

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****SB2323**

Introduced 2/7/2025, by Sen. Julie A. Morrison

SYNOPSIS AS INTRODUCED:

See Index

Provides that the Act may be referred to as the Illinois Statewide Trauma-Informed Response to Human Trafficking Act. Amends the Children and Family Services Act. Provides that the Department of Children and Family Services shall maintain a human trafficking unit to coordinate services, initiate prevention efforts, and provide access to resources for case-management staff to serve youth in care who have been determined to be victims of human trafficking or assessed to be at high risk of becoming a victim of human trafficking, as well as ensure a prompt response by the Department to recover youth in care in the custody of law enforcement. Provides that the Department shall incorporate services for all child trafficking victims into the community-based services provided by the Department. Amends the Department of Human Services Act. Provides that the Department of Human Services shall develop a strategic plan, in consultation with advocates and survivors, to establish a statewide system of identification and response to survivors of human trafficking and recommended levels of funding for phase-in of comprehensive victim-centered, trauma-informed statewide services for victims of human trafficking, including adults and children, and to sex and labor trafficking victims and require victim-centered, trauma-informed human trafficking training for caseworkers, treatment providers, investigators, foster parents, and residential home personnel. Amends the Illinois State Police Law of the Civil Administrative Code of Illinois. Provides that the Illinois State Police shall develop a strategic plan to improve victim-centered, trauma-informed law enforcement response to victims of human trafficking across the State. Amends the Illinois Police Training Act. Provides that the Illinois Law Enforcement Training Standards Board shall work with the Illinois State Police, local law enforcement, victim-centered, trauma-informed human trafficking service providers, and survivor leaders to develop, curriculum standards for training on victim-centered, trauma-informed detection, investigation, and response to human trafficking victims certified by the Illinois Law Enforcement Training Standards Board. Amends various other Acts concerning various agencies responsibilities of addressing human trafficking. Effective January 1, 2026.

LRB104 02939 RLC 19420 b

1 AN ACT concerning human trafficking.

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

4 Section 1. This Act may be referred to as the Illinois
5 Statewide Trauma-Informed Response to Human Trafficking Act.

6 Section 2. Findings.

7 (a) Human trafficking cuts across gender, race, age,
8 immigration status, nationality, ability, income, and
9 educational levels.

10 (b) A multitude of factors can create susceptibility to
11 the force, fraud, and coercion used by traffickers to exploit
12 unmet physical, emotional, financial, or other needs of
13 targeted persons. Vulnerability factors include, but are not
14 limited to, poverty, prior sexual or domestic abuse, housing
15 insecurity, immigration status, sexual orientation, gender
16 identity, physical, mental and intellectual disability and
17 limited education.

18 (c) The complex trauma experienced by human trafficking
19 survivors requires services from persons who have received
20 training in effective responses to victims of human
21 trafficking.

22 (d) Trafficking for labor and sex exists in Illinois but
23 it is going unrecognized because victims are not being

1 identified and the underlying crimes are not being reported.
2 The National Human Trafficking Hotline in 2021 reported 929
3 unique calls and texts and identified 355 victims from
4 Illinois, including 177 sex and 27 labor trafficking cases.
5 Fifty of those identified victims were minors. InfoNet,
6 operated by the Illinois Criminal Justice Information
7 Authority (ICJIA), indicates that 569 new client cases of sex
8 and labor trafficking were identified and served via domestic
9 violence and sexual assault service providers throughout
10 Illinois in calendar years 2021, 2022, and 2023. There was a
11 trend of increased victim identification during those years
12 from 235 in 2021, 266 in 2022, to 303 in 2023. While the
13 programs reporting to InfoNet primarily serve adults, 27
14 minors and 96 youth survivors between the ages of 18 and 24
15 were identified and served by these programs. The crime of
16 human trafficking was identified only 73 times between 2021
17 and 2023 according to the Illinois National Incident-Based
18 Reporting System (NIBRS).

19 (e) Child and youth victims of human trafficking are
20 especially vulnerable as they are often trafficked by someone
21 with whom they share a household or familial relationship,
22 and, due to their developmental stage, have a need for a safe
23 caregiving adult. Many have also previously experienced
24 physical or sexual abuse. Between 2021 and 2023, 966 possible
25 cases of child trafficking were identified by the Illinois
26 Department of Children and Family Services via reports of

1 abuse or neglect. Of these, 292 (30.2%) were "indicated",
2 meaning investigation found that these were cases of
3 trafficking. There was a downward trend in the numbers of
4 allegations and identification of child victims from 105 of
5 416 (25.2%) indicated in 2021, to 104 of 312 (33.3%) in 2022,
6 to 83 of 238 (34.8%) in 2023.

7 (f) Survivors of sex and labor trafficking often do not
8 identify themselves as victims of human trafficking which,
9 unless they are identified as victims by others, hinders their
10 access to specialized services and considerations in the
11 criminal justice system.

12 (g) Victims have difficulty leaving their trafficking
13 situation due to the use of force, fraud, and coercive tactics
14 by traffickers, many of whom exploit existing systemic
15 barriers or other experiences faced by victims. These barriers
16 or experiences could include prior criminal history, mistrust
17 or previous experience with government systems, fear for
18 themselves or family members, debt and poverty, isolation,
19 language barriers, undocumented immigration status, or lack of
20 knowledge of the United States legal system and their rights
21 under it.

22 (h) Labor trafficking victims are especially difficult to
23 identify and engage. The National Human Trafficking Hotline in
24 2021 identified 177 incidents of sex trafficking, 27 incidents
25 of labor trafficking and 15 incidents involving both labor and
26 sex trafficking in Illinois. Illinois sexual assault and

1 domestic violence agencies reported serving 266 survivors of
2 either sex or labor trafficking or both in 2022.

3 (i) Illinois' government response system is fragmented
4 without clear processes and procedures and without dedicated
5 funding for specialized services for human trafficking
6 survivors. Currently, federal funding is the primary source of
7 funding for dedicated human trafficking service providers in
8 Illinois.

9 (j) No State standards for victim-centered,
10 trauma-informed responses exist for the professions that are
11 in a position to identify, treat, or otherwise respond to
12 victims of human trafficking in Illinois.

13 (k) Current Illinois multi-disciplinary response systems
14 which are comprised of dedicated service providers, law
15 enforcement and prosecutors are fragmented with 2
16 multi-disciplinary task forces funded by the U.S. Department
17 of Justice's Office of Victims of Crime located in Northern
18 Illinois and Lake County, Illinois and other unfunded regional
19 and local task forces operating independently.

20 (l) The Illinois General Assembly finds that to identify
21 and respond to labor and sex trafficking in Illinois and
22 restore the dignity and future of survivors that a statewide
23 strategic framework to prevent, detect and respond to victims
24 of human trafficking must be established.

25 (m) The General Assembly further finds that there is a
26 need to create standards for training of human trafficking

1 service providers, law enforcement, prosecutors, public
2 defenders, and housing, mental health, substance use disorder,
3 medical personnel and other professions in order to ensure
4 that victims of human trafficking in Illinois are identified
5 and receive a victim-centered, trauma-informed response when
6 they are identified or present for service.

7 Section 5. The Children and Family Services Act is amended
8 by adding Section 45.1 as follows:

9 (20 ILCS 505/45.1 new)

10 Sec. 45.1. Department of Children and Family Services
11 human trafficking unit.

12 (a) The Department of Children and Family Services shall:

13 (1) maintain a human trafficking unit to coordinate
14 services, initiate prevention efforts, and provide access
15 to resources for case-management staff to serve youth in
16 care who have been determined to be victims of human
17 trafficking or assessed to be at high risk of becoming a
18 victim of human trafficking, as well as ensure a timely
19 response by the Department to recover youth in care in the
20 custody of law enforcement or in the care of a Department
21 of Humans Services Comprehensive Community Based Youth
22 Services (CCBYS) service provider;

23 (2) ensure that all youth in care are assessed to
24 identify those who may be at high risk of trafficking,

1 based on experiences of commercial sexual exploitation and
2 other indicators of human trafficking, and ensure that
3 those identified are screened for and, as relevant,
4 provided with specialized services;

5 (3) collaborate with the Department of Human Services
6 and other State agencies to develop screening and
7 follow-up protocols to respond to children and adolescents
8 who may be victims of human trafficking or at risk of human
9 trafficking regardless of immigration or legal status;

10 (4) require victim-centered, trauma-informed human
11 trafficking training for Department employees and
12 contractors providing specialized services to children and
13 youth who are victims of human trafficking or at risk of
14 human trafficking including caseworkers, investigators,
15 foster parents, and residential home personnel;

16 (5) require that all alleged child victims of human
17 trafficking be referred to the local child advocacy center
18 to coordinate and facilitate a multi-disciplinary
19 response;

20 (6) increase trauma-informed placement options for
21 youth in care, who have been determined to be victims of
22 human trafficking or assessed to be at high risk of
23 becoming a victim of human trafficking; and

24 (7) on or before July 1, 2026, incorporate services
25 for all child human trafficking victims into the
26 community-based services provided by the Department.

1 (b) Definitions. In this Section:

2 "Child or children" has the same meaning as a minor and
3 refers to persons under the age of 18.

4 "Human trafficking" means a violation or attempted
5 violation of Section 10-9 of the Criminal Code of 2012. "Human
6 trafficking" includes trafficking of children and adults for
7 both labor and sex services.

8 "Specialized services" means services for youth in care
9 determined to be victims of human trafficking, those assessed
10 as high risk for trafficking, or those with a history of sexual
11 exploitation, and may include the following: treatment for
12 substance use, mental health needs, medical treatment, case
13 management, or housing.

14 Section 10. The Department of Human Services Act is
15 amended by adding Section 1-90 as follows:

16 (20 ILCS 1305/1-90 new)

17 Sec. 1-90. Statewide plan; victims of human trafficking.

18 (a) In this Section, "human trafficking" means a violation
19 or attempted violation of Section 10-9 of the Criminal Code of
20 2012. Human trafficking includes trafficking of children and
21 adults for both labor and sex services.

22 (b) The Department of Human Services shall:

23 (1) on or before December 31, 2025, develop and submit
24 a strategic plan to the Governor and General Assembly to

1 establish a statewide system of identification and
2 response to survivors of human trafficking and recommended
3 levels of funding for phase-in of comprehensive
4 victim-centered, trauma-informed statewide services for
5 victims of human trafficking, including adults, youth and
6 children, and to sex and labor trafficking victims
7 regardless of immigration or legal status. The plan shall
8 be developed in consultation with survivors, human
9 trafficking service providers, and State agencies
10 including the Department of Human Services, Department of
11 Children and Family Services, Illinois State Police, and
12 Department of Labor. The Department of Human Services
13 shall also solicit input from a broad range of partners
14 with relevant expertise in the areas of: housing and
15 shelter; youth crisis response; adult and pediatric
16 healthcare; substance use disorders, behavioral and mental
17 health; legal and immigration services; disability;
18 domestic violence and sexual assault advocacy; law
19 enforcement; justice system including the Office of the
20 State's Attorneys Appellate Prosecutor, prosecutors and
21 public defenders, county detention centers, probation
22 court services, and the Administrative Office of the
23 Illinois Courts; State agencies, including the Department
24 of Juvenile Justice, Department of Public Health,
25 Department of Corrections, and Illinois Criminal Justice
26 Information Authority; and federally funded and regional

1 multi-disciplinary human trafficking task forces.

2 (2) on or before July 1, 2026, develop service
3 standards for organizations providing victim services to
4 survivors of human trafficking based upon victim-centered,
5 trauma-informed best practices in consultation with
6 survivors and experts in the field and consistent with
7 standards developed by the United States Department of
8 Justice, Office of Victims of Crime;

9 (3) on or before October 1, 2026, develop standardized
10 training curriculum for individuals who provide advocacy,
11 counseling, mental health, substance use disorder,
12 homelessness, immigration, legal, and case-management
13 services for survivors of human trafficking with input
14 from survivors and experts in the field;

15 (4) provide consultation to State professional
16 associations in the development of trainings for
17 healthcare professionals, including those in training, and
18 attorneys who are likely to provide services to survivors
19 of human trafficking; and

20 (5) provide consultation to State agencies, including,
21 but not limited to, the Department of Children and Family
22 Services, the Department of Juvenile Justice, and the
23 Department of Corrections, to assist with development of
24 training and screening tools.

25 Section 15. The Department of Labor Law of the Civil

1 Administrative Code of Illinois is amended by adding Section
2 1505-225 as follows:

3 (20 ILCS 1505/1505-225 new)

4 Sec. 1505-225. Training courses on human trafficking.

5 (a) In this Section:

6 "Child" refers to a person under the 18 years of age.

7 "Human trafficking" means a violation or attempted
8 violation of Section 10-9 of the Criminal Code of 2012. "Human
9 trafficking" includes trafficking of children and adults for
10 both labor and sex services.

11 (b) Working with other State agencies and in collaboration
12 with the Department of Human Services, the Department of Labor
13 shall develop training for State health inspectors, Department
14 of Labor investigators, licensing inspectors, and other
15 relevant government regulators on indications of human
16 trafficking, including child trafficking, in industries at
17 high risk for labor trafficking, including, but not limited
18 to, restaurants, hotels, construction, and agriculture and how
19 to respond if trafficking is suspected. The Department of
20 Labor shall develop education materials on workers' rights and
21 recourse for labor exploitation posted on the Department's
22 website and on the rights of child and youth workers and
23 indicators of child labor trafficking for regional offices of
24 education.

1 Section 20. The Illinois State Police Law of the Civil
2 Administrative Code of Illinois is amended by adding Section
3 2605-625 as follows:

4 (20 ILCS 2605/2605-625 new)

5 Sec. 2605-625. Illinois State Police to develop a
6 strategic plan and support and coordinate with
7 multi-disciplinary human trafficking task forces (MDHTTF) to
8 improve victim-centered, trauma-informed law enforcement
9 response to victims of human trafficking across the State.

10 (a) In this Section:

11 "Children" means persons under 18 years of age.

12 "Human trafficking" means a violation or attempted
13 violation of Section 10-9 of the Criminal Code of 2012. "Human
14 trafficking" includes trafficking of children and adults for
15 both labor and sex services.

16 "Multi-disciplinary human trafficking task forces"
17 (MDHTTF) means task forces established to coordinate
18 detection, investigation, and response to victims of human and
19 child trafficking across multiple jurisdictions and
20 disciplines and whose participants may include, but are not
21 limited to, federal, State, and local law enforcement, local
22 government, the Illinois State Police, the Departments of
23 Children and Family Services, Juvenile Justice, and
24 Corrections, prosecutors, children's advocacy centers, adult
25 and pediatric medical personnel, and service providers

1 specializing in victim-centered, trauma-informed response to
2 victims of human trafficking. Such multi-disciplinary task
3 forces may include Metropolitan Enforcement Groups as defined
4 in Section 3 of the Intergovernmental Drug Laws Enforcement
5 Act.

6 (b) The Illinois State Police shall:

7 (1) on or before July 1, 2026, develop a strategic
8 plan to improve victim-centered, trauma-informed law
9 enforcement response to victims of human trafficking
10 across the State, in consultation with the Department of
11 Human Services, victim-centered, trauma-informed human
12 trafficking service providers, local, State, and federal
13 law enforcement partners, metropolitan enforcement groups
14 (MEG) and task forces, existing federally funded task
15 forces, and allied organizations;

16 (2) support implementation of a network of
17 multi-disciplinary human trafficking task forces (MDHTTF)
18 across the State building upon the existing
19 multi-disciplinary human trafficking task forces, and in
20 partnership with the Department of Human Services,
21 victim-centered, trauma-informed human trafficking
22 service providers, children's advocacy centers, local,
23 State, and federal law enforcement partners, MEGs and
24 multi-jurisdictional law enforcement task forces, existing
25 federally funded task forces, and allied organizations.
26 Each MDHTTF shall include at least one representative from

1 each of the following: a local, regional or statewide
2 organization which has received specialized training in
3 victim-centered, trauma-informed response to victims of
4 human trafficking, a local or county law enforcement
5 agency, a prosecutor and a children's advocacy center;

6 (3) convene representatives from Illinois
7 multi-disciplinary human trafficking task forces on a
8 quarterly basis to discuss emerging issues, law
9 enforcement strategies, and changes to protocols needed to
10 hold perpetrators of human trafficking accountable;

11 (4) convene an annual statewide conference for
12 stakeholders and multi-disciplinary human trafficking task
13 forces (MDHTTF) to provide training and discuss strategies
14 to reduce and respond to human trafficking in the State in
15 partnership with the Department of Human Services with the
16 input of victim-centered, trauma-informed human
17 trafficking service providers, and subject to
18 appropriation;

19 (5) create standardized protocols for law enforcement
20 investigations and multi-disciplinary response to
21 referrals from the National Human Trafficking Hotline,
22 other tip-line calls, traffic interdiction of suspected
23 traffickers, and other human trafficking victim referrals
24 in partnership with the Department of Human Services,
25 victim-centered, trauma-informed human trafficking
26 service providers, local, State, and federal law

1 enforcement partners, MEG and task forces, existing
2 federally funded task forces, and allied organizations;

3 (6) work with the Illinois Law Enforcement Training
4 Standards Board, local law enforcement, victim-centered,
5 trauma-informed service providers, and survivor leaders to
6 develop, on or before July 1, 2026, curriculum standards
7 for law enforcement training on human trafficking;

8 (7) on or before July 1, 2026, work with the Illinois
9 Law Enforcement Training Standards Board, in consultation
10 with the Attorney General, law enforcement agencies, human
11 trafficking service providers, and other providers with
12 expertise in recognizing and responding to victims of
13 human trafficking, to develop and make available to each
14 law enforcement agency, comprehensive guidelines for
15 creation of a law enforcement agency policy on
16 victim-centered, trauma-informed detection,
17 investigation, and response to victims of human
18 trafficking; and

19 (8) provide support for local law enforcement
20 encountering victims of human trafficking.

21 (c) Reports regarding human trafficking investigations
22 received by the Illinois State Police or a multi-disciplinary
23 task force under this Section that include the names or other
24 identifying information of human trafficking victims shall be
25 kept confidential and may not be disclosed by the Illinois
26 State Police or a multi-disciplinary task force.

1 Section 25. The Illinois Police Training Act is amended by
2 changing Sections 2, 10.21 and 10.23 and by adding Section
3 10.27 as follows:

4 (50 ILCS 705/2) (from Ch. 85, par. 502)

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

7 "Board" means the Illinois Law Enforcement Training
8 Standards Board.

9 "Full-time law enforcement officer" means a law
10 enforcement officer who has completed the officer's
11 probationary period and is employed on a full-time basis as a
12 law enforcement officer by a local government agency, State
13 government agency, or as a campus police officer by a
14 university, college, or community college.

15 "Law Enforcement agency" means any entity with statutory
16 police powers and the ability to employ individuals authorized
17 to make arrests. It does not include the Illinois State Police
18 as defined in the State Police Act. A law enforcement agency
19 may include any university, college, or community college.

20 "Local law enforcement agency" means any law enforcement
21 unit of government or municipal corporation in this State. It
22 does not include the State of Illinois or any office, officer,
23 department, division, bureau, board, commission, or agency of
24 the State, except that it does include a State-controlled

1 university, college or public community college.

2 "State law enforcement agency" means any law enforcement
3 agency of this State. This includes any office, officer,
4 department, division, bureau, board, commission, or agency of
5 the State. It does not include the Illinois State Police as
6 defined in the State Police Act.

7 "Panel" means the Certification Review Panel.

8 "Basic training school" means any school located within
9 the State of Illinois whether privately or publicly owned
10 which offers a course in basic law enforcement or county
11 corrections training and has been approved by the Board.

12 "Probationary police officer" means a recruit law
13 enforcement officer required to successfully complete initial
14 minimum basic training requirements at a basic training school
15 to be eligible for permanent full-time employment as a local
16 law enforcement officer.

17 "Probationary part-time police officer" means a recruit
18 part-time law enforcement officer required to successfully
19 complete initial minimum part-time training requirements to be
20 eligible for employment on a part-time basis as a local law
21 enforcement officer.

22 "Permanent law enforcement officer" means a law
23 enforcement officer who has completed the officer's
24 probationary period and is permanently employed on a full-time
25 basis as a local law enforcement officer, as a security
26 officer, or campus police officer permanently employed by a

1 law enforcement agency.

2 "Part-time law enforcement officer" means a law
3 enforcement officer who has completed the officer's
4 probationary period and is employed on a part-time basis as a
5 law enforcement officer or as a campus police officer by a law
6 enforcement agency.

7 "Law enforcement officer" means (i) any police officer of
8 a law enforcement agency who is primarily responsible for
9 prevention or detection of crime and the enforcement of the
10 criminal code, traffic, or highway laws of this State or any
11 political subdivision of this State or (ii) any member of a
12 police force appointed and maintained as provided in Section 2
13 of the Railroad Police Act.

14 "Recruit" means any full-time or part-time law enforcement
15 officer or full-time county corrections officer who is
16 enrolled in an approved training course.

17 "Review Committee" means the committee at the Board for
18 certification disciplinary cases in which the Panel, a law
19 enforcement officer, or a law enforcement agency may file for
20 reconsideration of a decertification decision made by the
21 Board.

22 "Probationary county corrections officer" means a recruit
23 county corrections officer required to successfully complete
24 initial minimum basic training requirements at a basic
25 training school to be eligible for permanent employment on a
26 full-time basis as a county corrections officer.

1 "Permanent county corrections officer" means a county
2 corrections officer who has completed the officer's
3 probationary period and is permanently employed on a full-time
4 basis as a county corrections officer by a participating law
5 enforcement agency.

6 "County corrections officer" means any sworn officer of
7 the sheriff who is primarily responsible for the control and
8 custody of offenders, detainees or inmates.

9 "Probationary court security officer" means a recruit
10 court security officer required to successfully complete
11 initial minimum basic training requirements at a designated
12 training school to be eligible for employment as a court
13 security officer.

14 "Permanent court security officer" means a court security
15 officer who has completed the officer's probationary period
16 and is employed as a court security officer by a participating
17 law enforcement agency.

18 "Court security officer" has the meaning ascribed to it in
19 Section 3-6012.1 of the Counties Code.

20 "Trauma" means physical or emotional harm resulting from
21 an event, series of events, or set of circumstances that has
22 led to lasting adverse effects on an individual's mental,
23 physical, social, emotional, and spiritual well-being.

24 "Trauma-informed response" means a program, organization,
25 or system that is trauma-informed; realizes the widespread
26 impact of trauma and understands potential paths for recovery;

1 recognizes the signs and symptoms of trauma in clients,
2 families, staff, and others involved with the system; and
3 responds by fully integrating knowledge about trauma into
4 policies, procedures, and practices, and seeks to actively
5 avoid re-traumatization and to restore autonomy and stability
6 to survivors.

7 (Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22.)

8 (50 ILCS 705/10.21)

9 Sec. 10.21. Training; sexual assault and sexual abuse.

10 (a) The Illinois Law Enforcement Training Standards Board
11 shall conduct or approve training programs in trauma-informed
12 responses and investigations of sexual assault and sexual
13 abuse, which include, but is not limited to, the following:

14 (1) recognizing the symptoms of trauma;

15 (2) understanding the role trauma has played in a
16 victim's life;

17 (3) responding to the needs and concerns of a victim;

18 (4) delivering services in a compassionate, sensitive,
19 and nonjudgmental manner;

20 (5) interviewing techniques in accordance with the
21 curriculum standards in subsection (f) of this Section;

22 (6) understanding cultural perceptions and common
23 myths of sexual assault and sexual abuse;

24 (7) report writing techniques in accordance with the
25 curriculum standards in subsection (f) of this Section;

1 ~~and~~

2 (8) recognizing special sensitivities of victims due
3 to: age, including those under the age of 13; race; color;
4 creed; religion; ethnicity; gender; sexual orientation;
5 physical or mental disabilities; immigration status;
6 national origin; justice-involvement; past human
7 trafficking victimization or involvement in the sex trade;
8 or other qualifications; and -

9 (9) screening of victims of sexual assault and sexual
10 abuse for human trafficking.

11 (b) This training must be presented in all full and
12 part-time basic law enforcement academies on or before July 1,
13 2018.

14 (c) Agencies employing law enforcement officers must
15 present this training to all law enforcement officers within 3
16 years after January 1, 2017 (the effective date of Public Act
17 99-801) and must present in-service training on sexual assault
18 and sexual abuse response and report writing training
19 requirements every 3 years.

20 (d) Agencies employing law enforcement officers who
21 conduct sexual assault and sexual abuse investigations must
22 provide specialized training to these officers on sexual
23 assault and sexual abuse investigations within 2 years after
24 January 1, 2017 (the effective date of Public Act 99-801) and
25 must present in-service training on sexual assault and sexual
26 abuse investigations to these officers every 3 years. In

1 consultation with a statewide nonprofit, nongovernmental
2 organization that represents survivors of sexual violence, the
3 training shall include instruction on screening of victims of
4 sexual assault and sexual abuse for human trafficking
5 victimization.

6 (e) Instructors providing this training shall (1) have
7 successfully completed (A) training on evidence-based,
8 trauma-informed, victim-centered response to cases of sexual
9 assault and sexual abuse and (B) using curriculum for the
10 training created in consultation with a statewide nonprofit,
11 nongovernmental organization that represents survivors of
12 sexual violence, training on screening of victims of sexual
13 assault and sexual abuse for human trafficking victimization
14 and (2) have experience responding to sexual assault and
15 sexual abuse cases.

16 (f) The Board shall adopt rules, in consultation with the
17 Office of the Illinois Attorney General and the Illinois State
18 Police, to determine the specific training requirements for
19 these courses, including, but not limited to, the following:

20 (1) evidence-based curriculum standards for report
21 writing and immediate response to sexual assault and
22 sexual abuse, including trauma-informed, victim-centered,
23 age sensitive, interview techniques, which have been
24 demonstrated to minimize retraumatization, for
25 probationary police officers and all law enforcement
26 officers; and

1 (2) evidence-based curriculum standards for
2 trauma-informed, victim-centered, age sensitive
3 investigation and interviewing techniques, which have been
4 demonstrated to minimize retraumatization, for cases of
5 sexual assault and sexual abuse for law enforcement
6 officers who conduct sexual assault and sexual abuse
7 investigations.

8 (Source: P.A. 102-538, eff. 8-20-21.)

9 (50 ILCS 705/10.23)

10 Sec. 10.23. Training and curriculum; human trafficking.

11 (a) The Board shall work with the Illinois State Police,
12 local law enforcement, victim-centered, trauma-informed human
13 trafficking service providers, and survivor leaders to
14 develop, on or before July 1, 2026, academy and in-service
15 curriculum standards for training on victim-centered,
16 trauma-informed detection, investigation, and response to
17 human trafficking victims certified by the Board.

18 (b) The Board shall conduct or approve an in-service
19 training program in the detection, ~~and~~ investigation, and
20 victim-centered, trauma-informed response to victims of all
21 forms of human trafficking, including, but not limited to,
22 involuntary servitude under subsection (b) of Section 10-9 of
23 the Criminal Code of 2012, involuntary sexual servitude of a
24 minor under subsection (c) of Section 10-9 of the Criminal
25 Code of 2012, and trafficking in persons under subsection (d)

1 of Section 10-9 of the Criminal Code of 2012. This program
2 shall be made available to all certified law enforcement,
3 correctional, and court security officers.

4 (Source: P.A. 101-18, eff. 1-1-20; 102-558, eff. 8-20-21.)

5 (50 ILCS 705/10.27 new)

6 Sec. 10.27. Trauma-informed response to victims of human
7 trafficking policies.

8 (a) On or before July 1, 2027, every law enforcement
9 agency shall develop, adopt, and implement written policies
10 detailing procedures for victim-centered, trauma-informed
11 detection, investigation and response to victims of human
12 trafficking consistent with the guidelines developed under
13 subsection (b).

14 (b) On or before July 1, 2026, the Board, in consultation
15 with the Illinois State Police, local law enforcement
16 agencies, human trafficking service providers, and other
17 providers with expertise in recognizing and responding to
18 victims of human trafficking shall develop and make available
19 to each law enforcement agency comprehensive guidelines for
20 creation of a law enforcement agency policy on
21 trauma-informed, victim-centered detection, investigation,
22 and response to victims of human trafficking. These guidelines
23 shall include, but not be limited to, the following:

24 (1) definitions;

25 (2) recognizing human trafficking;

- 1 (3) description of trauma-informed, victim-centered
2 response;
- 3 (4) responding officer duties;
- 4 (5) human trafficking investigations;
- 5 (6) protocols for responding to child and youth
6 victims of human trafficking;
- 7 (7) addressing immediate and emergent needs of
8 victims;
- 9 (8) working with survivor advocates and human
10 trafficking service providers;
- 11 (9) victim interviews;
- 12 (10) evidence collection;
- 13 (11) supervisor duties;
- 14 (12) suspect interviews;
- 15 (13) witness interviews;
- 16 (14) working with State's Attorneys and prosecutors;
- 17 (15) working with multi-disciplinary teams and federal
18 agencies;
- 19 (16) language barriers and interpreters;
- 20 (17) victims' rights;
- 21 (18) considerations for specific populations or
22 communities, and
- 23 (19) special needs and tools for victims who are
24 foreign nationals.

25 Section 30. The Illinois Procurement Code is amended by

1 adding Section 25-210 as follows:

2 (30 ILCS 500/25-210 new)

3 Sec. 25-210. Contracts for the procurement or laundering
4 of apparel. Each contractor who contracts with a State agency
5 for the procurement or laundering of apparel shall certify
6 that no work was provided through the use of forced labor or
7 exploitation.

8 Section 35. The Children's Advocacy Center Act is amended
9 by changing Section 4 as follows:

10 (55 ILCS 80/4) (from Ch. 23, par. 1804)

11 Sec. 4. Children's Advocacy Center.

12 (a) A CAC may be established to coordinate the activities
13 of the various agencies involved in the investigation,
14 prosecution and treatment of child maltreatment. The
15 individual county or regional Advisory Board shall set the
16 written protocol of the CAC within the appropriate
17 jurisdiction. The operation of the CAC may be funded through
18 public or private grants, contracts, donations, fees, and
19 other available sources under this Act. Each CAC shall operate
20 to the best of its ability in accordance with available
21 funding. In counties in which a referendum has been adopted
22 under Section 5 of this Act, the Advisory Board, by the
23 majority vote of its members, shall submit a proposed annual

1 budget for the operation of the CAC to the county board, which
2 shall appropriate funds and levy a tax sufficient to operate
3 the CAC. The county board in each county in which a referendum
4 has been adopted shall establish a Children's Advocacy Center
5 Fund and shall deposit the net proceeds of the tax authorized
6 by Section 6 of this Act in that Fund, which shall be kept
7 separate from all other county funds and shall only be used for
8 the purposes of this Act.

9 (b) The Advisory Board shall pay from the Children's
10 Advocacy Center Fund or from other available funds the
11 salaries of all employees of the Center and the expenses of
12 acquiring a physical plant for the Center by construction or
13 lease and maintaining the Center, including the expenses of
14 administering the coordination of the investigation,
15 prosecution and treatment referral of child maltreatment under
16 the provisions of the protocol adopted pursuant to this Act.

17 (b-1) Recognizing the pivotal role of CACs in providing
18 comprehensive support to trafficked children and youth, each
19 CAC shall:

20 (1) ensure that each county's multi-disciplinary team
21 protocol includes a response to allegations of human
22 trafficking;

23 (2) increase the capacity of each multi-disciplinary
24 team to identify, assess, and serve trafficked children
25 and youth;

26 (3) facilitate collaboration between the CAC, law

1 enforcement, child welfare agencies, health care
2 providers, and other pertinent stakeholders to ensure a
3 synchronized and trauma-informed response to trafficked
4 children and youth;

5 (4) ensure all CAC employees and contractors treating,
6 interviewing, or coming in contact with victims receive
7 training on victim-centered, trauma-informed response to
8 child and youth victims of human trafficking, including
9 identifying and addressing the unique needs of trafficked
10 children and youth, thereby enabling access to appropriate
11 support services and legal remedies; and

12 (5) work with the Department of Human Services to
13 establish standards for victim-centered, trauma-informed
14 training for CACs and members of multi-disciplinary teams.

15 (c) Every CAC shall include at least the following
16 components:

17 (1) A multidisciplinary, coordinated systems approach
18 to the investigation of child maltreatment which shall
19 include, at a minimum:

20 (i) an interagency notification procedure;

21 (ii) a policy on multidisciplinary team
22 collaboration and communication that requires MDT
23 members share information pertinent to investigations
24 and the safety of children;

25 (iii) (blank);

26 (iv) a description of the role each agency has in

1 responding to a referral for services in an individual
2 case;

3 (v) a dispute resolution process between the
4 involved agencies when a conflict arises on how to
5 proceed on the referral of a particular case;

6 (vi) a process for the CAC to assist in the
7 forensic interview of children that witness alleged
8 crimes;

9 (vii) a child-friendly, trauma informed space for
10 children and their non-offending family members;

11 (viii) an MDT approach including law enforcement,
12 prosecution, medical, mental health, victim advocacy,
13 and other community resources;

14 (ix) medical evaluation on-site or off-site
15 through referral;

16 (x) mental health services on-site or off-site
17 through referral;

18 (xi) on-site forensic interviews;

19 (xii) culturally competent services;

20 (xiii) case tracking and review;

21 (xiv) case staffing on each investigation;

22 (xv) effective organizational capacity; and

23 (xvi) a policy or procedure to familiarize a child
24 and his or her non-offending family members or
25 guardians with the court process as well as
26 preparations for testifying in court, if necessary;

1 (2) A safe, separate space with assigned personnel
2 designated for the investigation and coordination of child
3 maltreatment cases;

4 (3) A multidisciplinary case review process for
5 purposes of decision-making, problem solving, systems
6 coordination, and information sharing;

7 (4) A comprehensive client tracking system to receive
8 and coordinate information concerning child maltreatment
9 cases from each participating agency;

10 (5) Multidisciplinary specialized training for all
11 professionals involved with the victims and non-offending
12 family members in child maltreatment cases; and

13 (6) A process for evaluating the effectiveness of the
14 CAC and its operations.

15 (d) In the event that a CAC has been established as
16 provided in this Section, the Advisory Board of that CAC may,
17 by a majority vote of the members, authorize the CAC to
18 coordinate the activities of the various agencies involved in
19 the investigation, prosecution, and treatment referral in
20 cases of serious or fatal injury to a child. For CACs receiving
21 funds under Section 5 or 6 of this Act, the Advisory Board
22 shall provide for the financial support of these activities in
23 a manner similar to that set out in subsections (a) and (b) of
24 this Section and shall be allowed to submit a budget that
25 includes support for physical abuse and neglect activities to
26 the County Board, which shall appropriate funds that may be

1 available under Section 5 of this Act. In cooperation with the
2 Department of Children and Family Services Child Death Review
3 Teams, the Department of Children and Family Services Office
4 of the Inspector General, and other stakeholders, this
5 protocol must be initially implemented in selected counties to
6 the extent that State appropriations or funds from other
7 sources for this purpose allow.

8 (e) CACI may also provide technical assistance and
9 guidance to the Advisory Boards.

10 (f) In this Section:

11 "Child" or "children" refers to persons under 18 years of
12 age.

13 "Youth" means persons between the ages of 18 and 24 years.

14 (Source: P.A. 98-809, eff. 1-1-15; 99-78, eff. 7-20-15.)

15 Section 40. The Juvenile Court Act of 1987 is amended by
16 adding Section 5-175 as follows:

17 (705 ILCS 405/5-175 new)

18 Sec. 5-175. Minor accused of status offense or
19 misdemeanor. It is an affirmative defense to any status or
20 misdemeanor offense that would not be illegal if committed by
21 an adult that a minor who is a victim of an offense defined in
22 Section 10-9 of the Criminal Code of 2012 committed the status
23 or misdemeanor offense during the course of or as a result of
24 the minor's status as a victim of an offense defined in Section

1 10-9 of that Code.

2 Section 45. The Criminal Code of 2012 is amended by
3 changing Section 10-9 as follows:

4 (720 ILCS 5/10-9)

5 Sec. 10-9. Trafficking in persons, involuntary servitude,
6 and related offenses.

7 (a) Definitions. In this Section:

8 (1) "Intimidation" has the meaning prescribed in Section
9 12-6.

10 (2) "Commercial sexual activity" means any sex act on
11 account of which anything of value is given, promised to, or
12 received by any person.

13 (2.5) "Company" means any sole proprietorship,
14 organization, association, corporation, partnership, joint
15 venture, limited partnership, limited liability partnership,
16 limited liability limited partnership, limited liability
17 company, or other entity or business association, including
18 all wholly owned subsidiaries, majority-owned subsidiaries,
19 parent companies, or affiliates of those entities or business
20 associations, that exist for the purpose of making profit.

21 (3) "Financial harm" includes intimidation that brings
22 about financial loss, criminal usury, or employment contracts
23 that violate the Frauds Act.

24 (4) (Blank).

1 (5) "Labor" means work of economic or financial value.

2 (6) "Maintain" means, in relation to labor or services, to
3 secure continued performance thereof, regardless of any
4 initial agreement on the part of the victim to perform that
5 type of service.

6 (7) "Obtain" means, in relation to labor or services, to
7 secure performance thereof.

8 (7.5) "Serious harm" means any harm, whether physical or
9 nonphysical, including psychological, financial, or
10 reputational harm, that is sufficiently serious, under all the
11 surrounding circumstances, to compel a reasonable person of
12 the same background and in the same circumstances to perform
13 or to continue performing labor or services in order to avoid
14 incurring that harm.

15 (8) "Services" means activities resulting from a
16 relationship between a person and the actor in which the
17 person performs activities under the supervision of or for the
18 benefit of the actor. Commercial sexual activity and
19 sexually-explicit performances are forms of activities that
20 are "services" under this Section. Nothing in this definition
21 may be construed to legitimize or legalize prostitution.

22 (9) "Sexually-explicit performance" means a live,
23 recorded, broadcast (including over the Internet), or public
24 act or show intended to arouse or satisfy the sexual desires or
25 appeal to the prurient interests of patrons.

26 (10) "Trafficking victim" means a person subjected to the

1 practices set forth in subsection (b), (c), or (d).

2 (b) Involuntary servitude. A person commits involuntary
3 servitude when he or she knowingly subjects, attempts to
4 subject, or engages in a conspiracy to subject another person
5 to labor or services obtained or maintained through any of the
6 following means, or any combination of these means:

7 (1) causes or threatens to cause physical harm to any
8 person;

9 (2) physically restrains or threatens to physically
10 restrain another person;

11 (3) abuses or threatens to abuse the law or legal
12 process;

13 (4) attempts to or knowingly destroys, conceals,
14 removes, confiscates, or possesses any actual or purported
15 passport or other immigration document, or any other
16 actual or purported government identification document, of
17 another person;

18 (5) uses intimidation, abuses a position of trust,
19 authority, or supervision in relation to the victim,
20 through the use or deprivation of any alcoholic
21 intoxicant, a drug as defined or used in the Illinois
22 Controlled Substances Act or the Cannabis Control Act, or
23 methamphetamine as defined in the Methamphetamine Control
24 and Community Protection Act, or exerts financial control
25 over any person; or

26 (6) uses any scheme, plan, or pattern intended to

1 cause the person to believe that, if the person did not
2 perform the labor or services, that person or another
3 person would suffer serious harm or physical restraint.

4 Sentence. Except as otherwise provided in subsection (e)
5 or (f), a violation of subsection (b) (1) is a Class X felony,
6 (b) (2) is a Class 1 felony, (b) (3) is a Class 2 felony, (b) (4)
7 is a Class 3 felony, (b) (5) and (b) (6) is a Class 4 felony. A
8 violation of subsection (b) when the victim is a minor is as
9 follows:

10 (A) a violation of subsection (b) (1) or (b) (2) is a
11 Class X felony;

12 (B) a violation of subsection (b) (3) or (b) (4) is a
13 Class 2 felony;

14 (C) a violation of subsection (b) (5) or (b) (6) is a
15 Class 1 felony.

16 (c) Involuntary sexual servitude of a minor. A person
17 commits involuntary sexual servitude of a minor when he or she
18 knowingly recruits, entices, harbors, transports, provides, or
19 obtains by any means, or attempts to recruit, entice, harbor,
20 provide, or obtain by any means, another person under 18 years
21 of age, knowing that the minor will engage in commercial
22 sexual activity, a sexually-explicit performance, or the
23 production of pornography, or causes or attempts to cause a
24 minor to engage in one or more of those activities and:

25 (1) there is no overt force or threat and the minor is
26 between the ages of 17 and 18 years;

1 (2) there is no overt force or threat and the minor is
2 under the age of 17 years; or

3 (3) there is overt force or threat.

4 Sentence. Except as otherwise provided in subsection (e)
5 or (f), a violation of subsection (c)(1) is a Class 1 felony,
6 (c)(2) is a Class X felony, and (c)(3) is a Class X felony.

7 (d) Trafficking in persons. A person commits trafficking
8 in persons when he or she knowingly: (1) recruits, entices,
9 harbors, transports, provides, or obtains by any means, or
10 attempts to recruit, entice, harbor, transport, provide, or
11 obtain by any means, another person, intending or knowing that
12 the person will be subjected to involuntary servitude; or (2)
13 benefits, financially or by receiving anything of value, from
14 participation in a venture that has engaged in an act of
15 involuntary servitude or involuntary sexual servitude of a
16 minor. A company commits trafficking in persons when the
17 company knowingly benefits, financially or by receiving
18 anything of value, from participation in a venture that has
19 engaged in an act of involuntary servitude or involuntary
20 sexual servitude of a minor.

21 Sentence. Except as otherwise provided in subsection (e)
22 or (f), a violation of this subsection by a person is a Class 1
23 felony. A violation of this subsection by a company is a
24 business offense for which a fine of up to \$100,000 may be
25 imposed.

26 (e) Aggravating factors. A violation of this Section

1 involving kidnapping or an attempt to kidnap, aggravated
2 criminal sexual assault or an attempt to commit aggravated
3 criminal sexual assault, or an attempt to commit first degree
4 murder is a Class X felony.

5 (f) Sentencing considerations.

6 (1) Bodily injury. If, pursuant to a violation of this
7 Section, a victim suffered bodily injury, the defendant
8 may be sentenced to an extended-term sentence under
9 Section 5-8-2 of the Unified Code of Corrections. The
10 sentencing court must take into account the time in which
11 the victim was held in servitude, with increased penalties
12 for cases in which the victim was held for between 180 days
13 and one year, and increased penalties for cases in which
14 the victim was held for more than one year.

15 (2) Number of victims. In determining sentences within
16 statutory maximums, the sentencing court should take into
17 account the number of victims, and may provide for
18 substantially increased sentences in cases involving more
19 than 10 victims.

20 (g) Restitution. Restitution is mandatory under this
21 Section. In addition to any other amount of loss identified,
22 the court shall order restitution including the greater of (1)
23 the gross income or value to the defendant of the victim's
24 labor or services or (2) the value of the victim's labor as
25 guaranteed under the Minimum Wage Law and overtime provisions
26 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,

1 whichever is greater.

2 (g-5) Fine distribution. If the court imposes a fine under
3 subsection (b), (c), or (d) of this Section, it shall be
4 collected and distributed to the Specialized Services for
5 Survivors of Human Trafficking Fund in accordance with Section
6 5-9-1.21 of the Unified Code of Corrections.

7 (h) Trafficking victim services. Subject to the
8 availability of funds, the Department of Human Services may
9 provide or fund emergency services and assistance to
10 individuals who are victims of one or more offenses defined in
11 this Section.

12 (i) Certification. The Attorney General, a State's
13 Attorney, or any law enforcement official shall certify in
14 writing to the United States Department of Justice or other
15 federal agency, such as the United States Department of
16 Homeland Security, that an investigation or prosecution under
17 this Section has begun and the individual who is a likely
18 victim of a crime described in this Section is willing to
19 cooperate or is cooperating with the investigation to enable
20 the individual, if eligible under federal law, to qualify for
21 an appropriate special immigrant visa and to access available
22 federal benefits. Cooperation with law enforcement shall not
23 be required of victims of a crime described in this Section who
24 are under 18 years of age. This certification shall be made
25 available to the victim and his or her designated legal
26 representative.

1 (j) A person who commits involuntary servitude,
2 involuntary sexual servitude of a minor, or trafficking in
3 persons under subsection (b), (c), or (d) of this Section is
4 subject to the property forfeiture provisions set forth in
5 Article 124B of the Code of Criminal Procedure of 1963.

6 (Source: P.A. 101-18, eff. 1-1-20.)

7 Section 50. The Code of Criminal Procedure of 1963 is
8 amended by changing Sections 106B-5 and 115-10 as follows:

9 (725 ILCS 5/106B-5)

10 Sec. 106B-5. Testimony by a victim who is a child or a
11 person with a moderate, severe, or profound intellectual
12 disability or a person affected by a developmental disability.

13 (a) In a proceeding in the prosecution of an offense of
14 criminal sexual assault, predatory criminal sexual assault of
15 a child, aggravated criminal sexual assault, criminal sexual
16 abuse, aggravated criminal sexual abuse, aggravated battery,
17 or aggravated domestic battery, trafficking in persons,
18 involuntary servitude, or involuntary sexual servitude of a
19 minor, a court may order that the testimony of a victim who is
20 a child under the age of 18 years or a person with a moderate,
21 severe, or profound intellectual disability or a person
22 affected by a developmental disability be taken outside the
23 courtroom and shown in the courtroom by means of a closed
24 circuit television if:

1 (1) the testimony is taken during the proceeding; and

2 (2) the judge determines that testimony by the child
3 victim or victim with a moderate, severe, or profound
4 intellectual disability or victim affected by a
5 developmental disability in the courtroom will result in
6 the child or person with a moderate, severe, or profound
7 intellectual disability or person affected by a
8 developmental disability suffering serious emotional
9 distress such that the child or person with a moderate,
10 severe, or profound intellectual disability or person
11 affected by a developmental disability cannot reasonably
12 communicate or that the child or person with a moderate,
13 severe, or profound intellectual disability or person
14 affected by a developmental disability will suffer severe
15 emotional distress that is likely to cause the child or
16 person with a moderate, severe, or profound intellectual
17 disability or person affected by a developmental
18 disability to suffer severe adverse effects.

19 (b) Only the prosecuting attorney, the attorney for the
20 defendant, and the judge may question the child or person with
21 a moderate, severe, or profound intellectual disability or
22 person affected by a developmental disability.

23 (c) The operators of the closed circuit television shall
24 make every effort to be unobtrusive.

25 (d) Only the following persons may be in the room with the
26 child or person with a moderate, severe, or profound

1 intellectual disability or person affected by a developmental
2 disability when the child or person with a moderate, severe,
3 or profound intellectual disability or person affected by a
4 developmental disability testifies by closed circuit
5 television:

6 (1) the prosecuting attorney;

7 (2) the attorney for the defendant;

8 (3) the judge;

9 (4) the operators of the closed circuit television
10 equipment; and

11 (5) any person or persons whose presence, in the
12 opinion of the court, contributes to the well-being of the
13 child or person with a moderate, severe, or profound
14 intellectual disability or person affected by a
15 developmental disability, including a person who has dealt
16 with the child in a therapeutic setting concerning the
17 abuse, a parent or guardian of the child or person with a
18 moderate, severe, or profound intellectual disability or
19 person affected by a developmental disability, and court
20 security personnel.

21 (e) During the child's or person with a moderate, severe,
22 or profound intellectual disability or person affected by a
23 developmental disability's testimony by closed circuit
24 television, the defendant shall be in the courtroom and shall
25 not communicate with the jury if the cause is being heard
26 before a jury.

1 (f) The defendant shall be allowed to communicate with the
2 persons in the room where the child or person with a moderate,
3 severe, or profound intellectual disability or person affected
4 by a developmental disability is testifying by any appropriate
5 electronic method.

6 (f-5) There is a rebuttable presumption that the testimony
7 of a victim who is a child under 13 years of age shall testify
8 outside the courtroom and the child's testimony shall be shown
9 in the courtroom by means of a closed circuit television. This
10 presumption may be overcome if the defendant can prove by
11 clear and convincing evidence that the child victim will not
12 suffer severe emotional distress.

13 (f-6) Before the court permits the testimony of a victim
14 outside the courtroom that is to be shown in the courtroom by
15 means of a closed circuit television, the court must make a
16 finding that the testimony by means of closed circuit
17 television does not prejudice the defendant.

18 (g) The provisions of this Section do not apply if the
19 defendant represents himself pro se.

20 (h) This Section may not be interpreted to preclude, for
21 purposes of identification of a defendant, the presence of
22 both the victim and the defendant in the courtroom at the same
23 time.

24 (i) This Section applies to prosecutions pending on or
25 commenced on or after the effective date of this amendatory
26 Act of 1994.

1 (j) For the purposes of this Section, "developmental
2 disability" includes, but is not limited to, cerebral palsy,
3 epilepsy, and autism.

4 (Source: P.A. 103-164, eff. 1-1-24.)

5 (725 ILCS 5/115-10) (from Ch. 38, par. 115-10)

6 Sec. 115-10. Certain hearsay exceptions.

7 (a) In a prosecution for a physical or sexual act
8 perpetrated upon or against a child under the age of 13, a
9 person with an intellectual disability, a person with a
10 cognitive impairment, or a person with a developmental
11 disability, including, but not limited to, prosecutions for
12 violations of Sections 11-1.20 through 11-1.60 or 12-13
13 through 12-16 of the Criminal Code of 1961 or the Criminal Code
14 of 2012 and prosecutions for violations of Sections 10-1
15 (kidnapping), 10-2 (aggravated kidnapping), 10-3 (unlawful
16 restraint), 10-3.1 (aggravated unlawful restraint), 10-4
17 (forcible detention), 10-5 (child abduction), 10-6 (harboring
18 a runaway), 10-7 (aiding or abetting child abduction), 10-9
19 (trafficking in persons, involuntary servitude, and related
20 offenses), 11-9 (public indecency), 11-11 (sexual relations
21 within families), 11-21 (harmful material), 12-1 (assault),
22 12-2 (aggravated assault), 12-3 (battery), 12-3.2 (domestic
23 battery), 12-3.3 (aggravated domestic battery), 12-3.05 or
24 12-4 (aggravated battery), 12-4.1 (heinous battery), 12-4.2
25 (aggravated battery with a firearm), 12-4.3 (aggravated

1 battery of a child), 12-4.7 (drug induced infliction of great
2 bodily harm), 12-5 (reckless conduct), 12-6 (intimidation),
3 12-6.1 or 12-6.5 (compelling organization membership of
4 persons), 12-7.1 (hate crime), 12-7.3 (stalking), 12-7.4
5 (aggravated stalking), 12-10 or 12C-35 (tattooing the body of
6 a minor), 12-11 or 19-6 (home invasion), 12-21.5 or 12C-10
7 (child abandonment), 12-21.6 or 12C-5 (endangering the life or
8 health of a child) or 12-32 (ritual mutilation) of the
9 Criminal Code of 1961 or the Criminal Code of 2012 or any sex
10 offense as defined in subsection (B) of Section 2 of the Sex
11 Offender Registration Act, the following evidence shall be
12 admitted as an exception to the hearsay rule:

13 (1) testimony by the victim of an out of court
14 statement made by the victim that he or she complained of
15 such act to another; and

16 (2) testimony of an out of court statement made by the
17 victim describing any complaint of such act or matter or
18 detail pertaining to any act which is an element of an
19 offense which is the subject of a prosecution for a sexual
20 or physical act against that victim.

21 (b) Such testimony shall only be admitted if:

22 (1) The court finds in a hearing conducted outside the
23 presence of the jury that the time, content, and
24 circumstances of the statement provide sufficient
25 safeguards of reliability; and

26 (2) The child or person with an intellectual

1 disability, a cognitive impairment, or developmental
2 disability either:

3 (A) testifies at the proceeding; or

4 (B) is unavailable as a witness and there is
5 corroborative evidence of the act which is the subject
6 of the statement; and

7 (3) In a case involving an offense perpetrated against
8 a child under the age of 13, the out of court statement was
9 made before the victim attained 13 years of age or within 3
10 months after the commission of the offense, whichever
11 occurs later, but the statement may be admitted regardless
12 of the age of the victim at the time of the proceeding.

13 (c) If a statement is admitted pursuant to this Section,
14 the court shall instruct the jury that it is for the jury to
15 determine the weight and credibility to be given the statement
16 and that, in making the determination, it shall consider the
17 age and maturity of the child, or the intellectual
18 capabilities of the person with an intellectual disability, a
19 cognitive impairment, or developmental disability, the nature
20 of the statement, the circumstances under which the statement
21 was made, and any other relevant factor.

22 (d) The proponent of the statement shall give the adverse
23 party reasonable notice of his intention to offer the
24 statement and the particulars of the statement.

25 (e) Statements described in paragraphs (1) and (2) of
26 subsection (a) shall not be excluded on the basis that they

1 were obtained as a result of interviews conducted pursuant to
2 a protocol adopted by a Child Advocacy Advisory Board as set
3 forth in subsections (c), (d), and (e) of Section 3 of the
4 Children's Advocacy Center Act or that an interviewer or
5 witness to the interview was or is an employee, agent, or
6 investigator of a State's Attorney's office.

7 (f) For the purposes of this Section:

8 "Person with a cognitive impairment" means a person with a
9 significant impairment of cognition or memory that represents
10 a marked deterioration from a previous level of function.
11 Cognitive impairment includes, but is not limited to,
12 dementia, amnesia, delirium, or a traumatic brain injury.

13 "Person with a developmental disability" means a person
14 with a disability that is attributable to (1) an intellectual
15 disability, cerebral palsy, epilepsy, or autism, or (2) any
16 other condition that results in an impairment similar to that
17 caused by an intellectual disability and requires services
18 similar to those required by a person with an intellectual
19 disability.

20 "Person with an intellectual disability" means a person
21 with significantly subaverage general intellectual functioning
22 which exists concurrently with an impairment in adaptive
23 behavior.

24 (Source: P.A. 99-143, eff. 7-27-15; 99-752, eff. 1-1-17;
25 100-201, eff. 8-18-17.)

1 Section 55. The Sexual Assault Incident Procedure Act is
2 amended by changing Section 10 as follows:

3 (725 ILCS 203/10)

4 Sec. 10. Definitions. In this Act:

5 "Board" means the Illinois Law Enforcement Training
6 Standards Board.

7 "Evidence-based, trauma-informed, victim-centered" means
8 policies, procedures, programs, and practices that have been
9 demonstrated to minimize retraumatization associated with the
10 criminal justice process by recognizing the presence of trauma
11 symptoms and acknowledging the role that trauma has played in
12 a sexual assault or sexual abuse victim's life and focusing on
13 the needs and concerns of a victim that ensures compassionate
14 and sensitive delivery of services in a nonjudgmental manner.

15 "Human trafficking" means a violation or attempted
16 violation of Section 10-9 of the Criminal Code of 2012. "Human
17 trafficking" includes trafficking of children and adults for
18 both labor and sex services.

19 "Law enforcement agency having jurisdiction" means the law
20 enforcement agency in the jurisdiction where an alleged sexual
21 assault or sexual abuse occurred.

22 "Sexual assault evidence" means evidence collected in
23 connection with a sexual assault or sexual abuse
24 investigation, including, but not limited to, evidence
25 collected using the Illinois State Police Sexual Assault

1 Evidence Collection Kit as defined in Section 1a of the Sexual
2 Assault Survivors Emergency Treatment Act.

3 "Sexual assault or sexual abuse" means an act of
4 nonconsensual sexual conduct or sexual penetration, as defined
5 in Section 12-12 of the Criminal Code of 1961 or Section 11-0.1
6 of the Criminal Code of 2012, including, without limitation,
7 acts prohibited under Sections 12-13 through 12-16 of the
8 Criminal Code of 1961 or Sections 11-1.20 through 11-1.60 of
9 the Criminal Code of 2012.

10 (Source: P.A. 99-801, eff. 1-1-17.)

11 Section 60. The State's Attorneys Appellate Prosecutor's
12 Act is amended by adding Section 4.13 as follows:

13 (725 ILCS 210/4.13 new)

14 Sec. 4.13. Prosecutorial support for State's Attorneys
15 prosecuting human traffickers.

16 (a) The Office shall provide prosecutorial support for
17 State's Attorneys prosecuting human traffickers. Working with
18 national and State subject matter experts, the Office shall
19 develop and provide training for State's Attorneys in
20 victim-centered, trauma-informed prosecution of human
21 trafficking cases.

22 (b) Training for prosecutors shall include, but not be
23 limited to the following:

24 (1) definitions;

- 1 (2) sex trafficking and labor trafficking;
- 2 (3) state human trafficking laws;
- 3 (4) federal human trafficking laws;
- 4 (5) elements of a trauma-informed, victim-centered
5 response and understanding the impacts of trauma on victim
6 response;
- 7 (6) identifying human trafficking victims;
- 8 (7) victim recruitment;
- 9 (8) human trafficking myths and misconceptions;
- 10 (9) human trafficking investigations and gang
11 involvement in human trafficking;
- 12 (10) protocols for responding to minor and youth
13 victims of human trafficking;
- 14 (11) working with human trafficking victims and the
15 prosecutor-victim relationship;
- 16 (12) role of survivor advocates and human trafficking
17 treatment providers;
- 18 (13) risk assessment and safety planning;
- 19 (14) victim interviews;
- 20 (15) evidence collection and virtual case
21 investigation;
- 22 (16) charging, arraignment, and evidentiary hearings,
23 assessing culpability, and forced criminality;
- 24 (17) trial issues and strategies;
- 25 (18) dealing with witness intimidation;
- 26 (19) working with multi-disciplinary teams and federal

1 agencies;
2 (20) language barriers and use of interpreters;
3 (21) victims' rights;
4 (22) considerations for specific populations or
5 communities; and
6 (23) special needs and tools for victims who are
7 foreign nationals.
8 (c) In this Act, "human trafficking" means a violation or
9 attempted violation of Section 10-9 of the Criminal Code of
10 2012. "Human trafficking" includes trafficking of children and
11 adults for both labor and sex services.

12 Section 65. The Unified Code of Corrections is amended by
13 changing Sections 3-2-2 and 3-2.5-15 as follows:

14 (730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)
15 Sec. 3-2-2. Powers and duties of the Department.

16 (1) In addition to the powers, duties, and
17 responsibilities which are otherwise provided by law, the
18 Department shall have the following powers:

19 (a) To accept persons committed to it by the courts of
20 this State for care, custody, treatment, and
21 rehabilitation, and to accept federal prisoners and
22 noncitizens over whom the Office of the Federal Detention
23 Trustee is authorized to exercise the federal detention
24 function for limited purposes and periods of time.

1 (b) To develop and maintain reception and evaluation
2 units for purposes of analyzing the custody and
3 rehabilitation needs of persons committed to it and to
4 assign such persons to institutions and programs under its
5 control or transfer them to other appropriate agencies. In
6 consultation with the Department of Alcoholism and
7 Substance Abuse (now the Department of Human Services),
8 the Department of Corrections shall develop a master plan
9 for the screening and evaluation of persons committed to
10 its custody who have alcohol or drug abuse problems, and
11 for making appropriate treatment available to such
12 persons; the Department shall report to the General
13 Assembly on such plan not later than April 1, 1987. The
14 maintenance and implementation of such plan shall be
15 contingent upon the availability of funds.

16 (b-1) To create and implement, on January 1, 2002, a
17 pilot program to establish the effectiveness of
18 pupillometer technology (the measurement of the pupil's
19 reaction to light) as an alternative to a urine test for
20 purposes of screening and evaluating persons committed to
21 its custody who have alcohol or drug problems. The pilot
22 program shall require the pupillometer technology to be
23 used in at least one Department of Corrections facility.
24 The Director may expand the pilot program to include an
25 additional facility or facilities as he or she deems
26 appropriate. A minimum of 4,000 tests shall be included in

1 the pilot program. The Department must report to the
2 General Assembly on the effectiveness of the program by
3 January 1, 2003.

4 (b-5) To develop, in consultation with the Illinois
5 State Police, a program for tracking and evaluating each
6 inmate from commitment through release for recording his
7 or her gang affiliations, activities, or ranks.

8 (c) To maintain and administer all State correctional
9 institutions and facilities under its control and to
10 establish new ones as needed. Pursuant to its power to
11 establish new institutions and facilities, the Department
12 may, with the written approval of the Governor, authorize
13 the Department of Central Management Services to enter
14 into an agreement of the type described in subsection (d)
15 of Section 405-300 of the Department of Central Management
16 Services Law. The Department shall designate those
17 institutions which shall constitute the State Penitentiary
18 System. The Department of Juvenile Justice shall maintain
19 and administer all State youth centers pursuant to
20 subsection (d) of Section 3-2.5-20.

21 Pursuant to its power to establish new institutions
22 and facilities, the Department may authorize the
23 Department of Central Management Services to accept bids
24 from counties and municipalities for the construction,
25 remodeling, or conversion of a structure to be leased to
26 the Department of Corrections for the purposes of its

1 serving as a correctional institution or facility. Such
2 construction, remodeling, or conversion may be financed
3 with revenue bonds issued pursuant to the Industrial
4 Building Revenue Bond Act by the municipality or county.
5 The lease specified in a bid shall be for a term of not
6 less than the time needed to retire any revenue bonds used
7 to finance the project, but not to exceed 40 years. The
8 lease may grant to the State the option to purchase the
9 structure outright.

10 Upon receipt of the bids, the Department may certify
11 one or more of the bids and shall submit any such bids to
12 the General Assembly for approval. Upon approval of a bid
13 by a constitutional majority of both houses of the General
14 Assembly, pursuant to joint resolution, the Department of
15 Central Management Services may enter into an agreement
16 with the county or municipality pursuant to such bid.

17 (c-5) To build and maintain regional juvenile
18 detention centers and to charge a per diem to the counties
19 as established by the Department to defray the costs of
20 housing each minor in a center. In this subsection (c-5),
21 "juvenile detention center" means a facility to house
22 minors during pendency of trial who have been transferred
23 from proceedings under the Juvenile Court Act of 1987 to
24 prosecutions under the criminal laws of this State in
25 accordance with Section 5-805 of the Juvenile Court Act of
26 1987, whether the transfer was by operation of law or

1 permissive under that Section. The Department shall
2 designate the counties to be served by each regional
3 juvenile detention center.

4 (d) To develop and maintain programs of control,
5 rehabilitation, and employment of committed persons within
6 its institutions.

7 (d-5) To provide a pre-release job preparation program
8 for inmates at Illinois adult correctional centers.

9 (d-10) To provide educational and visitation
10 opportunities to committed persons within its institutions
11 through temporary access to content-controlled tablets
12 that may be provided as a privilege to committed persons
13 to induce or reward compliance.

14 (e) To establish a system of supervision and guidance
15 of committed persons in the community.

16 (f) To establish in cooperation with the Department of
17 Transportation to supply a sufficient number of prisoners
18 for use by the Department of Transportation to clean up
19 the trash and garbage along State, county, township, or
20 municipal highways as designated by the Department of
21 Transportation. The Department of Corrections, at the
22 request of the Department of Transportation, shall furnish
23 such prisoners at least annually for a period to be agreed
24 upon between the Director of Corrections and the Secretary
25 of Transportation. The prisoners used on this program
26 shall be selected by the Director of Corrections on

1 whatever basis he deems proper in consideration of their
2 term, behavior and earned eligibility to participate in
3 such program - where they will be outside of the prison
4 facility but still in the custody of the Department of
5 Corrections. Prisoners convicted of first degree murder,
6 or a Class X felony, or armed violence, or aggravated
7 kidnapping, or criminal sexual assault, aggravated
8 criminal sexual abuse or a subsequent conviction for
9 criminal sexual abuse, or forcible detention, or arson, or
10 a prisoner adjudged a Habitual Criminal shall not be
11 eligible for selection to participate in such program. The
12 prisoners shall remain as prisoners in the custody of the
13 Department of Corrections and such Department shall
14 furnish whatever security is necessary. The Department of
15 Transportation shall furnish trucks and equipment for the
16 highway cleanup program and personnel to supervise and
17 direct the program. Neither the Department of Corrections
18 nor the Department of Transportation shall replace any
19 regular employee with a prisoner.

20 (g) To maintain records of persons committed to it and
21 to establish programs of research, statistics, and
22 planning.

23 (h) To investigate the grievances of any person
24 committed to the Department and to inquire into any
25 alleged misconduct by employees or committed persons; and
26 for these purposes it may issue subpoenas and compel the

1 attendance of witnesses and the production of writings and
2 papers, and may examine under oath any witnesses who may
3 appear before it; to also investigate alleged violations
4 of a parolee's or releasee's conditions of parole or
5 release; and for this purpose it may issue subpoenas and
6 compel the attendance of witnesses and the production of
7 documents only if there is reason to believe that such
8 procedures would provide evidence that such violations
9 have occurred.

10 If any person fails to obey a subpoena issued under
11 this subsection, the Director may apply to any circuit
12 court to secure compliance with the subpoena. The failure
13 to comply with the order of the court issued in response
14 thereto shall be punishable as contempt of court.

15 (i) To appoint and remove the chief administrative
16 officers, and administer programs of training and
17 development of personnel of the Department. Personnel
18 assigned by the Department to be responsible for the
19 custody and control of committed persons or to investigate
20 the alleged misconduct of committed persons or employees
21 or alleged violations of a parolee's or releasee's
22 conditions of parole shall be conservators of the peace
23 for those purposes, and shall have the full power of peace
24 officers outside of the facilities of the Department in
25 the protection, arrest, retaking, and reconfining of
26 committed persons or where the exercise of such power is

1 necessary to the investigation of such misconduct or
2 violations. This subsection shall not apply to persons
3 committed to the Department of Juvenile Justice under the
4 Juvenile Court Act of 1987 on aftercare release.

5 (j) To cooperate with other departments and agencies
6 and with local communities for the development of
7 standards and programs for better correctional services in
8 this State.

9 (k) To administer all moneys and properties of the
10 Department.

11 (l) To report annually to the Governor on the
12 committed persons, institutions, and programs of the
13 Department.

14 (l-5) (Blank).

15 (m) To make all rules and regulations and exercise all
16 powers and duties vested by law in the Department.

17 (n) To establish rules and regulations for
18 administering a system of sentence credits, established in
19 accordance with Section 3-6-3, subject to review by the
20 Prisoner Review Board.

21 (o) To administer the distribution of funds from the
22 State Treasury to reimburse counties where State penal
23 institutions are located for the payment of assistant
24 state's attorneys' salaries under Section 4-2001 of the
25 Counties Code.

26 (p) To exchange information with the Department of

1 Human Services and the Department of Healthcare and Family
2 Services for the purpose of verifying living arrangements
3 and for other purposes directly connected with the
4 administration of this Code and the Illinois Public Aid
5 Code.

6 (q) To establish a diversion program.

7 The program shall provide a structured environment for
8 selected technical parole or mandatory supervised release
9 violators and committed persons who have violated the
10 rules governing their conduct while in work release. This
11 program shall not apply to those persons who have
12 committed a new offense while serving on parole or
13 mandatory supervised release or while committed to work
14 release.

15 Elements of the program shall include, but shall not
16 be limited to, the following:

17 (1) The staff of a diversion facility shall
18 provide supervision in accordance with required
19 objectives set by the facility.

20 (2) Participants shall be required to maintain
21 employment.

22 (3) Each participant shall pay for room and board
23 at the facility on a sliding-scale basis according to
24 the participant's income.

25 (4) Each participant shall:

26 (A) provide restitution to victims in

1 accordance with any court order;

2 (B) provide financial support to his
3 dependents; and

4 (C) make appropriate payments toward any other
5 court-ordered obligations.

6 (5) Each participant shall complete community
7 service in addition to employment.

8 (6) Participants shall take part in such
9 counseling, educational, and other programs as the
10 Department may deem appropriate.

11 (7) Participants shall submit to drug and alcohol
12 screening.

13 (8) The Department shall promulgate rules
14 governing the administration of the program.

15 (r) To enter into intergovernmental cooperation
16 agreements under which persons in the custody of the
17 Department may participate in a county impact
18 incarceration program established under Section 3-6038 or
19 3-15003.5 of the Counties Code.

20 (r-5) (Blank).

21 (r-10) To systematically and routinely identify with
22 respect to each streetgang active within the correctional
23 system: (1) each active gang; (2) every existing
24 inter-gang affiliation or alliance; and (3) the current
25 leaders in each gang. The Department shall promptly
26 segregate leaders from inmates who belong to their gangs

1 and allied gangs. "Segregate" means no physical contact
2 and, to the extent possible under the conditions and space
3 available at the correctional facility, prohibition of
4 visual and sound communication. For the purposes of this
5 paragraph (r-10), "leaders" means persons who:

6 (i) are members of a criminal streetgang;

7 (ii) with respect to other individuals within the
8 streetgang, occupy a position of organizer,
9 supervisor, or other position of management or
10 leadership; and

11 (iii) are actively and personally engaged in
12 directing, ordering, authorizing, or requesting
13 commission of criminal acts by others, which are
14 punishable as a felony, in furtherance of streetgang
15 related activity both within and outside of the
16 Department of Corrections.

17 "Streetgang", "gang", and "streetgang related" have the
18 meanings ascribed to them in Section 10 of the Illinois
19 Streetgang Terrorism Omnibus Prevention Act.

20 (s) To operate a super-maximum security institution,
21 in order to manage and supervise inmates who are
22 disruptive or dangerous and provide for the safety and
23 security of the staff and the other inmates.

24 (t) To monitor any unprivileged conversation or any
25 unprivileged communication, whether in person or by mail,
26 telephone, or other means, between an inmate who, before

1 commitment to the Department, was a member of an organized
2 gang and any other person without the need to show cause or
3 satisfy any other requirement of law before beginning the
4 monitoring, except as constitutionally required. The
5 monitoring may be by video, voice, or other method of
6 recording or by any other means. As used in this
7 subdivision (1)(t), "organized gang" has the meaning
8 ascribed to it in Section 10 of the Illinois Streetgang
9 Terrorism Omnibus Prevention Act.

10 As used in this subdivision (1)(t), "unprivileged
11 conversation" or "unprivileged communication" means a
12 conversation or communication that is not protected by any
13 privilege recognized by law or by decision, rule, or order
14 of the Illinois Supreme Court.

15 (u) To establish a Women's and Children's Pre-release
16 Community Supervision Program for the purpose of providing
17 housing and services to eligible female inmates, as
18 determined by the Department, and their newborn and young
19 children.

20 (u-5) To issue an order, whenever a person committed
21 to the Department absconds or absents himself or herself,
22 without authority to do so, from any facility or program
23 to which he or she is assigned. The order shall be
24 certified by the Director, the Supervisor of the
25 Apprehension Unit, or any person duly designated by the
26 Director, with the seal of the Department affixed. The

1 order shall be directed to all sheriffs, coroners, and
2 police officers, or to any particular person named in the
3 order. Any order issued pursuant to this subdivision
4 (1)(u-5) shall be sufficient warrant for the officer or
5 person named in the order to arrest and deliver the
6 committed person to the proper correctional officials and
7 shall be executed the same as criminal process.

8 (u-6) To appoint a point of contact person who shall
9 receive suggestions, complaints, or other requests to the
10 Department from visitors to Department institutions or
11 facilities and from other members of the public.

12 (u-7) To collaborate with the Department of Human
13 Services and other State agencies to develop and implement
14 screening and follow-up protocols for intake and reentry
15 personnel and contractors on identification and response
16 to Department-involved individuals who demonstrate
17 indications of past labor or sex trafficking
18 victimization, criminal sexual exploitation or a history
19 of involvement in the sex trade that may put them at risk
20 of human trafficking. Protocols should include assessment
21 and provision of pre-release and post-release housing,
22 legal, medical, mental health and substance-use disorder
23 treatment services and recognize the specialized needs of
24 victims of human trafficking.

25 (u-8) To provide statewide training for Department of
26 Corrections intake and reentry personnel and contractors

1 on identification and response to Department-involved
2 individuals who demonstrate indications of past
3 trafficking victimization or child sexual exploitation
4 that put them at risk of human trafficking.

5 (u-9) To offer access to specialized services for
6 Department-involved individuals within the care that
7 demonstrate indications of past trafficking victimization
8 or child sexual exploitation that put them at risk of
9 trafficking. As used in this subsection, "specialized
10 services" means substance-use disorder, mental health,
11 medical, case-management, housing, and other support
12 services by Department employees or contractors who have
13 completed victim-centered, trauma-informed training
14 specifically designed to address the complex psychological
15 and or physical needs of victims of human trafficking,
16 sexual exploitation, or a history of involvement with the
17 sex trade.

18 (v) To do all other acts necessary to carry out the
19 provisions of this Chapter.

20 (2) The Department of Corrections shall by January 1,
21 1998, consider building and operating a correctional facility
22 within 100 miles of a county of over 2,000,000 inhabitants,
23 especially a facility designed to house juvenile participants
24 in the impact incarceration program.

25 (3) When the Department lets bids for contracts for
26 medical services to be provided to persons committed to

1 Department facilities by a health maintenance organization,
2 medical service corporation, or other health care provider,
3 the bid may only be let to a health care provider that has
4 obtained an irrevocable letter of credit or performance bond
5 issued by a company whose bonds have an investment grade or
6 higher rating by a bond rating organization.

7 (4) When the Department lets bids for contracts for food
8 or commissary services to be provided to Department
9 facilities, the bid may only be let to a food or commissary
10 services provider that has obtained an irrevocable letter of
11 credit or performance bond issued by a company whose bonds
12 have an investment grade or higher rating by a bond rating
13 organization.

14 (5) On and after the date 6 months after August 16, 2013
15 (the effective date of Public Act 98-488), as provided in the
16 Executive Order 1 (2012) Implementation Act, all of the
17 powers, duties, rights, and responsibilities related to State
18 healthcare purchasing under this Code that were transferred
19 from the Department of Corrections to the Department of
20 Healthcare and Family Services by Executive Order 3 (2005) are
21 transferred back to the Department of Corrections; however,
22 powers, duties, rights, and responsibilities related to State
23 healthcare purchasing under this Code that were exercised by
24 the Department of Corrections before the effective date of
25 Executive Order 3 (2005) but that pertain to individuals
26 resident in facilities operated by the Department of Juvenile

1 Justice are transferred to the Department of Juvenile Justice.

2 (6) The Department of Corrections shall provide lactation
3 or nursing mothers rooms for personnel of the Department. The
4 rooms shall be provided in each facility of the Department
5 that employs nursing mothers. Each individual lactation room
6 must:

7 (i) contain doors that lock;

8 (ii) have an "Occupied" sign for each door;

9 (iii) contain electrical outlets for plugging in
10 breast pumps;

11 (iv) have sufficient lighting and ventilation;

12 (v) contain comfortable chairs;

13 (vi) contain a countertop or table for all necessary
14 supplies for lactation;

15 (vii) contain a wastebasket and chemical cleaners to
16 wash one's hands and to clean the surfaces of the
17 countertop or table;

18 (viii) have a functional sink;

19 (ix) have a minimum of one refrigerator for storage of
20 the breast milk; and

21 (x) receive routine daily maintenance.

22 (Source: P.A. 102-350, eff. 8-13-21; 102-535, eff. 1-1-22;
23 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff.
24 5-27-22; 103-834, eff. 1-1-25.)

25 (730 ILCS 5/3-2.5-15)

1 Sec. 3-2.5-15. Department of Juvenile Justice; assumption
2 of duties of the Juvenile Division.

3 (a) The Department of Juvenile Justice shall assume the
4 rights, powers, duties, and responsibilities of the Juvenile
5 Division of the Department of Corrections. Personnel, books,
6 records, property, and unencumbered appropriations pertaining
7 to the Juvenile Division of the Department of Corrections
8 shall be transferred to the Department of Juvenile Justice on
9 the effective date of this amendatory Act of the 94th General
10 Assembly. Any rights of employees or the State under the
11 Personnel Code or any other contract or plan shall be
12 unaffected by this transfer.

13 (b) Department of Juvenile Justice personnel who are hired
14 by the Department on or after the effective date of this
15 amendatory Act of the 94th General Assembly and who
16 participate or assist in the rehabilitative and vocational
17 training of delinquent youths, supervise the daily activities
18 involving direct and continuing responsibility for the youth's
19 security, welfare and development, or participate in the
20 personal rehabilitation of delinquent youth by training,
21 supervising, and assisting lower level personnel who perform
22 these duties must: (1) be over the age of 21 and (2) have a
23 high school diploma or equivalent and either (A) a bachelor's
24 or advanced degree from an accredited college or university or
25 (B) 2 or more years of experience providing direct care to
26 youth in the form of residential care, coaching, case

1 management, or mentoring. This requirement shall not apply to
2 security, clerical, food service, and maintenance staff that
3 do not have direct and regular contact with youth. The degree
4 requirements specified in this subsection (b) are not required
5 of persons who provide vocational training and who have
6 adequate knowledge in the skill for which they are providing
7 the vocational training.

8 (c) Subsection (b) of this Section does not apply to
9 personnel transferred to the Department of Juvenile Justice on
10 the effective date of this amendatory Act of the 94th General
11 Assembly.

12 (d) The Department shall be under the direction of the
13 Director of Juvenile Justice as provided in this Code.

14 (e) The Director shall organize divisions within the
15 Department and shall assign functions, powers, duties, and
16 personnel as required by law. The Director may create other
17 divisions and may assign other functions, powers, duties, and
18 personnel as may be necessary or desirable to carry out the
19 functions and responsibilities vested by law in the
20 Department. The Director may, with the approval of the Office
21 of the Governor, assign to and share functions, powers,
22 duties, and personnel with other State agencies such that
23 administrative services and administrative facilities are
24 provided by a shared administrative service center. Where
25 possible, shared services which impact youth should be done
26 with child-serving agencies. These administrative services may

1 include, but are not limited to, all of the following
2 functions: budgeting, accounting related functions, auditing,
3 human resources, legal, procurement, training, data collection
4 and analysis, information technology, internal investigations,
5 intelligence, legislative services, emergency response
6 capability, statewide transportation services, and general
7 office support.

8 (f) The Department of Juvenile Justice may enter into
9 intergovernmental cooperation agreements under which minors
10 adjudicated delinquent and committed to the Department of
11 Juvenile Justice may participate in county juvenile impact
12 incarceration programs established under Section 3-6039 of the
13 Counties Code.

14 (g) The Department of Juvenile Justice must comply with
15 the ethnic and racial background data collection procedures
16 provided in Section 4.5 of the Criminal Identification Act.

17 (h) The Department of Juvenile Justice shall implement a
18 wellness program to support health and wellbeing among staff
19 and service providers within the Department of Juvenile
20 Justice environment. The Department of Juvenile Justice shall
21 establish response teams to provide support to employees and
22 staff affected by events that are both duty-related and not
23 duty-related and provide training to response team members.
24 The Department's wellness program shall be accessible to any
25 Department employee or service provider, including contractual
26 employees and approved volunteers. The wellness program may

1 include information sharing, education and activities designed
2 to support health and well-being within the Department's
3 environment. Access to wellness response team support shall be
4 voluntary and remain confidential.

5 (i) The Department of Juvenile Justice shall collaborate
6 with the Department of Human Services and other State agencies
7 to develop and implement screening and follow-up protocols for
8 intake and aftercare personnel on identification and response
9 to children and adolescents who show indications of being
10 victims of human trafficking or at risk of human trafficking.
11 Protocols should include assessment and provision of
12 pre-release and post-release housing, legal, medical, mental
13 health, and substance use disorder treatment services and
14 recognize the specialized needs of victims of human
15 trafficking and commercial sexual exploitation.

16 (j) The Department of Juvenile Justice shall require the
17 juvenile justice system to provide access to specialized
18 services for identified trafficked children and youth. In this
19 subsection, "specialized services" means substance-use
20 disorder, mental health, medical and other support services by
21 Department employees and contractors who have completed
22 victim-centered, trauma-informed training specifically
23 designed to address the complex psychological and physical
24 needs of victims of human trafficking, sexual exploitation,
25 and involvement in the sex trade.

26 (k) The Department of Juvenile Justice shall require

1 statewide training for juvenile justice agencies and their
2 direct service personnel on identification and response to
3 child trafficking.

4 (Source: P.A. 102-616, eff. 1-1-22; 103-290, eff. 7-28-23.)

5 Section 70. The Code of Civil Procedure is amended by
6 changing Section 13-202.2 as follows:

7 (735 ILCS 5/13-202.2) (from Ch. 110, par. 13-202.2)

8 Sec. 13-202.2. Childhood sexual abuse.

9 (a) In this Section:

10 "Childhood sexual abuse" means an act of sexual abuse that
11 occurs when the person abused is under 18 years of age.

12 "Sexual abuse" includes but is not limited to sexual
13 conduct and sexual penetration as defined in Section 11-0.1 of
14 the Criminal Code of 2012.

15 (b) Notwithstanding any other provision of law, an action
16 for damages for personal injury based on childhood sexual
17 abuse or a violation of Section 10-9 of the Criminal Code of
18 2012 in which the victim is a minor must be commenced within 20
19 years of the date the limitation period begins to run under
20 subsection (d) or within 20 years of the date the person abused
21 discovers or through the use of reasonable diligence should
22 discover both (i) that the act of childhood sexual abuse
23 occurred and (ii) that the injury was caused by the childhood
24 sexual abuse or a violation of Section 10-9 of the Criminal

1 Code of 2012 in which the victim is a minor. The fact that the
2 person abused discovers or through the use of reasonable
3 diligence should discover that the act of childhood sexual
4 abuse occurred is not, by itself, sufficient to start the
5 discovery period under this subsection (b). Knowledge of the
6 abuse does not constitute discovery of the injury or the
7 causal relationship between any later-discovered injury and
8 the abuse.

9 (c) If the injury is caused by 2 or more acts of childhood
10 sexual abuse or a violation of Section 10-9 of the Criminal
11 Code of 2012 in which the victim is a minor that are part of a
12 continuing series of acts of childhood sexual abuse or a
13 violation of Section 10-9 of the Criminal Code of 2012 in which
14 the victim is a minor by the same abuser, then the discovery
15 period under subsection (b) shall be computed from the date
16 the person abused discovers or through the use of reasonable
17 diligence should discover both (i) that the last act of
18 childhood sexual abuse or a violation of Section 10-9 of the
19 Criminal Code of 2012 in which the victim is a minor in the
20 continuing series occurred and (ii) that the injury was caused
21 by any act of childhood sexual abuse or a violation of Section
22 10-9 of the Criminal Code of 2012 in which the victim is a
23 minor in the continuing series. The fact that the person
24 abused discovers or through the use of reasonable diligence
25 should discover that the last act of childhood sexual abuse in
26 the continuing series occurred is not, by itself, sufficient

1 to start the discovery period under subsection (b). Knowledge
2 of the abuse does not constitute discovery of the injury or the
3 causal relationship between any later-discovered injury and
4 the abuse.

5 (d) The limitation periods under subsection (b) do not
6 begin to run before the person abused attains the age of 18
7 years; and, if at the time the person abused attains the age of
8 18 years he or she is under other legal disability, the
9 limitation periods under subsection (b) do not begin to run
10 until the removal of the disability.

11 (d-1) The limitation periods in subsection (b) do not run
12 during a time period when the person abused is subject to
13 threats, intimidation, manipulation, fraudulent concealment,
14 or fraud perpetrated by the abuser or by any person acting in
15 the interest of the abuser.

16 (e) This Section applies to actions pending on the
17 effective date of this amendatory Act of 1990 as well as to
18 actions commenced on or after that date. The changes made by
19 this amendatory Act of 1993 shall apply only to actions
20 commenced on or after the effective date of this amendatory
21 Act of 1993. The changes made by this amendatory Act of the
22 93rd General Assembly apply to actions pending on the
23 effective date of this amendatory Act of the 93rd General
24 Assembly as well as actions commenced on or after that date.
25 The changes made by this amendatory Act of the 96th General
26 Assembly apply to actions commenced on or after the effective

1 date of this amendatory Act of the 96th General Assembly if the
2 action would not have been time barred under any statute of
3 limitations or statute of repose prior to the effective date
4 of this amendatory Act of the 96th General Assembly.

5 (f) Notwithstanding any other provision of law, an action
6 for damages based on childhood sexual abuse or a violation of
7 Section 10-9 of the Criminal Code of 2012 in which the victim
8 is a minor may be commenced at any time; provided, however,
9 that the changes made by this amendatory Act of the 98th
10 General Assembly apply to actions commenced on or after the
11 effective date of this amendatory Act of the 98th General
12 Assembly if the action would not have been time barred under
13 any statute of limitations or statute of repose prior to the
14 effective date of this amendatory Act of the 98th General
15 Assembly.

16 (Source: P.A. 101-435, eff. 8-20-19.)

17 Section 75. The Business Corporation Act of 1983 is
18 amended by changing Section 12.35 as follows:

19 (805 ILCS 5/12.35) (from Ch. 32, par. 12.35)

20 Sec. 12.35. Grounds for administrative dissolution. The
21 Secretary of State may dissolve any corporation
22 administratively if:

23 (a) It has failed to file its annual report or final
24 transition annual report and pay its franchise tax as required

1 by this Act before the first day of the anniversary month or,
2 in the case of a corporation which has established an extended
3 filing month, the extended filing month of the corporation of
4 the year in which such annual report becomes due and such
5 franchise tax becomes payable;

6 (b) it has failed to file in the office of the Secretary of
7 State any report after the expiration of the period prescribed
8 in this Act for filing such report;

9 (c) it has failed to pay any fees, franchise taxes, or
10 charges prescribed by this Act;

11 (d) it has misrepresented any material matter in any
12 application, report, affidavit, or other document filed by the
13 corporation pursuant to this Act;

14 (e) it has failed to appoint and maintain a registered
15 agent in this State;

16 (f) it has tendered payment to the Secretary of State
17 which is returned due to insufficient funds, a closed account,
18 or for any other reason, and acceptable payment has not been
19 subsequently tendered;

20 (g) upon the failure of an officer or director to whom
21 interrogatories have been propounded by the Secretary of State
22 as provided in this Act, to answer the same fully and to file
23 such answer in the office of the Secretary of State; ~~or~~

24 (h) if the answer to such interrogatories discloses, or if
25 the fact is otherwise ascertained, that the proportion of the
26 sum of the paid-in capital of such corporation represented in

1 this State is greater than the amount on which such
2 corporation has theretofore paid fees and franchise taxes, and
3 the deficiency therein is not paid; or -

4 (i) if the corporation or any of its incorporators or
5 directors are convicted of any violation of Section 10-9 of
6 the Criminal Code of 2012.

7 (Source: P.A. 92-33, eff. 7-1-01; 93-59, eff. 7-1-03.)

8 Section 99. Effective date. This Act takes effect January
9 1, 2026, except that this Section and paragraph (1) of
10 subsection (b) of Sec. 1-90 of Section 10 take effect upon
11 becoming law.

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22	805 ILCS 5/12.35	from Ch. 32, par. 12.35