



Rep. Daniel Didech

Filed: 4/7/2026

10400HB4394ham002

LRB104 15620 RLC 36375 a

1 AMENDMENT TO HOUSE BILL 4394

2 AMENDMENT NO. _____. Amend House Bill 4394, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Sexual Assault Incident Procedure Act is
6 amended by changing Section 20 as follows:

7 (725 ILCS 203/20)

8 Sec. 20. Reports by law enforcement officers.

9 (a) A law enforcement officer shall complete a written
10 police report upon receiving the following, regardless of
11 where the incident occurred:

12 (1) an allegation by a person that the person has been
13 sexually assaulted or sexually abused regardless of
14 jurisdiction;

15 (2) information from hospital or medical personnel
16 provided under Section 3.2 of the Criminal Identification

1 Act; or

2 (3) information from a witness who personally observed
3 what appeared to be a sexual assault or sexual abuse or
4 attempted sexual assault or sexual abuse.

5 (b) The written report shall include the following, if
6 known:

7 (1) the victim's name or other identifier;

8 (2) the victim's contact information;

9 (3) time, date, and location of offense;

10 (4) information provided by the victim;

11 (5) the suspect's description and name, if known;

12 (6) names of persons with information relevant to the
13 time before, during, or after the sexual assault or sexual
14 abuse, and their contact information;

15 (7) names of medical professionals who provided a
16 medical forensic examination of the victim and any
17 information they provided about the sexual assault or
18 sexual abuse;

19 (8) whether an Illinois State Police Sexual Assault
20 Evidence Collection Kit was completed, the name and
21 contact information for the hospital, and whether the
22 victim consented to testing of the Evidence Collection Kit
23 by law enforcement;

24 (9) whether a urine or blood sample was collected and
25 whether the victim consented to testing of a toxicology
26 screen by law enforcement;

1 (10) information the victim related to medical
2 professionals during a medical forensic examination which
3 the victim consented to disclosure to law enforcement; and

4 (11) other relevant information.

5 (c) If the sexual assault or sexual abuse occurred in
6 another jurisdiction, the law enforcement officer taking the
7 report must submit the report to the law enforcement agency
8 having jurisdiction in person or via fax or email within 24
9 hours of receiving information about the sexual assault or
10 sexual abuse.

11 (d) Within 24 hours of receiving a report from a law
12 enforcement agency in another jurisdiction in accordance with
13 subsection (c), the law enforcement agency having jurisdiction
14 shall submit a written confirmation to the law enforcement
15 agency that wrote the report. The written confirmation shall
16 contain the name and identifier of the person and confirming
17 receipt of the report and a name and contact phone number that
18 will be given to the victim. The written confirmation shall be
19 delivered in person or via fax or email.

20 (e) No law enforcement officer shall require a victim of
21 sexual assault or sexual abuse to submit to an interview.

22 (f) No law enforcement agency may refuse to complete a
23 written report as required by this Section on any ground. A law
24 enforcement officer shall not discourage or attempt to
25 discourage a victim from filing a police report concerning
26 sexual assault or sexual abuse.

1 (g) All law enforcement agencies shall ensure that all
2 officers responding to or investigating a complaint of sexual
3 assault or sexual abuse have successfully completed training
4 under Section 10.21 of the Illinois Police Training Act and
5 Section 2605-51 of the Illinois State Police Law of the Civil
6 Administrative Code of Illinois.

7 (h) At law enforcement agencies that employ officers of
8 more than one sex or gender who have the training described in
9 subsection (g), a law enforcement officer shall inform a
10 victim of sexual assault or sexual abuse of the opportunity to
11 request to be interviewed by an officer of a particular sex or
12 gender. If, when a request is made, no officer at that agency
13 of the requested sex or gender with the training described in
14 subsection (g) is reasonably available, the victim may consent
15 to be interviewed by any available law enforcement officer
16 with that training, decline to be interviewed, or choose to
17 schedule an interview at another time when such an officer is
18 expected to be available. Every law enforcement agency shall
19 establish a policy that defines "reasonably available" for
20 this Section.

21 The duty to inform the victim about the opportunity to
22 request to be interviewed by an officer of a particular sex or
23 gender shall not apply to the preliminary investigation by the
24 initial responding officer at the crime scene, in the
25 emergency department of a hospital, at an approved pediatric
26 health care facility, or under exigent circumstances. The

1 initial responding officer shall not require a victim to
2 submit to an interview, pursuant to subsection (e). If the
3 victim requests an officer of a particular sex or gender at the
4 scene, in the emergency department of a hospital, at an
5 approved pediatric health care facility, or during exigent
6 circumstances, the responding officer shall accommodate the
7 request when an officer of the requested sex or gender is
8 reasonably available.

9 (i) A law enforcement officer shall inform a victim of
10 sexual assault or sexual abuse of the opportunity to have a
11 support person of the victim's choosing present during any
12 interview by a law enforcement officer or prosecutor, unless
13 the law enforcement officer or prosecutor makes a good faith
14 determination based on professional judgment, before or during
15 the interview, that the presence of the support person would
16 be detrimental to the purpose of the interview. If the support
17 person engages in behavior that disrupts or undermines the
18 interview, the support person may be removed. If the support
19 person is not permitted to accompany the victim or is removed,
20 the victim may consent to be interviewed without a support
21 person, decline to be interviewed, or choose to schedule an
22 interview at another time and bring a different support
23 person.

24 The duty to inform the victim about the opportunity to
25 have a support person shall not apply to the preliminary
26 investigation by the initial responding officer at the crime

1 scene, in the emergency department of a hospital, at an
2 approved pediatric health care facility, or under exigent
3 circumstances. The initial responding officer shall not
4 require a victim to submit to an interview, pursuant to
5 subsection (e). Nothing in this Section prohibits the initial
6 responding officer from offering or allowing a victim to have
7 a support person.

8 (Source: P.A. 104-173, eff. 1-1-26.)".