

AN ACT concerning civil law.

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

Section 5. The Crime Victims Compensation Act is amended by changing Section 6.1 as follows:

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

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

(a) Within 2 years of the occurrence of the crime, or within one year after a criminal indictment of a person for an offense, upon which the claim is based, he files an application, under oath, with the Court of Claims and on a form prescribed in accordance with Section 7.1 furnished by the Attorney General. If the person entitled to compensation is under 18 years of age or under other legal disability at the time of the occurrence or becomes legally disabled as a result of the occurrence, he may file the application required by this subsection within 2 years after he attains the age of 18 years or the disability is removed, as the case may be. Legal disability includes a diagnosis of posttraumatic stress disorder.

(b) For all crimes of violence, except those listed in subsection (b-1) of this Section, the appropriate law

enforcement officials were notified within 72 hours of the perpetration of the crime allegedly causing the death or injury to the victim or, in the event such notification was made more than 72 hours after the perpetration of the crime, the applicant establishes that such notice was timely under the circumstances.

(b-1) For victims of offenses defined in Sections 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961, the appropriate law enforcement officials were notified within 7 days of the perpetration of the crime allegedly causing death or injury to the victim or, in the event that the notification was made more than 7 days after the perpetration of the crime, the applicant establishes that the notice was timely under the circumstances. ~~(b-2)~~ If the applicant has obtained an order of protection or a civil no contact order or has presented himself or herself to a hospital for sexual assault evidence collection and medical care, such action shall constitute appropriate notification under this subsection (b-1) or subsection (b) ~~or (b-1)~~ of this Section.

(c) The applicant has cooperated with law enforcement officials in the apprehension and prosecution of the assailant. ~~(c-1)~~ If the applicant has obtained an order of protection or a civil no contact order or has presented himself or herself to a hospital for sexual assault evidence collection and medical care, such action shall

constitute cooperation under this subsection (c) ~~of this Section.~~

(d) The applicant is not the offender or an accomplice of the offender and the award would not unjustly benefit the offender or his accomplice.

(e) The injury to or death of the victim was not substantially attributable to his own wrongful act and was not substantially provoked by the victim.

(Source: P.A. 94-192, eff. 1-1-06; revised 8-16-05.)