



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB3584

Introduced 2/17/2023, by Rep. Tom Weber

#### SYNOPSIS AS INTRODUCED:

705 ILCS 105/14  
725 ILCS 120/4

from Ch. 25, par. 14  
from Ch. 38, par. 1404

Amends the Clerks of Courts Act. Provides that records of judgments include the reporting of all felony convictions and pleas of guilty to the Department of Financial and Professional Regulation for licensure review. Amends the Rights of Crime Victims and Witnesses Act. Provides that a crime victim has the right to file a complaint against the offender with the Department of Financial and Professional Regulation if the offender is licensed by the Department of Financial and Professional Regulation.

LRB103 29193 RLC 55580 b

1 AN ACT concerning criminal law.

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

4 Section 5. The Clerks of Courts Act is amended by changing  
5 Section 14 as follows:

6 (705 ILCS 105/14) (from Ch. 25, par. 14)

7 Sec. 14. The clerks shall enter of record all judgments  
8 and orders of their respective courts, as soon after the  
9 rendition or making thereof as practicable. This shall include  
10 the reporting of all felony convictions and pleas of guilty to  
11 the Department of Financial and Professional Regulation for  
12 licensure review.

13 Immediately after a judgment of dissolution of marriage or  
14 declaration of invalidity of marriage is granted in this  
15 State, the clerk of the court which granted the judgment of  
16 dissolution of marriage or declaration of invalidity of  
17 marriage shall complete and sign the form furnished by the  
18 Department of Public Health, and forward such form to the  
19 Department of Public Health within 45 days after the close of  
20 the month in which the judgment is rendered.

21 (Source: P.A. 83-346.)

22 Section 10. The Rights of Crime Victims and Witnesses Act

1 is amended by changing Section 4 as follows:

2 (725 ILCS 120/4) (from Ch. 38, par. 1404)

3 Sec. 4. Rights of crime victims.

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

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

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

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

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

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

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

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

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

1 (7.5) The right to have the safety of the victim and  
2 the victim's family considered in determining whether to  
3 release the defendant and setting conditions of release  
4 after arrest and conviction.

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

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

14 (10) The right to restitution.

15 (11) The right to file a complaint against the  
16 offender with the Department of Financial and Professional  
17 Regulation if the offender is licensed by the Department  
18 of Financial and Professional Regulation.

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.)