



Rep. Tom Weber

Filed: 3/9/2023

10300HB3583ham001

LRB103 30047 SPS 58193 a

1 AMENDMENT TO HOUSE BILL 3583

2 AMENDMENT NO. _____. Amend House Bill 3583 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Health Care Worker Background Check Act is
5 amended by changing Sections 10, 15, and 25 as follows:

6 (225 ILCS 46/10)

7 Sec. 10. Applicability.

8 (a) This Act applies to all individuals employed or
9 retained by a health care employer as home health care aides,
10 nurse aides, personal care assistants, private duty nurse
11 aides, day training personnel, or an individual working in any
12 similar health-related occupation where he or she provides
13 direct care or has access to long-term care residents or the
14 living quarters or financial, medical, or personal records of
15 long-term care residents. This Act also applies to all
16 employees of licensed or certified long-term care facilities

1 who have or may have contact with residents or access to the
2 living quarters or the financial, medical, or personal records
3 of residents.

4 (b) This Act applies to persons licensed, certified, or
5 registered by the Department of Financial and Professional
6 Regulation under the Medical Practice Act of 1987, the Nurse
7 Practice Act, the Illinois Dental Practice Act, the Massage
8 Licensing Act, the Illinois Optometric Practice Act of 1987,
9 the Orthotics, Prosthetics, and Pedorthics Practice Act, the
10 Illinois Physical Therapy Act, the Physician Assistant
11 Practice Act of 1987, the Podiatric Medical Practice Act of
12 1987, the Respiratory Care Practice Act, the Registered
13 Surgical Assistant and Registered Surgical Technologist Title
14 Protection Act, the Acupuncture Practice Act, and the Illinois
15 Athletic Trainers Practice Act and estheticians and esthetics
16 teachers licensed under the Barber, Cosmetology, Esthetics,
17 Hair Braiding, and Nail Technology Act of 1985.

18 (Source: P.A. 94-665, eff. 1-1-06.)

19 (225 ILCS 46/15)

20 Sec. 15. Definitions. In this Act:

21 "Applicant" means an individual enrolling in a training
22 program, seeking employment, whether paid or on a volunteer
23 basis, with a health care employer who has received a bona fide
24 conditional offer of employment.

25 "Conditional offer of employment" means a bona fide offer

1 of employment by a health care employer to an applicant, which
2 is contingent upon the receipt of a report from the Department
3 of Public Health indicating that the applicant does not have a
4 record of conviction of any of the criminal offenses
5 enumerated in Section 25.

6 "Department" means the Department of Public Health or the
7 Department of Financial and Professional Regulation with
8 regard to persons licensed, certified, or registered by the
9 Department of Professional Regulation under any of the Acts
10 specified in subsection (b) of Section 10.

11 "Direct care" means the provision of nursing care or
12 assistance with feeding, dressing, movement, bathing,
13 toileting, or other personal needs, including home services as
14 defined in the Home Health, Home Services, and Home Nursing
15 Agency Licensing Act. The entity responsible for inspecting
16 and licensing, certifying, or registering the health care
17 employer may, by administrative rule, prescribe guidelines for
18 interpreting this definition with regard to the health care
19 employers that it licenses.

20 "Director" means the Director of Public Health.

21 "Disqualifying offenses" means those offenses set forth in
22 Section 25 of this Act.

23 "Employee" means any individual hired, employed, or
24 retained, whether paid or on a volunteer basis, to which this
25 Act applies.

26 "Finding" means the Department's determination of whether

1 an allegation is verified and substantiated.

2 "Fingerprint-based criminal history records check" means a
3 livescan fingerprint-based criminal history records check
4 submitted as a fee applicant inquiry in the form and manner
5 prescribed by the Illinois State Police.

6 "Health care employer" means:

7 (1) the owner or licensee of any of the following:

8 (i) a community living facility, as defined in the
9 Community Living Facilities Licensing Act;

10 (ii) a life care facility, as defined in the Life
11 Care Facilities Act;

12 (iii) a long-term care facility;

13 (iv) a home health agency, home services agency,
14 or home nursing agency as defined in the Home Health,
15 Home Services, and Home Nursing Agency Licensing Act;

16 (v) a hospice care program or volunteer hospice
17 program, as defined in the Hospice Program Licensing
18 Act;

19 (vi) a hospital, as defined in the Hospital
20 Licensing Act;

21 (vii) (blank);

22 (viii) a nurse agency, as defined in the Nurse
23 Agency Licensing Act;

24 (ix) a respite care provider, as defined in the
25 Respite Program Act;

26 (ix-a) an establishment licensed under the

1 Assisted Living and Shared Housing Act;

2 (x) a supportive living program, as defined in the
3 Illinois Public Aid Code;

4 (xi) early childhood intervention programs as
5 described in 59 Ill. Adm. Code 121;

6 (xii) the University of Illinois Hospital,
7 Chicago;

8 (xiii) programs funded by the Department on Aging
9 through the Community Care Program;

10 (xiv) programs certified to participate in the
11 Supportive Living Program authorized pursuant to
12 Section 5-5.01a of the Illinois Public Aid Code;

13 (xv) programs listed by the Emergency Medical
14 Services (EMS) Systems Act as Freestanding Emergency
15 Centers;

16 (xvi) locations licensed under the Alternative
17 Health Care Delivery Act;

18 (2) a day training program certified by the Department
19 of Human Services;

20 (3) a community integrated living arrangement operated
21 by a community mental health and developmental service
22 agency, as defined in the Community-Integrated Living
23 Arrangements Licensure and Certification Act;

24 (4) the State Long Term Care Ombudsman Program,
25 including any regional long term care ombudsman programs
26 under Section 4.04 of the Illinois Act on the Aging, only

1 for the purpose of securing background checks; or

2 (5) the Department of Corrections or a third-party
3 vendor employing certified nursing assistants working with
4 the Department of Corrections.

5 "Initiate" means obtaining from a student, applicant, or
6 employee his or her social security number, demographics, a
7 disclosure statement, and an authorization for the Department
8 of Public Health or its designee to request a
9 fingerprint-based criminal history records check; transmitting
10 this information electronically to the Department of Public
11 Health; conducting Internet searches on certain web sites,
12 including without limitation the Illinois Sex Offender
13 Registry, the Department of Corrections' Sex Offender Search
14 Engine, the Department of Corrections' Inmate Search Engine,
15 the Department of Corrections Wanted Fugitives Search Engine,
16 the National Sex Offender Public Registry, and the List of
17 Excluded Individuals and Entities database on the website of
18 the Health and Human Services Office of Inspector General to
19 determine if the applicant has been adjudicated a sex
20 offender, has been a prison inmate, or has committed Medicare
21 or Medicaid fraud, or conducting similar searches as defined
22 by rule; and having the student, applicant, or employee's
23 fingerprints collected and transmitted electronically to the
24 Illinois State Police.

25 "Livescan vendor" means an entity whose equipment has been
26 certified by the Illinois State Police to collect an

1 individual's demographics and inkless fingerprints and, in a
2 manner prescribed by the Illinois State Police and the
3 Department of Public Health, electronically transmit the
4 fingerprints and required data to the Illinois State Police
5 and a daily file of required data to the Department of Public
6 Health. The Department of Public Health shall negotiate a
7 contract with one or more vendors that effectively demonstrate
8 that the vendor has 2 or more years of experience transmitting
9 fingerprints electronically to the Illinois State Police and
10 that the vendor can successfully transmit the required data in
11 a manner prescribed by the Department of Public Health. Vendor
12 authorization may be further defined by administrative rule.

13 "Long-term care facility" means a facility licensed by the
14 State or certified under federal law as a long-term care
15 facility, including without limitation facilities licensed
16 under the Nursing Home Care Act, the Specialized Mental Health
17 Rehabilitation Act of 2013, the ID/DD Community Care Act, or
18 the MC/DD Act, a supportive living facility, an assisted
19 living establishment, or a shared housing establishment or
20 registered as a board and care home.

21 "Resident" means a person, individual, or patient under
22 the direct care of a health care employer or who has been
23 provided goods or services by a health care employer.

24 (Source: P.A. 101-176, eff. 7-31-19; 102-226, eff. 7-30-21;
25 102-503, eff. 8-20-21; 102-538, eff. 8-20-21; 102-813, eff.
26 5-13-22.)

1 (225 ILCS 46/25)

2 Sec. 25. Hiring of people with criminal records by health
3 care employers and long-term care facilities.

4 (a) A health care employer or long-term care facility may
5 hire, employ, or retain any individual in a position involving
6 direct care for clients, patients, or residents, or access to
7 the living quarters or the financial, medical, or personal
8 records of clients, patients, or residents who has been
9 convicted of committing or attempting to commit one or more of
10 the following offenses only with a waiver described in Section
11 40: those defined in Sections 8-1(b), 8-1.1, 8-1.2, 9-1,
12 9-1.2, 9-2, 9-2.1, 9-3, 9-3.1, 9-3.2, 9-3.3, 9-3.4, 10-1,
13 10-2, 10-3, 10-3.1, 10-4, 10-5, 10-7, 11-1.20, 11-1.30,
14 11-1.40, 11-1.50, 11-1.60, 11-6, 11-9.1, 11-9.2, 11-9.3,
15 11-9.4-1, 11-9.5, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 12-1,
16 12-2, 12-3.05, 12-3.1, 12-3.2, 12-3.3, 12-4, 12-4.1, 12-4.2,
17 12-4.3, 12-4.4, 12-4.5, 12-4.6, 12-4.7, 12-7.4, 12-11, 12-13,
18 12-14, 12-14.1, 12-15, 12-16, 12-19, 12-20.5, 12-21, 12-21.5,
19 12-21.6, 12-32, 12-33, 12C-5, 12C-10, 16-1, 16-1.3, 16-25,
20 16A-3, 17-3, 17-56, 18-1, 18-2, 18-3, 18-4, 18-5, 19-1, 19-3,
21 19-4, 19-6, 20-1, 20-1.1, 24-1, 24-1.2, 24-1.5, 24-1.8,
22 24-3.8, or 33A-2, or subdivision (a) (4) of Section 11-14.4, or
23 in subsection (a) of Section 12-3 or subsection (a) or (b) of
24 Section 12-4.4a, of the Criminal Code of 1961 or the Criminal
25 Code of 2012; those provided in Section 4 of the Wrongs to

1 Children Act; those provided in Section 53 of the Criminal
2 Jurisprudence Act; those defined in subsection (c), (d), (e),
3 (f), or (g) of Section 5 or Section 5.1, 5.2, 7, or 9 of the
4 Cannabis Control Act; those defined in the Methamphetamine
5 Control and Community Protection Act; those defined in
6 Sections 401, 401.1, 404, 405, 405.1, 407, or 407.1 of the
7 Illinois Controlled Substances Act; or subsection (a) of
8 Section 3.01, Section 3.02, or Section 3.03 of the Humane Care
9 for Animals Act.

10 (a-1) A health care employer or long-term care facility
11 may hire, employ, or retain any individual in a position
12 involving direct care for clients, patients, or residents, or
13 access to the living quarters or the financial, medical, or
14 personal records of clients, patients, or residents who has
15 been convicted of committing or attempting to commit one or
16 more of the following offenses only with a waiver described in
17 Section 40: those offenses defined in Section 12-3.3,
18 12-4.2-5, 16-2, 16-30, 16G-15, 16G-20, 17-33, 17-34, 17-36,
19 17-44, 18-5, 20-1.2, 24-1.1, 24-1.2-5, 24-1.6, 24-3.2, or
20 24-3.3, or subsection (b) of Section 17-32, subsection (b) of
21 Section 18-1, or subsection (b) of Section 20-1, of the
22 Criminal Code of 1961 or the Criminal Code of 2012; Section 4,
23 5, 6, 8, or 17.02 of the Illinois Credit Card and Debit Card
24 Act; or Section 11-9.1A of the Criminal Code of 1961 or the
25 Criminal Code of 2012 or Section 5.1 of the Wrongs to Children
26 Act; or (ii) violated Section 50-50 of the Nurse Practice Act.

1 A health care employer is not required to retain an
2 individual in a position with duties involving direct care for
3 clients, patients, or residents, and no long-term care
4 facility is required to retain an individual in a position
5 with duties that involve or may involve contact with residents
6 or access to the living quarters or the financial, medical, or
7 personal records of residents, who has been convicted of
8 committing or attempting to commit one or more of the offenses
9 enumerated in this subsection.

10 (a-5) A felony conviction of any of the following offenses
11 is a disqualifying offense and requires immediate review of
12 the license, registration, or certification under the relevant
13 Acts for the professions identified in subsection (b) of
14 Section 10:

15 (1) first degree murder, under Section 9-1 of the
16 Criminal Code of 2012;

17 (2) second degree murder, under Section 9-2 of the
18 Criminal Code of 2012;

19 (3) predatory criminal sexual assault of a child,
20 under Section 11-1.40 of the Criminal Code of 2012;

21 (4) aggravated criminal sexual assault, under Section
22 11-1.30 of the Criminal Code of 2012;

23 (5) criminal sexual assault; under Section 11-1.20 of
24 the Criminal Code of 2012;

25 (6) aggravated kidnaping, under Section 10-2 of the
26 Criminal Code of 2012;

1 (7) kidnapping, under Section 10-1 of the Criminal
2 Code of 2012;

3 (8) aggravated battery resulting in great bodily harm
4 or permanent disability or disfigurement, under subsection
5 (a) of Section 12-3.05 of the Criminal Code of 2012;

6 (9) solicitation of murder, under subsection (b) of
7 Section 8-1 of the Criminal Code of 2012;

8 (10) solicitation of murder for hire, under Section
9 8-1.2 of the Criminal code of 2012;

10 (11) intentional homicide of an unborn child, under
11 Section 9-1.2 of the Criminal Code of 2012;

12 (12) voluntary manslaughter of an unborn child, under
13 Section 9-2.1 of the Criminal Code of 2012;

14 (13) concealment of homicidal death, if committed in
15 the pursuance of job duties, under Section 9-3.4 of the
16 Criminal Code of 2012;

17 (14) concealment of death, if committed in the
18 pursuance of job duties, under Section 9-3.5 of the
19 Criminal Code of 2012;

20 (15) aggravated unlawful restraint, under Section
21 10-3.1 of the Criminal Code of 2012;

22 (16) forcible detention, under Section 10-4 of the
23 Criminal Code of 2012;

24 (17) child abduction, under Section 10-5 of the
25 Criminal Code of 2012;

26 (18) luring of a minor, under Section 10-5.1 of the

1 Criminal Code of 2012;

2 (19) aiding or abetting child abduction, under Section
3 10-7 of the Criminal Code of 2012;

4 (20) trafficking in person, involuntary servitude, and
5 related offenses, under Section 10-9 of the Criminal Code
6 of 2012;

7 (21) failure to report the death or disappearance of a
8 child under 13 years of age, if committed in the pursuance
9 of job duties, under Section 10-10 of the Criminal Code of
10 2012;

11 (22) aggravated criminal sexual abuse, under Section
12 11-1.60 of the Criminal Code of 2012;

13 (23) indecent solicitation of a child, under Section
14 11-6 of the Criminal Code of 2012;

15 (24) solicitation to meet a child, under Section
16 11-6.6 of the Criminal Code of 2012;

17 (25) sexual exploitation of a child, under Section
18 11-9.1 of the Criminal Code of 2012;

19 (26) permitting sexual abuse of a child, under Section
20 11-9.1A of the Criminal Code of 2012;

21 (27) failure to report sexual abuse of a child, if
22 committed in pursuance of job duties, under Section
23 11-9.1B of the Criminal Code of 2012;

24 (28) custodial sexual misconduct, under Section 11-9.2
25 of the Criminal Code of 2012;

26 (29) sexual misconduct with a person with a

1 disability, under Section 11-9.5 of the Criminal Code of
2 2012;

3 (30) promoting juvenile prostitution, under Section
4 11-14.4 of the Criminal Code of 2012;

5 (31) patronizing a minor engaged in prostitution,
6 under Section 11-18.1 of the Criminal Code of 2012;

7 (32) child pornography, under Section 11-20.1 of the
8 Criminal Code of 2012;

9 (33) distributing harmful material to a minor, under
10 Section 11-21 of the Criminal Code of 2012;

11 (34) non-consensual dissemination of private sexual
12 images, under Section 11-23.5 of the Criminal Code of
13 2012;

14 (35) grooming, under Section 11-25 of the Criminal
15 Code of 2012;

16 (36) traveling to meet a child, under Section 11-26 of
17 the Criminal Code of 2012;

18 (37) aggravated assault, under Section 12-2 of the
19 Criminal Code of 2012;

20 (38) aggravated battery, under Section 12-3.05 of the
21 Criminal Code of 2012;

22 (39) aggravated battery of an unborn child, under
23 Section 12-3.1 of the Criminal Code of 2012;

24 (40) aggravated domestic battery, under Section 12-3.3
25 of the Criminal Code of 2012;

26 (41) criminal abuse or neglect of a long term care

1 facility resident, under paragraph (2) of subsection (a)
2 of Section 12-4.4a of the Criminal Code of 2012;

3 (42) aggravated intimidation, under Section 12-6.2 of
4 the Criminal Code of 2012;

5 (43) compelling confession or information by force or
6 threat, under Section 12-7 of the Criminal Code of 2012;

7 (44) educational intimidation, under Section 12-7.2 of
8 the Criminal Code of 2012;

9 (45) aggravated stalking, under Section 12-7.4 of the
10 Criminal Code of 2012;

11 (46) tongue splitting, under Section 12-10.2 of the
12 Criminal Code of 2012;

13 (47) sale of body parts, under Section 12-10 of the
14 Criminal Code of 2012;

15 (48) dismembering of a human body, under Section
16 12-20.5 of the Criminal Code of 2012;

17 (49) abuse of a corpse, under Section 12-20.6 of the
18 Criminal Code of 2012;

19 (50) ritual mutilation, under Section 12-32 of the
20 Criminal Code of 2012;

21 (51) ritualized abuse of child, under Section 12-33 of
22 the Criminal Code of 2012;

23 (52) female genital mutilation, under Section 12-34 of
24 the Criminal Code of 2012;

25 (53) inducement to commit suicide, under Section
26 12-34.5 of the Criminal Code of 2012;

1 (54) organized retail crime; under paragraphs (1) and
2 (2) of subsection (a) of Section 16-25.2 of the Criminal
3 Code of 2012;

4 (55) financial exploitation of an elderly person or a
5 person with a disability by intimidation, under Section
6 16-1.3 of the Criminal Code of 2012;

7 (56) aggravated robbery, under subsection (b) of
8 Section 18-1 of the Criminal Code of 2012;

9 (57) armed robbery, under Section 18-2 of the Criminal
10 Code of 2012;

11 (58) aggravated vehicular hijacking, under Section
12 18-4 of the Criminal Code of 2012;

13 (59) vehicular invasion, under Section 18-6 of the
14 Criminal Code of 2012;

15 (60) burglary, under Section 19-1 of the Criminal Code
16 of 2012;

17 (61) aggravated arson, under Section 20-1.1 of the
18 Criminal Code of 2012;

19 (62) aggravated unlawful use of a weapon, under
20 Section 24-1.6 of the Criminal Code of 2012;

21 (63) unlawful manufacture or delivery of nitrous
22 oxide, under Section 24.5-10 of the Criminal Code of 2012;

23 (64) mob action, under paragraphs (1) and (3) of
24 subsection (a) of Section 25-1 of the Criminal Code of
25 2012;

26 (65) terrorism, under Section 29D-14.9 of the Criminal

1 Code of 2012;

2 (66) causing a catastrophe, under Section 29D-15.1 of
3 the Criminal Code of 2012;

4 (67) treason, under Section 30-1 of the Criminal Code
5 of 2012;

6 (68) perjury, under Section 32-2 of the Criminal Code
7 of 2012;

8 (69) subordination of perjury, under Section 32-3 of
9 the Criminal Code of 2012;

10 (70) armed violence, under Section 33A-2 of the
11 Criminal Code of 2012;

12 (71) solicitation of any of the offenses specified in
13 this subsection, under subsection (a) of Section 801 of
14 the Criminal Code of 2012;

15 (72) conspiracy to commit any of the offenses
16 specified in this subsection, under Section 802 of the
17 Criminal Code of 2012;

18 (73) attempt to commit any of the offenses specified
19 in this subsection, under Section 8-4 of the Criminal Code
20 of 2012; or

21 (74) any felony not listed for which an offense
22 specified in this subsection is a lesser included offense.

23 This subsection applies after the effective date of this
24 amendatory Act of the 103rd General Assembly to all initial
25 applications for licensure, certification, or registration
26 with the Department of Financial and Professional Regulation

1 under the Acts specified in subsection (b) of Section 10. For
2 every licensure, certification, or registration renewal under
3 the Acts specified in subsection (b) of Section 10, the
4 Department of Financial and Professional Regulation shall
5 conduct a review of the applicant's criminal background to
6 determine whether the applicant committed an offense specified
7 in this subsection after the effective date of this amendatory
8 Act of the 103rd General Assembly.

9 (b) A health care employer shall not hire, employ, or
10 retain, whether paid or on a volunteer basis, any individual
11 in a position with duties involving direct care of clients,
12 patients, or residents, and no long-term care facility shall
13 knowingly hire, employ, or retain, whether paid or on a
14 volunteer basis, any individual in a position with duties that
15 involve or may involve contact with residents or access to the
16 living quarters or the financial, medical, or personal records
17 of residents, if the health care employer becomes aware that
18 the individual has been convicted in another state of
19 committing or attempting to commit an offense that has the
20 same or similar elements as an offense listed in subsection
21 (a), ~~or (a-1),~~ or (a-5), as verified by court records, records
22 from a state agency, or an FBI criminal history record check,
23 unless the applicant or employee obtains a waiver pursuant to
24 Section 40 of this Act. This shall not be construed to mean
25 that a health care employer has an obligation to conduct a
26 criminal history records check in other states in which an

1 employee has resided.

2 (c) A health care employer shall not hire, employ, or
3 retain, whether paid or on a volunteer basis, any individual
4 in a position with duties involving direct care of clients,
5 patients, or residents, who has a finding by the Department of
6 abuse, neglect, misappropriation of property, or theft denoted
7 on the Health Care Worker Registry.

8 (d) A health care employer shall not hire, employ, or
9 retain, whether paid or on a volunteer basis, any individual
10 in a position with duties involving direct care of clients,
11 patients, or residents if the individual has a verified and
12 substantiated finding of abuse, neglect, or financial
13 exploitation, as identified within the Adult Protective
14 Service Registry established under Section 7.5 of the Adult
15 Protective Services Act.

16 (e) A health care employer shall not hire, employ, or
17 retain, whether paid or on a volunteer basis, any individual
18 in a position with duties involving direct care of clients,
19 patients, or residents who has a finding by the Department of
20 Human Services of physical or sexual abuse, financial
21 exploitation, or egregious neglect of an individual denoted on
22 the Health Care Worker Registry.

23 (Source: P.A. 99-872, eff. 1-1-17; 100-432, eff. 8-25-17.)

24 Section 10. The Rights of Crime Victims and Witnesses Act
25 is amended by changing Section 4 as follows:

1 (725 ILCS 120/4) (from Ch. 38, par. 1404)

2 Sec. 4. Rights of crime victims.

3 (a) Crime victims shall have the following rights:

4 (1) The right to be treated with fairness and respect
5 for their dignity and privacy and to be free from
6 harassment, intimidation, and abuse throughout the
7 criminal justice process.

8 (1.5) The right to notice and to a hearing before a
9 court ruling on a request for access to any of the victim's
10 records, information, or communications which are
11 privileged or confidential by law.

12 (2) The right to timely notification of all court
13 proceedings.

14 (3) The right to communicate with the prosecution.

15 (4) The right to be heard at any post-arraignment
16 court proceeding in which a right of the victim is at issue
17 and any court proceeding involving a post-arraignment
18 release decision, plea, or sentencing.

19 (5) The right to be notified of the conviction, the
20 sentence, the imprisonment and the release of the accused.

21 (6) The right to the timely disposition of the case
22 following the arrest of the accused.

23 (7) The right to be reasonably protected from the
24 accused through the criminal justice process.

25 (7.5) The right to have the safety of the victim and

1 the victim's family considered in determining whether to
2 release the defendant and setting conditions of release
3 after arrest and conviction.

4 (8) The right to be present at the trial and all other
5 court proceedings on the same basis as the accused, unless
6 the victim is to testify and the court determines that the
7 victim's testimony would be materially affected if the
8 victim hears other testimony at the trial.

9 (9) The right to have present at all court
10 proceedings, including proceedings under the Juvenile
11 Court Act of 1987, subject to the rules of evidence, an
12 advocate and other support person of the victim's choice.

13 (10) The right to restitution.

14 (11) The right to file a complaint against the accused
15 with the agency or department that licensed, certified,
16 permitted, or registered the accused if the accused holds
17 a license, certificate, permit, or registration to
18 practice a profession.

19 (b) Any law enforcement agency that investigates an
20 offense committed in this State shall provide a crime victim
21 with a written statement and explanation of the rights of
22 crime victims under this amendatory Act of the 99th General
23 Assembly within 48 hours of law enforcement's initial contact
24 with a victim. The statement shall include information about
25 crime victim compensation, including how to contact the Office
26 of the Illinois Attorney General to file a claim, and

1 appropriate referrals to local and State programs that provide
2 victim services. The content of the statement shall be
3 provided to law enforcement by the Attorney General. Law
4 enforcement shall also provide a crime victim with a sign-off
5 sheet that the victim shall sign and date as an
6 acknowledgement that he or she has been furnished with
7 information and an explanation of the rights of crime victims
8 and compensation set forth in this Act.

9 (b-5) Upon the request of the victim, the law enforcement
10 agency having jurisdiction shall provide a free copy of the
11 police report concerning the victim's incident, as soon as
12 practicable, but in no event later than 5 business days from
13 the request.

14 (c) The Clerk of the Circuit Court shall post the rights of
15 crime victims set forth in Article I, Section 8.1(a) of the
16 Illinois Constitution and subsection (a) of this Section
17 within 3 feet of the door to any courtroom where criminal
18 proceedings are conducted. The clerk may also post the rights
19 in other locations in the courthouse.

20 (d) At any point, the victim has the right to retain a
21 victim's attorney who may be present during all stages of any
22 interview, investigation, or other interaction with
23 representatives of the criminal justice system. Treatment of
24 the victim should not be affected or altered in any way as a
25 result of the victim's decision to exercise this right.

26 (Source: P.A. 100-1087, eff. 1-1-19; 101-652, eff. 1-1-23.)

1 Section 99. Effective date. This Act takes effect 6 months
2 after becoming law."