

AN ACT concerning State government.

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

Section 5. The Children and Family Services Act is amended by adding Section 41 as follows:

(20 ILCS 505/41 new)

Sec. 41. Department of Children and Family Services to submit quarterly reports to the General Assembly.

(a) The Department of Children and Family Services shall, by January 1, April 1, July 1, and October 1 of each year, electronically transmit to the General Assembly, a report that shall include the following information reflecting the period ending 15 days prior to the submission of the electronic report:

(1) the number of assaults on or threats against employees in the line of duty by service region;

(2) the number of employee injuries resulting from assaults in the line of duty; and

(3) descriptions of the nature of each injury, the number of injuries requiring medical treatment, and the number of days off work per injury.

(b) The requirements in subsection (a) do not relieve the Department from the recordkeeping requirements of the

Occupational Safety and Health Act.

(c) The Department shall:

(1) establish a reasonable procedure for employees to report work-related assaults and injuries. A procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace assault or injury;

(2) inform each employee:

(A) of the procedure for reporting work-related assaults and injuries;

(B) of the right to report work-related assaults and injuries; and

(C) that the Department is prohibited from discharging or in any manner discriminating against employees for reporting work-related assaults and injuries; and

(3) not discharge, discipline, or in any manner discriminate against any employee for reporting a work-related assault or injury.

Section 10. The Mental Health and Developmental Disabilities Administrative Act is amended by changing Section 4 as follows:

(20 ILCS 1705/4) (from Ch. 91 1/2, par. 100-4)

Sec. 4. Supervision of facilities and services; quarterly

reports.

(a) To exercise executive and administrative supervision over all facilities, divisions, programs and services now existing or hereafter acquired or created under the jurisdiction of the Department, including, but not limited to, the following:

The Alton Mental Health Center, at Alton

The Clyde L. Choate Mental Health and Developmental Center, at Anna

The Chester Mental Health Center, at Chester

The Chicago-Read Mental Health Center, at Chicago

The Elgin Mental Health Center, at Elgin

The Metropolitan Children and Adolescents Center, at Chicago

The Jacksonville Developmental Center, at Jacksonville

The Governor Samuel H. Shapiro Developmental Center, at Kankakee

The Tinley Park Mental Health Center, at Tinley Park

The Warren G. Murray Developmental Center, at Centralia

The Jack Mabley Developmental Center, at Dixon

The Lincoln Developmental Center, at Lincoln

The H. Douglas Singer Mental Health and Developmental Center, at Rockford

The John J. Madden Mental Health Center, at Chicago

The George A. Zeller Mental Health Center, at Peoria

The Andrew McFarland Mental Health Center, at
Springfield

The Adolf Meyer Mental Health Center, at Decatur

The William W. Fox Developmental Center, at Dwight

The Elisabeth Ludeman Developmental Center, at Park
Forest

The William A. Howe Developmental Center, at Tinley
Park

The Ann M. Kiley Developmental Center, at Waukegan.

(b) Beginning not later than July 1, 1977, the Department shall cause each of the facilities under its jurisdiction which provide in-patient care to comply with standards, rules and regulations of the Department of Public Health prescribed under Section 6.05 of the Hospital Licensing Act.

(b-5) The Department shall cause each of the facilities under its jurisdiction that provide in-patient care to comply with Section 6.25 of the Hospital Licensing Act.

(c) The Department shall issue quarterly electronic reports to the General Assembly on admissions, deflections, discharges, bed closures, staff-resident ratios, census, average length of stay, and any adverse federal certification or accreditation findings, if any, for each State-operated facility for the mentally ill and for persons with developmental disabilities. The quarterly reports shall be issued by January 1, April 1, July 1, and October 1 of each year. The quarterly reports shall include the following

information for each facility reflecting the period ending 15 days prior to the submission of the report:

(1) the number of employees;

(2) the number of workplace violence incidents that occurred, including the number that were a direct assault on employees by residents and the number that resulted from staff intervention in a resident altercation or other form of injurious behavior;

(3) the number of employees impacted in each incident;

and

(4) the number of employee injuries resulting, descriptions of the nature of the injuries, the number of employee injuries requiring medical treatment at the facility, the number of employee injuries requiring outside medical treatment, and the number of days off work per injury.

(d) The requirements in subsection (c) do not relieve the Department from the recordkeeping requirements of the Occupational Safety and Health Act.

(e) The Department shall:

(1) establish a reasonable procedure for employees to report work-related assaults and injuries. A procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace assault or injury;

(2) inform each employee:

(A) of the procedure for reporting work-related assaults and injuries;

(B) of the right to report work-related assaults and injuries; and

(C) that the Department is prohibited from discharging or in any manner discriminating against employees for reporting work-related assaults and injuries; and

(3) not discharge, discipline, or in any manner discriminate against any employee for reporting a work-related assault or injury.

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

Section 15. The Unified Code of Corrections is amended by changing Sections 3-2.5-61 and 3-5-3.1 as follows:

(730 ILCS 5/3-2.5-61)

Sec. 3-2.5-61. Annual and other reports.

(a) The Director shall make an annual electronic report to the Governor and General Assembly concerning persons committed to the Department, its institutions, facilities, and programs, of all moneys expended and received, and on what accounts expended and received no later than January 1 of each year. The report shall include the ethnic and racial background data, not identifiable to an individual, of all persons committed to the Department, its institutions, facilities, programs, and

outcome measures established with the Juvenile Advisory Board.

(b) The Department of Juvenile Justice shall, by January 1, April 1, July 1, and October 1 of each year, electronically transmit to the Governor and General Assembly, a report which shall include the following information:

(1) the number of youth in each of the Department's facilities and the number of youth on aftercare;

(2) the demographics of sex, age, race and ethnicity, classification of offense, and geographic location where the offense occurred;

(3) the educational and vocational programs provided at each facility and the number of residents participating in each program;

(4) the present capacity levels in each facility; ~~and~~

(5) the ratio of the security staff to residents in each facility by federal Prison Rape Elimination Act (PREA) definitions; -

(6) the number of reported assaults on staff at each facility;

(7) the number of reported incidents of youth sexual aggression towards staff at each facility including sexual assault, residents exposing themselves, sexual touching, and sexually offensive harassing language such as repeated and unwelcome sexual advances, requests for sexual favors, or verbal comments, gestures, or actions of a derogatory or offensive sexual nature; and

(8) the number of staff injuries resulting from youth violence at each facility including descriptions of the nature and location of the injuries, the number of staff injuries requiring medical treatment at the facility, the number of staff injuries requiring outside medical treatment and the number of days off work per injury. For purposes of this Section, the definition of assault on staff includes, but is not limited to, kicking, punching, knocking down, harming or threatening to harm with improvised weapons, or throwing urine or feces at staff.

(c) The requirements in subsection (b) do not relieve the Department from the recordkeeping requirements of the Occupational Safety and Health Act.

(d) The Department shall:

(1) establish a reasonable procedure for employees to report work-related assaults and injuries. A procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace assault or injury;

(2) inform each employee:

(A) of the procedure for reporting work-related assaults and injuries;

(B) of the right to report work-related assaults and injuries; and

(C) that the Department is prohibited from discharging or in any manner discriminating against

employees for reporting work-related assaults and injuries; and

(3) not discharge, discipline or in any manner discriminate against any employee for reporting a work-related assault or injury.

(e) For the purposes of paragraphs (7) and (8) of subsection (b) only, reports shall be filed beginning July 1, 2019 or the implementation of the Department's Offender 360 Program, whichever occurs first.

(Source: P.A. 99-255, eff. 1-1-16.)

(730 ILCS 5/3-5-3.1) (from Ch. 38, par. 1003-5-3.1)

Sec. 3-5-3.1. As used in this Section, "facility" includes any facility of the Department of Corrections.

(a) The Department of Corrections shall, by January 1st, April 1st, July 1st, and October 1st of each year, electronically transmit to the General Assembly, a report which shall include the following information reflecting the period ending fifteen days prior to the submission of the report: (1) the number of residents in all Department facilities indicating the number of residents in each listed facility; (2) a classification of each facility's residents by the nature of the offense for which each resident was committed to the Department; (3) the number of residents in maximum, medium, and minimum security facilities indicating the classification of each facility's residents by the nature of the offense for

which each resident was committed to the Department; (4) the educational and vocational programs provided at each facility and the number of residents participating in each such program; (5) the present design and rated capacity levels in each facility; (6) the projected design and rated capacity of each facility six months and one year following each reporting date; (7) the ratio of the security staff ~~guards~~ to residents in each facility; (8) the ratio of total employees to residents in each facility; (9) the number of residents in each facility that are single-celled and the number in each facility that are double-celled; (10) information indicating the distribution of residents in each facility by the allocated floor space per resident; (11) a status of all capital projects currently funded by the Department, location of each capital project, the projected on-line dates for each capital project, including phase-in dates and full occupancy dates; (12) the projected adult prison facility populations of the Department for each of the succeeding twelve months following each reporting date, indicating all assumptions built into such population estimates; (13) the projected exits and projected admissions in each facility for each of the succeeding twelve months following each reporting date, indicating all assumptions built into such population estimate; ~~and~~ (14) the locations of all Department-operated or contractually operated community correctional centers, including the present design and rated capacity and population levels at each facility; (15) the

number of reported assaults on employees at each facility; (16) the number of reported incidents of resident sexual aggression towards employees at each facility including sexual assault, residents exposing themselves, sexual touching, and sexually offensive language; and (17) the number of employee injuries resulting from resident violence at each facility including descriptions of the nature of the injuries, the number of injuries requiring medical treatment at the facility, the number of injuries requiring outside medical treatment and the number of days off work per injury. For purposes of this Section, the definition of assault on staff includes, but is not limited to, kicking, punching, knocking down, harming or threatening to harm with improvised weapons, or throwing urine or feces at staff.

(b) The requirements in subsection (a) do not relieve the Department from the recordkeeping requirements of the Occupational Safety and Health Act.

(c) The Department shall:

(1) establish a reasonable procedure for employees to report work-related assaults and injuries. A procedure is not reasonable if it would deter or discourage a reasonable employee from accurately reporting a workplace assault or injury;

(2) inform each employee:

(A) of the procedure for reporting work-related assaults and injuries;

(B) of the right to report work-related assaults and injuries; and

(C) that the Department is prohibited from discharging or in any manner discriminating against employees for reporting work-related assaults and injuries; and

(3) not discharge, discipline, or in any manner discriminate against any employee for reporting a work-related assault or injury.

(Source: P.A. 99-255, eff. 1-1-16.)

Section 99. Effective date. This Act takes effect January 1, 2019.