2) of Section 2-28.

1 (11.2) "Permanency hearing" means a hearing to set the
2 permanency goal and to review and determine (i) the
3 appropriateness of the services contained in the plan and
4 whether those services have been provided, (ii) whether
5 reasonable efforts have been made by all the parties to the
6 service plan to achieve the goal, and (iii) whether the plan
7 and goal have been achieved.

8 (12) "Petition" means the petition provided for in Section
9 2-13, 3-15, 4-12u or 5-520, including any supplemental
10 petitions thereunder in Section 3-15, 4-12u or 5-520.

11 (12.1) "Physically capable adult relative" means a person
12 21 years of age or older who does not have a severe physical
13 disability or medical condition, or is not suffering from
14 alcoholism or drug addiction, that prevents the person from
15 providing the care necessary to safeguard the physical safety
16 and welfare of a minor who is left in that person's care by the
17 parent or parents or other person responsible for the minor's
18 welfare.

19 (12.2) "Post Permanency Sibling Contact Agreement" has the
20 meaning ascribed to the term in Section 7.4 of the Children and
21 Family Services Act.

22 (12.3) "Residential treatment center" means a licensed
23 setting that provides 24-hour care to children in a group home
24 or institution, including a facility licensed as a child care
25 institution under Section 2.06 of the Child Care Act of 1969, a
26 licensed group home under Section 2.16 of the Child Care Act of

1 1969, a qualified residential treatment program under Section
2 2.35 of the Child Care Act of 1969, a secure child care
3 facility as defined in paragraph (18) of this Section, or any
4 similar facility in another state. "Residential treatment
5 center" does not include a relative foster home or a licensed
6 foster family home.

7 (13) "Residual parental rights and responsibilities" means
8 those rights and responsibilities remaining with the parent
9 after the transfer of legal custody or guardianship of the
10 person, including, but not necessarily limited to, the right
11 to reasonable visitation (which may be limited by the court in
12 the best interests of the minor as provided in subsection
13 (8)(b) of this Section), the right to consent to adoption, the
14 right to determine the minor's religious affiliation, and the
15 responsibility for the minor's support.

16 (14) "Shelter" means the temporary care of a minor in
17 physically unrestricting facilities pending court disposition
18 or execution of court order for placement.

19 (14.05) "Shelter placement" means a temporary or emergency
20 placement for a minor, including an emergency foster home
21 placement.

22 (14.1) "Sibling Contact Support Plan" has the meaning
23 ascribed to the term in Section 7.4 of the Children and Family
24 Services Act.

25 (14.2) "Significant event report" means a written document
26 describing an occurrence or event beyond the customary

1 operations, routines, or relationships in the Department of
2 Children of Family Services, a child care facility, or other
3 entity that is licensed or regulated by the Department of
4 Children of Family Services or that provides services for the
5 Department of Children of Family Services under a grant,
6 contract, or purchase of service agreement; involving children
7 or youth, employees, foster parents, or relative caregivers;
8 allegations of abuse or neglect or any other incident raising
9 a concern about the well-being of a minor under the
10 jurisdiction of the court under Article II of the Juvenile
11 Court Act of 1987; incidents involving damage to property,
12 allegations of criminal activity, misconduct, or other
13 occurrences affecting the operations of the Department of
14 Children of Family Services or a child care facility; any
15 incident that could have media impact; and unusual incidents
16 as defined by Department of Children and Family Services rule.

17 (15) "Station adjustment" means the informal handling of
18 an alleged offender by a juvenile police officer.

19 (16) "Ward of the court" means a minor who is so adjudged
20 under Section 2-22, 3-23, 4-20u, or 5-705, after a finding of
21 the requisite jurisdictional facts, and thus is subject to the
22 dispositional powers of the court under this Act.

23 (17) "Juvenile police officer" means a sworn police
24 officer who has completed a Basic Recruit Training Course, has
25 been assigned to the position of juvenile police officer by
26 the officer's chief law enforcement officer and has completed

1 the necessary juvenile officers training as prescribed by the
2 Illinois Law Enforcement Training Standards Board, or in the
3 case of a State police officer, juvenile officer training
4 approved by the Director of the Illinois State Police.

5 (18) "Secure child care facility" means any child care
6 facility licensed by the Department of Children and Family
7 Services to provide secure living arrangements for children
8 under 18 years of age who are subject to placement in
9 facilities under the Children and Family Services Act and who
10 are not subject to placement in facilities for whom standards
11 are established by the Department of Corrections under Section
12 3-15-2 of the Unified Code of Corrections. "Secure child care
13 facility" also means a facility that is designed and operated
14 to ensure that all entrances and exits from the facility, a
15 building, or a distinct part of the building are under the
16 exclusive control of the staff of the facility, whether or not
17 the child has the freedom of movement within the perimeter of
18 the facility, building, or distinct part of the building.

19 (Source: P.A. 102-538, eff. 8-20-21; 103-22, eff. 8-8-23.)

20 Section 25. The Unified Code of Corrections is amended by
21 changing Section 5-4.5-110 as follows:

22 (730 ILCS 5/5-4.5-110)

23 (Section scheduled to be repealed on January 1, 2024)

24 Sec. 5-4.5-110. SENTENCING GUIDELINES FOR INDIVIDUALS WITH

1 PRIOR FELONY FIREARM-RELATED OR OTHER SPECIFIED CONVICTIONS.

2 (a) DEFINITIONS. For the purposes of this Section:

3 "Firearm" has the meaning ascribed to it in Section
4 1.1 of the Firearm Owners Identification Card Act.

5 "Qualifying predicate offense" means the following
6 offenses under the Criminal Code of 2012:

7 (A) aggravated unlawful use of a weapon under
8 Section 24-1.6 or similar offense under the Criminal
9 Code of 1961, when the weapon is a firearm;

10 (B) unlawful use or possession of a weapon by a
11 felon under Section 24-1.1 or similar offense under
12 the Criminal Code of 1961, when the weapon is a
13 firearm;

14 (C) first degree murder under Section 9-1 or
15 similar offense under the Criminal Code of 1961;

16 (D) attempted first degree murder with a firearm
17 or similar offense under the Criminal Code of 1961;

18 (E) aggravated kidnapping with a firearm under
19 paragraph (6) or (7) of subsection (a) of Section 10-2
20 or similar offense under the Criminal Code of 1961;

21 (F) aggravated battery with a firearm under
22 subsection (e) of Section 12-3.05 or similar offense
23 under the Criminal Code of 1961;

24 (G) aggravated criminal sexual assault under
25 Section 11-1.30 or similar offense under the Criminal
26 Code of 1961;

1 (H) predatory criminal sexual assault of a child
2 under Section 11-1.40 or similar offense under the
3 Criminal Code of 1961;

4 (I) armed robbery under Section 18-2 or similar
5 offense under the Criminal Code of 1961;

6 (J) vehicular hijacking under Section 18-3 or
7 similar offense under the Criminal Code of 1961;

8 (K) aggravated vehicular hijacking under Section
9 18-4 or similar offense under the Criminal Code of
10 1961;

11 (L) home invasion with a firearm under paragraph
12 (3), (4), or (5) of subsection (a) of Section 19-6 or
13 similar offense under the Criminal Code of 1961;

14 (M) aggravated discharge of a firearm under
15 Section 24-1.2 or similar offense under the Criminal
16 Code of 1961;

17 (N) aggravated discharge of a machine gun or a
18 firearm equipped with a device designed or used for
19 silencing the report of a firearm under Section
20 24-1.2-5 or similar offense under the Criminal Code of
21 1961;

22 (O) unlawful use of firearm projectiles under
23 Section 24-2.1 or similar offense under the Criminal
24 Code of 1961;

25 (P) manufacture, sale, or transfer of bullets or
26 shells represented to be armor piercing bullets,

1 dragon's breath shotgun shells, bolo shells, or
2 flechette shells under Section 24-2.2 or similar
3 offense under the Criminal Code of 1961;

4 (Q) unlawful sale or delivery of firearms under
5 Section 24-3 or similar offense under the Criminal
6 Code of 1961;

7 (R) unlawful discharge of firearm projectiles
8 under Section 24-3.2 or similar offense under the
9 Criminal Code of 1961;

10 (S) unlawful sale or delivery of firearms on
11 school premises of any school under Section 24-3.3 or
12 similar offense under the Criminal Code of 1961;

13 (T) unlawful purchase of a firearm under Section
14 24-3.5 or similar offense under the Criminal Code of
15 1961;

16 (U) use of a stolen firearm in the commission of an
17 offense under Section 24-3.7 or similar offense under
18 the Criminal Code of 1961;

19 (V) possession of a stolen firearm under Section
20 24-3.8 or similar offense under the Criminal Code of
21 1961;

22 (W) aggravated possession of a stolen firearm
23 under Section 24-3.9 or similar offense under the
24 Criminal Code of 1961;

25 (X) gunrunning under Section 24-3A or similar
26 offense under the Criminal Code of 1961;

1 (Y) defacing identification marks of firearms
2 under Section 24-5 or similar offense under the
3 Criminal Code of 1961; and

4 (Z) armed violence under Section 33A-2 or similar
5 offense under the Criminal Code of 1961.

6 (b) APPLICABILITY. For an offense committed on or after
7 January 1, 2018 (the effective date of Public Act 100-3) and
8 before January 1, 2025 ~~2024~~, when a person is convicted of
9 unlawful use or possession of a weapon by a felon, when the
10 weapon is a firearm, or aggravated unlawful use of a weapon,
11 when the weapon is a firearm, after being previously convicted
12 of a qualifying predicate offense the person shall be subject
13 to the sentencing guidelines under this Section.

14 (c) SENTENCING GUIDELINES.

15 (1) When a person is convicted of unlawful use or
16 possession of a weapon by a felon, when the weapon is a
17 firearm, and that person has been previously convicted of
18 a qualifying predicate offense, the person shall be
19 sentenced to a term of imprisonment within the sentencing
20 range of not less than 7 years and not more than 14 years,
21 unless the court finds that a departure from the
22 sentencing guidelines under this paragraph is warranted
23 under subsection (d) of this Section.

24 (2) When a person is convicted of aggravated unlawful
25 use of a weapon, when the weapon is a firearm, and that
26 person has been previously convicted of a qualifying

1 predicate offense, the person shall be sentenced to a term
2 of imprisonment within the sentencing range of not less
3 than 6 years and not more than 7 years, unless the court
4 finds that a departure from the sentencing guidelines
5 under this paragraph is warranted under subsection (d) of
6 this Section.

7 (3) The sentencing guidelines in paragraphs (1) and
8 (2) of this subsection (c) apply only to offenses
9 committed on and after January 1, 2018 (the effective date
10 of Public Act 100-3) and before January 1, 2025 ~~2024~~.

11 (d) DEPARTURE FROM SENTENCING GUIDELINES.

12 (1) At the sentencing hearing conducted under Section
13 5-4-1 of this Code, the court may depart from the
14 sentencing guidelines provided in subsection (c) of this
15 Section and impose a sentence otherwise authorized by law
16 for the offense if the court, after considering any factor
17 under paragraph (2) of this subsection (d) relevant to the
18 nature and circumstances of the crime and to the history
19 and character of the defendant, finds on the record
20 substantial and compelling justification that the sentence
21 within the sentencing guidelines would be unduly harsh and
22 that a sentence otherwise authorized by law would be
23 consistent with public safety and does not deprecate the
24 seriousness of the offense.

25 (2) In deciding whether to depart from the sentencing
26 guidelines under this paragraph, the court shall consider:

1 (A) the age, immaturity, or limited mental
2 capacity of the defendant at the time of commission of
3 the qualifying predicate or current offense, including
4 whether the defendant was suffering from a mental or
5 physical condition insufficient to constitute a
6 defense but significantly reduced the defendant's
7 culpability;

8 (B) the nature and circumstances of the qualifying
9 predicate offense;

10 (C) the time elapsed since the qualifying
11 predicate offense;

12 (D) the nature and circumstances of the current
13 offense;

14 (E) the defendant's prior criminal history;

15 (F) whether the defendant committed the qualifying
16 predicate or current offense under specific and
17 credible duress, coercion, threat, or compulsion;

18 (G) whether the defendant aided in the
19 apprehension of another felon or testified truthfully
20 on behalf of another prosecution of a felony; and

21 (H) whether departure is in the interest of the
22 person's rehabilitation, including employment or
23 educational or vocational training, after taking into
24 account any past rehabilitation efforts or
25 dispositions of probation or supervision, and the
26 defendant's cooperation or response to rehabilitation.

1 (3) When departing from the sentencing guidelines
2 under this Section, the court shall specify on the record,
3 the particular evidence, information, factor or factors,
4 or other reasons which led to the departure from the
5 sentencing guidelines. When departing from the sentencing
6 range in accordance with this subsection (d), the court
7 shall indicate on the sentencing order which departure
8 factor or factors outlined in paragraph (2) of this
9 subsection (d) led to the sentence imposed. The sentencing
10 order shall be filed with the clerk of the court and shall
11 be a public record.

12 (e) This Section is repealed on January 1, 2025 ~~2024~~.

13 (Source: P.A. 102-1109, eff. 12-21-22.)

14 Section 30. The Crime Victims Compensation Act is amended
15 by changing Sections 2 and 10.1 as follows:

16 (740 ILCS 45/2)

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

19 (a) "Applicant" means any of the following claiming
20 compensation under this Act: a victim, a person who was a
21 dependent of a deceased victim of a crime of violence for the
22 person's support at the time of the death of that victim, a
23 person who legally assumes the obligation or who voluntarily
24 pays the medical or the funeral or burial expenses incurred as

1 ~~a direct result of the crime, and any other person who applies~~
2 ~~for compensation under this Act or any person the Court of~~
3 ~~Claims or the Attorney General finds is entitled to~~
4 ~~compensation, including the guardian of a minor or of a person~~
5 ~~under legal disability. It includes any person who was a~~
6 ~~dependent of a deceased victim of a crime of violence for his~~
7 ~~or her support at the time of the death of that victim.~~

8 The changes made to this subsection by Public Act 101-652
9 apply to actions commenced or pending on or after January 1,
10 2022.

11 (b) "Court of Claims" means the Court of Claims created by
12 the Court of Claims Act.

13 (c) "Crime of violence" means and includes any offense
14 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
15 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
16 11-11, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 11-23, 11-23.5,
17 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-4,
18 12-4.1, 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13,
19 12-14, 12-14.1, 12-15, 12-16, 12-20.5, 12-30, 20-1 or 20-1.1,
20 or Section 12-3.05 except for subdivision (a)(4) or (g)(1), or
21 subdivision (a)(4) of Section 11-14.4, of the Criminal Code of
22 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of
23 the Cemetery Protection Act, Section 125 of the Stalking No
24 Contact Order Act, Section 219 of the Civil No Contact Order
25 Act, driving under the influence as defined in Section 11-501
26 of the Illinois Vehicle Code, a violation of Section 11-401 of

1 the Illinois Vehicle Code, provided the victim was a
2 pedestrian or was operating a vehicle moved solely by human
3 power or a mobility device at the time of contact, and a
4 violation of Section 11-204.1 of the Illinois Vehicle Code; so
5 long as the offense did not occur during a civil riot,
6 insurrection or rebellion. "Crime of violence" does not
7 include any other offense or crash involving a motor vehicle
8 except those vehicle offenses specifically provided for in
9 this paragraph. "Crime of violence" does include all of the
10 offenses specifically provided for in this paragraph that
11 occur within this State but are subject to federal
12 jurisdiction and crimes involving terrorism as defined in 18
13 U.S.C. 2331.

14 (d) "Victim" means (1) a person killed or injured in this
15 State as a result of a crime of violence perpetrated or
16 attempted against him or her, (2) the spouse, parent, or child
17 of a person killed or injured in this State as a result of a
18 crime of violence perpetrated or attempted against the person,
19 or anyone living in the household of a person killed or injured
20 in a relationship that is substantially similar to that of a
21 parent, spouse, or child, (3) a person killed or injured in
22 this State while attempting to assist a person against whom a
23 crime of violence is being perpetrated or attempted, if that
24 attempt of assistance would be expected of a reasonable person
25 under the circumstances, (4) a person killed or injured in
26 this State while assisting a law enforcement official

1 apprehend a person who has perpetrated a crime of violence or
2 prevent the perpetration of any such crime if that assistance
3 was in response to the express request of the law enforcement
4 official, (5) a person who personally witnessed a violent
5 crime, (5.05) a person who will be called as a witness by the
6 prosecution to establish a necessary nexus between the
7 offender and the violent crime, (5.1) solely for the purpose
8 of compensating for pecuniary loss incurred for psychological
9 treatment of a mental or emotional condition caused or
10 aggravated by the crime, any other person under the age of 18
11 who is the brother, sister, half brother, or half sister of a
12 person killed or injured in this State as a result of a crime
13 of violence, (6) an Illinois resident who is a victim of a
14 "crime of violence" as defined in this Act except, if the crime
15 occurred outside this State, the resident has the same rights
16 under this Act as if the crime had occurred in this State upon
17 a showing that the state, territory, country, or political
18 subdivision of a country in which the crime occurred does not
19 have a compensation of victims of crimes law for which that
20 Illinois resident is eligible, (7) the parent, spouse, or
21 child of a deceased person whose body is dismembered or whose
22 remains are desecrated as the result of a crime of violence, or
23 (8) (blank) ~~solely for the purpose of compensating for~~
24 ~~pecuniary loss incurred for psychological treatment of a~~
25 ~~mental or emotional condition caused or aggravated by the~~
26 ~~crime, any parent, spouse, or child under the age of 18 of a~~

1 ~~deceased person whose body is dismembered or whose remains are~~
2 ~~desecrated as the result of a crime of violence.~~

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

7 (f) "Relative" means a spouse, parent, grandparent,
8 stepfather, stepmother, child, grandchild, brother,
9 brother-in-law, sister, sister-in-law, half brother, half
10 sister, spouse's parent, nephew, niece, uncle, aunt, or anyone
11 living in the household of a person killed or injured in a
12 relationship that is substantially similar to that of a
13 parent, spouse, or child.

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

16 (h) "Pecuniary loss" means:7

17 (1) in the case of injury, appropriate medical
18 expenses and hospital expenses including expenses of
19 medical examinations, rehabilitation, medically required
20 nursing care expenses, appropriate psychiatric care or
21 psychiatric counseling expenses, appropriate expenses for
22 care or counseling by a licensed clinical psychologist,
23 licensed clinical social worker, licensed professional
24 counselor, or licensed clinical professional counselor and
25 expenses for treatment by Christian Science practitioners
26 and nursing care appropriate thereto;

1 (2) transportation expenses to and from medical and
2 counseling treatment facilities;

3 (3) prosthetic appliances, eyeglasses, and hearing
4 aids necessary or damaged as a result of the crime;

5 (4) expenses incurred for the towing and storage of a
6 victim's vehicle in connection with a crime of violence,
7 to a maximum of \$1,000;

8 (5) costs associated with trafficking tattoo removal
9 by a person authorized or licensed to perform the specific
10 removal procedure;

11 (6) replacement costs for clothing and bedding used as
12 evidence;

13 (7) costs associated with temporary lodging or
14 relocation necessary as a result of the crime, including,
15 but not limited to, the first 2 month's rent and security
16 deposit of the dwelling that the claimant relocated to and
17 other reasonable relocation expenses incurred as a result
18 of the violent crime;

19 (8) locks or windows necessary or damaged as a result
20 of the crime;

21 (9) the purchase, lease, or rental of equipment
22 necessary to create usability of and accessibility to the
23 victim's real and personal property, or the real and
24 personal property which is used by the victim, necessary
25 as a result of the crime; "real and personal property"
26 includes, but is not limited to, vehicles, houses,

1 apartments, townhouses, or condominiums;

2 (10) the costs of appropriate crime scene clean-up;

3 (11) replacement services loss, to a maximum of \$1,250
4 per month, with this amount to be divided in proportion to
5 the amount of the actual loss among those entitled to
6 compensation;

7 (12) dependents replacement services loss, to a
8 maximum of \$1,250 per month, with this amount to be
9 divided in proportion to the amount of the actual loss
10 among those entitled to compensation;

11 (13) loss of tuition paid to attend grammar school or
12 high school when the victim had been enrolled as a student
13 prior to the injury, or college or graduate school when
14 the victim had been enrolled as a day or night student
15 prior to the injury when the victim becomes unable to
16 continue attendance at school as a result of the crime of
17 violence perpetrated against him or her;

18 (14) loss of earnings, loss of future earnings because
19 of disability resulting from the injury. Loss of future
20 earnings shall be reduced by any income from substitute
21 work actually performed by the victim or by income the
22 victim would have earned in available appropriate
23 substitute work the victim was capable of performing but
24 unreasonably failed to undertake; loss of earnings and
25 loss of future earnings shall be determined on the basis
26 of the victim's average net monthly earnings for the 6

1 months immediately preceding the date of the injury or on
2 \$2,400 per month, whichever is less, or, in cases where
3 the absences commenced more than 3 years from the date of
4 the crime, on the basis of the net monthly earnings for the
5 6 months immediately preceding the date of the first
6 absence, not to exceed \$2,400 per month;~~7~~

7 (15) loss of support of the dependents of the victim.
8 Loss of support shall be determined on the basis of the
9 victim's average net monthly earnings for the 6 months
10 immediately preceding the date of the injury or on \$2,400
11 per month, whichever is less, or, in cases where the
12 absences commenced more than 3 years from the date of the
13 crime, on the basis of the net monthly earnings for the 6
14 months immediately preceding the date of the first
15 absence, not to exceed \$2,400 per month. If a divorced or
16 legally separated applicant is claiming loss of support
17 for a minor child of the deceased, the amount of support
18 for each child shall be based either on the amount of
19 support pursuant to the judgment prior to the date of the
20 deceased victim's injury or death, or, if the subject of
21 pending litigation filed by or on behalf of the divorced
22 or legally separated applicant prior to the injury or
23 death, on the result of that litigation. Loss of support
24 for minors shall be divided in proportion to the amount of
25 the actual loss among those entitled to such compensation;

26 (16) ~~and, in addition,~~ in the case of death, expenses

1 for reasonable funeral, burial, and travel and transport
2 for survivors of homicide victims to secure bodies of
3 deceased victims and to transport bodies for burial all of
4 which may be awarded up to a maximum of \$10,000 for each
5 victim. Other individuals that have paid or become
6 obligated to pay funeral or burial expenses for the
7 deceased shall share a maximum award of \$10,000, with the
8 award divided in proportion to the amount of the actual
9 loss among those entitled to compensation; and ~~and loss of~~
10 ~~support of the dependents of the victim;~~

11 (17) in the case of dismemberment or desecration of a
12 body, expenses for reasonable funeral and burial, all of
13 which may be awarded up to a maximum of \$10,000 for each
14 victim. Other individuals that have paid or become
15 obligated to pay funeral or burial expenses for the
16 deceased shall share a maximum award of \$10,000, with the
17 award divided in proportion to the amount of the actual
18 loss among those entitled to compensation. ~~Loss of future~~
19 ~~earnings shall be reduced by any income from substitute~~
20 ~~work actually performed by the victim or by income he or~~
21 ~~she would have earned in available appropriate substitute~~
22 ~~work he or she was capable of performing but unreasonably~~
23 ~~failed to undertake. Loss of earnings, loss of future~~
24 ~~earnings and loss of support shall be determined on the~~
25 ~~basis of the victim's average net monthly earnings for the~~
26 ~~6 months immediately preceding the date of the injury or~~

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

16 "Pecuniary loss" does not include pain and suffering or
17 property loss or damage.

18 The changes made to this subsection by Public Act 101-652
19 apply to actions commenced or pending on or after January 1,
20 2022.

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

26 (j) "Dependents replacement services loss" means loss

1 reasonably incurred by dependents or private legal guardians
2 of minor dependents after a victim's death in obtaining
3 ordinary and necessary services in lieu of those the victim
4 would have performed, not for income, but for their benefit,
5 if he or she had not been fatally injured.

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

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

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

13 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;
14 102-982, eff. 7-1-23; 103-154, eff. 6-30-23.)

15 (740 ILCS 45/10.1) (from Ch. 70, par. 80.1)

16 Sec. 10.1. Award Amount of compensation. The awarding of
17 compensation and the amount of compensation to which an
18 applicant and other persons are entitled shall be based on the
19 following factors:

20 (a) Each ~~A~~ victim may be compensated for his or her
21 pecuniary loss up the maximum amount allowable.

22 (b) Each ~~A~~ dependent may be compensated for loss of
23 support, as provided in paragraph (15) of subsection (h)
24 of Section 2.

25 (c) Any person, even though not dependent upon the

1 victim for his or her support, may be compensated for
2 reasonable expenses of the victim to the extent to which
3 he or she has paid or become obligated to pay such expenses
4 and only after compensation for reasonable funeral,
5 medical and hospital expenses of the victim have been
6 awarded may compensation be made for reasonable expenses
7 of the victim incurred for psychological treatment of a
8 mental or emotional condition caused or aggravated by the
9 crime. Persons that have paid or become obligated to pay
10 expenses for a victim shall share the maximum award with
11 the amount divided in proportion to the amount of the
12 actual loss among those entitled to compensation.

13 (d) An award shall be reduced or denied according to
14 the extent to which the victim's injury or death was
15 caused by provocation or incitement by the victim or the
16 victim assisting, attempting, or committing a criminal
17 act. A denial or reduction shall not automatically bar the
18 survivors of homicide victims from receiving compensation
19 for counseling, crime scene cleanup, relocation, funeral
20 or burial costs, and loss of support if the survivor's
21 actions have not initiated, provoked, or aggravated the
22 suspect into initiating the qualifying crime.

23 (e) An award shall be reduced by the amount of
24 benefits, payments or awards payable under those sources
25 which are required to be listed under item (7) of Section
26 7.1(a) and any other sources except annuities, pension

1 plans, Federal Social Security payments payable to
2 dependents of the victim and the net proceeds of the first
3 \$25,000 of life insurance that would inure to the benefit
4 of the applicant, which the applicant or any other person
5 dependent for the support of a deceased victim, as the
6 case may be, has received or to which he or she is entitled
7 as a result of injury to or death of the victim.

8 (f) A final award shall not exceed \$10,000 for a crime
9 committed prior to September 22, 1979, \$15,000 for a crime
10 committed on or after September 22, 1979 and prior to
11 January 1, 1986, \$25,000 for a crime committed on or after
12 January 1, 1986 and prior to August 7, 1998, \$27,000 for a
13 crime committed on or after August 7, 1998 and prior to
14 August 7, 2022, or \$45,000 per victim for a crime
15 committed on or after August 7, 2022. For any applicant
16 who is not a victim, if ~~if~~ the total pecuniary loss is
17 greater than the maximum amount allowed, the award shall
18 be divided in proportion to the amount of actual loss
19 among those entitled to compensation who are not victims.

20 (g) Compensation under this Act is a secondary source
21 of compensation and the applicant must show that he or she
22 has exhausted the benefits reasonably available under the
23 Criminal Victims' Escrow Account Act or any governmental
24 or medical or health insurance programs, including, but
25 not limited to, Workers' Compensation, the Federal
26 Medicare program, the State Public Aid program, Social

1 Security Administration burial benefits, and Veterans
2 Administration burial benefits, and life, health,
3 accident, full vehicle coverage (including towing
4 insurance, if available), or liability insurance.

5 (Source: P.A. 102-27, eff. 1-1-22; 102-905, eff. 1-1-23.)

6 Section 95. No acceleration or delay. Where this Act makes
7 changes in a statute that is represented in this Act by text
8 that is not yet or no longer in effect (for example, a Section
9 represented by multiple versions), the use of that text does
10 not accelerate or delay the taking effect of (i) the changes
11 made by this Act or (ii) provisions derived from any other
12 Public Act.

13 Section 99. Effective date. This Act takes effect upon
14 becoming law."