



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3713

Introduced 2/9/2024, by Sen. Robert Peters

SYNOPSIS AS INTRODUCED:

See Index

Amends the Crime Victims Compensation Act. Expands the definition of "applicant" under the Act. Adds to the definition of "victim" to include a grandparent solely for the purpose of compensating for pecuniary loss incurred for psychological treatment of a mental or emotional condition caused or aggravated by the crime. Provides that a victim or applicant who has been convicted of a felony not related to the crime for which the individual is seeking compensation, may apply for assistance under this Act at any time but no ward of compensation may be considered or granted while the victim or applicant is held in a correctional institution. Authorizes the Attorney General to issue subpoenas to compel production of law enforcement reports maintained by law enforcement agencies. Prohibits the Attorney General's office from disclosing to the public law enforcement reports obtained from an applicant or victim under this Act. Allows the Attorney General and the Court of Claims to extend the time for reporting to law enforcement (for most crimes of violence it is now required to be reported within 72 hours of the crime), if the Attorney General determines that the extension is justified by extraordinary circumstances. Provides that an application based on an allegation of police misconduct causing the injury or death may not be denied solely because a police report was not made the by victim. Amends the Juvenile Court. Provides that nothing in the Act prohibits law enforcement agencies from disclosing law enforcement reports and records to the Attorney General to comply with the Crime Victims compensation Act. Makes other changes. Effective immediately, except that some Sections are effective January 1, 2025.

LRB103 37601 JRC 67727 b

1 AN ACT concerning civil law.

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

4 Section 5. The Juvenile Court Act of 1987 is amended by
5 changing Section 5-905 as follows:

6 (705 ILCS 405/5-905)

7 Sec. 5-905. Law enforcement records.

8 (1) Law Enforcement Records. Inspection and copying of law
9 enforcement records maintained by law enforcement agencies
10 that relate to a minor who has been investigated, arrested, or
11 taken into custody before the minor's 18th birthday shall be
12 restricted to the following and when necessary for the
13 discharge of their official duties:

14 (a) A judge of the circuit court and members of the
15 staff of the court designated by the judge;

16 (b) Law enforcement officers, probation officers or
17 prosecutors or their staff, or, when necessary for the
18 discharge of its official duties in connection with a
19 particular investigation of the conduct of a law
20 enforcement officer, an independent agency or its staff
21 created by ordinance and charged by a unit of local
22 government with the duty of investigating the conduct of
23 law enforcement officers;

1 (c) The minor, the minor's parents or legal guardian
2 and their attorneys, but only when the juvenile has been
3 charged with an offense;

4 (d) Adult and Juvenile Prisoner Review Boards;

5 (e) Authorized military personnel;

6 (f) Persons engaged in bona fide research, with the
7 permission of the judge of juvenile court and the chief
8 executive of the agency that prepared the particular
9 recording: provided that publication of such research
10 results in no disclosure of a minor's identity and
11 protects the confidentiality of the record;

12 (g) Individuals responsible for supervising or
13 providing temporary or permanent care and custody of
14 minors pursuant to orders of the juvenile court or
15 directives from officials of the Department of Children
16 and Family Services or the Department of Human Services
17 who certify in writing that the information will not be
18 disclosed to any other party except as provided under law
19 or order of court;

20 (h) The appropriate school official only if the agency
21 or officer believes that there is an imminent threat of
22 physical harm to students, school personnel, or others who
23 are present in the school or on school grounds.

24 (A) Inspection and copying shall be limited to
25 law enforcement records transmitted to the appropriate
26 school official or officials whom the school has

1 determined to have a legitimate educational or safety
2 interest by a local law enforcement agency under a
3 reciprocal reporting system established and maintained
4 between the school district and the local law
5 enforcement agency under Section 10-20.14 of the
6 School Code concerning a minor enrolled in a school
7 within the school district who has been arrested or
8 taken into custody for any of the following offenses:

9 (i) any violation of Article 24 of the
10 Criminal Code of 1961 or the Criminal Code of
11 2012;

12 (ii) a violation of the Illinois Controlled
13 Substances Act;

14 (iii) a violation of the Cannabis Control Act;

15 (iv) a forcible felony as defined in Section
16 2-8 of the Criminal Code of 1961 or the Criminal
17 Code of 2012;

18 (v) a violation of the Methamphetamine Control
19 and Community Protection Act;

20 (vi) a violation of Section 1-2 of the
21 Harassing and Obscene Communications Act;

22 (vii) a violation of the Hazing Act; or

23 (viii) a violation of Section 12-1, 12-2,
24 12-3, 12-3.05, 12-3.1, 12-3.2, 12-3.4, 12-3.5,
25 12-5, 12-7.3, 12-7.4, 12-7.5, 25-1, or 25-5 of the
26 Criminal Code of 1961 or the Criminal Code of

1 2012.

2 The information derived from the law enforcement
3 records shall be kept separate from and shall not
4 become a part of the official school record of that
5 child and shall not be a public record. The
6 information shall be used solely by the appropriate
7 school official or officials whom the school has
8 determined to have a legitimate educational or safety
9 interest to aid in the proper rehabilitation of the
10 child and to protect the safety of students and
11 employees in the school. If the designated law
12 enforcement and school officials deem it to be in the
13 best interest of the minor, the student may be
14 referred to in-school or community based social
15 services if those services are available.
16 "Rehabilitation services" may include interventions by
17 school support personnel, evaluation for eligibility
18 for special education, referrals to community-based
19 agencies such as youth services, behavioral healthcare
20 service providers, drug and alcohol prevention or
21 treatment programs, and other interventions as deemed
22 appropriate for the student.

23 (B) Any information provided to appropriate school
24 officials whom the school has determined to have a
25 legitimate educational or safety interest by local law
26 enforcement officials about a minor who is the subject

1 of a current police investigation that is directly
2 related to school safety shall consist of oral
3 information only, and not written law enforcement
4 records, and shall be used solely by the appropriate
5 school official or officials to protect the safety of
6 students and employees in the school and aid in the
7 proper rehabilitation of the child. The information
8 derived orally from the local law enforcement
9 officials shall be kept separate from and shall not
10 become a part of the official school record of the
11 child and shall not be a public record. This
12 limitation on the use of information about a minor who
13 is the subject of a current police investigation shall
14 in no way limit the use of this information by
15 prosecutors in pursuing criminal charges arising out
16 of the information disclosed during a police
17 investigation of the minor. For purposes of this
18 paragraph, "investigation" means an official
19 systematic inquiry by a law enforcement agency into
20 actual or suspected criminal activity;

21 (i) The president of a park district. Inspection and
22 copying shall be limited to law enforcement records
23 transmitted to the president of the park district by the
24 Illinois State Police under Section 8-23 of the Park
25 District Code or Section 16a-5 of the Chicago Park
26 District Act concerning a person who is seeking employment

1 with that park district and who has been adjudicated a
2 juvenile delinquent for any of the offenses listed in
3 subsection (c) of Section 8-23 of the Park District Code
4 or subsection (c) of Section 16a-5 of the Chicago Park
5 District Act.

6 (2) Information identifying victims and alleged victims of
7 sex offenses, shall not be disclosed or open to public
8 inspection under any circumstances. Nothing in this Section
9 shall prohibit the victim or alleged victim of any sex offense
10 from voluntarily disclosing this identity.

11 (2.5) If the minor is a victim of aggravated battery,
12 battery, attempted first degree murder, or other non-sexual
13 violent offense, the identity of the victim may be disclosed
14 to appropriate school officials, for the purpose of preventing
15 foreseeable future violence involving minors, by a local law
16 enforcement agency pursuant to an agreement established
17 between the school district and a local law enforcement agency
18 subject to the approval by the presiding judge of the juvenile
19 court.

20 (3) Relevant information, reports and records shall be
21 made available to the Department of Juvenile Justice when a
22 juvenile offender has been placed in the custody of the
23 Department of Juvenile Justice.

24 (4) Nothing in this Section shall prohibit the inspection
25 or disclosure to victims and witnesses of photographs
26 contained in the records of law enforcement agencies when the

1 inspection or disclosure is conducted in the presence of a law
2 enforcement officer for purposes of identification or
3 apprehension of any person in the course of any criminal
4 investigation or prosecution.

5 (5) The records of law enforcement officers, or of an
6 independent agency created by ordinance and charged by a unit
7 of local government with the duty of investigating the conduct
8 of law enforcement officers, concerning all minors under 18
9 years of age must be maintained separate from the records of
10 adults and may not be open to public inspection or their
11 contents disclosed to the public except by order of the court
12 or when the institution of criminal proceedings has been
13 permitted under Section 5-130 or 5-805 or required under
14 Section 5-130 or 5-805 or such a person has been convicted of a
15 crime and is the subject of pre-sentence investigation or when
16 provided by law.

17 (6) Except as otherwise provided in this subsection (6),
18 law enforcement officers, and personnel of an independent
19 agency created by ordinance and charged by a unit of local
20 government with the duty of investigating the conduct of law
21 enforcement officers, may not disclose the identity of any
22 minor in releasing information to the general public as to the
23 arrest, investigation or disposition of any case involving a
24 minor. Any victim or parent or legal guardian of a victim may
25 petition the court to disclose the name and address of the
26 minor and the minor's parents or legal guardian, or both. Upon

1 a finding by clear and convincing evidence that the disclosure
2 is either necessary for the victim to pursue a civil remedy
3 against the minor or the minor's parents or legal guardian, or
4 both, or to protect the victim's person or property from the
5 minor, then the court may order the disclosure of the
6 information to the victim or to the parent or legal guardian of
7 the victim only for the purpose of the victim pursuing a civil
8 remedy against the minor or the minor's parents or legal
9 guardian, or both, or to protect the victim's person or
10 property from the minor.

11 (7) Nothing contained in this Section shall prohibit law
12 enforcement agencies when acting in their official capacity
13 from communicating with each other by letter, memorandum,
14 teletype or intelligence alert bulletin or other means the
15 identity or other relevant information pertaining to a person
16 under 18 years of age. The information provided under this
17 subsection (7) shall remain confidential and shall not be
18 publicly disclosed, except as otherwise allowed by law.

19 (8) No person shall disclose information under this
20 Section except when acting in the person's official capacity
21 and as provided by law or order of court.

22 (9) The changes made to this Section by Public Act 98-61
23 apply to law enforcement records of a minor who has been
24 arrested or taken into custody on or after January 1, 2014 (the
25 effective date of Public Act 98-61).

26 (10) Nothing contained in this Section prohibits law

1 enforcement agencies from disclosing law enforcement reports
2 and records to the Attorney General for the purposes of
3 complying with the Crime Victims Compensation Act.

4 (Source: P.A. 103-22, eff. 8-8-23.)

5 Section 10. The Crime Victims Compensation Act is amended
6 by changing Sections 2, 2.5, 4.1, 4.2, 5.1, 6.1, 7.1, 8.1,
7 10.1, and 18.5 as follows:

8 (740 ILCS 45/2)

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

11 (a) "Applicant" means any of the following claiming
12 compensation under this Act:

13 (1) A victim.

14 (2) If the victim was a guardian or primary caregiver
15 to an adult who is physically or mentally incapacitated,
16 that adult who is physically or mentally incapacitated.

17 (3) A guardian of a minor or of a person under legal
18 disability.

19 (4) A person, who at the time the crime occurred
20 resided in the same dwelling as a victim, is applying
21 solely for the purpose of compensating for pecuniary loss
22 incurred for psychological treatment of a mental or
23 emotional condition caused or aggravated by the crime.

24 (5) A person, who at the time the crime occurred,

1 resided in the same dwelling as the victim, is applying
2 solely for relocation expenses when the crime occurred on
3 the premises, within 1000 feet of the premises, or to
4 protect the person's physical safety because of the crime.

5 (6) A person who assumes legal obligation or
6 voluntarily pays for a victim's medical, funeral, or
7 burial expenses.

8 (7) Any other person the Court of Claims or the
9 Attorney General finds is entitled to compensation. a
10 ~~victim, a person who was a dependent of a deceased victim~~
11 ~~of a crime of violence for the person's support at the time~~
12 ~~of the death of that victim, a person who legally assumes~~
13 ~~the obligation or who voluntarily pays the medical or the~~
14 ~~funeral or burial expenses incurred as a direct result of~~
15 ~~the crime, and any other person the Court of Claims or the~~
16 ~~Attorney General finds is entitled to compensation,~~
17 ~~including the guardian of a minor or of a person under~~
18 ~~legal disability.~~

19 The changes made to this subsection by Public Act 101-652
20 apply to actions commenced or pending on or after January 1,
21 2022.

22 (b) "Court of Claims" means the Court of Claims created by
23 the Court of Claims Act.

24 (c) "Crime of violence" means and includes any offense
25 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
26 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,

1 11-11, 11-19.2, 11-20.1, 11-20.1B, 11-20.3, 11-23, 11-23.5,
2 12-1, 12-2, 12-3, 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-4,
3 12-4.1, 12-4.2, 12-4.3, 12-5, 12-7.1, 12-7.3, 12-7.4, 12-13,
4 12-14, 12-14.1, 12-15, 12-16, 12-20.5, 12-30, 20-1 or 20-1.1,
5 or Section 12-3.05 except for subdivision (a) (4) or (g) (1), or
6 subdivision (a) (4) of Section 11-14.4, of the Criminal Code of
7 1961 or the Criminal Code of 2012, Sections 1(a) and 1(a-5) of
8 the Cemetery Protection Act, Section 125 of the Stalking No
9 Contact Order Act, Section 219 of the Civil No Contact Order
10 Act, driving under the influence as defined in Section 11-501
11 of the Illinois Vehicle Code, a violation of Section 11-401 of
12 the Illinois Vehicle Code, provided the victim was a
13 pedestrian or was operating a vehicle moved solely by human
14 power or a mobility device at the time of contact, and a
15 violation of Section 11-204.1 of the Illinois Vehicle Code; so
16 long as the offense did not occur during a civil riot,
17 insurrection or rebellion. "Crime of violence" does not
18 include any other offense or crash involving a motor vehicle
19 except those vehicle offenses specifically provided for in
20 this paragraph. "Crime of violence" does include all of the
21 offenses specifically provided for in this paragraph that
22 occur within this State but are subject to federal
23 jurisdiction and crimes involving terrorism as defined in 18
24 U.S.C. 2331.

25 (d) "Victim" means (1) a person killed or injured in this
26 State as a result of a crime of violence perpetrated or

1 attempted against him or her, (2) the spouse, parent, or child
2 of a person killed or injured in this State as a result of a
3 crime of violence perpetrated or attempted against the person,
4 or anyone living in the household of a person killed or injured
5 in a relationship that is substantially similar to that of a
6 parent, spouse, or child, (3) a person killed or injured in
7 this State while attempting to assist a person against whom a
8 crime of violence is being perpetrated or attempted, if that
9 attempt of assistance would be expected of a reasonable person
10 under the circumstances, (4) a person killed or injured in
11 this State while assisting a law enforcement official
12 apprehend a person who has perpetrated a crime of violence or
13 prevent the perpetration of any such crime if that assistance
14 was in response to the express request of the law enforcement
15 official, (5) a person who personally witnessed a violent
16 crime, (5.05) a person who will be called as a witness by the
17 prosecution to establish a necessary nexus between the
18 offender and the violent crime, (5.1) solely for the purpose
19 of compensating for pecuniary loss incurred for psychological
20 treatment of a mental or emotional condition caused or
21 aggravated by the crime, any other person ~~under the age of 18~~
22 who is the grandparent, brother, sister, half brother, or half
23 sister of a person killed or injured in this State as a result
24 of a crime of violence, (6) an Illinois resident who is a
25 victim of a "crime of violence" as defined in this Act except,
26 if the crime occurred outside this State, the resident has the

1 same rights under this Act as if the crime had occurred in this
2 State upon a showing that the state, territory, country, or
3 political subdivision of a country in which the crime occurred
4 does not have a compensation of victims of crimes law for which
5 that Illinois resident is eligible, (7) the parent, spouse, or
6 child of a deceased person whose body is dismembered or whose
7 remains are desecrated as the result of a crime of violence, or
8 (8) (blank).

9 (e) "Dependent" means any spouse, parent, grandparent,
10 stepparent, child, stepchild, adopted child, grandchild,
11 brother, sister, half brother, half sister, parent of the
12 spouse of a deceased victim, or anyone living in the household
13 of a deceased or injured victim in a relationship that is
14 substantially similar to that of a parent, spouse, or child ~~a~~
15 ~~relative of a deceased victim~~ who was wholly or partially
16 dependent upon the victim's income at the time of the victim's
17 ~~his or her~~ death and shall include the child of a victim born
18 after the victim's ~~his or her~~ death.

19 (f) (Blank). ~~"Relative" means a spouse, parent,~~
20 ~~grandparent, stepfather, stepmother, child, grandchild,~~
21 ~~brother, brother-in-law, sister, sister-in-law, half brother,~~
22 ~~half sister, spouse's parent, nephew, niece, uncle, aunt, or~~
23 ~~anyone living in the household of a person killed or injured in~~
24 ~~a relationship that is substantially similar to that of a~~
25 ~~parent, spouse, or child.~~

26 (g) "Child" means a son or daughter and includes a

1 stepchild, an adopted child or a child born out of wedlock.

2 (h) "Pecuniary loss" means:

3 (1) in the case of injury, appropriate medical
4 expenses and hospital expenses including expenses of
5 medical examinations, rehabilitation, medically required
6 nursing care expenses, appropriate psychiatric care or
7 psychiatric counseling expenses, appropriate expenses for
8 care or counseling by a licensed clinical psychologist,
9 licensed clinical social worker, licensed professional
10 counselor, or licensed clinical professional counselor and
11 expenses for treatment by Christian Science practitioners
12 and nursing care appropriate thereto;

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

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

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

20 (5) costs associated with trafficking tattoo removal
21 by a person authorized or licensed to perform the specific
22 removal procedure. For victims of offenses defined in
23 Section 10-9 of the Criminal Code of 2012, the victim
24 shall submit a statement under oath on a form prescribed
25 by the Attorney General attesting that the removed tattoo
26 was applied in connection with the commission of the

1 offense;

2 (6) replacement costs for clothing, ~~and~~ bedding, and
3 other personal property used as evidence;

4 (7) costs associated with temporary lodging or
5 relocation necessary as a result of the crime, including,
6 but not limited to, the first 2 months' rent and security
7 deposit of the dwelling that the claimant relocated to and
8 other reasonable relocation expenses incurred as a result
9 of the violent crime;

10 (8) locks, doors, or windows necessary or damaged as a
11 result of the crime;

12 (9) the purchase, lease, or rental of equipment
13 necessary to create usability of and accessibility to the
14 victim's real and personal property, or the real and
15 personal property which is used by the victim, necessary
16 as a result of the crime; "real and personal property"
17 includes, but is not limited to, vehicles, houses,
18 apartments, townhouses, or condominiums;

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

20 (11) replacement services loss, to a maximum of \$1,250
21 per month, with this amount to be divided in proportion to
22 the amount of the actual loss among those entitled to
23 compensation;

24 (12) dependents replacement services loss, to a
25 maximum of \$1,250 per month, with this amount to be
26 divided in proportion to the amount of the actual loss

1 among those entitled to compensation;

2 (13) loss of tuition paid to attend grammar school or
3 high school when the victim had been enrolled as a student
4 prior to the injury, or college or graduate school when
5 the victim had been enrolled as a day or night student
6 prior to the injury when the victim becomes unable to
7 continue attendance at school as a result of the crime of
8 violence perpetrated against him or her;

9 (14) loss of earnings, loss of future earnings because
10 of disability resulting from the injury. Loss of future
11 earnings shall be reduced by any income from substitute
12 work actually performed by the victim or by income the
13 victim would have earned in available appropriate
14 substitute work the victim was capable of performing but
15 unreasonably failed to undertake; loss of earnings and
16 loss of future earnings shall be determined on the basis
17 of the victim's average net monthly earnings for the 6
18 months immediately preceding the date of the injury or on
19 \$2,400 per month, whichever is less, or, in cases where
20 the absences commenced more than 3 years from the date of
21 the crime, on the basis of the net monthly earnings for the
22 6 months immediately preceding the date of the first
23 absence, not to exceed \$2,400 per month;

24 (14-5) loss of earnings for applicants. The applicant
25 must demonstrate that the loss of earnings is a direct
26 result of circumstances attributed to the crime including,

1 but not limited to, court appearances, funeral preparation
2 and bereavement, receipt of medical or psychological care;

3 Loss of earnings and loss of future earnings shall be
4 determined on the basis of the applicants' average net
5 monthly earnings for the 6 months immediately preceding
6 the date of the injury or on \$2,400 per month, whichever is
7 less; or, in cases in which the absences are commenced
8 more than 3 years from the date of the crime, on the basis
9 of the net monthly earnings for the 6 months immediately
10 preceding the date of the first absence not to exceed
11 \$2,400 per month;

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

1 or legally separated applicant prior to the injury or
2 death, on the result of that litigation. Loss of support
3 for minors shall be divided in proportion to the amount of
4 the actual loss among those entitled to such compensation;

5 (16) in the case of death, expenses for reasonable
6 funeral, burial, and travel and transport for survivors of
7 homicide victims to secure bodies of deceased victims and
8 to transport bodies for burial all of which may be awarded
9 up to a maximum of \$10,000 for each victim, to be awarded
10 at a maximum of \$7,000 for funeral expenses and a maximum
11 of \$3,000 for burial and headstone expenses. Other
12 individuals that have paid or become obligated to pay
13 funeral or burial expenses for the deceased shall share a
14 maximum award of \$10,000, with the award divided in
15 proportion to the amount of the actual loss among those
16 entitled to compensation; and

17 (17) in the case of dismemberment or desecration of a
18 body, expenses for reasonable funeral and burial, all of
19 which may be awarded up to a maximum of \$10,000 for each
20 victim, to be awarded at a maximum of \$7,000 for funeral
21 expenses and a maximum of \$3,000 for burial and headstone
22 expenses. Other individuals that have paid or become
23 obligated to pay funeral or burial expenses for the
24 deceased shall share a maximum award of \$10,000, with the
25 award divided in proportion to the amount of the actual
26 loss among those entitled to compensation.

1 "Pecuniary loss" does not include pain and suffering or
2 property loss or damage.

3 (18) legal fees incurred as a direct result of the
4 crime to establish a legal guardian for the minor victim
5 or the minor child of a victim, as defined by the Probate
6 Act of 1975, awarded up to a maximum of \$3,500.

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

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

15 (j) "Dependents replacement services loss" means loss
16 reasonably incurred by dependents or private legal guardians
17 of minor dependents after a victim's death in obtaining
18 ordinary and necessary services in lieu of those the victim
19 would have performed, not for income, but for their benefit,
20 if he or she had not been fatally injured.

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

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

25 (m) "Trafficking tattoo" is a tattoo which is applied to a
26 victim in connection with the commission of a violation of

1 Section 10-9 of the Criminal Code of 2012.

2 (n) "Dwelling" means a person's primary home.

3 A person may be required to provide verification or proof
4 of permanent residence including, but not limited to, a lease
5 agreement, utility bill, license registration, document
6 showing the mailing address, pay stub, tax form, or notarized
7 statement.

8 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;
9 102-982, eff. 7-1-23; 103-154, eff. 6-30-23; 103-564, eff.
10 11-17-23.)

11 (740 ILCS 45/2.5)

12 Sec. 2.5. Felony status and incarceration ~~Felon as victim.~~

13 A victim's criminal history or felony status shall not
14 ~~automatically~~ prevent compensation to a ~~that~~ victim or any
15 applicant for compensable crimes under this Act ~~the victim's~~
16 ~~family. However, no compensation may be granted to a victim or~~
17 ~~applicant under this Act while the applicant or victim is held~~
18 ~~in a correctional institution. For purposes of this Section,~~
19 ~~the death of a felon who is serving a term of parole,~~
20 ~~probation, or mandatory supervised release shall be considered~~
21 ~~a discharge from that sentence.~~

22 A victim or applicant, who has been convicted of a felony
23 not related to the crime for which the individual is seeking
24 compensation, may apply for assistance under this Act at any
25 time but no award of compensation may be considered or granted

1 under this Act while the victim or applicant is held in a
2 correctional institution ~~until the applicant meets the~~
3 ~~requirements of this Section.~~

4 The changes made to this Section by this amendatory Act of
5 the 96th General Assembly apply to actions commenced or
6 pending on or after the effective date of this amendatory Act
7 of the 96th General Assembly.

8 (Source: P.A. 101-652, eff. 7-1-21.)

9 (740 ILCS 45/4.1) (from Ch. 70, par. 74.1)

10 Sec. 4.1. In addition to other powers and duties set forth
11 in this Act and other powers exercised by the Attorney
12 General, the Attorney General shall:

13 (1) investigate all claims and prepare and present an
14 investigatory report and a draft award determination to
15 the Court of Claims for a review period of 28 business
16 days;

17 (2) upon conclusion of the review by the Court of
18 Claims, provide the applicant with a compensation
19 determination letter;

20 (3) prescribe and furnish all applications and other
21 forms required to be filed in the office of the Attorney
22 General by the terms of this Act; ~~and~~

23 (4) represent the interests of the State of Illinois
24 in any hearing before the Court of Claims; ~~and~~

25 (5) upon failure to comply with Section 4.2, the

1 Attorney General's office shall have the power to issue
2 subpoenas to compel the production of law enforcement
3 reports maintained by law enforcement agencies.

4 The changes made to this Section by this amendatory Act of
5 the 101st General Assembly apply to actions commenced or
6 pending on or after January 1, 2022.

7 (Source: P.A. 101-652, eff. 7-1-21; 102-27, eff. 6-25-21.)

8 (740 ILCS 45/4.2)

9 Sec. 4.2. Cooperation in review of crime victims
10 compensation applications. A law enforcement agency in this
11 State shall, within 15 days of receipt of a written request for
12 a police report made to verify that the requirements of a crime
13 victims compensation application under Section 6.1 of this Act
14 have been met, provide the Attorney General's office with the
15 law enforcement agency's full written report of the
16 investigation of the crime for which an application for
17 compensation has been filed. The law enforcement agency may
18 redact the following from the report: names of confidential
19 sources and informants; locations from which law enforcement
20 conduct surveillance; and information related to issues of
21 national security the law enforcement agency provided to or
22 received from the United States Department of Homeland
23 Security or another federal law enforcement agency. The
24 Attorney General's office and a law enforcement agency may
25 agree to the redaction of other information in the report or to

1 the provision of necessary information in another format.
2 Within 15 days of receipt of the request, a law enforcement
3 agency shall respond to a written request from the Attorney
4 General's office for additional information necessary to
5 assist the Attorney General's office in making a
6 recommendation for compensation.

7 An applicant may obtain and provide a law enforcement
8 report to the Attorney General and the Attorney General may
9 proceed with the review of the application. If the copy of the
10 law enforcement report provided by the applicant does not
11 contain all the information the Attorney General needs to move
12 forward with the review of the application, the Attorney
13 General may proceed with requesting from the law enforcement
14 agency the full written report of the investigation.

15 If the copy of the police report provided does not contain
16 all the information the Attorney General needs to move forward
17 with the review of the application, the Attorney General may
18 proceed with requesting from the law enforcement agency, the
19 law enforcement agency's full written report of the
20 investigation.

21 Records that are obtained by the Attorney General's office
22 from a law enforcement agency under this Section for purposes
23 of investigating an application for crime victim compensation
24 shall not be disclosed to the public, including the applicant,
25 by the Attorney General's office. Law enforcement reports
26 obtained by the Attorney General's office from an applicant or

1 victim under this Act for the purposes of investigating an
2 application for crime victim compensation shall not be
3 disclosed to the public by the Attorney General's office. Any
4 records obtained by the Attorney General's office to process
5 the application, including, but not limited to, applications,
6 documents, and photographs ~~The records, while in the~~
7 ~~possession of the Attorney General's office,~~ shall be exempt
8 from disclosure by the Attorney General's office under the
9 Freedom of Information Act.

10 (Source: P.A. 100-690, eff. 1-1-19.)

11 (740 ILCS 45/5.1) (from Ch. 70, par. 75.1)

12 Sec. 5.1. (a) Every hospital licensed under the laws of
13 this State shall display prominently in its emergency room
14 posters giving notification of the existence and general
15 provisions of this Act. The posters may be displayed by
16 physical or electronic means. Such posters shall be provided
17 by the Attorney General.

18 (b) Any law enforcement agency that investigates an
19 offense covered under this Act that is committed in this State
20 shall inform the victim or any potential applicant contacted
21 during the course of an investigation or arrest regarding the
22 Crime Victim's Compensation Program, ~~of the offense or his~~
23 ~~dependents concerning the availability of an award of~~
24 ~~compensation~~ and advise such persons that any information
25 concerning this Act and the filing of a claim may be obtained

1 from the office of the Attorney General. The Office of the
2 Attorney General shall make available on the Attorney
3 General's website application forms and general information
4 that law enforcement agencies may use to comply with this
5 subsection.

6 (Source: P.A. 102-4, eff. 4-27-21.)

7 (740 ILCS 45/6.1) (from Ch. 70, par. 76.1)

8 Sec. 6.1. Right to compensation. A person is entitled to
9 compensation under this Act if:

10 (a) Within 5 years of the occurrence of the crime, or
11 within one year after a criminal charge of a person for an
12 offense, upon which the claim is based, the applicant
13 presents an application, under oath, to the Attorney
14 General that is filed with the Court of Claims and on a
15 form prescribed in accordance with Section 7.1 furnished
16 by the Attorney General. If the person entitled to
17 compensation is under 18 years of age or under other legal
18 disability at the time of the occurrence or is determined
19 by a court to be under a legal disability as a result of
20 the occurrence, he or she may present the application
21 required by this subsection within 5 ~~3~~ years after he or
22 she attains the age of 18 years or the disability is
23 removed, as the case may be. Legal disability includes a
24 diagnosis of posttraumatic stress disorder.

25 (a-1) The Attorney General and the Court of Claims may

1 accept an application presented after the period provided
2 in subsection (a) if the Attorney General determines that
3 the applicant had good cause for a delay.

4 (b) For all crimes of violence, except those listed in
5 subsection (b-1) of this Section, the appropriate law
6 enforcement officials were notified within 72 hours of the
7 perpetration of the crime allegedly causing the death or
8 injury to the victim or, in the event such notification
9 was made more than 72 hours after the perpetration of the
10 crime, the applicant establishes that such notice was
11 timely under the circumstances. The Attorney General and
12 the Court of Claims may extend the time for reporting to
13 law enforcement if the Attorney General determines that
14 the extension is justified by extraordinary circumstances.

15 (b-1) For victims of offenses defined in Sections
16 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13,
17 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of
18 1961 or the Criminal Code of 2012, the appropriate law
19 enforcement officials were notified within 7 days of the
20 perpetration of the crime allegedly causing death or
21 injury to the victim or, in the event that the
22 notification was made more than 7 days after the
23 perpetration of the crime, the applicant establishes that
24 the notice was timely under the circumstances. If the
25 applicant or victim has obtained an order of protection, a
26 civil no contact order, or a stalking no contact order,

1 has presented himself or herself to a hospital for medical
2 care or sexual assault evidence collection, or is engaged
3 in a legal proceeding involving a claim that the applicant
4 or victim is a victim of human trafficking, such action
5 shall constitute appropriate notification under this
6 subsection (b-1) or subsection (b) of this Section.

7 An application for a claim based on an allegation of
8 police misconduct causing injury or death shall not be
9 denied solely because a police report was not made by the
10 victim. The Attorney General and the Court of Claims shall
11 adopt guidelines that allow them to consider applications
12 based on police misconduct relying upon evidence other
13 than a police report to establish that police misconduct
14 causing injury or death occurred. That evidence may
15 include any reliable corroboration information approved by
16 the Office of the Attorney General or the Court of Claims,
17 including, but not limited to, the following: medical
18 records documenting injuries consistent with allegations
19 of police misconduct, a complaint filed with the Illinois
20 Law Enforcement Training Standards Board, a lawsuit filed
21 against a law enforcement officer or department, or that
22 the victim has obtained a settlement or a verdict in a
23 civil suit. An individual presenting evidence of a verdict
24 in a civil suit must file within one year after the
25 resolution of the civil suit.

26 (c) The applicant has cooperated with law enforcement

1 officials in the apprehension and prosecution of the
2 assailant. If the applicant or victim has obtained an
3 order of protection, a civil no contact order, or a
4 stalking no contact order, has presented himself or
5 herself to a hospital for medical care or sexual assault
6 evidence collection, or is engaged in a legal proceeding
7 involving a claim that the applicant or victim is a victim
8 of human trafficking, such action shall constitute
9 cooperation under this subsection (c). If the victim is
10 under 18 years of age at the time of the commission of the
11 offense, the following shall constitute cooperation under
12 this subsection (c):

13 (1) the applicant or the victim files a police
14 report with a law enforcement agency;

15 (2) a mandated reporter reports the crime to law
16 enforcement; or

17 (3) a person with firsthand knowledge of the crime
18 reports the crime to law enforcement.

19 (c-1) In determining whether cooperation has been
20 reasonable, the Attorney General and Court of Claims may
21 consider the victim's age, physical condition,
22 psychological state, cultural or linguistic barriers, and
23 compelling health and safety concerns, including, but not
24 limited to, a reasonable fear of retaliation or harm that
25 would jeopardize the well-being of the victim or the
26 victim's family, and giving due consideration to the

1 degree of cooperation that the victim or derivative victim
2 is capable of in light of the presence of any of these
3 factors, or any other factor the Attorney General
4 considers relevant.

5 (d) The applicant is not barred from receiving
6 compensation under subsection (d) of Section 10.1 ~~the~~
7 ~~offender or an accomplice of the offender and the award~~
8 ~~would not unjustly benefit the offender or his accomplice.~~

9 (e) (Blank).

10 (f) (Blank). ~~For victims of offenses defined in~~
11 ~~Section 10-9 of the Criminal Code of 2012, the victim~~
12 ~~submits a statement under oath on a form prescribed by the~~
13 ~~Attorney General attesting that the removed tattoo was~~
14 ~~applied in connection with the commission of the offense.~~

15 (g) (Blank). ~~In determining whether cooperation has~~
16 ~~been reasonable, the Attorney General and Court of Claims~~
17 ~~may consider the victim's age, physical condition,~~
18 ~~psychological state, cultural or linguistic barriers, and~~
19 ~~compelling health and safety concerns, including, but not~~
20 ~~limited to, a reasonable fear of retaliation or harm that~~
21 ~~would jeopardize the well-being of the victim or the~~
22 ~~victim's family, and giving due consideration to the~~
23 ~~degree of cooperation that the victim or derivative victim~~
24 ~~is capable of in light of the presence of any of these~~
25 ~~factors, or any other factor the Attorney General~~
26 ~~considers relevant.~~

1 The changes made to this Section by this amendatory Act of
2 the 101st General Assembly apply to actions commenced or
3 pending on or after January 1, 2022.

4 (Source: P.A. 101-652, eff. 7-1-21; 102-27, eff. 6-25-21.)

5 (740 ILCS 45/7.1) (from Ch. 70, par. 77.1)

6 Sec. 7.1. (a) The application shall set out:

7 (1) the name and address of the victim;

8 (2) if the victim is deceased, the name and address of
9 the applicant and his or her relationship to the victim,
10 the names and addresses of other persons dependent on the
11 victim for their support and the extent to which each is so
12 dependent, and other persons who may be entitled to
13 compensation for a pecuniary loss;

14 (3) the date and nature of the crime on which the
15 application for compensation is based;

16 (4) the date and place where and the law enforcement
17 officials to whom notification of the crime was given;

18 (5) the nature and extent of the injuries sustained by
19 the victim, and the names and addresses of those giving
20 medical and hospitalization treatment to the victim;

21 (6) the pecuniary loss to the applicant and to such
22 other persons as are specified under item (2) resulting
23 from the injury or death;

24 (7) the amount of benefits, payments, or awards, if
25 any, payable under:

- 1 (a) the Workers' Compensation Act,
2 (b) the Dram Shop Act,
3 (c) any claim, demand, or cause of action based
4 upon the crime-related injury or death,
5 (d) the Federal Medicare program,
6 (e) the State Public Aid program,
7 (f) Social Security Administration burial
8 benefits,
9 (g) Veterans administration burial benefits,
10 (h) life, health, accident, vehicle, towing, or
11 liability insurance,
12 (i) the Criminal Victims' Escrow Account Act,
13 (j) the Sexual Assault Survivors Emergency
14 Treatment Act,
15 (k) restitution, or
16 (l) any other source;

17 (8) releases authorizing the surrender to the Court of
18 Claims or Attorney General of reports, documents and other
19 information relating to the matters specified under this
20 Act and rules promulgated in accordance with the Act;

21 (9) such other information as the Court of Claims or
22 the Attorney General reasonably requires.

23 (b) The Attorney General may require that materials
24 substantiating the facts stated in the application be
25 submitted with that application.

26 (b-5) The victim or applicant may provide to the Attorney

1 General a sworn statement by the victim or applicant that
2 attests to the victim's or applicant's experience of a crime
3 or crimes of violence. If the victim or applicant has
4 possession of corroborating evidence, the victim or applicant
5 may provide the following documents: law enforcement report;
6 medical records; confirmation of sexual assault evidence
7 collection; order of protection; civil no contact order,
8 stalking no contact order; photographs; letter from a service
9 provider who serves victims of crime; affidavit from a witness
10 of the crime of violence; court record; military record; or
11 other corroborating evidence.

12 Such documentation or statement shall be used solely to
13 supplement documentation required by this Act in any
14 application.

15 (c) An applicant, on his or her own motion, may file an
16 amended application or additional substantiating materials to
17 correct inadvertent errors or omissions at any time before the
18 original application has been disposed of by the Court of
19 Claims or the Attorney General. In either case, the filing of
20 additional information or of an amended application shall be
21 considered for the purpose of this Act to have been filed at
22 the same time as the original application.

23 For claims submitted on or after January 1, 2022, an
24 amended application or additional substantiating materials to
25 correct inadvertent errors or omissions may be filed at any
26 time before the original application is disposed of by the

1 Attorney General or the Court of Claims.

2 (d) Determinations submitted by the Attorney General to
3 the Court of Claims shall be available to the Court of Claims
4 for review. The Attorney General shall provide the sources and
5 evidence relied upon as a basis for a compensation
6 determination.

7 (e) The changes made to this Section by this amendatory
8 Act of the 101st General Assembly apply to actions commenced
9 or pending on or after January 1, 2022.

10 (Source: P.A. 101-652, eff. 7-1-21; 102-27, eff. 6-25-21;
11 102-905, eff. 1-1-23.)

12 (740 ILCS 45/8.1) (from Ch. 70, par. 78.1)

13 Sec. 8.1. If an applicant does not submit all materials
14 substantiating his or her claim as requested of him or her by
15 the Attorney General, the Attorney General shall notify the
16 applicant in writing of the specific additional items of
17 information or materials required and that he or she has 45
18 days in which to furnish those items to the Attorney General.
19 The Attorney General shall report an applicant's failure to
20 comply within 45 days of the foregoing notice to the Court of
21 Claims. No award of compensation shall be made for any portion
22 of the applicant's claim that is not substantiated by the
23 applicant. An applicant may request an extension of time from
24 the Attorney General prior to the expiration of the 45-day
25 period.

1 After an application has been filed, an applicant's
2 failure to respond to communication from the Office of the
3 Attorney General or the Court of Claims or a failure to provide
4 necessary documentation to substantiate the request for
5 compensation may result in the claim being closed without
6 compensation. An applicant may submit to have the claim
7 reopened when they are able to provide missing information and
8 communicate regarding the claim.

9 Failure to update the Office of the Attorney General with
10 changes to the applicant's contact information after the
11 application is submitted to the Office of the Attorney General
12 may result in applications that are not filed with the Court of
13 Claims or claims that are closed without compensation.

14 (Source: P.A. 102-27, eff. 1-1-22.)

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

16 Sec. 10.1. Award 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 victim may be compensated for his or her
21 pecuniary loss up the maximum amount allowable.

22 (b) Each 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) Contributory Conduct. To the extent the victim's
14 acts or conduct substantially provoked or contributed to
15 the victim's injuries, the Attorney General may reduce or
16 deny the award to the claimant or claimants.

17 (1) Contributory conduct is intentional conduct,
18 willingly and knowingly engaged in by the victim or
19 the applicant, that is both a direct cause, and a
20 proximate cause, of the victim's injuries.

21 (2) Circumstances that, in general, do not warrant
22 the denial or reduction of an award based on
23 contributory conduct include:

24 (A) crimes in which the victim is a victim of
25 sexual assault or domestic violence;

26 (B) acts of self defense or defense of others;

1 and

2 (C) acts attributable to reasonable efforts by
3 the victim to aid a crime victim, to prevent a
4 crime from occurring in his presence, or to
5 apprehend a person who has committed a crime in
6 his or her presence.

7 (3) Circumstances that may warrant a reduction or
8 denial of an award based on contributory conduct
9 include:

10 (A) crimes in which the victim deliberately
11 provoked the offender by means of fighting words,
12 racial or other bias-motivated taunting, or by
13 threats coupled with overt actions indicating the
14 victim's intent to carry out the threat;

15 (B) crimes in which the victim initiated or
16 significantly escalated a physical altercation
17 with the offender; or

18 (C) crimes in which the victim acted as an
19 accomplice to the offender.

20 (d-5) Unjust Enrichment. An applicant shall not be
21 eligible for compensation if such compensation unjustly
22 benefits the offender. In no event shall an applicant be
23 denied compensation solely because of the applicant's or
24 the victim's familial relationship with the offender or
25 because of the sharing of a dwelling by the victim or
26 applicant and the offender.

1 (d-7) A denial or reduction shall not automatically
2 bar the survivors of homicide victims from receiving
3 compensation for counseling, crime scene cleanup,
4 relocation, funeral or burial costs, and loss of support.
5 ~~An award shall be reduced or denied according to the~~
6 ~~extent to which the victim's injury or death was caused by~~
7 ~~provocation or incitement by the victim or the victim~~
8 ~~assisting, attempting, or committing a criminal act. A~~
9 ~~denial or reduction shall not automatically bar the~~
10 ~~survivors of homicide victims from receiving compensation~~
11 ~~for counseling, crime scene cleanup, relocation, funeral~~
12 ~~or burial costs, and loss of support if the survivor's~~
13 ~~actions have not initiated, provoked, or aggravated the~~
14 ~~suspect into initiating the qualifying crime.~~

15 (e) An award shall be reduced by the amount of
16 benefits, payments or awards payable under those sources
17 which are required to be listed under item (7) of Section
18 7.1(a) and any other sources except annuities, pension
19 plans, Federal Social Security payments payable to
20 dependents of the victim and the net proceeds of the first
21 \$25,000 of life insurance that would inure to the benefit
22 of the applicant, which the applicant or any other person
23 dependent for the support of a deceased victim, as the
24 case may be, has received or to which he or she is entitled
25 as a result of injury to or death of the victim.

26 (f) A final award shall not exceed \$10,000 for a crime

1 committed prior to September 22, 1979, \$15,000 for a crime
2 committed on or after September 22, 1979 and prior to
3 January 1, 1986, \$25,000 for a crime committed on or after
4 January 1, 1986 and prior to August 7, 1998, \$27,000 for a
5 crime committed on or after August 7, 1998 and prior to
6 August 7, 2022, or \$45,000 per victim for a crime
7 committed on or after August 7, 2022. For any applicant
8 who is not a victim, if the total pecuniary loss is greater
9 than the maximum amount allowed, the award shall be
10 divided in proportion to the amount of actual loss among
11 those entitled to compensation who are not victims.

12 (g) Compensation under this Act is a secondary source
13 of compensation and the applicant must show that he or she
14 has exhausted the benefits reasonably available under the
15 Criminal Victims' Escrow Account Act or any governmental
16 or medical or health insurance programs, including, but
17 not limited to, Workers' Compensation, the Federal
18 Medicare program, the State Public Aid program, Social
19 Security Administration burial benefits, and Veterans
20 Administration burial benefits, and life, health,
21 accident, full vehicle coverage (including towing
22 insurance, if available), or liability insurance.
23 Crowdfunding resources available to applicants are not
24 considered collateral sources of payment.

25 (Source: P.A. 102-27, eff. 1-1-22; 102-905, eff. 1-1-23;
26 103-564, eff. 11-17-23.)

1 (740 ILCS 45/18.5)

2 Sec. 18.5. Restrictions on collection of debts incurred by
3 crime victims.

4 (a) Within 10 business days after the filing of a claim,
5 the Office of the Attorney General shall issue an applicant a
6 written notice of the crime victim compensation claim and
7 inform the applicant that the applicant may provide a copy of
8 the written notice to vendors to have debt collection
9 activities cease while the claim is pending.

10 (b) An applicant may provide a copy of the written notice
11 to a vendor waiting for payment of a related debt. A vendor
12 that receives notice of the filing of a claim under this Act
13 with the Court of Claims or Attorney General must cease all
14 debt collection activities against the applicant for a related
15 debt. A vendor that assists an applicant to complete or submit
16 an application for compensation or a vendor that submits a
17 bill to the Office of the Attorney General has constructive
18 notice of the filing of the claim and must not engage in debt
19 collection activities against the applicant for a related
20 debt. If the Court of Claims or Attorney General awards
21 compensation for the related debt, a vendor shall not engage
22 in debt collection activities while payment is pending. If the
23 Court of Claims denies compensation for a vendor's bill for
24 the related debt or a portion thereof, the vendor may not
25 engage in debt collection activities until 45 days after the

1 date of notice from the Court of Claims or the Attorney General
2 denying compensation in whole or in part.

3 (c) A vendor that has notice of a compensation claim may~~+~~
4 ~~(1)~~ submit a written request to the Attorney General for
5 notification of the Attorney General's decision involving a
6 related debt. The Attorney General shall provide notification
7 of payment or denial of payment within 30 days of its
8 decision.~~+~~

9 ~~(2) submit a bill for a related debt to the Office of~~
10 ~~the Attorney General; and~~

11 ~~(3) contact the Office of the Attorney General to~~
12 ~~inquire about the status of the claim.~~

13 (d) The statute of limitations for collection of a related
14 debt is tolled upon the filing of the claim with the Court of
15 Claims and all civil actions in court against the applicant
16 for a related debt shall be stayed until 45 days after the
17 Attorney General denies or the Court of Claims enters an order
18 denying compensation for the related debt or portion thereof.

19 (e) As used in this Section:

20 (1) "Crime victim" means a victim of a violent crime
21 or an applicant as defined in this Act.

22 (2) "Debt collection activities" means:

23 (A) communicating with, harassing, or intimidating
24 the crime victim for payment, including, but not
25 limited to, repeatedly calling or writing to the crime
26 victim and threatening to refer the related debt to a

1 debt collection agency or to an attorney for
2 collection, enforcement, or the filing of other
3 process;

4 (B) contacting a credit ratings agency or
5 distributing information to affect the crime victim's
6 credit rating as a result of the related debt;

7 (C) referring a bill, or portion thereof, to a
8 collection agency or attorney for collection action
9 against the crime victim; or

10 (D) taking any other action adverse to the crime
11 victim or his or her family on account of the related
12 debt.

13 "Debt collection activities" does not include billing
14 insurance or other government programs, routine inquiries
15 about coverage by private insurance or government
16 programs, or routine billing that indicates that the
17 amount is not due pending resolution of the crime victim
18 compensation claim.

19 (3) "Related debt" means a debt or expense for
20 hospital, medical, dental, or counseling services incurred
21 by or on behalf of a crime victim as a direct result of the
22 crime.

23 (4) "Vendor" includes persons, providers of service,
24 vendors' agents, debt collection agencies, and attorneys
25 hired by a vendor.

26 (Source: P.A. 102-27, eff. 1-1-22.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law, except that the amendatory changes to Sections
3 2, 2.5, 4.2, 5.1, 6.1, 7.1, 8.1, and 10.1 of the Crime Victims
4 Compensation Act take effect January 1, 2025.

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