

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 charge 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 is determined by a court to be under a legal disability 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 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, and 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012, 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. If the applicant or victim has obtained an order of protection, a civil no contact order, or a stalking no contact order, ~~or~~ has presented himself or herself to a hospital for sexual assault evidence collection and medical care, or is engaged in a legal proceeding involving a claim that the applicant or victim is a victim of human trafficking, such action shall constitute appropriate notification under this subsection (b-1) or subsection (b) of this Section.

(c) The applicant has cooperated with law enforcement

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

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

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

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

(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.

(f) For victims of offenses defined in Section 10-9 of the Criminal Code of 2012, the victim submits a statement

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under oath on a form prescribed by the Attorney General attesting that the removed tattoo was applied in connection with the commission of the offense.

(Source: P.A. 99-143, eff. 7-27-15; 100-575, eff. 1-8-18.)