



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5057

Introduced 2/10/2026, by Rep. Jay Hoffman

SYNOPSIS AS INTRODUCED:

740 ILCS 45/2	
740 ILCS 45/6.1	from Ch. 70, par. 76.1
740 ILCS 45/7.1	from Ch. 70, par. 77.1
740 ILCS 45/10.2	

Amends the Crime Victims Compensation Act. Removes the requirements to report the crime within 72 hours of its occurrence or within 7 days for other specified crimes. Removes language that requires certification from a mental health provider to come from a provider who has not before and will not again provide care to the victim or applicant. Provides that confidentiality is not waived between a health care provider and the victim or applicant if a mental health provider, medical provider, or other third party provides documentation of the crime for the purposes of compensation eligibility. Requires the Attorney General to make and publish on its website the form the mental health provider must use to certify the evaluation of the victim or applicant. Requires the Comptroller to issue payment within 2 business days of approval of an emergency award by the Court of Claims. Provides that emergency awards may be issued to the applicant for the purpose of paying funeral and burial expenses directly to a funeral home for expenses that have been incurred or that the applicant has been quoted and for relocation expenses incurred or due to be incurred by an applicant. Provides that if the amount of emergency compensation exceeds the actual amount the applicant incurs, the difference shall be repaid to the State. Makes other changes.

LRB104 20490 JRC 33962 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 Crime Victims Compensation Act is amended
5 by changing Sections 2, 6.1, 7.1, and 10.2 as follows:

6 (740 ILCS 45/2)

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

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

11 (1) A victim.

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

15 (3) A guardian of a minor or of a person under legal
16 disability.

17 (4) A person who, at the time the crime occurred,
18 resided in the same dwelling as the victim, solely for the
19 purpose of compensating for any of the following:

20 (A) Pecuniary loss incurred for psychological
21 treatment of a mental or emotional condition caused or
22 aggravated by the crime.

23 (B) Loss of earnings under paragraph (14.5) of

1 subsection (h) for time off from work necessary to
2 provide full time care for the injured victim.

3 (C) Relocation expenses.

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

7 (6) Any other person the Court of Claims or the
8 Attorney General finds is entitled to compensation.

9 The changes made to this subsection by Public Act 101-652
10 apply to actions commenced or pending on or after January 1,
11 2022.

12 (b) "Court of Claims" means the Court of Claims created by
13 the Court of Claims Act.

14 (c) "Crime of violence" means and includes any offense
15 defined in Sections 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 10-1,
16 10-2, 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,
17 11-11, 11-20.1, 11-23, 11-23.5, 12-1, 12-2, 12-3, 12-3.05,
18 12-3.1, 12-3.2, 12-3.3, 12-3.4, 12-5, 12-7.1, 12-7.3, 12-7.4,
19 12-20.5, 20-1 or 20-1.1, or Section 12-3.05 except for
20 subdivision (a)(4) or (g)(1), or subdivision (a)(4) of Section
21 11-14.4, of the Criminal Code of 1961 or the Criminal Code of
22 2012, Sections 1(a) and 1(a-5) of the Cemetery Protection Act,
23 Section 125 of the Stalking No Contact Order Act, Section 219
24 of the Civil No Contact Order Act, driving under the influence
25 as defined in Section 11-501 of the Illinois Vehicle Code, a
26 violation of Section 11-401 of the Illinois Vehicle Code,

1 provided the victim was a pedestrian or was operating a
2 vehicle moved solely by human power or a mobility device at the
3 time of contact, and a violation of Section 11-204.1 of the
4 Illinois Vehicle Code; so long as the offense did not occur
5 during a civil riot, insurrection or rebellion. "Crime of
6 violence" does not include any other offense or crash
7 involving a motor vehicle except those vehicle offenses
8 specifically provided for in this paragraph. "Crime of
9 violence" does include all of the offenses specifically
10 provided for in this paragraph that occur within this State
11 but are subject to federal jurisdiction and crimes involving
12 terrorism as defined in 18 U.S.C. 2331.

13 (d) "Victim" means (1) a person killed or injured in this
14 State as a result of a crime of violence perpetrated or
15 attempted against him or her, (2) the spouse, parent, or child
16 of a person killed or injured in this State as a result of a
17 crime of violence perpetrated or attempted against the person,
18 or anyone living in the dwelling of a person killed or injured
19 in a relationship that is substantially similar to that of a
20 parent, spouse, or child, (3) a person killed or injured in
21 this State while attempting to assist a person against whom a
22 crime of violence is being perpetrated or attempted, if that
23 attempt of assistance would be expected of a reasonable person
24 under the circumstances, (4) a person killed or injured in
25 this State while assisting a law enforcement official
26 apprehend a person who has perpetrated a crime of violence or

1 prevent the perpetration of any such crime if that assistance
2 was in response to the express request of the law enforcement
3 official, (5) a person who personally witnessed a violent
4 crime, (5.05) a person who will be called as a witness by the
5 prosecution to establish a necessary nexus between the
6 offender and the violent crime, (5.1) any person who is the
7 grandparent, grandchild, brother, sister, half brother, or
8 half sister of a person killed or injured in this State as a
9 result of a crime of violence, applying solely for the purpose
10 of compensating for pecuniary loss incurred for psychological
11 treatment of a mental or emotional condition caused or
12 aggravated by the crime, loss of earnings under paragraph
13 (14.5) of subsection (h) for time off from work necessary to
14 provide full time care for the injured victim, or relocation
15 if the crime occurred within the dwelling of the applicant,
16 (5.2) any person who was in a dating relationship with a person
17 killed in this State as a result of a crime of violence, solely
18 for the purpose of compensating for pecuniary loss incurred
19 for psychological treatment of a mental or emotional condition
20 caused or aggravated by the crime, (6) an Illinois resident
21 who is a victim of a "crime of violence" as defined in this Act
22 except, if the crime occurred outside this State, the resident
23 has the same rights under this Act as if the crime had occurred
24 in this State upon a showing that the state, territory,
25 country, or political subdivision of a country in which the
26 crime occurred does not have a compensation of victims of

1 crimes law for which that Illinois resident is eligible, (7)
2 the parent, spouse, or child of a deceased person whose body is
3 dismembered or whose remains are desecrated as the result of a
4 crime of violence, (8) (blank), or (9) an individual who is
5 injured or killed in an incident in which a law enforcement
6 officer's use of force caused bodily harm or death to that
7 individual.

8 (e) "Dependent" means a relative of a deceased victim who
9 was wholly or partially dependent upon the victim's income at
10 the time of his or her death and shall include the child of a
11 victim born after his or her death.

12 (f) "Relative" means a spouse, parent, grandparent,
13 stepfather, stepmother, child, grandchild, brother,
14 brother-in-law, sister, sister-in-law, half brother, half
15 sister, spouse's parent, nephew, niece, uncle, aunt, or anyone
16 living in the dwelling of a person killed or injured in a
17 relationship that is substantially similar to that of a
18 parent, spouse, or child.

19 (g) "Child" means a son or daughter and includes a
20 stepchild, an adopted child or a child born out of wedlock.

21 (h) "Pecuniary loss" means:

22 (1) in the case of injury, appropriate medical
23 expenses and hospital expenses including expenses of
24 medical examinations, rehabilitation, medically required
25 nursing care expenses, appropriate psychiatric care or
26 psychiatric counseling expenses, appropriate expenses for

1 care or counseling by a licensed clinical psychologist,
2 licensed clinical social worker, licensed professional
3 counselor, or licensed clinical professional counselor and
4 expenses for treatment by Christian Science practitioners
5 and nursing care appropriate thereto;

6 (2) transportation expenses to and from medical and
7 counseling treatment facilities;

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

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

13 (5) costs associated with trafficking tattoo removal
14 by a person authorized or licensed to perform the specific
15 removal procedure; for victims of offenses defined in
16 Section 10-9 of the Criminal Code of 2012, the victim
17 shall submit a statement under oath on a form prescribed
18 by the Attorney General attesting that the removed tattoo
19 was applied in connection with the commission of the
20 offense;

21 (6) replacement costs for clothing and bedding used as
22 evidence;

23 (7) costs associated with temporary lodging or
24 relocation necessary as a result of the crime, including,
25 but not limited to, the first 2 months' rent and security
26 deposit of the dwelling that the claimant relocated to and

1 other reasonable relocation expenses incurred as a result
2 of the violent crime;

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

5 (9) the purchase, lease, or rental of equipment
6 necessary to create usability of and accessibility to the
7 victim's real and personal property, or the real and
8 personal property which is used by the victim, necessary
9 as a result of the crime; "real and personal property"
10 includes, but is not limited to, vehicles, houses,
11 apartments, townhouses, or condominiums;

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

13 (11) replacement services loss, to a maximum of \$1,250
14 per month, with this amount to be divided in proportion to
15 the amount of the actual loss among those entitled to
16 compensation;

17 (12) dependents replacement services loss, to a
18 maximum of \$1,250 per month, with this amount to be
19 divided in proportion to the amount of the actual loss
20 among those entitled to compensation;

21 (13) loss of tuition paid to attend grammar school or
22 high school when the victim had been enrolled as a student
23 prior to the injury, or college or graduate school when
24 the victim had been enrolled as a day or night student
25 prior to the injury when the victim becomes unable to
26 continue attendance at school as a result of the crime of

1 violence perpetrated against him or her;

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

17 (14.5) loss of earnings for applicants or loss of
18 future earnings for applicants. The applicant must
19 demonstrate that the loss of earnings is a direct result
20 of circumstances attributed to the crime including, but
21 not limited to, court appearances, funeral preparation and
22 bereavement, receipt of medical or psychological care;
23 loss of earnings and loss of future earnings shall be
24 determined on the basis of the applicant's average net
25 monthly earnings for the 6 months immediately preceding
26 the date of the injury or on \$2,400 per month, whichever is

1 less, or, in cases where the absences commenced more than
2 3 years from the date of the crime, on the basis of the net
3 monthly earnings for the 6 months immediately preceding
4 the date of the first absence, not to exceed \$2,400 per
5 month;

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

25 (16) in the case of death, expenses for reasonable
26 funeral, burial, headstone, cremation, and travel and

1 transport for survivors of homicide victims to secure
2 bodies of deceased victims and to transport bodies for
3 burial all of which may be awarded up to a maximum of
4 \$10,000 for each victim. Other individuals that have paid
5 or become obligated to pay funeral, cremation, or burial
6 expenses, including a headstone, for the deceased shall
7 share a maximum award of \$10,000, with the award divided
8 in proportion to the amount of the actual loss among those
9 entitled to compensation;

10 (17) in the case of dismemberment or desecration of a
11 body, expenses for reasonable funeral, burial, headstone,
12 and cremation, all of which may be awarded up to a maximum
13 of \$10,000 for each victim. Other individuals that have
14 paid or become obligated to pay funeral, cremation, or
15 burial expenses, including a headstone, for the deceased
16 shall share a maximum award of \$10,000, with the award
17 divided in proportion to the amount of the actual loss
18 among those entitled to compensation; and

19 (18) ~~(19)~~ legal fees resulting from proceedings that
20 became necessary solely because of the crime, including,
21 but not limited to, establishing a legal guardian for the
22 minor victim or the minor child of a victim, or obtaining a
23 restraining order, no contact order, or order of
24 protection, awarded up to a maximum of \$3,500.

25 "Pecuniary loss" does not include pain and suffering or
26 property loss or damage.

1 The changes made to this subsection by Public Act 101-652
2 apply to actions commenced or pending on or after January 1,
3 2022.

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

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

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

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

19 (m) "Trafficking tattoo" is a tattoo which is applied to a
20 victim in connection with the commission of a violation of
21 Section 10-9 of the Criminal Code of 2012.

22 (n) "Dwelling" means a person's primary home. A person may
23 be required to provide verification or proof of residence
24 including, but not limited to, a lease agreement, utility
25 bill, license registration, document showing the mailing
26 address, pay stub, tax form, or notarized statement.

1 (o) "Dating relationship" means a current, continuous,
2 romantic, courtship, or engagement relationship, often
3 characterized by actions of an intimate or sexual nature or an
4 expectation of affection. "Dating relationship" does not
5 include a casual acquaintanceship or ordinary fraternization
6 between persons in a business or social context.

7 (p) "Medical facility" means a facility for the delivery
8 of health services. "Medical facility" includes, but is not
9 limited to, a hospital, public health center, outpatient
10 medical facility, federally qualified health center, migrant
11 health center, community health center, or State correctional
12 institution.

13 (q) "Mental health provider" means a licensed clinical
14 psychologist, a licensed clinical social worker, a licensed
15 professional counselor, or a licensed clinical professional
16 counselor as defined in the Mental Health and Developmental
17 Disabilities Code.

18 ~~(r) "Independent medical evaluation" means an assessment~~
19 ~~by a mental health provider who is not currently providing~~
20 ~~treatment to the applicant and will not seek reimbursement~~
21 ~~from the program for continuing treatment after the~~
22 ~~assessment. A provider may seek reimbursement for the~~
23 ~~assessment.~~

24 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;
25 102-982, eff. 7-1-23; 103-154, eff. 6-30-23; 103-564, eff.
26 11-17-23; 103-1037, eff. 1-1-25; revised 6-23-25.)

1 (740 ILCS 45/6.1) (from Ch. 70, par. 76.1)

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

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

20 (a-1) The Attorney General and the Court of Claims may
21 accept an application presented after the period provided
22 in subsection (a) if the Attorney General determines that
23 the applicant had good cause for a delay.

24 (b) Notification. The appropriate law enforcement
25 officials were notified ~~within 72 hours~~ of the

1 perpetration of the crime allegedly causing the death or
2 injury to the victim. ~~If the notification was made more~~
3 ~~than 72 hours after the perpetration of the crime and the~~
4 ~~applicant establishes that the notice was timely under the~~
5 ~~circumstances, the Attorney General and the Court of~~
6 ~~Claims may extend the time for reporting to law~~
7 ~~enforcement.~~

8 ~~For victims of offenses defined in Sections 10 9,~~
9 ~~11 1.20, 11 1.30, 11 1.40, 11 1.50, 11 1.60, 12 13, and~~
10 ~~12 14 of the Criminal Code of 1961 or the Criminal Code of~~
11 ~~2012, the appropriate law enforcement officials were~~
12 ~~notified within 7 days of the perpetration of the crime~~
13 ~~allegedly causing death or injury to the victim or, if the~~
14 ~~notification was made more than 7 days after the~~
15 ~~perpetration of the crime, the applicant establishes that~~
16 ~~the notice was timely under the circumstances.~~

17 (b-1) If, in lieu of a law enforcement report, the
18 applicant or victim has obtained an order of protection, a
19 civil no contact order, or a stalking no contact order,
20 has presented to a medical facility for medical care or
21 sexual assault evidence collection, has presented to a
22 mental health provider for mental health care or
23 evaluation ~~—an independent medical evaluation,~~ or is
24 engaged in a legal proceeding involving a claim that the
25 applicant or victim is a victim of human trafficking or
26 law enforcement use of force, such action shall constitute

1 appropriate notification under this Section.

2 (b-2) For purposes of notification under this Act, a
3 victim who presents to a medical facility or mental health
4 provider shall provide information sufficient to fulfill
5 the requirements of this Section, except that the victim
6 shall not be required to identify the offender to the
7 medical or mental health provider.

8 (b-3) An applicant who is filing a claim that a law
9 enforcement officer's use of force caused injury or death,
10 may fulfill the notification requirement by complying with
11 subsection (b), filing a complaint with the Illinois Law
12 Enforcement Training Standards Board, filing a lawsuit
13 against a law enforcement officer or department, or
14 presenting evidence that the victim has obtained a
15 settlement or a verdict in a civil suit. An application
16 filed by an individual presenting evidence of a verdict in
17 a civil suit must be filed within one year after the
18 resolution of the civil suit.

19 (b-4) An applicant may provide notification to a
20 mental health provider regarding physical or psychological
21 ~~injuries of the victim or for victims of offenses defined~~
22 ~~in Sections 10-9, 11-1.20, 11-1.30, 11-1.40, 11-1.50,~~
23 ~~11-1.60, 11-14.4, 12-3.2, 12-3.3, 12-3.4, 12-7.3, 12-7.4~~
24 ~~of the Criminal Code of 2012, psychological injuries~~
25 resulting from the commission of the crime for which the
26 applicant is filing an application. The provider shall

1 perform an ~~independent medical~~ evaluation and provide the
2 provider's professional opinion as to whether the injuries
3 claimed are consistent with having resulted from the
4 commission of the crime for which the applicant is filing
5 an application.

6 Upon completion of the ~~independent medical~~ evaluation,
7 the mental health provider shall complete a certification
8 form, signed under oath. The form shall be provided by the
9 Office of the Attorney General, be available on its
10 website, and contain the following:

11 (1) The provider's name, title, license number and
12 place of employment.

13 (2) Contact information for the provider.

14 (3) The provider's relationship with the
15 applicant.

16 (4) The date the crime was reported to the
17 provider.

18 (5) The reported crime.

19 (6) The date and location of the crime.

20 (7) If there are physical injuries, what injuries
21 that the mental health provider can attest to being
22 present on the day of the reporting if they are
23 consistent with the crime reported to the provider.

24 (8) If there are psychological injuries, whether
25 the provider in his or her professional opinion
26 believes that the injuries presented on the day of the

1 reporting are consistent with the crime reported to
2 the provider.

3 (9) A detailed summary of the incident, as
4 reported.

5 (10) Any documentation ~~or photos~~ that relates
6 ~~relate~~ to the crime of violence for which the
7 applicant is seeking reimbursement.

8 (c) Cooperation. The applicant has cooperated with law
9 enforcement officials in the apprehension and prosecution
10 of the assailant. If the applicant or victim has obtained
11 an order of protection, a civil no contact order, or a
12 stalking no contact order, has presented to a medical
13 facility for medical care or sexual assault evidence
14 collection, obtained an evaluation ~~independent medical~~
15 ~~examination~~ from a mental health provider as described in
16 subsection (b-4), has taken any of the actions described
17 in subsection (b-3), or is engaged in a legal proceeding
18 involving a claim that the applicant or victim is a victim
19 of human trafficking, such action shall constitute
20 cooperation under this subsection (c). If the victim is
21 under 18 years of age at the time of the commission of the
22 offense, the following shall constitute cooperation under
23 this subsection (c):

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

26 (2) a mandated reporter reports the crime to law

1 enforcement; or

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

4 In evaluating cooperation, the Attorney General and
5 Court of Claims may consider the victim's age, physical
6 condition, psychological state, cultural or linguistic
7 barriers, and compelling health and safety concerns,
8 including, but not limited to, a reasonable fear of
9 retaliation or harm that would jeopardize the well-being
10 of the victim or the victim's family, and giving due
11 consideration to the degree of cooperation that the victim
12 or derivative victim is capable of in light of the
13 presence of any of these factors, or any other factor the
14 Attorney General considers relevant.

15 (d) If the applicant is not barred from receiving
16 compensation under Section 10.1.

17 (e) (Blank).

18 (f) (Blank).

19 (g) (Blank).

20 (h) Furnishing an evaluation as described in
21 subsection (b-4) or furnishing another document as
22 evidence of notification or cooperation under this Section
23 may not be construed to waive any confidentiality or
24 privilege that may exist between the victim or applicant
25 and a third party.

26 The changes made to this Section by this amendatory Act of

1 the 101st General Assembly apply to actions commenced or
2 pending on or after January 1, 2022.

3 (Source: P.A. 102-27, eff. 6-25-21; 103-1037, eff. 1-1-25.)

4 (740 ILCS 45/7.1) (from Ch. 70, par. 77.1)

5 Sec. 7.1. (a) The application form furnished by the Office
6 of the Attorney General and published on its Internet website
7 shall include fields for the applicant to set out:

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

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

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

17 (4) the date and place where notification under
18 Section 6.1 was given and to whom, or the date and place of
19 issuance of an order of protection, no contact order,
20 evidence of a legal proceeding involving human
21 trafficking, or in cases of a law enforcement officer's
22 use of force, another form of documentation allowable
23 under Section 6.1;

24 (4.5) if the victim is providing supplemental forms of
25 documentation, that documentation, the date the victim

1 obtained that other form of documentation and the type of
2 documentation;

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

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

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

11 (a) the Workers' Compensation Act,

12 (b) the Dram Shop Act,

13 (c) any claim, demand, or cause of action based
14 upon the crime-related injury or death,

15 (d) the Federal Medicare program,

16 (e) the State Public Aid program,

17 (f) Social Security Administration burial
18 benefits,

19 (g) Veterans administration burial benefits,

20 (h) life, health, accident, vehicle, towing, or
21 liability insurance,

22 (i) the Criminal Victims' Escrow Account Act,

23 (j) the Sexual Assault Survivors Emergency
24 Treatment Act,

25 (k) restitution, or

26 (l) any other source;

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

5 (9) such other information as the Court of Claims or
6 the Attorney General reasonably requires; ~~or-~~

7 (10) whether the applicant is applying for an
8 emergency award under subsection 10.2.

9 (b) The Attorney General may require that materials
10 substantiating the facts stated in the application be
11 submitted with that application.

12 (b-5) The victim or applicant may provide to the Attorney
13 General a sworn statement by the victim or applicant that
14 attests to the victim's or applicant's experience of a crime
15 or crimes of violence, in addition to documentation required
16 under this Act. If the victim or applicant has additional
17 corroborating evidence beyond those described in this Act, the
18 victim or applicant may provide the following documents: law
19 enforcement report; medical records; confirmation of sexual
20 assault evidence collection; order of protection; civil no
21 contact order, stalking no contact order; photographs; letter
22 from a service provider who serves victims of crime; affidavit
23 from a witness of the crime of violence; court record;
24 military record; or any other corroborating evidence. Such
25 documentation or statement may be used to supplement required
26 documentation to verify the incident but is not required. If

1 an applicant is seeking an exception under subsection (b) or
2 (c-1) of Section 6.1, the applicant shall provide any
3 additional documentation, information, or statement that
4 substantiates the facts stated in the application.

5 (c) An applicant, on his or her own motion, may file an
6 amended application or additional substantiating materials to
7 correct inadvertent errors or omissions at any time before the
8 original application has been disposed of by the Court of
9 Claims or the Attorney General. In either case, the filing of
10 additional information or of an amended application shall be
11 considered for the purpose of this Act to have been filed at
12 the same time as the original application.

13 For claims submitted on or after January 1, 2022, an
14 amended application or additional substantiating materials to
15 correct inadvertent errors or omissions may be filed at any
16 time before the original application is disposed of by the
17 Attorney General or the Court of Claims.

18 (d) Determinations submitted by the Attorney General to
19 the Court of Claims shall be available to the Court of Claims
20 for review. The Attorney General shall provide the sources and
21 evidence relied upon as a basis for a compensation
22 determination.

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

26 (Source: P.A. 102-27, eff. 6-25-21; 102-905, eff. 1-1-23;

1 103-1037, eff. 1-1-25.)

2 (740 ILCS 45/10.2)

3 Sec. 10.2. Emergency awards.

4 (a) If it appears, prior to taking action on an
5 application, that the claim is one for which compensation is
6 probable, and undue hardship will result to the applicant if
7 immediate payment is not made, the Attorney General may
8 recommend and the Court may make an emergency award of
9 compensation to the applicant, pending a final decision in the
10 case. The Comptroller shall issue payment of an emergency
11 award within 2 business days of receiving notice of the
12 decision to grant the emergency award. Emergency awards may be
13 issued to the applicant for the purpose of paying funeral and
14 burial expenses directly to a funeral home for expenses that
15 have been incurred or that the applicant has been quoted, and
16 for relocation expenses incurred or due to be incurred by an
17 applicant. The amount of emergency compensation shall be
18 deducted from any final award made as a result of the claim.
19 The full amount of the emergency award if no final award is
20 made shall be repaid by the applicant to the State of Illinois.
21 If the amount of emergency compensation exceeds the actual
22 amount the applicant incurs, the difference shall be repaid to
23 the State.

24 (b) Emergency award applicants must satisfy all
25 requirements under Section 6.1 of this Act.

1 (c) The Office of the Attorney General shall make
2 available publicly on its website a separate form or online
3 application for applicants to apply for an emergency award or
4 include a designated section in the application form described
5 by Section 7.1 of this Act for the applicant to request an
6 emergency award.

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