

1 AMENDMENT TO HOUSE BILL 567

2 AMENDMENT NO. _____. Amend House Bill 567 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Rights of Crime Victims and Witnesses
5 Act is amended by changing Sections 8.5 and 9 as follows:

6 (725 ILCS 120/8.5)

7 Sec. 8.5. Statewide victim and witness notification
8 system.

9 (a) The Attorney General may establish a crime victim
10 and witness notification system to assist public officials in
11 carrying out their duties to notify and inform crime victims
12 and witnesses under Section 4.5 of this Act as the Attorney
13 General specifies by rule. The system shall download
14 necessary information from participating officials into its
15 computers, where it shall be maintained, updated, and
16 automatically transmitted to victims and witnesses by
17 telephone, computer, or written notice.

18 (b) The Illinois Department of Corrections, the
19 Department of Human Services, and the Prisoner Review Board
20 shall cooperate with the Attorney General in the
21 implementation of this Section and shall provide information
22 as necessary to the effective operation of the system.

1 (c) State's attorneys, circuit court clerks, and local
2 law enforcement and correctional authorities may enter into
3 agreements with the Attorney General for participation in the
4 system. The Attorney General may provide those who elect to
5 participate with the equipment, software, or training
6 necessary to bring their offices into the system.

7 (d) The provision of information to crime victims and
8 witnesses through the Attorney General's notification system
9 satisfies a given State or local official's corresponding
10 obligation under Section 4.5 to provide the information.

11 (e) The Attorney General may provide for telephonic,
12 electronic, or other public access to the database
13 established under this Section.

14 (f) The Attorney General shall adopt rules as necessary
15 to implement this Section. The rules shall include, but not
16 be limited to, provisions for the scope and operation of any
17 system the Attorney General may establish and procedures,
18 requirements, and standards for entering into agreements to
19 participate in the system and to receive equipment, software,
20 or training.

21 (g) There is established in the Office of the Attorney
22 General a Crime Victim and Witness Notification Advisory
23 Committee consisting of those victims advocates, sheriffs,
24 State's Attorneys, circuit court clerks, Illinois Department
25 of Corrections, and Prisoner Review Board employees that the
26 Attorney General chooses to appoint. The Attorney General
27 shall designate one member to chair the Committee.

28 (1) The Committee shall consult with and advise the
29 Attorney General as to the exercise of the Attorney
30 General's authority under this Section, including, but
31 not limited to:

32 (i) the design, scope, and operation of the
33 notification system;

34 (ii) the content of any rules adopted to

1 implement this Section;

2 (iii) the procurement of hardware, software,
3 and support for the system, including choice of
4 supplier or operator; and

5 (iv) the acceptance of agreements with and the
6 award of equipment, software, or training to
7 officials that seek to participate in the system.

8 (2) The Committee shall review the status and
9 operation of the system and report any findings and
10 recommendations for changes to the Attorney General and
11 the General Assembly by November 1 of each year.

12 (3) The members of the Committee shall receive no
13 compensation for their services as members of the
14 Committee, but may be reimbursed for their actual
15 expenses incurred in serving on the Committee.

16 (Source: P.A. 91-237, eff. 1-1-00.)

17 (725 ILCS 120/9) (from Ch. 38, par. 1408)

18 Sec. 9. This Act does not limit any rights or
19 responsibilities otherwise enjoyed by or imposed upon victims
20 or witnesses of violent crime, nor does it grant any person a
21 cause of action for damages or attorneys fees. Any act of
22 omission or commission by any law enforcement officer,
23 circuit court clerk, or State's Attorney, by the Attorney
24 General, Prisoner Review Board, Department of Corrections,
25 Department of Human Services, or other State agency, or
26 private entity under contract pursuant to Section 8, or by
27 any employee of any State agency or private entity under
28 contract pursuant to Section 8 acting in good faith in
29 rendering crime victim's assistance or otherwise enforcing
30 this Act shall not impose civil liability upon the individual
31 or entity or his or her supervisor or employer. Nothing in
32 this Act shall create a basis for vacating a conviction or a
33 ground for appellate relief in any criminal case. Failure of

1 the crime victim to receive notice as required, however,
2 shall not deprive the court of the power to act regarding the
3 proceeding before it; nor shall any such failure grant the
4 defendant the right to seek a continuance.

5 (Source: P.A. 90-744, eff. 1-1-99; 91-237, eff. 1-1-00.)".