

104TH GENERAL ASSEMBLY**State of Illinois****2025 and 2026****SB3390**

Introduced 2/4/2026, by Sen. Celina Villanueva

SYNOPSIS AS INTRODUCED:

See Index

Provides that the Act may be referred to as the Keeping Sex Workers Safe Act. Creates the Sex Workers' Bill of Rights Act. Provides that sex workers shall not be subject to criminal prosecution for engaging in consensual sex work. Provides that law enforcement agencies are prohibited from arresting, charging, or prosecuting individuals solely for performing or engaging in sex work. Provides that sex workers, whether employed, contracted, or self-employed, shall be afforded the same rights and protections as other workers under Illinois law, including, but not limited to: (1) minimum wage and hour protections; (2) protection against discrimination, harassment, and unsafe working conditions; (3) access to workers' compensation and health benefits if applicable; and (4) protection of privacy and freedom from surveillance. Provides that employers, clients, or those benefiting from the services of sex workers must ensure safe working conditions, including protection from violence, exploitation, and human trafficking. Provides that sex workers operating as independent contractors shall be treated as legitimate sole proprietors or businesses under Illinois law. Provides that sex workers have the right to control their work, negotiate fair contracts, and receive payment for their services without interference or exploitation. Provides that sex workers shall not be discriminated against in access to housing, public services, financial services, or healthcare based on their occupation. Provides that all laws protecting workers from discrimination on the basis of sex, race, gender identity, sexual orientation, or other protected characteristics shall apply equally to sex workers. Defines "sex work" and "sex worker". Amends the Criminal Code of 2012. Repeals the offenses of prostitution and patronizing a prostitute. Amends various Acts to make conforming changes. Effective immediately.

LRB104 16192 RLC 29575 b

1 AN ACT concerning safety.

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

4 ARTICLE 1

5 Section 1-1. This Act may be referred to as the Keeping Sex
6 Workers Safe Act.

7 Section 1-5. Findings. The General Assembly finds and
8 declares the following:

9 (1) Sex workers deserve to be safe. Yet, sex workers live
10 under the near constant threat of violence: 75% of all sex
11 workers will experience sexual violence in their careers and
12 nearly two-thirds of all Trans people killed in the past
13 decade were sex workers. No one deserves to work under the
14 umbrella of this much violence.

15 (2) It is the criminalization of adult consensual sex work
16 that makes it so dangerous. When adult consensual sex work is
17 decriminalized, sex workers can vet their clients, can always
18 meet clients in safe spaces of their own choosing, and can go
19 to law enforcement for protection and support. Additionally,
20 taxpayer dollars will not be used to target adults engaged in
21 consensual sex rather than violent and cruel offenders.

22 (3) Women and people of color are disproportionately

1 harmed by the criminalization of sex work. According to the
2 FBI, of all arrests nationwide for prostitution in 2019, 61%
3 of those arrested were women. And 42% of those arrested
4 identified as Black while an additional 19% identified as
5 Latinx.

6 (4) We are currently living in a time where too many
7 powerful forces are trying to take away people's bodily
8 autonomy. We saw this with the Dobbs decision ending the right
9 to abortion. We are seeing this in real time with the
10 criminalization of gender affirming care. We see this with
11 anti-LGBTQ+ legislation sweeping state legislatures across the
12 country. We can't be truly free when our adult consensual
13 sexual relationships are criminalized.

14 (5) There is a growing movement in support of the full
15 decriminalization of sex work. In particular, in September
16 2023, the UN Working Group on Discrimination Against Women &
17 Girls called for full decriminalization of sex work globally
18 as a human rights issue necessary to keep sex workers safe and
19 free from stigmatization and harm.

20 (6) Full decriminalization of adult consensual sex work is
21 the only model that helps keep sex workers safe. Any other
22 model keeps sex workers in the shadows. To help keep sex
23 workers safe, Illinois should fully decriminalize adult
24 consensual sex work and establish a bill of rights for sex
25 work.

ARTICLE 5

Section 5-1. Short title. This Act may be cited as the Sex Workers' Bill of Rights Act.

Section 5-5. Purpose and findings. Sex workers contribute to the overall economy and welfare of the State of Illinois. Historically, sex workers have been subjected to legal discrimination and exploitation due to the criminalization of their profession. With the decriminalization of sex work, it is essential to protect the rights of sex workers and ensure their equal access to the legal protections afforded to all other workers, consultants, service providers and independent contractors. Therefore, the General Assembly declares that sex workers must be free from prosecution for their work and have the same legal, health, and safety protections as any other worker.

Section 5-10. Definitions. In this Act:

"Sex work" means performing consensual sexual services, erotic performances, or related activities in exchange for money, goods, or other benefits. "Sex work" does not include coerced or non-consensual acts, which remain subject to criminal penalties under the Criminal Code of 2012. "Sex work" encompasses all forms of adult consensual sex work.

"Sex worker" means a person who performs sex work. "Sex

1 worker" includes an individual working independently, as an
2 employee or under contractual agreement.

3 Section 5-15. Rights of sex workers.

4 (a) Freedom from prosecution. Sex workers shall not be
5 subject to criminal prosecution for engaging in consensual sex
6 work. Law enforcement agencies are prohibited from arresting,
7 charging, or prosecuting individuals solely for performing or
8 engaging in sex work.

9 (b) Equal employment rights. Sex workers, whether
10 employed, contracted, or self-employed, shall be afforded the
11 same rights and protections as other workers under Illinois
12 law, including, but not limited to:

13 (1) minimum wage and hour protections;

14 (2) protection against discrimination, harassment, and
15 unsafe working conditions;

16 (3) access to workers' compensation and health
17 benefits if applicable; and

18 (4) protection of privacy and freedom from
19 surveillance.

20 (c) Health and safety. Sex workers have the right to a safe
21 and healthy work environment. Employers, clients, or those
22 benefiting from the services of sex workers must ensure safe
23 working conditions, including protection from violence,
24 exploitation, and human trafficking.

25 (d) Independent contractor protections. Sex workers

1 operating as independent contractors shall be treated as
2 legitimate sole proprietors or businesses under Illinois law.
3 Sex workers shall have the right to control their work,
4 negotiate fair contracts, and receive payment for their
5 services without interference or exploitation.

6 (e) Non-discrimination. Sex workers shall not be
7 discriminated against in access to housing, public services,
8 financial services, or health care based on their occupation.
9 All laws protecting workers from discrimination on the basis
10 of sex, race, gender identity, sexual orientation, or other
11 protected characteristics shall apply equally to sex workers.

12 ARTICLE 10

13 Section 10-5. The Criminal Identification Act is amended
14 by changing Section 5.2 as follows:

15 (20 ILCS 2630/5.2)

16 Sec. 5.2. Expungement, sealing, and immediate sealing.

17 (a) General Provisions.

18 (1) Definitions. In this Act, words and phrases have
19 the meanings set forth in this subsection, except when a
20 particular context clearly requires a different meaning.

21 (A) The following terms shall have the meanings
22 ascribed to them in the following Sections of the
23 Unified Code of Corrections:

1 Business Offense, Section 5-1-2.

2 Charge, Section 5-1-3.

3 Court, Section 5-1-6.

4 Defendant, Section 5-1-7.

5 Felony, Section 5-1-9.

6 Imprisonment, Section 5-1-10.

7 Judgment, Section 5-1-12.

8 Misdemeanor, Section 5-1-14.

9 Offense, Section 5-1-15.

10 Parole, Section 5-1-16.

11 Petty Offense, Section 5-1-17.

12 Probation, Section 5-1-18.

13 Sentence, Section 5-1-19.

14 Supervision, Section 5-1-21.

15 Victim, Section 5-1-22.

16 (B) As used in this Section, "charge not initiated
17 by arrest" means a charge (as defined by Section 5-1-3
18 of the Unified Code of Corrections) brought against a
19 defendant where the defendant is not arrested prior to
20 or as a direct result of the charge.

21 (C) "Conviction" means a judgment of conviction or
22 sentence entered upon a plea of guilty or upon a
23 verdict or finding of guilty of an offense, rendered
24 by a legally constituted jury or by a court of
25 competent jurisdiction authorized to try the case
26 without a jury. An order of supervision successfully

1 completed by the petitioner is not a conviction. An
2 order of qualified probation (as defined in subsection
3 (a) (1) (J)) successfully completed by the petitioner is
4 not a conviction. An order of supervision or an order
5 of qualified probation that is terminated
6 unsatisfactorily is a conviction, unless the
7 unsatisfactory termination is reversed, vacated, or
8 modified and the judgment of conviction, if any, is
9 reversed or vacated.

10 (D) "Criminal offense" means a petty offense,
11 business offense, misdemeanor, felony, or municipal
12 ordinance violation (as defined in subsection
13 (a) (1) (H)). As used in this Section, a minor traffic
14 offense (as defined in subsection (a) (1) (G)) shall not
15 be considered a criminal offense.

16 (E) "Expunge" means to physically destroy the
17 records or return them to the petitioner and to
18 obliterate the petitioner's name from any official
19 index or public record, or both. Nothing in this Act
20 shall require the physical destruction of the circuit
21 court file, but such records relating to arrests or
22 charges, or both, ordered expunged shall be impounded
23 as required by subsections (d) (9) (A) (ii) and
24 (d) (9) (B) (ii).

25 (F) As used in this Section, "last sentence" means
26 the sentence, order of supervision, or order of

1 qualified probation (as defined by subsection
2 (a)(1)(J)), for a criminal offense (as defined by
3 subsection (a)(1)(D)) that terminates last in time in
4 any jurisdiction, regardless of whether the petitioner
5 has included the criminal offense for which the
6 sentence or order of supervision or qualified
7 probation was imposed in his or her petition. If
8 multiple sentences, orders of supervision, or orders
9 of qualified probation terminate on the same day and
10 are last in time, they shall be collectively
11 considered the "last sentence" regardless of whether
12 they were ordered to run concurrently.

13 (G) "Minor traffic offense" means a petty offense,
14 business offense, or Class C misdemeanor under the
15 Illinois Vehicle Code or a similar provision of a
16 municipal or local ordinance.

17 (G-5) "Minor Cannabis Offense" means a violation
18 of Section 4 or 5 of the Cannabis Control Act
19 concerning not more than 30 grams of any substance
20 containing cannabis, provided the violation did not
21 include a penalty enhancement under Section 7 of the
22 Cannabis Control Act and is not associated with an
23 arrest, conviction or other disposition for a violent
24 crime as defined in subsection (c) of Section 3 of the
25 Rights of Crime Victims and Witnesses Act.

26 (H) "Municipal ordinance violation" means an

1 offense defined by a municipal or local ordinance that
2 is criminal in nature and with which the petitioner
3 was charged or for which the petitioner was arrested
4 and released without charging.

5 (I) "Petitioner" means an adult or a minor
6 prosecuted as an adult who has applied for relief
7 under this Section.

8 (J) "Qualified probation" means an order of
9 probation under Section 10 of the Cannabis Control
10 Act, Section 410 of the Illinois Controlled Substances
11 Act, Section 70 of the Methamphetamine Control and
12 Community Protection Act, Section 5-6-3.3 or 5-6-3.4
13 of the Unified Code of Corrections, Section
14 12-4.3(b)(1) and (2) of the Criminal Code of 1961 (as
15 those provisions existed before their deletion by
16 Public Act 89-313), Section 10-102 of the Illinois
17 Alcoholism and Other Drug Dependency Act, Section
18 40-10 of the Substance Use Disorder Act, or Section 10
19 of the Steroid Control Act. For the purpose of this
20 Section, "successful completion" of an order of
21 qualified probation under Section 10-102 of the
22 Illinois Alcoholism and Other Drug Dependency Act and
23 Section 40-10 of the Substance Use Disorder Act means
24 that the probation was terminated satisfactorily and
25 the judgment of conviction was vacated.

26 (K) "Seal" means to physically and electronically

1 maintain the records, unless the records would
2 otherwise be destroyed due to age, but to make the
3 records unavailable without a court order, subject to
4 the exceptions in Sections 12 and 13 of this Act. The
5 petitioner's name shall also be obliterated from the
6 official index required to be kept by the circuit
7 court clerk under Section 16 of the Clerks of Courts
8 Act, but any index issued by the circuit court clerk
9 before the entry of the order to seal shall not be
10 affected.

11 (L) "Sexual offense committed against a minor"
12 includes, but is not limited to, the offenses of
13 indecent solicitation of a child or criminal sexual
14 abuse when the victim of such offense is under 18 years
15 of age.

16 (M) "Terminate" as it relates to a sentence or
17 order of supervision or qualified probation includes
18 either satisfactory or unsatisfactory termination of
19 the sentence, unless otherwise specified in this
20 Section. A sentence is terminated notwithstanding any
21 outstanding financial legal obligation.

22 (2) Minor Traffic Offenses. Orders of supervision or
23 convictions for minor traffic offenses shall not affect a
24 petitioner's eligibility to expunge or seal records
25 pursuant to this Section.

26 (2.5) Commencing 180 days after July 29, 2016 (the

1 effective date of Public Act 99-697), the law enforcement
2 agency issuing the citation shall automatically expunge,
3 on or before January 1 and July 1 of each year, the law
4 enforcement records of a person found to have committed a
5 civil law violation of subsection (a) of Section 4 of the
6 Cannabis Control Act or subsection (c) of Section 3.5 of
7 the Drug Paraphernalia Control Act in the law enforcement
8 agency's possession or control and which contains the
9 final satisfactory disposition which pertain to the person
10 issued a citation for that offense. The law enforcement
11 agency shall provide by rule the process for access,
12 review, and to confirm the automatic expungement by the
13 law enforcement agency issuing the citation. Commencing
14 180 days after July 29, 2016 (the effective date of Public
15 Act 99-697), the clerk of the circuit court shall expunge,
16 upon order of the court, or in the absence of a court order
17 on or before January 1 and July 1 of each year, the court
18 records of a person found in the circuit court to have
19 committed a civil law violation of subsection (a) of
20 Section 4 of the Cannabis Control Act or subsection (c) of
21 Section 3.5 of the Drug Paraphernalia Control Act in the
22 clerk's possession or control and which contains the final
23 satisfactory disposition which pertain to the person
24 issued a citation for any of those offenses.

25 (3) Exclusions. Except as otherwise provided in
26 subsections (b)(5), (b)(6), (b)(8), (e), (e-5), and (e-6)

1 of this Section, the court shall not order:

2 (A) the sealing or expungement of the records of
3 arrests or charges not initiated by arrest that result
4 in an order of supervision for or conviction of: (i)
5 any sexual offense committed against a minor; (ii)
6 Section 11-501 of the Illinois Vehicle Code or a
7 similar provision of a local ordinance; or (iii)
8 Section 11-503 of the Illinois Vehicle Code or a
9 similar provision of a local ordinance, unless the
10 arrest or charge is for a misdemeanor violation of
11 subsection (a) of Section 11-503 or a similar
12 provision of a local ordinance, that occurred prior to
13 the offender reaching the age of 25 years and the
14 offender has no other conviction for violating Section
15 11-501 or 11-503 of the Illinois Vehicle Code or a
16 similar provision of a local ordinance.

17 (B) the sealing or expungement of records of minor
18 traffic offenses (as defined in subsection (a)(1)(G)),
19 unless the petitioner was arrested and released
20 without charging.

21 (C) the sealing of the records of arrests or
22 charges not initiated by arrest which result in an
23 order of supervision or a conviction for the following
24 offenses:

25 (i) offenses included in Article 11 of the
26 Criminal Code of 1961 or the Criminal Code of 2012

1 or a similar provision of a local ordinance,
2 except Section 11-14 and a misdemeanor violation
3 of Section 11-30 of the Criminal Code of 1961 or
4 the Criminal Code of 2012, or a similar provision
5 of a local ordinance;

6 (ii) Section 11-1.50, 12-3.4, 12-15, 12-30,
7 26-5, or 48-1 of the Criminal Code of 1961 or the
8 Criminal Code of 2012, or a similar provision of a
9 local ordinance;

10 (iii) Section 12-3.1 or 12-3.2 of the Criminal
11 Code of 1961 or the Criminal Code of 2012, or
12 Section 125 of the Stalking No Contact Order Act,
13 or Section 219 of the Civil No Contact Order Act,
14 or a similar provision of a local ordinance;

15 (iv) Class A misdemeanors or felony offenses
16 under the Humane Care for Animals Act; or

17 (v) any offense or attempted offense that
18 would subject a person to registration under the
19 Sex Offender Registration Act.

20 (D) (blank).

21 (b) Expungement.

22 (1) A petitioner may petition the circuit court to
23 expunge the records of his or her arrests and charges not
24 initiated by arrest when each arrest or charge not
25 initiated by arrest sought to be expunged resulted in: (i)
26 acquittal, dismissal, or the petitioner's release without

1 charging, unless excluded by subsection (a)(3)(B); (ii) a
2 conviction which was vacated or reversed, unless excluded
3 by subsection (a)(3)(B); (iii) an order of supervision and
4 such supervision was successfully completed by the
5 petitioner, unless excluded by subsection (a)(3)(A) or
6 (a)(3)(B); or (iv) an order of qualified probation (as
7 defined in subsection (a)(1)(J)) and such probation was
8 successfully completed by the petitioner.

9 (1.5) When a petitioner seeks to have a record of
10 arrest expunged under this Section, and the offender has
11 been convicted of a criminal offense, the State's Attorney
12 may object to the expungement on the grounds that the
13 records contain specific relevant information aside from
14 the mere fact of the arrest.

15 (2) Time frame for filing a petition to expunge.

16 (A) When the arrest or charge not initiated by
17 arrest sought to be expunged resulted in an acquittal,
18 dismissal, the petitioner's release without charging,
19 or the reversal or vacation of a conviction, there is
20 no waiting period to petition for the expungement of
21 such records.

22 (A-5) In anticipation of the successful completion
23 of a problem-solving court, pre-plea diversion, or
24 post-plea diversion program, a petition for
25 expungement may be filed 61 days before the
26 anticipated dismissal of the case or any time

1 thereafter. Upon successful completion of the program
2 and dismissal of the case, the court shall review the
3 petition of the person graduating from the program and
4 shall grant expungement if the petitioner meets all
5 requirements as specified in any applicable statute.

6 (B) When the arrest or charge not initiated by
7 arrest sought to be expunged resulted in an order of
8 supervision, successfully completed by the petitioner,
9 the following time frames will apply:

10 (i) Those arrests or charges that resulted in
11 orders of supervision under Section 3-707, 3-708,
12 3-710, or 5-401.3 of the Illinois Vehicle Code or
13 a similar provision of a local ordinance, or under
14 Section 11-1.50, 12-3.2, or 12-15 of the Criminal
15 Code of 1961 or the Criminal Code of 2012, or a
16 similar provision of a local ordinance, shall not
17 be eligible for expungement until 5 years have
18 passed following the satisfactory termination of
19 the supervision.

20 (i-5) Those arrests or charges that resulted
21 in orders of supervision for a misdemeanor
22 violation of subsection (a) of Section 11-503 of
23 the Illinois Vehicle Code or a similar provision
24 of a local ordinance, that occurred prior to the
25 offender reaching the age of 25 years and the
26 offender has no other conviction for violating

1 Section 11-501 or 11-503 of the Illinois Vehicle
2 Code or a similar provision of a local ordinance
3 shall not be eligible for expungement until the
4 petitioner has reached the age of 25 years.

5 (ii) Those arrests or charges that resulted in
6 orders of supervision for any other offenses shall
7 not be eligible for expungement until 2 years have
8 passed following the satisfactory termination of
9 the supervision.

10 (C) When the arrest or charge not initiated by
11 arrest sought to be expunged resulted in an order of
12 qualified probation, successfully completed by the
13 petitioner, such records shall not be eligible for
14 expungement until 5 years have passed following the
15 satisfactory termination of the probation.

16 (3) Those records maintained by the Illinois State
17 Police for persons arrested prior to their 17th birthday
18 shall be expunged as provided in Section 5-915 of the
19 Juvenile Court Act of 1987.

20 (4) Whenever a person has been arrested for or
21 convicted of any offense, in the name of a person whose
22 identity he or she has stolen or otherwise come into
23 possession of, the aggrieved person from whom the identity
24 was stolen or otherwise obtained without authorization,
25 upon learning of the person having been arrested using his
26 or her identity, may, upon verified petition to the chief

1 judge of the circuit wherein the arrest was made, have a
2 court order entered nunc pro tunc by the Chief Judge to
3 correct the arrest record, conviction record, if any, and
4 all official records of the arresting authority, the
5 Illinois State Police, other criminal justice agencies,
6 the prosecutor, and the trial court concerning such
7 arrest, if any, by removing his or her name from all such
8 records in connection with the arrest and conviction, if
9 any, and by inserting in the records the name of the
10 offender, if known or ascertainable, in lieu of the
11 aggrieved's name. The records of the circuit court clerk
12 shall be sealed until further order of the court upon good
13 cause shown and the name of the aggrieved person
14 obliterated on the official index required to be kept by
15 the circuit court clerk under Section 16 of the Clerks of
16 Courts Act, but the order shall not affect any index
17 issued by the circuit court clerk before the entry of the
18 order. Nothing in this Section shall limit the Illinois
19 State Police or other criminal justice agencies or
20 prosecutors from listing under an offender's name the
21 false names he or she has used.

22 (5) Whenever a person has been convicted of criminal
23 sexual assault, aggravated criminal sexual assault,
24 predatory criminal sexual assault of a child, criminal
25 sexual abuse, or aggravated criminal sexual abuse, the
26 victim of that offense may request that the State's

1 Attorney of the county in which the conviction occurred
2 file a verified petition with the presiding trial judge at
3 the petitioner's trial to have a court order entered to
4 seal the records of the circuit court clerk in connection
5 with the proceedings of the trial court concerning that
6 offense. However, the records of the arresting authority
7 and the Illinois State Police concerning the offense shall
8 not be sealed. The court, upon good cause shown, shall
9 make the records of the circuit court clerk in connection
10 with the proceedings of the trial court concerning the
11 offense available for public inspection.

12 (6) If a conviction has been set aside on direct
13 review or on collateral attack and the court determines by
14 clear and convincing evidence that the petitioner was
15 factually innocent of the charge, the court that finds the
16 petitioner factually innocent of the charge shall enter an
17 expungement order for the conviction for which the
18 petitioner has been determined to be innocent as provided
19 in subsection (b) of Section 5-5-4 of the Unified Code of
20 Corrections.

21 (7) Nothing in this Section shall prevent the Illinois
22 State Police from maintaining all records of any person
23 who is admitted to probation upon terms and conditions and
24 who fulfills those terms and conditions pursuant to
25 Section 10 of the Cannabis Control Act, Section 410 of the
26 Illinois Controlled Substances Act, Section 70 of the

1 Methamphetamine Control and Community Protection Act,
2 Section 5-6-3.3 or 5-6-3.4 of the Unified Code of
3 Corrections, Section 12-4.3 or subdivision (b)(1) of
4 Section 12-3.05 of the Criminal Code of 1961 or the
5 Criminal Code of 2012, Section 10-102 of the Illinois
6 Alcoholism and Other Drug Dependency Act, Section 40-10 of
7 the Substance Use Disorder Act, or Section 10 of the
8 Steroid Control Act.

9 (8) If the petitioner has been granted a certificate
10 of innocence under Section 2-702 of the Code of Civil
11 Procedure, the court that grants the certificate of
12 innocence shall also enter an order expunging the
13 conviction for which the petitioner has been determined to
14 be innocent as provided in subsection (h) of Section 2-702
15 of the Code of Civil Procedure.

16 (c) Sealing.

17 (1) Applicability. Notwithstanding any other provision
18 of this Act to the contrary, and cumulative with any
19 rights to expungement of criminal records, this subsection
20 authorizes the sealing of criminal records of adults and
21 of minors prosecuted as adults. Subsection (g) of this
22 Section provides for immediate sealing of certain records.

23 (2) Eligible Records. The following records may be
24 sealed:

25 (A) All arrests resulting in release without
26 charging;

1 (B) Arrests or charges not initiated by arrest
2 resulting in acquittal, dismissal, or conviction when
3 the conviction was reversed or vacated, except as
4 excluded by subsection (a) (3) (B);

5 (C) Arrests or charges not initiated by arrest
6 resulting in orders of supervision, including orders
7 of supervision for municipal ordinance violations,
8 successfully completed by the petitioner, unless
9 excluded by subsection (a) (3);

10 (D) Arrests or charges not initiated by arrest
11 resulting in convictions, including convictions on
12 municipal ordinance violations, unless excluded by
13 subsection (a) (3);

14 (E) Arrests or charges not initiated by arrest
15 resulting in orders of first offender probation under
16 Section 10 of the Cannabis Control Act, Section 410 of
17 the Illinois Controlled Substances Act, Section 70 of
18 the Methamphetamine Control and Community Protection
19 Act, or Section 5-6-3.3 of the Unified Code of
20 Corrections; and

21 (F) Arrests or charges not initiated by arrest
22 resulting in felony convictions unless otherwise
23 excluded by subsection (a) paragraph (3) of this
24 Section.

25 (3) When Records Are Eligible to Be Sealed. Records
26 identified as eligible under subsection (c) (2) may be

1 sealed as follows:

2 (A) Records identified as eligible under
3 subsections (c) (2) (A) and (c) (2) (B) may be sealed at
4 any time.

5 (B) Except as otherwise provided in subparagraph
6 (E) of this paragraph (3), records identified as
7 eligible under subsection (c) (2) (C) may be sealed 2
8 years after the termination of petitioner's last
9 sentence (as defined in subsection (a) (1) (F)).

10 (C) Except as otherwise provided in subparagraph
11 (E) of this paragraph (3), records identified as
12 eligible under subsections (c) (2) (D), (c) (2) (E), and
13 (c) (2) (F) may be sealed 3 years after the termination
14 of the petitioner's last sentence (as defined in
15 subsection (a) (1) (F)). Convictions requiring public
16 registration under the Arsonist Registry Act, the Sex
17 Offender Registration Act, or the Murderer and Violent
18 Offender Against Youth Registration Act may not be
19 sealed until the petitioner is no longer required to
20 register under that relevant Act.

21 (D) Records identified in subsection
22 (a) (3) (A) (iii) may be sealed after the petitioner has
23 reached the age of 25 years.

24 (E) Records identified as eligible under
25 subsection (c) (2) (C), (c) (2) (D), (c) (2) (E), or
26 (c) (2) (F) may be sealed upon termination of the

1 petitioner's last sentence if the petitioner earned a
2 high school diploma, associate's degree, career
3 certificate, vocational technical certification, or
4 bachelor's degree, or passed the high school level
5 Test of General Educational Development, during the
6 period of his or her sentence or mandatory supervised
7 release. This subparagraph shall apply only to a
8 petitioner who has not completed the same educational
9 goal prior to the period of his or her sentence or
10 mandatory supervised release. If a petition for
11 sealing eligible records filed under this subparagraph
12 is denied by the court, the time periods under
13 subparagraph (B) or (C) shall apply to any subsequent
14 petition for sealing filed by the petitioner.

15 (4) Subsequent felony convictions. A person may not
16 have subsequent felony conviction records sealed as
17 provided in this subsection (c) if he or she is convicted
18 of any felony offense after the date of the sealing of
19 prior felony convictions as provided in this subsection
20 (c). The court may, upon conviction for a subsequent
21 felony offense, order the unsealing of prior felony
22 conviction records previously ordered sealed by the court.

23 (5) Notice of eligibility for sealing. Upon entry of a
24 disposition for an eligible record under this subsection
25 (c), the petitioner shall be informed by the court of the
26 right to have the records sealed and the procedures for

1 the sealing of the records.

2 (d) Procedure. The following procedures apply to
3 expungement under subsections (b), (e), and (e-6) and sealing
4 under subsections (c) and (e-5):

5 (1) Filing the petition. Upon becoming eligible to
6 petition for the expungement or sealing of records under
7 this Section, the petitioner shall file a petition
8 requesting the expungement or sealing of records with the
9 clerk of the court where the arrests occurred or the
10 charges were brought, or both. If arrests occurred or
11 charges were brought in multiple jurisdictions, a petition
12 must be filed in each such jurisdiction. The petitioner
13 shall pay the applicable fee, except no fee shall be
14 required if the petitioner has obtained a court order
15 waiving fees under Supreme Court Rule 298 or it is
16 otherwise waived.

17 (1.5) County fee waiver pilot program. From August 9,
18 2019 (the effective date of Public Act 101-306) through
19 December 31, 2020, in a county of 3,000,000 or more
20 inhabitants, no fee shall be required to be paid by a
21 petitioner if the records sought to be expunged or sealed
22 were arrests resulting in release without charging or
23 arrests or charges not initiated by arrest resulting in
24 acquittal, dismissal, or conviction when the conviction
25 was reversed or vacated, unless excluded by subsection
26 (a)(3)(B). The provisions of this paragraph (1.5), other

1 than this sentence, are inoperative on and after January
2 1, 2022.

3 (2) Contents of petition. The petition shall be
4 verified and shall contain the petitioner's name, date of
5 birth, current address and, for each arrest or charge not
6 initiated by arrest sought to be sealed or expunged, the
7 case number, the date of arrest (if any), the identity of
8 the arresting authority, and such other information as the
9 court may require. During the pendency of the proceeding,
10 the petitioner shall promptly notify the circuit court
11 clerk of any change of his or her address. If the
12 petitioner has received a certificate of eligibility for
13 sealing from the Prisoner Review Board under paragraph
14 (10) of subsection (a) of Section 3-3-2 of the Unified
15 Code of Corrections, the certificate shall be attached to
16 the petition.

17 (3) Drug test. The petitioner must attach to the
18 petition proof that the petitioner has taken within 30
19 days before the filing of the petition a test showing the
20 absence within his or her body of all illegal substances
21 as defined by the Illinois Controlled Substances Act and
22 the Methamphetamine Control and Community Protection Act
23 if he or she is petitioning to:

24 (A) seal felony records under clause (c) (2) (E);

25 (B) seal felony records for a violation of the
26 Illinois Controlled Substances Act, the

1 Methamphetamine Control and Community Protection Act,
2 or the Cannabis Control Act under clause (c) (2) (F);

3 (C) seal felony records under subsection (e-5); or

4 (D) expunge felony records of a qualified
5 probation under clause (b) (1) (iv).

6 (4) Service of petition. The circuit court clerk shall
7 promptly serve a copy of the petition and documentation to
8 support the petition under subsection (e-5) or (e-6) on
9 the State's Attorney or prosecutor charged with the duty
10 of prosecuting the offense, the Illinois State Police, the
11 arresting agency and the chief legal officer of the unit
12 of local government effecting the arrest.

13 (5) Objections.

14 (A) Any party entitled to notice of the petition
15 may file an objection to the petition. All objections
16 shall be in writing, shall be filed with the circuit
17 court clerk, and shall state with specificity the
18 basis of the objection. Whenever a person who has been
19 convicted of an offense is granted a pardon by the
20 Governor which specifically authorizes expungement, an
21 objection to the petition may not be filed.

22 (B) Objections to a petition to expunge or seal
23 must be filed within 60 days of the date of service of
24 the petition.

25 (6) Entry of order.

26 (A) The Chief Judge of the circuit wherein the

1 charge was brought, any judge of that circuit
2 designated by the Chief Judge, or in counties of less
3 than 3,000,000 inhabitants, the presiding trial judge
4 at the petitioner's trial, if any, shall rule on the
5 petition to expunge or seal as set forth in this
6 subsection (d) (6).

7 (B) Unless the State's Attorney or prosecutor, the
8 Illinois State Police, the arresting agency, or the
9 chief legal officer files an objection to the petition
10 to expunge or seal within 60 days from the date of
11 service of the petition, the court shall enter an
12 order granting or denying the petition.

13 (C) Notwithstanding any other provision of law,
14 the court shall not deny a petition for sealing under
15 this Section because the petitioner has not satisfied
16 an outstanding legal financial obligation established,
17 imposed, or originated by a court, law enforcement
18 agency, or a municipal, State, county, or other unit
19 of local government, including, but not limited to,
20 any cost, assessment, fine, or fee. An outstanding
21 legal financial obligation does not include any court
22 ordered restitution to a victim under Section 5-5-6 of
23 the Unified Code of Corrections, unless the
24 restitution has been converted to a civil judgment.
25 Nothing in this subparagraph (C) waives, rescinds, or
26 abrogates a legal financial obligation or otherwise

1 eliminates or affects the right of the holder of any
2 financial obligation to pursue collection under
3 applicable federal, State, or local law.

4 (D) Notwithstanding any other provision of law,
5 the court shall not deny a petition to expunge or seal
6 under this Section because the petitioner has
7 submitted a drug test taken within 30 days before the
8 filing of the petition to expunge or seal that
9 indicates a positive test for the presence of cannabis
10 within the petitioner's body. In this subparagraph
11 (D), "cannabis" has the meaning ascribed to it in
12 Section 3 of the Cannabis Control Act.

13 (7) Hearings. If an objection is filed, the court
14 shall set a date for a hearing and notify the petitioner
15 and all parties entitled to notice of the petition of the
16 hearing date at least 30 days prior to the hearing. Prior
17 to the hearing, the State's Attorney shall consult with
18 the Illinois State Police as to the appropriateness of the
19 relief sought in the petition to expunge or seal. At the
20 hearing, the court shall hear evidence on whether the
21 petition should or should not be granted, and shall grant
22 or deny the petition to expunge or seal the records based
23 on the evidence presented at the hearing. The court may
24 consider the following:

25 (A) the strength of the evidence supporting the
26 defendant's conviction;

1 (B) the reasons for retention of the conviction
2 records by the State;

3 (C) the petitioner's age, criminal record history,
4 and employment history;

5 (D) the period of time between the petitioner's
6 arrest on the charge resulting in the conviction and
7 the filing of the petition under this Section; and

8 (E) the specific adverse consequences the
9 petitioner may be subject to if the petition is
10 denied.

11 (8) Service of order. After entering an order to
12 expunge or seal records, the court must provide copies of
13 the order to the Illinois State Police, in a form and
14 manner prescribed by the Illinois State Police, to the
15 petitioner, to the State's Attorney or prosecutor charged
16 with the duty of prosecuting the offense, to the arresting
17 agency, to the chief legal officer of the unit of local
18 government effecting the arrest, and to such other
19 criminal justice agencies as may be ordered by the court.

20 (9) Implementation of order.

21 (A) Upon entry of an order to expunge records
22 pursuant to subsection (b) (2) (A) or (b) (2) (B) (ii), or
23 both:

24 (i) the records shall be expunged (as defined
25 in subsection (a) (1) (E)) by the arresting agency,
26 the Illinois State Police, and any other agency as

1 ordered by the court, within 60 days of the date of
2 service of the order, unless a motion to vacate,
3 modify, or reconsider the order is filed pursuant
4 to paragraph (12) of subsection (d) of this
5 Section;

6 (ii) the records of the circuit court clerk
7 shall be impounded until further order of the
8 court upon good cause shown and the name of the
9 petitioner obliterated on the official index
10 required to be kept by the circuit court clerk
11 under Section 16 of the Clerks of Courts Act, but
12 the order shall not affect any index issued by the
13 circuit court clerk before the entry of the order;
14 and

15 (iii) in response to an inquiry for expunged
16 records, the court, the Illinois State Police, or
17 the agency receiving such inquiry, shall reply as
18 it does in response to inquiries when no records
19 ever existed.

20 (B) Upon entry of an order to expunge records
21 pursuant to subsection (b)(2)(B)(i) or (b)(2)(C), or
22 both:

23 (i) the records shall be expunged (as defined
24 in subsection (a)(1)(E)) by the arresting agency
25 and any other agency as ordered by the court,
26 within 60 days of the date of service of the order,

1 unless a motion to vacate, modify, or reconsider
2 the order is filed pursuant to paragraph (12) of
3 subsection (d) of this Section;

4 (ii) the records of the circuit court clerk
5 shall be impounded until further order of the
6 court upon good cause shown and the name of the
7 petitioner obliterated on the official index
8 required to be kept by the circuit court clerk
9 under Section 16 of the Clerks of Courts Act, but
10 the order shall not affect any index issued by the
11 circuit court clerk before the entry of the order;

12 (iii) the records shall be impounded by the
13 Illinois State Police within 60 days of the date
14 of service of the order as ordered by the court,
15 unless a motion to vacate, modify, or reconsider
16 the order is filed pursuant to paragraph (12) of
17 subsection (d) of this Section;

18 (iv) records impounded by the Illinois State
19 Police may be disseminated by the Illinois State
20 Police only as required by law or to the arresting
21 authority, the State's Attorney, and the court
22 upon a later arrest for the same or a similar
23 offense or for the purpose of sentencing for any
24 subsequent felony, and to the Department of
25 Corrections upon conviction for any offense; and

26 (v) in response to an inquiry for such records

1 from anyone not authorized by law to access such
2 records, the court, the Illinois State Police, or
3 the agency receiving such inquiry shall reply as
4 it does in response to inquiries when no records
5 ever existed.

6 (B-5) Upon entry of an order to expunge records
7 under subsection (e-6):

8 (i) the records shall be expunged (as defined
9 in subsection (a)(1)(E)) by the arresting agency
10 and any other agency as ordered by the court,
11 within 60 days of the date of service of the order,
12 unless a motion to vacate, modify, or reconsider
13 the order is filed under paragraph (12) of
14 subsection (d) of this Section;

15 (ii) the records of the circuit court clerk
16 shall be impounded until further order of the
17 court upon good cause shown and the name of the
18 petitioner obliterated on the official index
19 required to be kept by the circuit court clerk
20 under Section 16 of the Clerks of Courts Act, but
21 the order shall not affect any index issued by the
22 circuit court clerk before the entry of the order;

23 (iii) the records shall be impounded by the
24 Illinois State Police within 60 days of the date
25 of service of the order as ordered by the court,
26 unless a motion to vacate, modify, or reconsider

1 the order is filed under paragraph (12) of
2 subsection (d) of this Section;

3 (iv) records impounded by the Illinois State
4 Police may be disseminated by the Illinois State
5 Police only as required by law or to the arresting
6 authority, the State's Attorney, and the court
7 upon a later arrest for the same or a similar
8 offense or for the purpose of sentencing for any
9 subsequent felony, and to the Department of
10 Corrections upon conviction for any offense; and

11 (v) in response to an inquiry for these
12 records from anyone not authorized by law to
13 access the records, the court, the Illinois State
14 Police, or the agency receiving the inquiry shall
15 reply as it does in response to inquiries when no
16 records ever existed.

17 (C) Upon entry of an order to seal records under
18 subsection (c), the arresting agency, any other agency
19 as ordered by the court, the Illinois State Police,
20 and the court shall seal the records (as defined in
21 subsection (a)(1)(K)). In response to an inquiry for
22 such records, from anyone not authorized by law to
23 access such records, the court, the Illinois State
24 Police, or the agency receiving such inquiry shall
25 reply as it does in response to inquiries when no
26 records ever existed.

1 (D) The Illinois State Police shall send written
2 notice to the petitioner of its compliance with each
3 order to expunge or seal records within 60 days of the
4 date of service of that order or, if a motion to
5 vacate, modify, or reconsider is filed, within 60 days
6 of service of the order resolving the motion, if that
7 order requires the Illinois State Police to expunge or
8 seal records. In the event of an appeal from the
9 circuit court order, the Illinois State Police shall
10 send written notice to the petitioner of its
11 compliance with an Appellate Court or Supreme Court
12 judgment to expunge or seal records within 60 days of
13 the issuance of the court's mandate. The notice is not
14 required while any motion to vacate, modify, or
15 reconsider, or any appeal or petition for
16 discretionary appellate review, is pending.

17 (E) Upon motion, the court may order that a sealed
18 judgment or other court record necessary to
19 demonstrate the amount of any legal financial
20 obligation due and owing be made available for the
21 limited purpose of collecting any legal financial
22 obligations owed by the petitioner that were
23 established, imposed, or originated in the criminal
24 proceeding for which those records have been sealed.
25 The records made available under this subparagraph (E)
26 shall not be entered into the official index required

1 to be kept by the circuit court clerk under Section 16
2 of the Clerks of Courts Act and shall be immediately
3 re-impounded upon the collection of the outstanding
4 financial obligations.

5 (F) Notwithstanding any other provision of this
6 Section, a circuit court clerk may access a sealed
7 record for the limited purpose of collecting payment
8 for any legal financial obligations that were
9 established, imposed, or originated in the criminal
10 proceedings for which those records have been sealed.

11 (10) Fees. The Illinois State Police may charge the
12 petitioner a fee equivalent to the cost of processing any
13 order to expunge or seal records. Notwithstanding any
14 provision of the Clerks of Courts Act to the contrary, the
15 circuit court clerk may charge a fee equivalent to the
16 cost associated with the sealing or expungement of records
17 by the circuit court clerk. From the total filing fee
18 collected for the petition to seal or expunge, the circuit
19 court clerk shall deposit \$10 into the Circuit Court Clerk
20 Operation and Administrative Fund, to be used to offset
21 the costs incurred by the circuit court clerk in
22 performing the additional duties required to serve the
23 petition to seal or expunge on all parties. The circuit
24 court clerk shall collect and remit the Illinois State
25 Police portion of the fee to the State Treasurer and it
26 shall be deposited in the State Police Services Fund. If

1 the record brought under an expungement petition was
2 previously sealed under this Section, the fee for the
3 expungement petition for that same record shall be waived.

4 (11) Final Order. No court order issued under the
5 expungement or sealing provisions of this Section shall
6 become final for purposes of appeal until 30 days after
7 service of the order on the petitioner and all parties
8 entitled to notice of the petition.

9 (12) Motion to Vacate, Modify, or Reconsider. Under
10 Section 2-1203 of the Code of Civil Procedure, the
11 petitioner or any party entitled to notice may file a
12 motion to vacate, modify, or reconsider the order granting
13 or denying the petition to expunge or seal within 60 days
14 of service of the order. If filed more than 60 days after
15 service of the order, a petition to vacate, modify, or
16 reconsider shall comply with subsection (c) of Section
17 2-1401 of the Code of Civil Procedure. Upon filing of a
18 motion to vacate, modify, or reconsider, notice of the
19 motion shall be served upon the petitioner and all parties
20 entitled to notice of the petition.

21 (13) Effect of Order. An order granting a petition
22 under the expungement or sealing provisions of this
23 Section shall not be considered void because it fails to
24 comply with the provisions of this Section or because of
25 any error asserted in a motion to vacate, modify, or
26 reconsider. The circuit court retains jurisdiction to

1 determine whether the order is voidable and to vacate,
2 modify, or reconsider its terms based on a motion filed
3 under paragraph (12) of this subsection (d).

4 (14) Compliance with Order Granting Petition to Seal
5 Records. Unless a court has entered a stay of an order
6 granting a petition to seal, all parties entitled to
7 notice of the petition must fully comply with the terms of
8 the order within 60 days of service of the order even if a
9 party is seeking relief from the order through a motion
10 filed under paragraph (12) of this subsection (d) or is
11 appealing the order.

12 (15) Compliance with Order Granting Petition to
13 Expunge Records. While a party is seeking relief from the
14 order granting the petition to expunge through a motion
15 filed under paragraph (12) of this subsection (d) or is
16 appealing the order, and unless a court has entered a stay
17 of that order, the parties entitled to notice of the
18 petition must seal, but need not expunge, the records
19 until there is a final order on the motion for relief or,
20 in the case of an appeal, the issuance of that court's
21 mandate.

22 (16) The changes to this subsection (d) made by Public
23 Act 98-163 apply to all petitions pending on August 5,
24 2013 (the effective date of Public Act 98-163) and to all
25 orders ruling on a petition to expunge or seal on or after
26 August 5, 2013 (the effective date of Public Act 98-163).

1 (e) Whenever a person who has been convicted of an offense
2 is granted a pardon by the Governor which specifically
3 authorizes expungement, he or she may, upon verified petition
4 to the Chief Judge of the circuit where the person had been
5 convicted, any judge of the circuit designated by the Chief
6 Judge, or in counties of less than 3,000,000 inhabitants, the
7 presiding trial judge at the defendant's trial, have a court
8 order entered expunging the record of arrest from the official
9 records of the arresting authority and order that the records
10 of the circuit court clerk and the Illinois State Police be
11 sealed until further order of the court upon good cause shown
12 or as otherwise provided herein, and the name of the defendant
13 obliterated from the official index requested to be kept by
14 the circuit court clerk under Section 16 of the Clerks of
15 Courts Act in connection with the arrest and conviction for
16 the offense for which he or she had been pardoned but the order
17 shall not affect any index issued by the circuit court clerk
18 before the entry of the order. All records sealed by the
19 Illinois State Police may be disseminated by the Illinois
20 State Police only to the arresting authority, the State's
21 Attorney, and the court upon a later arrest for the same or
22 similar offense or for the purpose of sentencing for any
23 subsequent felony. Upon conviction for any subsequent offense,
24 the Department of Corrections shall have access to all sealed
25 records of the Illinois State Police pertaining to that
26 individual. Upon entry of the order of expungement, the

1 circuit court clerk shall promptly mail a copy of the order to
2 the person who was pardoned.

3 (e-5) Whenever a person who has been convicted of an
4 offense is granted a certificate of eligibility for sealing by
5 the Prisoner Review Board which specifically authorizes
6 sealing, he or she may, upon verified petition to the Chief
7 Judge of the circuit where the person had been convicted, any
8 judge of the circuit designated by the Chief Judge, or in
9 counties of less than 3,000,000 inhabitants, the presiding
10 trial judge at the petitioner's trial, have a court order
11 entered sealing the record of arrest from the official records
12 of the arresting authority and order that the records of the
13 circuit court clerk and the Illinois State Police be sealed
14 until further order of the court upon good cause shown or as
15 otherwise provided herein, and the name of the petitioner
16 obliterated from the official index requested to be kept by
17 the circuit court clerk under Section 16 of the Clerks of
18 Courts Act in connection with the arrest and conviction for
19 the offense for which he or she had been granted the
20 certificate but the order shall not affect any index issued by
21 the circuit court clerk before the entry of the order. All
22 records sealed by the Illinois State Police may be
23 disseminated by the Illinois State Police only as required by
24 this Act or to the arresting authority, a law enforcement
25 agency, the State's Attorney, and the court upon a later
26 arrest for the same or similar offense or for the purpose of

1 sentencing for any subsequent felony. Upon conviction for any
2 subsequent offense, the Department of Corrections shall have
3 access to all sealed records of the Illinois State Police
4 pertaining to that individual. Upon entry of the order of
5 sealing, the circuit court clerk shall promptly mail a copy of
6 the order to the person who was granted the certificate of
7 eligibility for sealing.

8 (e-6) Whenever a person who has been convicted of an
9 offense is granted a certificate of eligibility for
10 expungement by the Prisoner Review Board which specifically
11 authorizes expungement, he or she may, upon verified petition
12 to the Chief Judge of the circuit where the person had been
13 convicted, any judge of the circuit designated by the Chief
14 Judge, or in counties of less than 3,000,000 inhabitants, the
15 presiding trial judge at the petitioner's trial, have a court
16 order entered expunging the record of arrest from the official
17 records of the arresting authority and order that the records
18 of the circuit court clerk and the Illinois State Police be
19 sealed until further order of the court upon good cause shown
20 or as otherwise provided herein, and the name of the
21 petitioner obliterated from the official index requested to be
22 kept by the circuit court clerk under Section 16 of the Clerks
23 of Courts Act in connection with the arrest and conviction for
24 the offense for which he or she had been granted the
25 certificate but the order shall not affect any index issued by
26 the circuit court clerk before the entry of the order. All

1 records sealed by the Illinois State Police may be
2 disseminated by the Illinois State Police only as required by
3 this Act or to the arresting authority, a law enforcement
4 agency, the State's Attorney, and the court upon a later
5 arrest for the same or similar offense or for the purpose of
6 sentencing for any subsequent felony. Upon conviction for any
7 subsequent offense, the Department of Corrections shall have
8 access to all expunged records of the Illinois State Police
9 pertaining to that individual. Upon entry of the order of
10 expungement, the circuit court clerk shall promptly mail a
11 copy of the order to the person who was granted the certificate
12 of eligibility for expungement.

13 (f) Subject to available funding, the Illinois Department
14 of Corrections shall conduct a study of the impact of sealing,
15 especially on employment and recidivism rates, utilizing a
16 random sample of those who apply for the sealing of their
17 criminal records under Public Act 93-211. At the request of
18 the Illinois Department of Corrections, records of the
19 Illinois Department of Employment Security shall be utilized
20 as appropriate to assist in the study. The study shall not
21 disclose any data in a manner that would allow the
22 identification of any particular individual or employing unit.
23 The study shall be made available to the General Assembly no
24 later than September 1, 2010.

25 (g) Immediate Sealing.

26 (1) Applicability. Notwithstanding any other provision

1 of this Act to the contrary, and cumulative with any
2 rights to expungement or sealing of criminal records, this
3 subsection authorizes the immediate sealing of criminal
4 records of adults and of minors prosecuted as adults.

5 (2) Eligible Records. Arrests or charges not initiated
6 by arrest resulting in acquittal or dismissal with
7 prejudice, except as excluded by subsection (a)(3)(B),
8 that occur on or after January 1, 2018 (the effective date
9 of Public Act 100-282), may be sealed immediately if the
10 petition is filed with the circuit court clerk on the same
11 day and during the same hearing in which the case is
12 disposed.

13 (3) When Records are Eligible to be Immediately
14 Sealed. Eligible records under paragraph (2) of this
15 subsection (g) may be sealed immediately after entry of
16 the final disposition of a case, notwithstanding the
17 disposition of other charges in the same case.

18 (4) Notice of Eligibility for Immediate Sealing. Upon
19 entry of a disposition for an eligible record under this
20 subsection (g), the defendant shall be informed by the
21 court of his or her right to have eligible records
22 immediately sealed and the procedure for the immediate
23 sealing of these records.

24 (5) Procedure. The following procedures apply to
25 immediate sealing under this subsection (g).

26 (A) Filing the Petition. Upon entry of the final

1 disposition of the case, the defendant's attorney may
2 immediately petition the court, on behalf of the
3 defendant, for immediate sealing of eligible records
4 under paragraph (2) of this subsection (g) that are
5 entered on or after January 1, 2018 (the effective
6 date of Public Act 100-282). The immediate sealing
7 petition may be filed with the circuit court clerk
8 during the hearing in which the final disposition of
9 the case is entered. If the defendant's attorney does
10 not file the petition for immediate sealing during the
11 hearing, the defendant may file a petition for sealing
12 at any time as authorized under subsection (c) (3) (A).

13 (B) Contents of Petition. The immediate sealing
14 petition shall be verified and shall contain the
15 petitioner's name, date of birth, current address, and
16 for each eligible record, the case number, the date of
17 arrest if applicable, the identity of the arresting
18 authority if applicable, and other information as the
19 court may require.

20 (C) Drug Test. The petitioner shall not be
21 required to attach proof that he or she has passed a
22 drug test.

23 (D) Service of Petition. A copy of the petition
24 shall be served on the State's Attorney in open court.
25 The petitioner shall not be required to serve a copy of
26 the petition on any other agency.

1 (E) Entry of Order. The presiding trial judge
2 shall enter an order granting or denying the petition
3 for immediate sealing during the hearing in which it
4 is filed. Petitions for immediate sealing shall be
5 ruled on in the same hearing in which the final
6 disposition of the case is entered.

7 (F) Hearings. The court shall hear the petition
8 for immediate sealing on the same day and during the
9 same hearing in which the disposition is rendered.

10 (G) Service of Order. An order to immediately seal
11 eligible records shall be served in conformance with
12 subsection (d) (8).

13 (H) Implementation of Order. An order to
14 immediately seal records shall be implemented in
15 conformance with subsections (d) (9) (C) and (d) (9) (D).

16 (I) Fees. The fee imposed by the circuit court
17 clerk and the Illinois State Police shall comply with
18 paragraph (1) of subsection (d) of this Section.

19 (J) Final Order. No court order issued under this
20 subsection (g) shall become final for purposes of
21 appeal until 30 days after service of the order on the
22 petitioner and all parties entitled to service of the
23 order in conformance with subsection (d) (8).

24 (K) Motion to Vacate, Modify, or Reconsider. Under
25 Section 2-1203 of the Code of Civil Procedure, the
26 petitioner, State's Attorney, or the Illinois State

1 Police may file a motion to vacate, modify, or
2 reconsider the order denying the petition to
3 immediately seal within 60 days of service of the
4 order. If filed more than 60 days after service of the
5 order, a petition to vacate, modify, or reconsider
6 shall comply with subsection (c) of Section 2-1401 of
7 the Code of Civil Procedure.

8 (L) Effect of Order. An order granting an
9 immediate sealing petition shall not be considered
10 void because it fails to comply with the provisions of
11 this Section or because of an error asserted in a
12 motion to vacate, modify, or reconsider. The circuit
13 court retains jurisdiction to determine whether the
14 order is voidable, and to vacate, modify, or
15 reconsider its terms based on a motion filed under
16 subparagraph (L) of this subsection (g).

17 (M) Compliance with Order Granting Petition to
18 Seal Records. Unless a court has entered a stay of an
19 order granting a petition to immediately seal, all
20 parties entitled to service of the order must fully
21 comply with the terms of the order within 60 days of
22 service of the order.

23 (h) Sealing or vacation and expungement of trafficking
24 victims' crimes.

25 (1) A trafficking victim, as defined by paragraph (10)
26 of subsection (a) of Section 10-9 of the Criminal Code of

1 2012, may petition for vacation and expungement or
2 immediate sealing of his or her criminal record upon the
3 completion of his or her last sentence if his or her
4 participation in the underlying offense was a result of
5 human trafficking under Section 10-9 of the Criminal Code
6 of 2012 or a severe form of trafficking under the federal
7 Trafficking Victims Protection Act.

8 (1.5) A petition under paragraph (1) shall be
9 prepared, signed, and filed in accordance with Supreme
10 Court Rule 9. The court may allow the petitioner to attend
11 any required hearing remotely in accordance with local
12 rules. The court may allow a petition to be filed under
13 seal if the public filing of the petition would constitute
14 a risk of harm to the petitioner.

15 (2) A petitioner under this subsection (h), in
16 addition to the requirements provided under paragraph (4)
17 of subsection (d) of this Section, shall include in his or
18 her petition a clear and concise statement that: (A) he or
19 she was a victim of human trafficking at the time of the
20 offense; and (B) that his or her participation in the
21 offense was a result of human trafficking under Section
22 10-9 of the Criminal Code of 2012 or a severe form of
23 trafficking under the federal Trafficking Victims
24 Protection Act.

25 (3) If an objection is filed alleging that the
26 petitioner is not entitled to vacation and expungement or

1 immediate sealing under this subsection (h), the court
2 shall conduct a hearing under paragraph (7) of subsection
3 (d) of this Section and the court shall determine whether
4 the petitioner is entitled to vacation and expungement or
5 immediate sealing under this subsection (h). A petitioner
6 is eligible for vacation and expungement or immediate
7 relief under this subsection (h) if he or she shows, by a
8 preponderance of the evidence, that: (A) he or she was a
9 victim of human trafficking at the time of the offense;
10 and (B) that his or her participation in the offense was a
11 result of human trafficking under Section 10-9 of the
12 Criminal Code of 2012 or a severe form of trafficking
13 under the federal Trafficking Victims Protection Act.

14 (i) Minor Cannabis Offenses under the Cannabis Control
15 Act.

16 (1) Expungement of Arrest Records of Minor Cannabis
17 Offenses.

18 (A) The Illinois State Police and all law
19 enforcement agencies within the State shall
20 automatically expunge all criminal history records of
21 an arrest, charge not initiated by arrest, order of
22 supervision, or order of qualified probation for a
23 Minor Cannabis Offense committed prior to June 25,
24 2019 (the effective date of Public Act 101-27) if:

25 (i) One year or more has elapsed since the
26 date of the arrest or law enforcement interaction

1 documented in the records; and

2 (ii) No criminal charges were filed relating
3 to the arrest or law enforcement interaction or
4 criminal charges were filed and subsequently
5 dismissed or vacated or the arrestee was
6 acquitted.

7 (B) If the law enforcement agency is unable to
8 verify satisfaction of condition (ii) in paragraph
9 (A), records that satisfy condition (i) in paragraph
10 (A) shall be automatically expunged.

11 (C) Records shall be expunged by the law
12 enforcement agency under the following timelines:

13 (i) Records created prior to June 25, 2019
14 (the effective date of Public Act 101-27), but on
15 or after January 1, 2013, shall be automatically
16 expunged prior to January 1, 2021;

17 (ii) Records created prior to January 1, 2013,
18 but on or after January 1, 2000, shall be
19 automatically expunged prior to January 1, 2023;

20 (iii) Records created prior to January 1, 2000
21 shall be automatically expunged prior to January
22 1, 2025.

23 In response to an inquiry for expunged records,
24 the law enforcement agency receiving such inquiry
25 shall reply as it does in response to inquiries when no
26 records ever existed; however, it shall provide a

1 certificate of disposition or confirmation that the
2 record was expunged to the individual whose record was
3 expunged if such a record exists.

4 (D) Nothing in this Section shall be construed to
5 restrict or modify an individual's right to have that
6 individual's records expunged except as otherwise may
7 be provided in this Act, or diminish or abrogate any
8 rights or remedies otherwise available to the
9 individual.

10 (2) Pardons Authorizing Expungement of Minor Cannabis
11 Offenses.

12 (A) Upon June 25, 2019 (the effective date of
13 Public Act 101-27), the Department of State Police
14 shall review all criminal history record information
15 and identify all records that meet all of the
16 following criteria:

17 (i) one or more convictions for a Minor
18 Cannabis Offense;

19 (ii) the conviction identified in paragraph
20 (2) (A) (i) did not include a penalty enhancement
21 under Section 7 of the Cannabis Control Act; and

22 (iii) the conviction identified in paragraph
23 (2) (A) (i) is not associated with a conviction for
24 a violent crime as defined in subsection (c) of
25 Section 3 of the Rights of Crime Victims and
26 Witnesses Act.

1 (B) Within 180 days after June 25, 2019 (the
2 effective date of Public Act 101-27), the Department
3 of State Police shall notify the Prisoner Review Board
4 of all such records that meet the criteria established
5 in paragraph (2) (A).

6 (i) The Prisoner Review Board shall notify the
7 State's Attorney of the county of conviction of
8 each record identified by State Police in
9 paragraph (2) (A) that is classified as a Class 4
10 felony. The State's Attorney may provide a written
11 objection to the Prisoner Review Board on the sole
12 basis that the record identified does not meet the
13 criteria established in paragraph (2) (A). Such an
14 objection must be filed within 60 days or by such
15 later date set by the Prisoner Review Board in the
16 notice after the State's Attorney received notice
17 from the Prisoner Review Board.

18 (ii) In response to a written objection from a
19 State's Attorney, the Prisoner Review Board is
20 authorized to conduct a non-public hearing to
21 evaluate the information provided in the
22 objection.

23 (iii) The Prisoner Review Board shall make a
24 confidential and privileged recommendation to the
25 Governor as to whether to grant a pardon
26 authorizing expungement for each of the records

1 identified by the Department of State Police as
2 described in paragraph (2) (A).

3 (C) If an individual has been granted a pardon
4 authorizing expungement as described in this Section,
5 the Prisoner Review Board, through the Attorney
6 General, shall file a petition for expungement with
7 the Chief Judge of the circuit or any judge of the
8 circuit designated by the Chief Judge where the
9 individual had been convicted. Such petition may
10 include more than one individual. Whenever an
11 individual who has been convicted of an offense is
12 granted a pardon by the Governor that specifically
13 authorizes expungement, an objection to the petition
14 may not be filed. Petitions to expunge under this
15 subsection (i) may include more than one individual.
16 Within 90 days of the filing of such a petition, the
17 court shall enter an order expunging the records of
18 arrest from the official records of the arresting
19 authority and order that the records of the circuit
20 court clerk and the Illinois State Police be expunged
21 and the name of the defendant obliterated from the
22 official index requested to be kept by the circuit
23 court clerk under Section 16 of the Clerks of Courts
24 Act in connection with the arrest and conviction for
25 the offense for which the individual had received a
26 pardon but the order shall not affect any index issued

1 by the circuit court clerk before the entry of the
2 order. Upon entry of the order of expungement, the
3 circuit court clerk shall promptly provide a copy of
4 the order and a certificate of disposition to the
5 individual who was pardoned to the individual's last
6 known address or by electronic means (if available) or
7 otherwise make it available to the individual upon
8 request.

9 (D) Nothing in this Section is intended to
10 diminish or abrogate any rights or remedies otherwise
11 available to the individual.

12 (3) Any individual may file a motion to vacate and
13 expunge a conviction for a misdemeanor or Class 4 felony
14 violation of Section 4 or Section 5 of the Cannabis
15 Control Act. Motions to vacate and expunge under this
16 subsection (i) may be filed with the circuit court, Chief
17 Judge of a judicial circuit or any judge of the circuit
18 designated by the Chief Judge. The circuit court clerk
19 shall promptly serve a copy of the motion to vacate and
20 expunge, and any supporting documentation, on the State's
21 Attorney or prosecutor charged with the duty of
22 prosecuting the offense. When considering such a motion to
23 vacate and expunge, a court shall consider the following:
24 the reasons to retain the records provided by law
25 enforcement, the petitioner's age, the petitioner's age at
26 the time of offense, the time since the conviction, and

1 the specific adverse consequences if denied. An individual
2 may file such a petition after the completion of any
3 non-financial sentence or non-financial condition imposed
4 by the conviction. Within 60 days of the filing of such
5 motion, a State's Attorney may file an objection to such a
6 petition along with supporting evidence. If a motion to
7 vacate and expunge is granted, the records shall be
8 expunged in accordance with subparagraphs (d)(8) and
9 (d)(9)(A) of this Section. An agency providing civil legal
10 aid, as defined by Section 15 of the Public Interest
11 Attorney Assistance Act, assisting individuals seeking to
12 file a motion to vacate and expunge under this subsection
13 may file motions to vacate and expunge with the Chief
14 Judge of a judicial circuit or any judge of the circuit
15 designated by the Chief Judge, and the motion may include
16 more than one individual. Motions filed by an agency
17 providing civil legal aid concerning more than one
18 individual may be prepared, presented, and signed
19 electronically.

20 (4) Any State's Attorney may file a motion to vacate
21 and expunge a conviction for a misdemeanor or Class 4
22 felony violation of Section 4 or Section 5 of the Cannabis
23 Control Act. Motions to vacate and expunge under this
24 subsection (i) may be filed with the circuit court, Chief
25 Judge of a judicial circuit or any judge of the circuit
26 designated by the Chief Judge, and may include more than

1 one individual. Motions filed by a State's Attorney
2 concerning more than one individual may be prepared,
3 presented, and signed electronically. When considering
4 such a motion to vacate and expunge, a court shall
5 consider the following: the reasons to retain the records
6 provided by law enforcement, the individual's age, the
7 individual's age at the time of offense, the time since
8 the conviction, and the specific adverse consequences if
9 denied. Upon entry of an order granting a motion to vacate
10 and expunge records pursuant to this Section, the State's
11 Attorney shall notify the Prisoner Review Board within 30
12 days. Upon entry of the order of expungement, the circuit
13 court clerk shall promptly provide a copy of the order and
14 a certificate of disposition to the individual whose
15 records will be expunged to the individual's last known
16 address or by electronic means (if available) or otherwise
17 make available to the individual upon request. If a motion
18 to vacate and expunge is granted, the records shall be
19 expunged in accordance with subparagraphs (d)(8) and
20 (d)(9)(A) of this Section.

21 (5) In the public interest, the State's Attorney of a
22 county has standing to file motions to vacate and expunge
23 pursuant to this Section in the circuit court with
24 jurisdiction over the underlying conviction.

25 (6) If a person is arrested for a Minor Cannabis
26 Offense as defined in this Section before June 25, 2019

1 (the effective date of Public Act 101-27) and the person's
2 case is still pending but a sentence has not been imposed,
3 the person may petition the court in which the charges are
4 pending for an order to summarily dismiss those charges
5 against him or her, and expunge all official records of
6 his or her arrest, plea, trial, conviction, incarceration,
7 supervision, or expungement. If the court determines, upon
8 review, that: (A) the person was arrested before June 25,
9 2019 (the effective date of Public Act 101-27) for an
10 offense that has been made eligible for expungement; (B)
11 the case is pending at the time; and (C) the person has not
12 been sentenced of the minor cannabis violation eligible
13 for expungement under this subsection, the court shall
14 consider the following: the reasons to retain the records
15 provided by law enforcement, the petitioner's age, the
16 petitioner's age at the time of offense, the time since
17 the conviction, and the specific adverse consequences if
18 denied. If a motion to dismiss and expunge is granted, the
19 records shall be expunged in accordance with subparagraph
20 (d) (9) (A) of this Section.

21 (7) A person imprisoned solely as a result of one or
22 more convictions for Minor Cannabis Offenses under this
23 subsection (i) shall be released from incarceration upon
24 the issuance of an order under this subsection.

25 (8) The Illinois State Police shall allow a person to
26 use the access and review process, established in the

1 Illinois State Police, for verifying that his or her
2 records relating to Minor Cannabis Offenses of the
3 Cannabis Control Act eligible under this Section have been
4 expunged.

5 (9) No conviction vacated pursuant to this Section
6 shall serve as the basis for damages for time unjustly
7 served as provided in the Court of Claims Act.

8 (10) Effect of Expungement. A person's right to
9 expunge an expungeable offense shall not be limited under
10 this Section. The effect of an order of expungement shall
11 be to restore the person to the status he or she occupied
12 before the arrest, charge, or conviction.

13 (11) Information. The Illinois State Police shall post
14 general information on its website about the expungement
15 process described in this subsection (i).

16 (j) ~~Felony~~ Prostitution and Solicitation Convictions and
17 Arrests.

18 (1) Automatic Sealing of Felony Prostitution Arrests.

19 (A) The Illinois State Police and local law
20 enforcement agencies within the State shall
21 automatically seal the law enforcement records
22 relating to a person's Class 4 felony arrests and
23 charges not initiated by arrest for prostitution if
24 that arrest or charge not initiated by arrest is
25 eligible for sealing under paragraph (2) of subsection
26 (c).

1 (B) In the absence of a court order or upon the
2 order of a court, the clerk of the circuit court shall
3 automatically seal the court records and case files
4 relating to a person's Class 4 felony arrests and
5 charges not initiated by arrest for prostitution if
6 that arrest or charge not initiated by arrest is
7 eligible for sealing under paragraph (2) of subsection
8 (c).

9 (C) The automatic sealing described in this
10 paragraph (1) shall be completed no later than January
11 1, 2028.

12 (2) Automatic Sealing of Felony Prostitution
13 Convictions.

14 (A) The Illinois State Police and local law
15 enforcement agencies within the State shall
16 automatically seal the law enforcement records
17 relating to a person's Class 4 felony conviction for
18 prostitution if those records are eligible for sealing
19 under paragraph (2) of subsection (c).

20 (B) In the absence of a court order or upon the
21 order of a court, the clerk of the circuit court shall
22 automatically seal the court records relating to a
23 person's Class 4 felony conviction for prostitution if
24 those records are eligible for sealing under paragraph
25 (2) of subsection (c).

26 (C) The automatic sealing of records described in

1 this paragraph (2) shall be completed no later than
2 January 1, 2028.

3 (3) Motions to Vacate and Expunge ~~Felony~~ Prostitution
4 and Solicitation Convictions and Arrests. Any individual
5 may file a motion to vacate and expunge a conviction for a
6 prior Class 4 felony violation or a misdemeanor violation
7 of prostitution or a misdemeanor violation of solicitation
8 of a sexual act. Motions to vacate and expunge under this
9 subsection (j) may be filed with the circuit court, Chief
10 Judge of a judicial circuit, or any judge of the circuit
11 designated by the Chief Judge. When considering the motion
12 to vacate and expunge, a court shall consider the
13 following:

14 (A) the reasons to retain the records provided by
15 law enforcement;

16 (B) the petitioner's age;

17 (C) the petitioner's age at the time of offense;

18 and

19 (D) the time since the conviction, and the
20 specific adverse consequences if denied. An individual
21 may file the petition after the completion of any
22 sentence or condition imposed by the conviction.
23 Within 60 days of the filing of the motion, a State's
24 Attorney may file an objection to the petition along
25 with supporting evidence. If a motion to vacate and
26 expunge is granted, the records shall be expunged in

1 accordance with subparagraph (d)(9)(A) of this
2 Section. An agency providing civil legal aid, as
3 defined in Section 15 of the Public Interest Attorney
4 Assistance Act, assisting individuals seeking to file
5 a motion to vacate and expunge under this subsection
6 may file motions to vacate and expunge with the Chief
7 Judge of a judicial circuit or any judge of the circuit
8 designated by the Chief Judge, and the motion may
9 include more than one individual.

10 (4) Any State's Attorney may file a motion to vacate
11 and expunge a conviction for a Class 4 felony violation or
12 a misdemeanor violation of prostitution or a misdemeanor
13 violation of solicitation of a sexual act. Motions to
14 vacate and expunge under this subsection (j) may be filed
15 with the circuit court, Chief Judge of a judicial circuit,
16 or any judge of the circuit court designated by the Chief
17 Judge, and may include more than one individual. When
18 considering the motion to vacate and expunge, a court
19 shall consider the following reasons:

20 (A) the reasons to retain the records provided by
21 law enforcement;

22 (B) the petitioner's age;

23 (C) the petitioner's age at the time of offense;

24 (D) the time since the conviction; and

25 (E) the specific adverse consequences if denied.

26 If the State's Attorney files a motion to vacate and

1 expunge records for felony or misdemeanor prostitution
2 convictions or misdemeanor solicitation of a sexual act
3 convictions pursuant to this Section, the State's Attorney
4 shall notify the Prisoner Review Board within 30 days of
5 the filing. If a motion to vacate and expunge is granted,
6 the records shall be expunged in accordance with
7 subparagraph (d) (9) (A) of this Section.

8 (5) In the public interest, the State's Attorney of a
9 county has standing to file motions to vacate and expunge
10 pursuant to this Section in the circuit court with
11 jurisdiction over the underlying conviction.

12 (6) The Illinois State Police shall allow a person to
13 a use the access and review process, established in the
14 Illinois State Police, for verifying that his or her
15 records relating to felony or misdemeanor prostitution or
16 misdemeanor solicitation of a sexual act eligible under
17 this Section have been expunged.

18 (7) No conviction vacated pursuant to this Section
19 shall serve as the basis for damages for time unjustly
20 served as provided in the Court of Claims Act.

21 (8) Effect of Expungement. A person's right to expunge
22 an expungeable offense shall not be limited under this
23 Section. The effect of an order of expungement shall be to
24 restore the person to the status he or she occupied before
25 the arrest, charge, or conviction.

26 (9) Information. The Illinois State Police shall post

1 general information on its website about the expungement
2 or sealing process described in this subsection (j).

3 (10) Expungement of Arrest Record. The Illinois State
4 Police and all law enforcement agencies within this State
5 shall automatically expunge all criminal history records
6 of an arrest, charge not initiated by arrest, order of
7 supervision, or order of qualified probation for the
8 offense of prostitution or solicitation of a sexual act
9 committed prior to the effective date of this amendatory
10 Act of the 104th General Assembly if:

11 (A) one year or more has elapsed since the date of
12 the arrest or law enforcement interaction documented
13 in the records;

14 (B) no criminal charges were filed relating to the
15 arrest or law enforcement interaction or criminal
16 charges were filed and subsequently dismissed or
17 vacated or the arrestee was acquitted; and

18 (C) where criminal charges were filed and
19 subsequently dismissed or vacated, the charges did not
20 relate to an offense of prostitution or solicitation
21 of a sexual act involving a minor as the victim.

22 Records shall be expunged pursuant to the procedures
23 set forth in this subsection (j)(8) under the following
24 timelines:

25 (i) Records created prior to the effective
26 date of this amendatory Act of the 104th General

1 Assembly, but on or after January 1, 2013, shall
2 be automatically expunged prior to January 1,
3 2026.

4 (ii) Records created prior to January 1, 2013,
5 but on or after January 1, 2000, shall be
6 automatically expunged prior to January 1, 2028.

7 (iii) Records created prior to January 1, 2000
8 shall be automatically expunged prior to January
9 1, 2030.

10 (11) Upon the effective date of this amendatory Act of
11 the 104th General Assembly, the Illinois State Police
12 shall review all criminal history record information and
13 identify all records that meet all of the following
14 criteria:

15 (A) one or more convictions for prostitution or
16 solicitation of a sexual act;

17 (B) the conviction or convictions identified did
18 not involve a minor as the victim; and

19 (C) the conviction or convictions identified are
20 not associated with an arrest, conviction, or other
21 disposition for a violent crime as defined in
22 subsection (c) of Section 3 of the Rights of Crime
23 Victims and Witnesses Act.

24 Within 180 days after the effective date of this
25 amendatory Act of the 104th General Assembly, the Illinois
26 State Police shall notify the Prisoner Review Board of all

1 such records that meet the criteria established in this
2 subsection (j)(9). The Prisoner Review Board shall make a
3 confidential and privileged recommendation to the Governor
4 as to whether to grant a pardon authorizing expungement
5 for each of the records identified by the Illinois State
6 Police as described in this subsection (j)(9).

7 (Source: P.A. 103-35, eff. 1-1-24; 103-154, eff. 6-30-23;
8 103-609, eff. 7-1-24; 103-755, eff. 8-2-24; 103-1071, eff.
9 7-1-25; 104-417, eff. 8-15-25; revised 9-17-25.)

10 Section 10-10. The Massage Therapy Practice Act is amended
11 by changing Sections 15 and 45 as follows:

12 (225 ILCS 57/15)

13 (Section scheduled to be repealed on January 1, 2027)

14 Sec. 15. Licensure requirements.

15 (a) Persons engaged in massage for compensation must be
16 licensed by the Department. The Department shall issue a
17 license to an individual who meets all of the following
18 requirements:

19 (1) The applicant has applied in writing on the
20 prescribed forms and has paid the required fees.

21 (2) The applicant is at least 18 years of age and of
22 good moral character. In determining good moral character,
23 the Department may take into consideration conviction of
24 any crime under the laws of the United States or any state

1 or territory thereof that is a felony or a misdemeanor or
2 any crime that is directly related to the practice of the
3 profession. Such a conviction shall not operate
4 automatically as a complete bar to a license, except in
5 the case of any conviction for ~~prostitution~~, rape, or
6 sexual misconduct, or where the applicant is a registered
7 sex offender.

8 (3) The applicant has successfully completed a massage
9 therapy program approved by the Department that requires a
10 minimum of 500 hours, except applicants applying on or
11 after January 1, 2014 shall meet a minimum requirement of
12 600 hours, and has passed a competency examination
13 approved by the Department.

14 (b) Each applicant for licensure as a massage therapist
15 shall have his or her fingerprints submitted to the Illinois
16 State Police in an electronic format that complies with the
17 form and manner for requesting and furnishing criminal history
18 record information as prescribed by the Illinois State Police.
19 These fingerprints shall be checked against the Illinois State
20 Police and Federal Bureau of Investigation criminal history
21 record databases now and hereafter filed. The Illinois State
22 Police shall charge applicants a fee for conducting the
23 criminal history records check, which shall be deposited into
24 the State Police Services Fund and shall not exceed the actual
25 cost of the records check. The Illinois State Police shall
26 furnish, pursuant to positive identification, records of

1 Illinois convictions to the Department. The Department may
2 require applicants to pay a separate fingerprinting fee,
3 either to the Department or to a vendor. The Department, in its
4 discretion, may allow an applicant who does not have
5 reasonable access to a designated vendor to provide his or her
6 fingerprints in an alternative manner. The Department may
7 adopt any rules necessary to implement this Section.

8 (Source: P.A. 102-20, eff. 1-1-22; 102-538, eff. 8-20-21;
9 102-813, eff. 5-13-22.)

10 (225 ILCS 57/45)

11 (Section scheduled to be repealed on January 1, 2027)

12 Sec. 45. Grounds for discipline.

13 (a) The Department may refuse to issue or renew, or may
14 revoke, suspend, place on probation, reprimand, or take other
15 disciplinary or non-disciplinary action, as the Department
16 considers appropriate, including the imposition of fines not
17 to exceed \$10,000 for each violation, with regard to any
18 license or licensee for any one or more of the following:

19 (1) violations of this Act or of the rules adopted
20 under this Act;

21 (2) conviction by plea of guilty or nolo contendere,
22 finding of guilt, jury verdict, or entry of judgment or by
23 sentencing of any crime, including, but not limited to,
24 convictions, preceding sentences of supervision,
25 conditional discharge, or first offender probation, under

1 the laws of any jurisdiction of the United States: (i)
2 that is a felony; or (ii) that is a misdemeanor, an
3 essential element of which is dishonesty, or that is
4 directly related to the practice of the profession;

5 (3) professional incompetence;

6 (4) advertising in a false, deceptive, or misleading
7 manner, including failing to use the massage therapist's
8 own license number in an advertisement;

9 (5) aiding, abetting, assisting, procuring, advising,
10 employing, or contracting with any unlicensed person to
11 practice massage contrary to any rules or provisions of
12 this Act;

13 (6) engaging in immoral conduct in the commission of
14 any act, such as sexual abuse, sexual misconduct, or
15 sexual exploitation, related to the licensee's practice;

16 (7) engaging in dishonorable, unethical, or
17 unprofessional conduct of a character likely to deceive,
18 defraud, or harm the public;

19 (8) practicing or offering to practice beyond the
20 scope permitted by law or accepting and performing
21 professional responsibilities which the licensee knows or
22 has reason to know that he or she is not competent to
23 perform;

24 (9) knowingly delegating professional
25 responsibilities to a person unqualified by training,
26 experience, or licensure to perform;

1 (10) failing to provide information in response to a
2 written request made by the Department within 60 days;

3 (11) having a habitual or excessive use of or
4 addiction to alcohol, narcotics, stimulants, or any other
5 chemical agent or drug which results in the inability to
6 practice with reasonable judgment, skill, or safety;

7 (12) having a pattern of practice or other behavior
8 that demonstrates incapacity or incompetence to practice
9 under this Act;

10 (13) discipline by another state, District of
11 Columbia, territory, or foreign nation, if at least one of
12 the grounds for the discipline is the same or
13 substantially equivalent to those set forth in this
14 Section;

15 (14) a finding by the Department that the licensee,
16 after having his or her license placed on probationary
17 status, has violated the terms of probation;

18 (15) willfully making or filing false records or
19 reports in his or her practice, including, but not limited
20 to, false records filed with State agencies or
21 departments;

22 (16) making a material misstatement in furnishing
23 information to the Department or otherwise making
24 misleading, deceptive, untrue, or fraudulent
25 representations in violation of this Act or otherwise in
26 the practice of the profession;

1 (17) fraud or misrepresentation in applying for or
2 procuring a license under this Act or in connection with
3 applying for renewal of a license under this Act;

4 (18) inability to practice the profession with
5 reasonable judgment, skill, or safety as a result of
6 physical illness, including, but not limited to,
7 deterioration through the aging process, loss of motor
8 skill, or a mental illness or disability;

9 (19) charging for professional services not rendered,
10 including filing false statements for the collection of
11 fees for which services are not rendered;

12 (20) practicing under a false or, except as provided
13 by law, an assumed name; or

14 (21) cheating on or attempting to subvert the
15 licensing examination administered under this Act.

16 All fines shall be paid within 60 days of the effective
17 date of the order imposing the fine.

18 (b) A person not licensed under this Act and engaged in the
19 business of offering massage therapy services through others,
20 shall not aid, abet, assist, procure, advise, employ, or
21 contract with any unlicensed person to practice massage
22 therapy contrary to any rules or provisions of this Act. A
23 person violating this subsection (b) shall be treated as a
24 licensee for the purposes of disciplinary action under this
25 Section and shall be subject to cease and desist orders as
26 provided in Section 90 of this Act.

1 (c) The Department shall revoke any license issued under
2 this Act of any person who is convicted of ~~prostitution~~, rape,
3 sexual misconduct, or any crime that subjects the licensee to
4 compliance with the requirements of the Sex Offender
5 Registration Act and any such conviction shall operate as a
6 permanent bar in the State of Illinois to practice as a massage
7 therapist.

8 (c-5) A prosecuting attorney shall provide notice to the
9 Department of the licensed massage therapist's name, address,
10 practice address, and license number and a copy of the
11 criminal charges filed immediately after a licensed massage
12 therapist has been charged with any of the following offenses:

13 (1) an offense for which the sentence includes
14 registration as a sex offender;

15 (2) involuntary sexual servitude of a minor;

16 (3) the crime of battery against a patient, including
17 any offense based on sexual conduct or sexual penetration,
18 in the course of patient care or treatment; or

19 (4) a forcible felony.

20 If the victim of the crime the licensee has been charged
21 with is a patient of the licensee, the prosecuting attorney
22 shall also provide notice to the Department of the patient's
23 name.

24 Within 5 business days after receiving notice from the
25 prosecuting attorney of the filing of criminal charges against
26 the licensed massage therapist, the Secretary shall issue an

1 administrative order that the licensed massage therapist shall
2 practice only with a chaperone during all patient encounters
3 pending the outcome of the criminal proceedings. The chaperone
4 shall be a licensed massage therapist or other health care
5 worker licensed by the Department. The administrative order
6 shall specify any other terms or conditions deemed appropriate
7 by the Secretary. The chaperone shall provide written notice
8 to all of the licensed massage therapist's patients explaining
9 the Department's order to use a chaperone. Each patient shall
10 sign an acknowledgment that the patient received the notice.
11 The notice to the patient of criminal charges shall include,
12 in 14-point font, the following statement: "The massage
13 therapist is presumed innocent until proven guilty of the
14 charges.".

15 The licensed massage therapist shall provide a written
16 plan of compliance with the administrative order that is
17 acceptable to the Department within 5 business days after
18 receipt of the administrative order. Failure to comply with
19 the administrative order, failure to file a compliance plan,
20 or failure to follow the compliance plan shall subject the
21 licensed massage therapist to temporary suspension of his or
22 her license until the completion of the criminal proceedings.

23 If the licensee is not convicted of the charge or if any
24 conviction is later overturned by a reviewing court, the
25 administrative order shall be vacated and removed from the
26 licensee's record.

1 The Department may adopt rules to implement this
2 subsection.

3 (d) The Department may refuse to issue or may suspend the
4 license of any person who fails to file a tax return, to pay
5 the tax, penalty, or interest shown in a filed tax return, or
6 to pay any final assessment of tax, penalty, or interest, as
7 required by any tax Act administered by the Illinois
8 Department of Revenue, until such time as the requirements of
9 the tax Act are satisfied in accordance with subsection (g) of
10 Section 2105-15 of the Civil Administrative Code of Illinois.

11 (e) (Blank).

12 (f) In cases where the Department of Healthcare and Family
13 Services has previously determined that a licensee or a
14 potential licensee is more than 30 days delinquent in the
15 payment of child support and has subsequently certified the
16 delinquency to the Department, the Department may refuse to
17 issue or renew or may revoke or suspend that person's license
18 or may take other disciplinary action against that person
19 based solely upon the certification of delinquency made by the
20 Department of Healthcare and Family Services in accordance
21 with item (5) of subsection (a) of Section 2105-15 of the Civil
22 Administrative Code of Illinois.

23 (g) The determination by a circuit court that a licensee
24 is subject to involuntary admission or judicial admission, as
25 provided in the Mental Health and Developmental Disabilities
26 Code, operates as an automatic suspension. The suspension will

1 end only upon a finding by a court that the patient is no
2 longer subject to involuntary admission or judicial admission
3 and the issuance of a court order so finding and discharging
4 the patient.

5 (h) In enforcing this Act, the Department or Board, upon a
6 showing of a possible violation, may compel an individual
7 licensed to practice under this Act, or who has applied for
8 licensure under this Act, to submit to a mental or physical
9 examination, or both, as required by and at the expense of the
10 Department. The Department or Board may order the examining
11 physician to present testimony concerning the mental or
12 physical examination of the licensee or applicant. No
13 information shall be excluded by reason of any common law or
14 statutory privilege relating to communications between the
15 licensee or applicant and the examining physician. The
16 examining physicians shall be specifically designated by the
17 Board or Department. The individual to be examined may have,
18 at his or her own expense, another physician of his or her
19 choice present during all aspects of this examination. The
20 examination shall be performed by a physician licensed to
21 practice medicine in all its branches. Failure of an
22 individual to submit to a mental or physical examination, when
23 directed, shall result in an automatic suspension without
24 hearing.

25 A person holding a license under this Act or who has
26 applied for a license under this Act who, because of a physical

1 or mental illness or disability, including, but not limited
2 to, deterioration through the aging process or loss of motor
3 skill, is unable to practice the profession with reasonable
4 judgment, skill, or safety, may be required by the Department
5 to submit to care, counseling, or treatment by physicians
6 approved or designated by the Department as a condition, term,
7 or restriction for continued, reinstated, or renewed licensure
8 to practice. Submission to care, counseling, or treatment as
9 required by the Department shall not be considered discipline
10 of a license. If the licensee refuses to enter into a care,
11 counseling, or treatment agreement or fails to abide by the
12 terms of the agreement, the Department may file a complaint to
13 revoke, suspend, or otherwise discipline the license of the
14 individual. The Secretary may order the license suspended
15 immediately, pending a hearing by the Department. Fines shall
16 not be assessed in disciplinary actions involving physical or
17 mental illness or impairment.

18 In instances in which the Secretary immediately suspends a
19 person's license under this Section, a hearing on that
20 person's license must be convened by the Department within 15
21 days after the suspension and completed without appreciable
22 delay. The Department and Board shall have the authority to
23 review the subject individual's record of treatment and
24 counseling regarding the impairment to the extent permitted by
25 applicable federal statutes and regulations safeguarding the
26 confidentiality of medical records.

1 An individual licensed under this Act and affected under
2 this Section shall be afforded an opportunity to demonstrate
3 to the Department or Board that he or she can resume practice
4 in compliance with acceptable and prevailing standards under
5 the provisions of his or her license.

6 (Source: P.A. 103-757, eff. 8-2-24; 104-417, eff. 8-15-25.)

7 Section 10-15. The Private Employment Agency Act is
8 amended by changing Section 10 as follows:

9 (225 ILCS 515/10) (from Ch. 111, par. 910)

10 Sec. 10. Licensee prohibitions. No licensee shall send or
11 cause to be sent any female help or servants, inmate, or
12 performer to enter any questionable place, or place of bad
13 repute, house of ill-fame, or assignation house, or to any
14 house or place of amusement kept for immoral purposes, or
15 place resorted to for the purpose of prostitution or gambling
16 house, the character of which licensee knows either actually
17 or by reputation.

18 No licensee shall permit questionable characters, ~~persons~~
19 ~~engaged in the sex trade,~~ gamblers, intoxicated persons, or
20 procurers to frequent the agency.

21 No licensee shall accept any application for employment
22 made by or on behalf of any child, or shall place or assist in
23 placing any such child in any employment whatever, in
24 violation of the Child Labor Law of 2024. A violation of any

1 provision of this Section shall be a Class A misdemeanor.

2 No licensee shall publish or cause to be published any
3 fraudulent or misleading notice or advertisement of its
4 employment agencies by means of cards, circulars, or signs, or
5 in newspapers or other publications; and all letterheads,
6 receipts, and blanks shall contain the full name and address
7 of the employment agency and licensee shall state in all
8 notices and advertisements the fact that licensee is, or
9 conducts, a private employment agency.

10 No licensee shall print, publish, or paint on any sign or
11 window, or insert in any newspaper or publication, a name
12 similar to that of the Illinois Public Employment Office.

13 No licensee shall print or stamp on any receipt or on any
14 contract used by that agency any part of this Act, unless the
15 entire Section from which that part is taken is printed or
16 stamped thereon.

17 All written communications sent out by any licensee,
18 directly or indirectly, to any person or firm with regard to
19 employees or employment shall contain therein definite
20 information that such person is a private employment agency.

21 No licensee or his or her employees shall knowingly give
22 any false or misleading information, or make any false or
23 misleading promise to any applicant who shall apply for
24 employment or employees.

25 (Source: P.A. 103-721, eff. 1-1-25; 103-1071, eff. 7-1-25;
26 revised 6-11-25.)

1 Section 10-16. The Liquor Control Act of 1934 is amended
2 by changing Section 6-2 as follows:

3 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

4 Sec. 6-2. Issuance of licenses to certain persons
5 prohibited.

6 (a) Except as otherwise provided in subsection (b) of this
7 Section and in paragraph (1) of subsection (a) of Section
8 3-12, no license of any kind issued by the State Commission or
9 any local commission shall be issued to:

10 (1) A person who is not a resident of any city, village
11 or county in which the premises covered by the license are
12 located; except in case of railroad or boat licenses.

13 (2) A person who is not of good character and
14 reputation in the community in which he resides.

15 (3) (Blank).

16 (4) A person who has been convicted of a felony under
17 any Federal or State law, unless the Commission determines
18 that such person will not be impaired by the conviction in
19 engaging in the licensed practice after considering
20 matters set forth in such person's application in
21 accordance with Section 6-2.5 of this Act and the
22 Commission's investigation.

23 (5) A person who has been convicted of ~~keeping a place~~
24 ~~of prostitution or~~ keeping a place of commercial sexual

1 exploitation of a child, ~~promoting prostitution that~~
2 ~~involves keeping a place of prostitution,~~ or promoting
3 commercial sexual exploitation of a child that involves
4 keeping a place of commercial sexual exploitation of a
5 child.

6 (6) A person who has been convicted of pandering.

7 (7) A person whose license issued under this Act has
8 been revoked for cause.

9 (8) A person who at the time of application for
10 renewal of any license issued hereunder would not be
11 eligible for such license upon a first application.

12 (9) A copartnership, if any general partnership
13 thereof, or any limited partnership thereof, owning more
14 than 5% of the aggregate limited partner interest in such
15 copartnership would not be eligible to receive a license
16 hereunder for any reason other than residence within the
17 political subdivision, unless residency is required by
18 local ordinance.

19 (10) A corporation or limited liability company, if
20 any member, officer, manager or director thereof, or any
21 stockholder or stockholders owning in the aggregate more
22 than 5% of the stock of such corporation, would not be
23 eligible to receive a license hereunder for any reason
24 other than residence within the political subdivision.

25 (10a) A corporation or limited liability company
26 unless it is incorporated or organized in Illinois, or

1 unless it is a foreign corporation or foreign limited
2 liability company which is qualified under the Business
3 Corporation Act of 1983 or the Limited Liability Company
4 Act to transact business in Illinois. The Commission shall
5 permit and accept from an applicant for a license under
6 this Act proof prepared from the Secretary of State's
7 website that the corporation or limited liability company
8 is in good standing and is qualified under the Business
9 Corporation Act of 1983 or the Limited Liability Company
10 Act to transact business in Illinois.

11 (11) A person whose place of business is conducted by
12 a manager or agent unless the manager or agent possesses
13 the same qualifications required by the licensee.

14 (12) A person who has been convicted of a violation of
15 any Federal or State law concerning the manufacture,
16 possession or sale of alcoholic liquor, subsequent to the
17 passage of this Act or has forfeited his bond to appear in
18 court to answer charges for any such violation, unless the
19 Commission determines, in accordance with Section 6-2.5 of
20 this Act, that the person will not be impaired by the
21 conviction in engaging in the licensed practice.

22 (13) A person who does not beneficially own the
23 premises for which a license is sought, or does not have a
24 lease thereon for the full period for which the license is
25 to be issued.

26 (14) Any law enforcing public official, including

1 members of local liquor control commissions, any mayor,
2 alderperson, or member of the city council or commission,
3 any president of the village board of trustees, any member
4 of a village board of trustees, or any president or member
5 of a county board; and no such official shall have a direct
6 interest in the manufacture, sale, or distribution of
7 alcoholic liquor, except that a license may be granted to
8 such official in relation to premises that are not located
9 within the territory subject to the jurisdiction of that
10 official if the issuance of such license is approved by
11 the State Liquor Control Commission and except that a
12 license may be granted, in a city or village with a
13 population of 55,000 or less, to any alderperson, member
14 of a city council, or member of a village board of trustees
15 in relation to premises that are located within the
16 territory subject to the jurisdiction of that official if
17 (i) the sale of alcoholic liquor pursuant to the license
18 is incidental to the selling of food, (ii) the issuance of
19 the license is approved by the State Commission, (iii) the
20 issuance of the license is in accordance with all
21 applicable local ordinances in effect where the premises
22 are located, and (iv) the official granted a license does
23 not vote on alcoholic liquor issues pending before the
24 board or council to which the license holder is elected.
25 Notwithstanding any provision of this paragraph (14) to
26 the contrary, an alderperson or member of a city council

1 or commission, a member of a village board of trustees
2 other than the president of the village board of trustees,
3 or a member of a county board other than the president of a
4 county board may have a direct interest in the
5 manufacture, sale, or distribution of alcoholic liquor as
6 long as he or she is not a law enforcing public official, a
7 mayor, a village board president, or president of a county
8 board. To prevent any conflict of interest, the elected
9 official with the direct interest in the manufacture,
10 sale, or distribution of alcoholic liquor shall not
11 participate in any meetings, hearings, or decisions on
12 matters impacting the manufacture, sale, or distribution
13 of alcoholic liquor. Furthermore, the mayor of a city with
14 a population of 55,000 or less or the president of a
15 village with a population of 55,000 or less may have an
16 interest in the manufacture, sale, or distribution of
17 alcoholic liquor as long as the council or board over
18 which he or she presides has made a local liquor control
19 commissioner appointment that complies with the
20 requirements of Section 4-2 of this Act.

21 (15) A person who is not a beneficial owner of the
22 business to be operated by the licensee.

23 (16) A person who has been convicted of a gambling
24 offense as proscribed by any of subsections (a) (3)
25 through (a) (11) of Section 28-1 of, or as proscribed by
26 Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the

1 Criminal Code of 2012, or as proscribed by a statute
2 replaced by any of the aforesaid statutory provisions.

3 (17) A person or entity to whom a federal wagering
4 stamp has been issued by the federal government, unless
5 the person or entity is eligible to be issued a license
6 under the Raffles and Poker Runs Act or the Illinois Pull
7 Tabs and Jar Games Act.

8 (18) A person who intends to sell alcoholic liquors
9 for use or consumption on his or her licensed retail
10 premises who does not have liquor liability insurance
11 coverage for that premises in an amount that is at least
12 equal to the maximum liability amounts set out in
13 subsection (a) of Section 6-21.

14 (19) A person who is licensed by any licensing
15 authority as a manufacturer of beer, or any partnership,
16 corporation, limited liability company, or trust or any
17 subsidiary, affiliate, or agent thereof, or any other form
18 of business enterprise licensed as a manufacturer of beer,
19 having any legal, equitable, or beneficial interest,
20 directly or indirectly, in a person licensed in this State
21 as a distributor or importing distributor. For purposes of
22 this paragraph (19), a person who is licensed by any
23 licensing authority as a "manufacturer of beer" shall also
24 mean a brewer and a non-resident dealer who is also a
25 manufacturer of beer, including a partnership,
26 corporation, limited liability company, or trust or any

1 subsidiary, affiliate, or agent thereof, or any other form
2 of business enterprise licensed as a manufacturer of beer.

3 (20) A person who is licensed in this State as a
4 distributor or importing distributor, or any partnership,
5 corporation, limited liability company, or trust or any
6 subsidiary, affiliate, or agent thereof, or any other form
7 of business enterprise licensed in this State as a
8 distributor or importing distributor having any legal,
9 equitable, or beneficial interest, directly or indirectly,
10 in a person licensed as a manufacturer of beer by any
11 licensing authority, or any partnership, corporation,
12 limited liability company, or trust or any subsidiary,
13 affiliate, or agent thereof, or any other form of business
14 enterprise, except for a person who owns, on or after the
15 effective date of this amendatory Act of the 98th General
16 Assembly, no more than 5% of the outstanding shares of a
17 manufacturer of beer whose shares are publicly traded on
18 an exchange within the meaning of the Securities Exchange
19 Act of 1934. For the purposes of this paragraph (20), a
20 person who is licensed by any licensing authority as a
21 "manufacturer of beer" shall also mean a brewer and a
22 non-resident dealer who is also a manufacturer of beer,
23 including a partnership, corporation, limited liability
24 company, or trust or any subsidiary, affiliate, or agent
25 thereof, or any other form of business enterprise licensed
26 as a manufacturer of beer.

1 (b) A criminal conviction of a corporation is not grounds
2 for the denial, suspension, or revocation of a license applied
3 for or held by the corporation if the criminal conviction was
4 not the result of a violation of any federal or State law
5 concerning the manufacture, possession or sale of alcoholic
6 liquor, the offense that led to the conviction did not result
7 in any financial gain to the corporation and the corporation
8 has terminated its relationship with each director, officer,
9 employee, or controlling shareholder whose actions directly
10 contributed to the conviction of the corporation. The
11 Commission shall determine if all provisions of this
12 subsection (b) have been met before any action on the
13 corporation's license is initiated.

14 (Source: P.A. 102-15, eff. 6-17-21; 103-1071, eff. 7-1-25.)

15 Section 10-20. The Juvenile Court Act of 1987 is amended
16 by changing Section 2-3 as follows:

17 (705 ILCS 405/2-3) (from Ch. 37, par. 802-3)

18 Sec. 2-3. Neglected or abused minor.

19 (1) Those who are neglected include any minor under 18
20 years of age or a minor 18 years of age or older for whom the
21 court has made a finding of probable cause to believe that the
22 minor is abused, neglected, or dependent under subsection (1)
23 of Section 2-10 prior to the minor's 18th birthday:

24 (a) who is not receiving the proper or necessary

1 support, education as required by law, or medical or other
2 remedial care recognized under State law as necessary for
3 a minor's well-being, or other care necessary for the
4 minor's well-being, including adequate food, clothing, and
5 shelter, or who is abandoned by the minor's parent or
6 parents or other person or persons responsible for the
7 minor's welfare, except that a minor shall not be
8 considered neglected for the sole reason that the minor's
9 parent or parents or other person or persons responsible
10 for the minor's welfare have left the minor in the care of
11 an adult relative for any period of time, who the parent or
12 parents or other person responsible for the minor's
13 welfare know is both a mentally capable adult relative and
14 physically capable adult relative, as defined by this Act;
15 or

16 (b) whose environment is injurious to the minor's
17 welfare; or

18 (c) who is a newborn infant whose blood, urine, or
19 meconium contains any amount of a controlled substance as
20 defined in subsection (f) of Section 102 of the Illinois
21 Controlled Substances Act or a metabolite of a controlled
22 substance, with the exception of controlled substances or
23 metabolites of such substances, the presence of which in
24 the newborn infant is the result of medical treatment
25 administered to the person who gave birth or the newborn
26 infant; or

1 (d) whose parent or other person responsible for the
2 minor's welfare leaves the minor without supervision for
3 an unreasonable period of time without regard for the
4 mental or physical health, safety, or welfare of that
5 minor. Whether the minor was left without regard for the
6 mental or physical health, safety, or welfare of that
7 minor or the period of time was unreasonable shall be
8 determined by considering factors including, but not
9 limited to, the following:

10 (1) the age of the minor;

11 (2) the number of minors left at the location;

12 (3) the special needs of the minor, including
13 whether the minor is a person with a physical or mental
14 disability or is otherwise in need of ongoing
15 prescribed medical treatment, such as periodic doses
16 of insulin or other medications;

17 (4) the duration of time in which the minor was
18 left without supervision;

19 (5) the condition and location of the place where
20 the minor was left without supervision;

21 (6) the time of day or night when the minor was
22 left without supervision;

23 (7) the weather conditions, including whether the
24 minor was left in a location with adequate protection
25 from the natural elements, such as adequate heat or
26 light;

1 (8) the location of the parent or guardian at the
2 time the minor was left without supervision and the
3 physical distance the minor was from the parent or
4 guardian at the time the minor was without
5 supervision;

6 (9) whether the minor's movement was restricted or
7 the minor was otherwise locked within a room or other
8 structure;

9 (10) whether the minor was given a phone number of
10 a person or location to call in the event of an
11 emergency and whether the minor was capable of making
12 an emergency call;

13 (11) whether there was food and other provision
14 left for the minor;

15 (12) whether any of the conduct is attributable to
16 economic hardship or illness and the parent, guardian,
17 or other person having physical custody or control of
18 the child made a good faith effort to provide for the
19 health and safety of the minor;

20 (13) the age and physical and mental capabilities
21 of the person or persons who provided supervision for
22 the minor;

23 (14) whether the minor was left under the
24 supervision of another person;

25 (15) any other factor that would endanger the
26 health and safety of that particular minor; or

1 (e) who has been provided with interim crisis
2 intervention services under Section 3-5 of this Act and
3 whose parent, guardian, or custodian refuses to permit the
4 minor to return home unless the minor is an immediate
5 physical danger to the minor or others living in the home.

6 A minor shall not be considered neglected for the sole
7 reason that the minor has been relinquished in accordance with
8 the Abandoned Newborn Infant Protection Act.

9 (1.5) A minor shall not be considered neglected for the
10 sole reason that the minor's parent or other person
11 responsible for the minor's welfare permits the minor to
12 engage in independent activities unless the minor was
13 permitted to engage in independent activities under
14 circumstances presenting unreasonable risk of harm to the
15 minor's mental or physical health, safety, or well-being.

16 "Independent activities" includes, but is not limited to:

17 (a) traveling to and from school, including by
18 walking, running, or bicycling;

19 (b) traveling to and from nearby commercial or
20 recreational facilities;

21 (c) engaging in outdoor play;

22 (d) remaining in a vehicle unattended, except as
23 otherwise provided by law;

24 (e) remaining at home or at a similarly appropriate
25 location unattended; or

26 (f) engaging in a similar independent activity alone

1 or with other children.

2 In determining whether an independent activity presented
3 unreasonable risk of harm, the court shall consider:

4 (1) whether the activity is accepted as suitable for
5 minors of the same age, maturity level, and developmental
6 capacity as the involved minor;

7 (2) the factors listed in items (1) through (15) of
8 paragraph (d) of subsection (1); and

9 (3) any other factor the court deems relevant.

10 (2) Those who are abused include any minor under 18 years
11 of age or a minor 18 years of age or older for whom the court
12 has made a finding of probable cause to believe that the minor
13 is abused, neglected, or dependent under subsection (1) of
14 Section 2-10 prior to the minor's 18th birthday whose parent
15 or immediate family member, or any person responsible for the
16 minor's welfare, or any person who is in the same family or
17 household as the minor, or any individual residing in the same
18 home as the minor, or a paramour of the minor's parent:

19 (i) inflicts, causes to be inflicted, or allows to be
20 inflicted upon such minor physical injury, by other than
21 accidental means, which causes death, disfigurement,
22 impairment of physical or emotional health, or loss or
23 impairment of any bodily function;

24 (ii) creates a substantial risk of physical injury to
25 such minor by other than accidental means which would be
26 likely to cause death, disfigurement, impairment of

1 emotional health, or loss or impairment of any bodily
2 function;

3 (iii) commits or allows to be committed any sex
4 offense against such minor, as such sex offenses are
5 defined in the Criminal Code of 1961 or the Criminal Code
6 of 2012, or in the Wrongs to Children Act, and extending
7 those definitions of sex offenses to include minors under
8 18 years of age;

9 (iv) commits or allows to be committed an act or acts
10 of torture upon such minor;

11 (v) inflicts excessive corporal punishment;

12 (vi) commits or allows to be committed the offense of
13 involuntary servitude, involuntary sexual servitude of a
14 minor, or trafficking in persons as defined in Section
15 10-9 of the Criminal Code of 1961 or the Criminal Code of
16 2012, upon such minor; or

17 (vii) allows, encourages, or requires a minor to
18 commit any act of sexual penetration ~~prostitution~~, as
19 defined in Section 11-0.1 of the Criminal Code of 1961 or
20 the Criminal Code of 2012 if that act constitutes
21 promoting commercial sexual exploitation of a child under
22 the Criminal Code of 2012, and extending those definitions
23 to include minors under 18 years of age.

24 A minor shall not be considered abused for the sole reason
25 that the minor has been relinquished in accordance with the
26 Abandoned Newborn Infant Protection Act.

1 (3) This Section does not apply to a minor who would be
2 included herein solely for the purpose of qualifying for
3 financial assistance for the minor or the minor's parents,
4 guardian, or custodian.

5 (4) The changes made by Public Act 101-79 apply to a case
6 that is pending on or after July 12, 2019 (the effective date
7 of Public Act 101-79).

8 (Source: P.A. 103-22, eff. 8-8-23; 103-233, eff. 6-30-23;
9 103-605, eff. 7-1-24.)

10 Section 10-25. The Criminal Code of 2012 is amended by
11 changing Sections 1-6, 8-2, 10-9, 11-9.1A, 11-14.1, 11-14.3,
12 and 14-3 as follows:

13 (720 ILCS 5/1-6) (from Ch. 38, par. 1-6)

14 (Text of Section before amendment by P.A. 104-323)

15 Sec. 1-6. Place of trial.

16 (a) Generally.

17 Criminal actions shall be tried in the county where the
18 offense was committed, except as otherwise provided by law.
19 The State is not required to prove during trial that the
20 alleged offense occurred in any particular county in this
21 State. When a defendant contests the place of trial under this
22 Section, all proceedings regarding this issue shall be
23 conducted under Section 114-1 of the Code of Criminal
24 Procedure of 1963. All objections of improper place of trial

1 are waived by a defendant unless made before trial.

2 (b) Assailant and Victim in Different Counties.

3 If a person committing an offense upon the person of
4 another is located in one county and his victim is located in
5 another county at the time of the commission of the offense,
6 trial may be had in either of said counties.

7 (c) Death and Cause of Death in Different Places or
8 Undetermined.

9 If cause of death is inflicted in one county and death
10 ensues in another county, the offender may be tried in either
11 county. If neither the county in which the cause of death was
12 inflicted nor the county in which death ensued are known
13 before trial, the offender may be tried in the county where the
14 body was found.

15 (d) Offense Commenced Outside the State.

16 If the commission of an offense commenced outside the
17 State is consummated within this State, the offender shall be
18 tried in the county where the offense is consummated.

19 (e) Offenses Committed in Bordering Navigable Waters.

20 If an offense is committed on any of the navigable waters
21 bordering on this State, the offender may be tried in any
22 county adjacent to such navigable water.

23 (f) Offenses Committed while in Transit.

24 If an offense is committed upon any railroad car, vehicle,
25 watercraft or aircraft passing within this State, and it
26 cannot readily be determined in which county the offense was

1 committed, the offender may be tried in any county through
2 which such railroad car, vehicle, watercraft or aircraft has
3 passed.

4 (g) Theft.

5 A person who commits theft of property may be tried in any
6 county in which he exerted control over such property.

7 (h) Bigamy.

8 A person who commits the offense of bigamy may be tried in
9 any county where the bigamous marriage or bigamous
10 cohabitation has occurred.

11 (i) Kidnaping.

12 A person who commits the offense of kidnaping may be tried
13 in any county in which his victim has traveled or has been
14 confined during the course of the offense.

15 (j) Promoting prostitution ~~Pandering~~.

16 A person who commits the offense of promoting prostitution
17 ~~pandering~~ as set forth in subdivision (a) (2) (A) or (a) (2) (B)
18 of Section 11-14.3 may be tried in any county in which the
19 prostitution was practiced or in any county in which any act in
20 furtherance of the offense shall have been committed.

21 (k) Treason.

22 A person who commits the offense of treason may be tried in
23 any county.

24 (l) Criminal Defamation.

25 If criminal defamation is spoken, printed or written in
26 one county and is received or circulated in another or other

1 counties, the offender shall be tried in the county where the
2 defamation is spoken, printed or written. If the defamation is
3 spoken, printed or written outside this state, or the offender
4 resides outside this state, the offender may be tried in any
5 county in this state in which the defamation was circulated or
6 received.

7 (m) Inchoate Offenses.

8 A person who commits an inchoate offense may be tried in
9 any county in which any act which is an element of the offense,
10 including the agreement in conspiracy, is committed.

11 (n) Accountability for Conduct of Another.

12 Where a person in one county solicits, aids, abets,
13 agrees, or attempts to aid another in the planning or
14 commission of an offense in another county, he may be tried for
15 the offense in either county.

16 (o) Child Abduction.

17 A person who commits the offense of child abduction may be
18 tried in any county in which his victim has traveled, been
19 detained, concealed or removed to during the course of the
20 offense. Notwithstanding the foregoing, unless for good cause
21 shown, the preferred place of trial shall be the county of the
22 residence of the lawful custodian.

23 (p) A person who commits the offense of narcotics
24 racketeering may be tried in any county where cannabis or a
25 controlled substance which is the basis for the charge of
26 narcotics racketeering was used; acquired; transferred or

1 distributed to, from or through; or any county where any act
2 was performed to further the use; acquisition, transfer or
3 distribution of said cannabis or controlled substance; any
4 money, property, property interest, or any other asset
5 generated by narcotics activities was acquired, used, sold,
6 transferred or distributed to, from or through; or, any
7 enterprise interest obtained as a result of narcotics
8 racketeering was acquired, used, transferred or distributed
9 to, from or through, or where any activity was conducted by the
10 enterprise or any conduct to further the interests of such an
11 enterprise.

12 (q) A person who commits the offense of money laundering
13 may be tried in any county where any part of a financial
14 transaction in criminally derived property took place or in
15 any county where any money or monetary instrument which is the
16 basis for the offense was acquired, used, sold, transferred or
17 distributed to, from or through.

18 (r) A person who commits the offense of cannabis
19 trafficking or controlled substance trafficking may be tried
20 in any county.

21 (s) A person who commits the offense of online sale of
22 stolen property, online theft by deception, or electronic
23 fencing may be tried in any county where any one or more
24 elements of the offense took place, regardless of whether the
25 element of the offense was the result of acts by the accused,
26 the victim or by another person, and regardless of whether the

1 defendant was ever physically present within the boundaries of
2 the county.

3 (t) A person who commits the offense of identity theft or
4 aggravated identity theft may be tried in any one of the
5 following counties in which: (1) the offense occurred; (2) the
6 information used to commit the offense was illegally used; or
7 (3) the victim resides.

8 (u) A person who commits the offense of financial
9 exploitation of an elderly person or a person with a
10 disability may be tried in any one of the following counties in
11 which: (1) any part of the offense occurred; or (2) the victim
12 or one of the victims reside.

13 If a person is charged with more than one violation of
14 identity theft or aggravated identity theft and those
15 violations may be tried in more than one county, any of those
16 counties is a proper venue for all of the violations.

17 (Source: P.A. 101-394, eff. 1-1-20.)

18 (Text of Section after amendment by P.A. 104-323)

19 Sec. 1-6. Place of trial.

20 (a) Generally.

21 Criminal actions shall be tried in the county where the
22 offense was committed, except as otherwise provided by law.
23 The State is not required to prove during trial that the
24 alleged offense occurred in any particular county in this
25 State. When a defendant contests the place of trial under this

1 Section, all proceedings regarding this issue shall be
2 conducted under Section 114-1 of the Code of Criminal
3 Procedure of 1963. All objections of improper place of trial
4 are waived by a defendant unless made before trial.

5 (b) Assailant and Victim in Different Counties.

6 If a person committing an offense upon the person of
7 another is located in one county and his victim is located in
8 another county at the time of the commission of the offense,
9 trial may be had in either of said counties.

10 (c) Death and Cause of Death in Different Places or
11 Undetermined.

12 If cause of death is inflicted in one county and death
13 ensues in another county, the offender may be tried in either
14 county. If neither the county in which the cause of death was
15 inflicted nor the county in which death ensued are known
16 before trial, the offender may be tried in the county where the
17 body was found.

18 (d) Offense Commenced Outside the State.

19 If the commission of an offense commenced outside the
20 State is consummated within this State, the offender shall be
21 tried in the county where the offense is consummated.

22 (e) Offenses Committed in Bordering Navigable Waters.

23 If an offense is committed on any of the navigable waters
24 bordering on this State, the offender may be tried in any
25 county adjacent to such navigable water.

26 (f) Offenses Committed while in Transit.

1 If an offense is committed upon any railroad car, vehicle,
2 watercraft or aircraft passing within this State, and it
3 cannot readily be determined in which county the offense was
4 committed, the offender may be tried in any county through
5 which such railroad car, vehicle, watercraft or aircraft has
6 passed.

7 (g) Theft.

8 A person who commits theft of property may be tried in any
9 county in which he exerted control over such property.

10 (h) Bigamy.

11 A person who commits the offense of bigamy may be tried in
12 any county where the bigamous marriage or bigamous
13 cohabitation has occurred.

14 (i) Kidnaping.

15 A person who commits the offense of kidnaping may be tried
16 in any county in which his victim has traveled or has been
17 confined during the course of the offense.

18 (j) Promoting prostitution ~~Pandering~~.

19 A person who commits the offense of promoting prostitution
20 ~~pandering~~ as set forth in subdivision (a) (2) (A) or (a) (2) (B)
21 of Section 11-14.3 may be tried in any county in which the
22 prostitution was practiced or in any county in which any act in
23 furtherance of the offense shall have been committed.

24 (k) Treason.

25 A person who commits the offense of treason may be tried in
26 any county.

1 (1) Criminal Defamation.

2 If criminal defamation is spoken, printed or written in
3 one county and is received or circulated in another or other
4 counties, the offender shall be tried in the county where the
5 defamation is spoken, printed or written. If the defamation is
6 spoken, printed or written outside this state, or the offender
7 resides outside this state, the offender may be tried in any
8 county in this state in which the defamation was circulated or
9 received.

10 (m) Inchoate Offenses.

11 A person who commits an inchoate offense may be tried in
12 any county in which any act which is an element of the offense,
13 including the agreement in conspiracy, is committed.

14 (n) Accountability for Conduct of Another.

15 Where a person in one county solicits, aids, abets,
16 agrees, or attempts to aid another in the planning or
17 commission of an offense in another county, he may be tried for
18 the offense in either county.

19 (o) Child Abduction.

20 A person who commits the offense of child abduction may be
21 tried in any county in which his victim has traveled, been
22 detained, concealed or removed to during the course of the
23 offense. Notwithstanding the foregoing, unless for good cause
24 shown, the preferred place of trial shall be the county of the
25 residence of the lawful custodian.

26 (p) A person who commits the offense of narcotics

1 racketeering may be tried in any county where cannabis or a
2 controlled substance which is the basis for the charge of
3 narcotics racketeering was used; acquired; transferred or
4 distributed to, from or through; or any county where any act
5 was performed to further the use; acquisition, transfer or
6 distribution of said cannabis or controlled substance; any
7 money, property, property interest, or any other asset
8 generated by narcotics activities was acquired, used, sold,
9 transferred or distributed to, from or through; or, any
10 enterprise interest obtained as a result of narcotics
11 racketeering was acquired, used, transferred or distributed
12 to, from or through, or where any activity was conducted by the
13 enterprise or any conduct to further the interests of such an
14 enterprise.

15 (q) A person who commits the offense of money laundering
16 may be tried in any county where any part of a financial
17 transaction in criminally derived property took place or in
18 any county where any money or monetary instrument which is the
19 basis for the offense was acquired, used, sold, transferred or
20 distributed to, from or through.

21 (r) A person who commits the offense of cannabis
22 trafficking or controlled substance trafficking may be tried
23 in any county.

24 (s) A person who commits the offense of online sale of
25 stolen property, online theft by deception, or electronic
26 fencing may be tried in any county where any one or more

1 elements of the offense took place, regardless of whether the
2 element of the offense was the result of acts by the accused,
3 the victim or by another person, and regardless of whether the
4 defendant was ever physically present within the boundaries of
5 the county.

6 (t) A person who commits the offense of identity theft or
7 aggravated identity theft may be tried in any one of the
8 following counties in which: (1) the offense occurred; (2) the
9 information used to commit the offense was illegally used; or
10 (3) the victim resides.

11 (u) A person who commits the offense of financial
12 exploitation of an elderly person or a person with a
13 disability may be tried in any one of the following counties in
14 which: (1) any part of the offense occurred; or (2) the victim
15 or one of the victims reside.

16 If a person is charged with more than one violation of
17 identity theft or aggravated identity theft and those
18 violations may be tried in more than one county, any of those
19 counties is a proper venue for all of the violations.

20 (v) A person who commits the offense of non-consensual
21 dissemination of private sexual images may be tried in any one
22 of the following counties in which: (1) the offense occurred;
23 or (2) the victim resides.

24 (Source: P.A. 104-323, eff. 1-1-26.)

25 (720 ILCS 5/8-2) (from Ch. 38, par. 8-2)

1 Sec. 8-2. Conspiracy.

2 (a) Elements of the offense. A person commits the offense
3 of conspiracy when, with intent that an offense be committed,
4 he or she agrees with another to the commission of that
5 offense. No person may be convicted of conspiracy to commit an
6 offense unless an act in furtherance of that agreement is
7 alleged and proved to have been committed by him or her or by a
8 co-conspirator.

9 (b) Co-conspirators. It is not a defense to conspiracy
10 that the person or persons with whom the accused is alleged to
11 have conspired:

12 (1) have not been prosecuted or convicted,

13 (2) have been convicted of a different offense,

14 (3) are not amenable to justice,

15 (4) have been acquitted, or

16 (5) lacked the capacity to commit an offense.

17 (c) Sentence.

18 (1) Except as otherwise provided in this subsection or
19 Code, a person convicted of conspiracy to commit:

20 (A) a Class X felony shall be sentenced for a Class
21 1 felony;

22 (B) a Class 1 felony shall be sentenced for a Class
23 2 felony;

24 (C) a Class 2 felony shall be sentenced for a Class
25 3 felony;

26 (D) a Class 3 felony shall be sentenced for a Class

1 4 felony;

2 (E) a Class 4 felony shall be sentenced for a Class
3 4 felony; and

4 (F) a misdemeanor may be fined or imprisoned or
5 both not to exceed the maximum provided for the
6 offense that is the object of the conspiracy.

7 (2) A person convicted of conspiracy to commit any of
8 the following offenses shall be sentenced for a Class X
9 felony:

10 (A) aggravated insurance fraud conspiracy when the
11 person is an organizer of the conspiracy (720 ILCS
12 5/46-4); or

13 (B) aggravated governmental entity insurance fraud
14 conspiracy when the person is an organizer of the
15 conspiracy (720 ILCS 5/46-4).

16 (3) A person convicted of conspiracy to commit any of
17 the following offenses shall be sentenced for a Class 1
18 felony:

19 (A) first degree murder (720 ILCS 5/9-1); or

20 (B) aggravated insurance fraud (720 ILCS 5/46-3)
21 or aggravated governmental insurance fraud (720 ILCS
22 5/46-3).

23 (4) A person convicted of conspiracy to commit
24 insurance fraud (720 ILCS 5/46-3) or governmental entity
25 insurance fraud (720 ILCS 5/46-3) shall be sentenced for a
26 Class 2 felony.

1 (5) A person convicted of conspiracy to commit any of
2 the following offenses shall be sentenced for a Class 3
3 felony:

4 (A) promoting prostitution (paragraph (1) of
5 subsection (a) of Section 11-14.3) ~~soliciting for a~~
6 ~~person engaged in the sex trade (720 ILCS~~
7 ~~5/11-14.3(a)(1))~~;

8 (B) promoting prostitution (subparagraph (A) of
9 paragraph (2) of subsection (a) of Section 11-14.3)
10 ~~pandering (720 ILCS 5/11-14.3(a)(2)(A) or~~
11 ~~5/11-14.3(a)(2)(B))~~;

12 (C) (blank) ~~keeping a place of prostitution (720~~
13 ~~ILCS 5/11-14.3(a)(1))~~;

14 (D) (blank) ~~pimping (720 ILCS 5/11-14.3(a)(2)(C))~~;

15 (E) unlawful possession of weapons under Section
16 24-1(a)(1) (720 ILCS 5/24-1(a)(1));

17 (F) unlawful possession of weapons under Section
18 24-1(a)(7) (720 ILCS 5/24-1(a)(7));

19 (G) gambling (720 ILCS 5/28-1);

20 (H) keeping a gambling place (720 ILCS 5/28-3);

21 (I) registration of federal gambling stamps
22 violation (720 ILCS 5/28-4);

23 (J) look-alike substances violation (720 ILCS
24 570/404);

25 (K) miscellaneous controlled substance violation
26 under Section 406(b) (720 ILCS 570/406(b)); or

1 (L) an inchoate offense related to any of the
2 principal offenses set forth in this item (5).

3 (Source: P.A. 103-822, eff. 1-1-25; 103-1071, eff. 7-1-25;
4 revised 6-11-25.)

5 (720 ILCS 5/10-9)

6 (Text of Section before amendment by P.A. 104-159)

7 Sec. 10-9. Trafficking in persons, involuntary servitude,
8 and related offenses.

9 (a) Definitions. In this Section:

10 (1) "Intimidation" has the meaning prescribed in Section
11 12-6.

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

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

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

1 (4) (Blank).

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

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

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

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

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

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

1 (10) "Trafficking victim" means a person subjected to the
2 practices set forth in subsection (b), (c), or (d).

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

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

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

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

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

19 (5) uses intimidation, or exerts financial control
20 over any person; or

21 (6) uses any scheme, plan, or pattern intended to
22 cause the person to believe that, if the person did not
23 perform the labor or services, that person or another
24 person would suffer serious harm or physical restraint.

25 Sentence. Except as otherwise provided in subsection (e)
26 or (f), a violation of subsection (b)(1) is a Class X felony,

1 (b) (2) is a Class 1 felony, (b) (3) is a Class 2 felony, (b) (4)
2 is a Class 3 felony, (b) (5) and (b) (6) is a Class 4 felony.

3 (c) Involuntary sexual servitude of a minor. A person
4 commits involuntary sexual servitude of a minor when he or she
5 knowingly recruits, entices, harbors, transports, provides, or
6 obtains by any means, or attempts to recruit, entice, harbor,
7 provide, or obtain by any means, another person under 18 years
8 of age, knowing that the minor will engage in commercial
9 sexual activity, a sexually-explicit performance, or the
10 production of pornography, or causes or attempts to cause a
11 minor to engage in one or more of those activities and:

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

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

16 (3) there is overt force or threat.

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

20 (d) Trafficking in persons. A person commits trafficking
21 in persons when he or she knowingly: (1) recruits, entices,
22 harbors, transports, provides, or obtains by any means, or
23 attempts to recruit, entice, harbor, transport, provide, or
24 obtain by any means, another person, intending or knowing that
25 the person will be subjected to involuntary servitude; or (2)
26 benefits, financially or by receiving anything of value, from

1 participation in a venture that has engaged in an act of
2 involuntary servitude or involuntary sexual servitude of a
3 minor. A company commits trafficking in persons when the
4 company knowingly benefits, financially or by receiving
5 anything of value, from participation in a venture that has
6 engaged in an act of involuntary servitude or involuntary
7 sexual servitude of a minor.

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

13 (e) Aggravating factors. A violation of this Section
14 involving kidnapping or an attempt to kidnap, aggravated
15 criminal sexual assault or an attempt to commit aggravated
16 criminal sexual assault, or an attempt to commit first degree
17 murder is a Class X felony.

18 (f) Sentencing considerations.

19 (1) Bodily injury. If, pursuant to a violation of this
20 Section, a victim suffered bodily injury, the defendant
21 may be sentenced to an extended-term sentence under
22 Section 5-8-2 of the Unified Code of Corrections. The
23 sentencing court must take into account the time in which
24 the victim was held in servitude, with increased penalties
25 for cases in which the victim was held for between 180 days
26 and one year, and increased penalties for cases in which

1 the victim was held for more than one year.

2 (2) Number of victims. In determining sentences within
3 statutory maximums, the sentencing court should take into
4 account the number of victims, and may provide for
5 substantially increased sentences in cases involving more
6 than 10 victims.

7 (g) Restitution. Restitution is mandatory under this
8 Section. In addition to any other amount of loss identified,
9 the court shall order restitution including the greater of (1)
10 the gross income or value to the defendant of the victim's
11 labor or services or (2) the value of the victim's labor as
12 guaranteed under the Minimum Wage Law and overtime provisions
13 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,
14 whichever is greater.

15 (g-5) Fine distribution. If the court imposes a fine under
16 subsection (b), (c), or (d) of this Section, it shall be
17 collected and distributed to the Specialized Services for
18 Survivors of Human Trafficking Fund in accordance with Section
19 5-9-1.21 of the Unified Code of Corrections.

20 (h) Trafficking victim services. Subject to the
21 availability of funds, the Department of Human Services may
22 provide or fund emergency services and assistance to
23 individuals who are victims of one or more offenses defined in
24 this Section.

25 (i) Certification. The Attorney General, a State's
26 Attorney, or any law enforcement official shall certify in

1 writing to the United States Department of Justice or other
2 federal agency, such as the United States Department of
3 Homeland Security, that an investigation or prosecution under
4 this Section has begun and the individual who is a likely
5 victim of a crime described in this Section is willing to
6 cooperate or is cooperating with the investigation to enable
7 the individual, if eligible under federal law, to qualify for
8 an appropriate special immigrant visa and to access available
9 federal benefits. Cooperation with law enforcement shall not
10 be required of victims of a crime described in this Section who
11 are under 18 years of age. This certification shall be made
12 available to the victim and his or her designated legal
13 representative.

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

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

20 (Text of Section after amendment by P.A. 104-159)

21 Sec. 10-9. Trafficking in persons, involuntary servitude,
22 and related offenses.

23 (a) Definitions. In this Section:

24 (1) "Intimidation" has the meaning prescribed in Section
25 12-6.

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

4 (2.5) "Company" means any sole proprietorship,
5 organization, association, corporation, partnership, joint
6 venture, limited partnership, limited liability partnership,
7 limited liability limited partnership, limited liability
8 company, or other entity or business association, including
9 all wholly owned subsidiaries, majority-owned subsidiaries,
10 parent companies, or affiliates of those entities or business
11 associations, that exist for the purpose of making profit.

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

15 (4) (Blank).

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

17 (6) "Maintain" means, in relation to labor or services, to
18 secure continued performance thereof, regardless of any
19 initial agreement on the part of the victim to perform that
20 type of service.

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

23 (7.5) "Serious harm" means any harm, whether physical or
24 nonphysical, including psychological, financial, or
25 reputational harm, that is sufficiently serious, under all the
26 surrounding circumstances, to compel a reasonable person of

1 the same background and in the same circumstances to perform
2 or to continue performing labor or services in order to avoid
3 incurring that harm.

4 (8) "Services" means activities resulting from a
5 relationship between a person and the actor in which the
6 person performs activities under the supervision of or for the
7 benefit of the actor. Commercial sexual activity and
8 sexually-explicit performances are forms of activities that
9 are "services" under this Section. ~~Nothing in this definition~~
10 ~~may be construed to legitimize or legalize prostitution.~~

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

15 (10) "Trafficking victim" means a person subjected to the
16 practices set forth in subsection (b), (c), or (d).

17 (b) Involuntary servitude. A person commits involuntary
18 servitude when he or she knowingly subjects, attempts to
19 subject, or engages in a conspiracy to subject another person
20 to labor or services obtained or maintained through any of the
21 following means, or any combination of these means:

22 (1) causes or threatens to cause physical harm to any
23 person;

24 (2) physically restrains or threatens to physically
25 restrain another person;

26 (3) abuses or threatens to abuse the law or legal

1 process;

2 (4) attempts to or knowingly destroys, conceals,
3 removes, confiscates, or possesses any actual or purported
4 passport or other immigration document, or any other
5 actual or purported government identification document, of
6 another person;

7 (5) uses intimidation, abuses a position of trust,
8 authority, or supervision in relation to the victim,
9 through the use or deprivation of any alcoholic
10 intoxicant, a drug as defined or used in the Illinois
11 Controlled Substances Act or the Cannabis Control Act, or
12 methamphetamine as defined in the Methamphetamine Control
13 and Community Protection Act, or exerts financial control
14 over any person; or

15 (6) uses any scheme, plan, or pattern intended to
16 cause the person to believe that, if the person did not
17 perform the labor or services, that person or another
18 person would suffer serious harm or physical restraint.

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

23 (c) Involuntary sexual servitude of a minor. A person
24 commits involuntary sexual servitude of a minor when he or she
25 knowingly recruits, entices, harbors, transports, provides, or
26 obtains by any means, or attempts to recruit, entice, harbor,

1 provide, or obtain by any means, another person under 18 years
2 of age, knowing that the minor will engage in commercial
3 sexual activity, a sexually-explicit performance, or the
4 production of pornography, or causes or attempts to cause a
5 minor to engage in one or more of those activities and:

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

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

10 (3) there is overt force or threat.

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

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

1 sexual servitude of a minor.

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

7 (e) Aggravating factors. A violation of this Section
8 involving kidnapping or an attempt to kidnap, aggravated
9 criminal sexual assault or an attempt to commit aggravated
10 criminal sexual assault, or an attempt to commit first degree
11 murder is a Class X felony.

12 (f) Sentencing considerations.

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

22 (2) Number of victims. In determining sentences within
23 statutory maximums, the sentencing court should take into
24 account the number of victims, and may provide for
25 substantially increased sentences in cases involving more
26 than 10 victims.

1 (3) Age of victim. In determining sentences, the
2 sentencing court shall take into account the age of the
3 victim or victims.

4 (g) Restitution. Restitution is mandatory under this
5 Section. In addition to any other amount of loss identified,
6 the court shall order restitution including the greater of (1)
7 the gross income or value to the defendant of the victim's
8 labor or services or (2) the value of the victim's labor as
9 guaranteed under the Minimum Wage Law and overtime provisions
10 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,
11 whichever is greater.

12 (g-5) Fine distribution. If the court imposes a fine under
13 subsection (b), (c), or (d) of this Section, it shall be
14 collected and distributed to the Specialized Services for
15 Survivors of Human Trafficking Fund in accordance with Section
16 5-9-1.21 of the Unified Code of Corrections.

17 (h) Trafficking victim services. Subject to the
18 availability of funds, the Department of Human Services may
19 provide or fund emergency services and assistance to
20 individuals who are victims of one or more offenses defined in
21 this Section.

22 (i) Certification. The Attorney General, a State's
23 Attorney, or any law enforcement official shall certify in
24 writing to the United States Department of Justice or other
25 federal agency, such as the United States Department of
26 Homeland Security, that an investigation or prosecution under

1 this Section has begun and the individual who is a likely
2 victim of a crime described in this Section is willing to
3 cooperate or is cooperating with the investigation to enable
4 the individual, if eligible under federal law, to qualify for
5 an appropriate special immigrant visa and to access available
6 federal benefits. Cooperation with law enforcement shall not
7 be required of victims of a crime described in this Section who
8 are under 18 years of age. This certification shall be made
9 available to the victim and his or her designated legal
10 representative.

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

16 (Source: P.A. 104-159, eff. 1-1-26.)

17 (720 ILCS 5/11-9.1A)

18 Sec. 11-9.1A. Permitting sexual abuse of a child.

19 (a) A person responsible for a child's welfare commits
20 permitting sexual abuse of a child if the person has actual
21 knowledge of and permits an act of sexual abuse upon the child,
22 or permits the child to engage in an act of sexual penetration
23 as defined in Section 11-0.1 in exchange for money, goods, or
24 other benefits ~~prostitution as defined in Section 11-14 of~~
25 ~~this Code.~~

1 (b) In this Section:

2 "Actual knowledge" includes credible allegations made by
3 the child.

4 "Child" means a minor under the age of 17 years.

5 "Person responsible for the child's welfare" means the
6 child's parent, step-parent, legal guardian, or other person
7 having custody of a child, who is responsible for the child's
8 care at the time of the alleged sexual abuse.

9 ~~"Prostitution" means prostitution as defined in Section~~
10 ~~11-14 of this Code.~~

11 "Sexual abuse" includes criminal sexual abuse or criminal
12 sexual assault as defined in Section 11-1.20, 11-1.30,
13 11-1.40, 11-1.50, or 11-1.60 of this Code.

14 (c) This Section does not apply to a person responsible
15 for the child's welfare who, having reason to believe that
16 sexual abuse has occurred, makes timely and reasonable efforts
17 to stop the sexual abuse by reporting the sexual abuse in
18 conformance with the Abused and Neglected Child Reporting Act
19 or by reporting the sexual abuse, or causing a report to be
20 made, to medical or law enforcement authorities or anyone who
21 is a mandated reporter under Section 4 of the Abused and
22 Neglected Child Reporting Act.

23 (d) Whenever a law enforcement officer has reason to
24 believe that the child or the person responsible for the
25 child's welfare has been abused by a family or household
26 member as defined by the Illinois Domestic Violence Act of

1 1986, the officer shall immediately use all reasonable means
2 to prevent further abuse under Section 112A-30 of the Code of
3 Criminal Procedure of 1963.

4 (e) An order of protection under Section 111-8 of the Code
5 of Criminal Procedure of 1963 shall be sought in all cases
6 where there is reason to believe that a child has been sexually
7 abused by a family or household member. In considering
8 appropriate available remedies, it shall be presumed that
9 awarding physical care or custody to the abuser is not in the
10 child's best interest.

11 (f) A person may not be charged with the offense of
12 permitting sexual abuse of a child under this Section until
13 the person who committed the offense is charged with criminal
14 sexual assault, aggravated criminal sexual assault, predatory
15 criminal sexual assault of a child, criminal sexual abuse,
16 aggravated criminal sexual abuse, or promoting commercial
17 sexual exploitation of a child ~~prostitution~~.

18 (g) A person convicted of permitting the sexual abuse of a
19 child is guilty of a Class 1 felony. As a condition of any
20 sentence of supervision, probation, conditional discharge, or
21 mandatory supervised release, any person convicted under this
22 Section shall be ordered to undergo child sexual abuse,
23 domestic violence, or other appropriate counseling for a
24 specified duration with a qualified social or mental health
25 worker.

26 (h) It is an affirmative defense to a charge of permitting

1 sexual abuse of a child under this Section that the person
2 responsible for the child's welfare had a reasonable
3 apprehension that timely action to stop the abuse or
4 prostitution would result in the imminent infliction of death,
5 great bodily harm, permanent disfigurement, or permanent
6 disability to that person or another in retaliation for
7 reporting.

8 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

9 (720 ILCS 5/11-14.1)

10 Sec. 11-14.1. Solicitation of a sexual act.

11 (a) Any person who offers a person not his or her spouse
12 any money, property, token, object, or article or anything of
13 value for that person or any other person not his or her spouse
14 to perform any act of sexual penetration as defined in Section
15 11-0.1 of this Code, or any touching or fondling of the sex
16 organs of one person by another person for the purpose of
17 sexual arousal or gratification, commits solicitation of a
18 sexual act.

19 (b) Sentence. ~~Solicitation of a sexual act is a Class A~~
20 ~~misdemeanor.~~ Solicitation of a sexual act from a person who is
21 under the age of 18 or who is a person with a severe or
22 profound intellectual disability is a Class 4 felony. If the
23 court imposes a fine under this subsection (b), it shall be
24 collected and distributed to the Specialized Services for
25 Survivors of Human Trafficking Fund in accordance with Section

1 5-9-1.21 of the Unified Code of Corrections.

2 (b-5) (Blank).

3 (c) This Section does not apply to a person engaged in
4 prostitution who is under 18 years of age.

5 (d) (Blank). ~~A person cannot be convicted under this~~
6 ~~Section if the practice of prostitution underlying the offense~~
7 ~~consists exclusively of the accused's own acts of prostitution~~
8 ~~under Section 11-14 of this Code.~~

9 (Source: P.A. 102-939, eff. 1-1-23.)

10 (720 ILCS 5/11-14.3)

11 Sec. 11-14.3. Promoting prostitution.

12 (a) Any person who knowingly performs any of the following
13 acts commits promoting prostitution:

14 (1) advances prostitution as defined in Section 11-0.1
15 , within 1,000 feet of real property comprising a school;

16 (2) profits from prostitution by:

17 (A) compelling a person to become a person engaged
18 in the sex trade;

19 (B) (blank); or ~~arranging or offering to arrange a~~
20 ~~situation in which a person may practice prostitution;~~
21 ~~or~~

22 (C) (blank). ~~any means other than those described~~
23 ~~in subparagraph (A) or (B), including from a person~~
24 ~~who patronizes a person engaged in the sex trade. This~~
25 ~~paragraph (C) does not apply to a person engaged in~~

~~prostitution who is under 18 years of age. A person cannot be convicted of promoting prostitution under this paragraph (C) if the practice of prostitution underlying the offense consists exclusively of the accused's own acts of prostitution under Section 11-14 of this Code.~~

(b) Sentence.

(1) A violation of subdivision (a)(1) is a Class 3 ~~4~~ felony, ~~unless committed within 1,000 feet of real property comprising a school, in which case it is a Class 3~~ ~~felony.~~ A second or subsequent violation of subdivision (a)(1), or any combination of convictions under subdivision (a)(1) ~~or~~, (a)(2)(A), ~~or (a)(2)(B) and Section 11-14 (prostitution),~~ 11-14.1 (solicitation of a sexual act), 11-14.4 (promoting commercial sexual exploitation of a child), ~~11-15 (soliciting for a person engaged in the sex trade),~~ 11-15.1 (soliciting for a sexually exploited child), ~~11-16 (pandering), 11-17 (keeping a place of prostitution), 11-17.1 (keeping a place of commercial sexual exploitation of a child), 11-18 (patronizing a person engaged in the sex trade),~~ 11-18.1 (patronizing a sexually exploited child), ~~11-19 (pimping),~~ 11-19.1 (juvenile pimping or aggravated juvenile pimping), or 11-19.2 (exploitation of a child), is a Class 3 felony.

(2) A violation of subdivision (a)(2)(A) ~~or (a)(2)(B)~~ is a Class 4 felony, unless committed within 1,000 feet of

1 real property comprising a school, in which case it is a
2 Class 3 felony.

3 (3) (Blank). ~~A violation of subdivision (a) (2) (C) is a~~
4 ~~Class 4 felony, unless committed within 1,000 feet of real~~
5 ~~property comprising a school, in which case it is a Class 3~~
6 ~~felony. A second or subsequent violation of subdivision~~
7 ~~(a) (2) (C), or any combination of convictions under~~
8 ~~subdivision (a) (2) (C) and subdivision (a) (1), (a) (2) (A),~~
9 ~~or (a) (2) (B) of this Section (promoting prostitution),~~
10 ~~11-14 (prostitution), 11-14.1 (solicitation of a sexual~~
11 ~~act), 11-14.4 (promoting commercial sexual exploitation of~~
12 ~~a child), 11-15 (soliciting for a person engaged in the~~
13 ~~sex trade), 11-15.1 (soliciting for a sexually exploited~~
14 ~~child), 11-16 (pandering), 11-17 (keeping a place of~~
15 ~~prostitution), 11-17.1 (keeping a place of commercial~~
16 ~~sexual exploitation of a child), 11-18 (patronizing a~~
17 ~~person engaged in the sex trade), 11-18.1 (patronizing a~~
18 ~~sexually exploited child), 11-19 (pimping), 11-19.1~~
19 ~~(juvenile pimping or aggravated juvenile pimping), or~~
20 ~~11-19.2 (exploitation of a child), is a Class 3 felony.~~

21 If the court imposes a fine under this subsection (b), it
22 shall be collected and distributed to the Specialized Services
23 for Survivors of Human Trafficking Fund in accordance with
24 Section 5-9-1.21 of the Unified Code of Corrections.

25 (Source: P.A. 103-1071, eff. 7-1-25.)

1 (720 ILCS 5/14-3)

2 (Text of Section before amendment by P.A. 104-245)

3 Sec. 14-3. Exemptions. The following activities shall be
4 exempt from the provisions of this Article:

5 (a) Listening to radio, wireless electronic
6 communications, and television communications of any sort
7 where the same are publicly made;

8 (b) Hearing conversation when heard by employees of
9 any common carrier by wire incidental to the normal course
10 of their employment in the operation, maintenance or
11 repair of the equipment of such common carrier by wire so
12 long as no information obtained thereby is used or
13 divulged by the hearer;

14 (c) Any broadcast by radio, television or otherwise
15 whether it be a broadcast or recorded for the purpose of
16 later broadcasts of any function where the public is in
17 attendance and the conversations are overheard incidental
18 to the main purpose for which such broadcasts are then
19 being made;

20 (d) Recording or listening with the aid of any device
21 to any emergency communication made in the normal course
22 of operations by any federal, state or local law
23 enforcement agency or institutions dealing in emergency
24 services, including, but not limited to, hospitals,
25 clinics, ambulance services, fire fighting agencies, any
26 public utility, emergency repair facility, civilian

1 defense establishment or military installation;

2 (e) Recording the proceedings of any meeting required
3 to be open by the Open Meetings Act, as amended;

4 (f) Recording or listening with the aid of any device
5 to incoming telephone calls of phone lines publicly listed
6 or advertised as consumer "hotlines" by manufacturers or
7 retailers of food and drug products. Such recordings must
8 be destroyed, erased or turned over to local law
9 enforcement authorities within 24 hours from the time of
10 such recording and shall not be otherwise disseminated.
11 Failure on the part of the individual or business
12 operating any such recording or listening device to comply
13 with the requirements of this subsection shall eliminate
14 any civil or criminal immunity conferred upon that
15 individual or business by the operation of this Section;

16 (g) With prior notification to the State's Attorney of
17 the county in which it is to occur, recording or listening
18 with the aid of any device to any conversation where a law
19 enforcement officer, or any person acting at the direction
20 of law enforcement, is a party to the conversation and has
21 consented to it being intercepted or recorded under
22 circumstances where the use of the device is necessary for
23 the protection of the law enforcement officer or any
24 person acting at the direction of law enforcement, in the
25 course of an investigation of a forcible felony, a felony
26 offense of involuntary servitude, involuntary sexual

1 servitude of a minor, or trafficking in persons under
2 Section 10-9 of this Code, ~~an offense involving~~
3 ~~prostitution~~, solicitation of a sexual act, promoting
4 prostitution under subparagraph (A) of paragraph (2) of
5 subsection (a) of Section 11-14.3 of the Criminal Code of
6 2012 ~~or pandering~~, a felony violation of the Illinois
7 Controlled Substances Act, a felony violation of the
8 Cannabis Control Act, a felony violation of the
9 Methamphetamine Control and Community Protection Act, any
10 "streetgang related" or "gang-related" felony as those
11 terms are defined in the Illinois Streetgang Terrorism
12 Omnibus Prevention Act, or any felony offense involving
13 any weapon listed in paragraphs (1) through (11) of
14 subsection (a) of Section 24-1 of this Code. Any recording
15 or evidence derived as the result of this exemption shall
16 be inadmissible in any proceeding, criminal, civil or
17 administrative, except (i) where a party to the
18 conversation suffers great bodily injury or is killed
19 during such conversation, or (ii) when used as direct
20 impeachment of a witness concerning matters contained in
21 the interception or recording. The Director of the
22 Illinois State Police shall issue regulations as are
23 necessary concerning the use of devices, retention of tape
24 recordings, and reports regarding their use;

25 (g-5) (Blank);

26 (g-6) With approval of the State's Attorney of the

1 county in which it is to occur, recording or listening
2 with the aid of any device to any conversation where a law
3 enforcement officer, or any person acting at the direction
4 of law enforcement, is a party to the conversation and has
5 consented to it being intercepted or recorded in the
6 course of an investigation of child pornography,
7 aggravated child pornography, indecent solicitation of a
8 child, luring of a minor, sexual exploitation of a child,
9 aggravated criminal sexual abuse in which the victim of
10 the offense was at the time of the commission of the
11 offense under 18 years of age, or criminal sexual abuse by
12 force or threat of force in which the victim of the offense
13 was at the time of the commission of the offense under 18
14 years of age. In all such cases, an application for an
15 order approving the previous or continuing use of an
16 eavesdropping device must be made within 48 hours of the
17 commencement of such use. In the absence of such an order,
18 or upon its denial, any continuing use shall immediately
19 terminate. The Director of the Illinois State Police shall
20 issue rules as are necessary concerning the use of
21 devices, retention of recordings, and reports regarding
22 their use. Any recording or evidence obtained or derived
23 in the course of an investigation of child pornography,
24 aggravated child pornography, indecent solicitation of a
25 child, luring of a minor, sexual exploitation of a child,
26 aggravated criminal sexual abuse in which the victim of

1 the offense was at the time of the commission of the
2 offense under 18 years of age, or criminal sexual abuse by
3 force or threat of force in which the victim of the offense
4 was at the time of the commission of the offense under 18
5 years of age shall, upon motion of the State's Attorney or
6 Attorney General prosecuting any case involving child
7 pornography, aggravated child pornography, indecent
8 solicitation of a child, luring of a minor, sexual
9 exploitation of a child, aggravated criminal sexual abuse
10 in which the victim of the offense was at the time of the
11 commission of the offense under 18 years of age, or
12 criminal sexual abuse by force or threat of force in which
13 the victim of the offense was at the time of the commission
14 of the offense under 18 years of age be reviewed in camera
15 with notice to all parties present by the court presiding
16 over the criminal case, and, if ruled by the court to be
17 relevant and otherwise admissible, it shall be admissible
18 at the trial of the criminal case. Absent such a ruling,
19 any such recording or evidence shall not be admissible at
20 the trial of the criminal case;

21 (h) Recordings made simultaneously with the use of an
22 in-car video camera recording of an oral conversation
23 between a uniformed peace officer, who has identified his
24 or her office, and a person in the presence of the peace
25 officer whenever (i) an officer assigned a patrol vehicle
26 is conducting an enforcement stop; or (ii) patrol vehicle

1 emergency lights are activated or would otherwise be
2 activated if not for the need to conceal the presence of
3 law enforcement.

4 For the purposes of this subsection (h), "enforcement
5 stop" means an action by a law enforcement officer in
6 relation to enforcement and investigation duties,
7 including but not limited to, traffic stops, pedestrian
8 stops, abandoned vehicle contacts, motorist assists,
9 commercial motor vehicle stops, roadside safety checks,
10 requests for identification, or responses to requests for
11 emergency assistance;

12 (h-5) Recordings of utterances made by a person while
13 in the presence of a uniformed peace officer and while an
14 occupant of a police vehicle including, but not limited
15 to, (i) recordings made simultaneously with the use of an
16 in-car video camera and (ii) recordings made in the
17 presence of the peace officer utilizing video or audio
18 systems, or both, authorized by the law enforcement
19 agency;

20 (h-10) Recordings made simultaneously with a video
21 camera recording during the use of a taser or similar
22 weapon or device by a peace officer if the weapon or device
23 is equipped with such camera;

24 (h-15) Recordings made under subsection (h), (h-5), or
25 (h-10) shall be retained by the law enforcement agency
26 that employs the peace officer who made the recordings for

1 a storage period of 90 days, unless the recordings are
2 made as a part of an arrest or the recordings are deemed
3 evidence in any criminal, civil, or administrative
4 proceeding and then the recordings must only be destroyed
5 upon a final disposition and an order from the court.
6 Under no circumstances shall any recording be altered or
7 erased prior to the expiration of the designated storage
8 period. Upon completion of the storage period, the
9 recording medium may be erased and reissued for
10 operational use;

11 (i) Recording of a conversation made by or at the
12 request of a person, not a law enforcement officer or
13 agent of a law enforcement officer, who is a party to the
14 conversation, under reasonable suspicion that another
15 party to the conversation is committing, is about to
16 commit, or has committed a criminal offense against the
17 person or a member of his or her immediate household, and
18 there is reason to believe that evidence of the criminal
19 offense may be obtained by the recording;

20 (j) The use of a telephone monitoring device by either
21 (1) a corporation or other business entity engaged in
22 marketing or opinion research or (2) a corporation or
23 other business entity engaged in telephone solicitation,
24 as defined in this subsection, to record or listen to oral
25 telephone solicitation conversations or marketing or
26 opinion research conversations by an employee of the

1 corporation or other business entity when:

2 (i) the monitoring is used for the purpose of
3 service quality control of marketing or opinion
4 research or telephone solicitation, the education or
5 training of employees or contractors engaged in
6 marketing or opinion research or telephone
7 solicitation, or internal research related to
8 marketing or opinion research or telephone
9 solicitation; and

10 (ii) the monitoring is used with the consent of at
11 least one person who is an active party to the
12 marketing or opinion research conversation or
13 telephone solicitation conversation being monitored.

14 No communication or conversation or any part, portion,
15 or aspect of the communication or conversation made,
16 acquired, or obtained, directly or indirectly, under this
17 exemption (j), may be, directly or indirectly, furnished
18 to any law enforcement officer, agency, or official for
19 any purpose or used in any inquiry or investigation, or
20 used, directly or indirectly, in any administrative,
21 judicial, or other proceeding, or divulged to any third
22 party.

23 When recording or listening authorized by this
24 subsection (j) on telephone lines used for marketing or
25 opinion research or telephone solicitation purposes
26 results in recording or listening to a conversation that

1 does not relate to marketing or opinion research or
2 telephone solicitation; the person recording or listening
3 shall, immediately upon determining that the conversation
4 does not relate to marketing or opinion research or
5 telephone solicitation, terminate the recording or
6 listening and destroy any such recording as soon as is
7 practicable.

8 Business entities that use a telephone monitoring or
9 telephone recording system pursuant to this exemption (j)
10 shall provide current and prospective employees with
11 notice that the monitoring or recordings may occur during
12 the course of their employment. The notice shall include
13 prominent signage notification within the workplace.

14 Business entities that use a telephone monitoring or
15 telephone recording system pursuant to this exemption (j)
16 shall provide their employees or agents with access to
17 personal-only telephone lines which may be pay telephones,
18 that are not subject to telephone monitoring or telephone
19 recording.

20 For the purposes of this subsection (j), "telephone
21 solicitation" means a communication through the use of a
22 telephone by live operators:

23 (i) soliciting the sale of goods or services;

24 (ii) receiving orders for the sale of goods or
25 services;

26 (iii) assisting in the use of goods or services;

1 or

2 (iv) engaging in the solicitation, administration,
3 or collection of bank or retail credit accounts.

4 For the purposes of this subsection (j), "marketing or
5 opinion research" means a marketing or opinion research
6 interview conducted by a live telephone interviewer
7 engaged by a corporation or other business entity whose
8 principal business is the design, conduct, and analysis of
9 polls and surveys measuring the opinions, attitudes, and
10 responses of respondents toward products and services, or
11 social or political issues, or both;

12 (k) Electronic recordings, including but not limited
13 to, a motion picture, videotape, digital, or other visual
14 or audio recording, made of a custodial interrogation of
15 an individual at a police station or other place of
16 detention by a law enforcement officer under Section
17 5-401.5 of the Juvenile Court Act of 1987 or Section
18 103-2.1 of the Code of Criminal Procedure of 1963;

19 (l) Recording the interview or statement of any person
20 when the person knows that the interview is being
21 conducted by a law enforcement officer or prosecutor and
22 the interview takes place at a police station that is
23 currently participating in the Custodial Interview Pilot
24 Program established under the Illinois Criminal Justice
25 Information Act;

26 (m) An electronic recording, including but not limited

1 to, a motion picture, videotape, digital, or other visual
2 or audio recording, made of the interior of a school bus
3 while the school bus is being used in the transportation
4 of students to and from school and school-sponsored
5 activities, when the school board has adopted a policy
6 authorizing such recording, notice of such recording
7 policy is included in student handbooks and other
8 documents including the policies of the school, notice of
9 the policy regarding recording is provided to parents of
10 students, and notice of such recording is clearly posted
11 on the door of and inside the school bus.

12 Recordings made pursuant to this subsection (m) shall
13 be confidential records and may only be used by school
14 officials (or their designees) and law enforcement
15 personnel for investigations, school disciplinary actions
16 and hearings, proceedings under the Juvenile Court Act of
17 1987, and criminal prosecutions, related to incidents
18 occurring in or around the school bus;

19 (n) Recording or listening to an audio transmission
20 from a microphone placed by a person under the authority
21 of a law enforcement agency inside a bait car surveillance
22 vehicle while simultaneously capturing a photographic or
23 video image;

24 (o) The use of an eavesdropping camera or audio device
25 during an ongoing hostage or barricade situation by a law
26 enforcement officer or individual acting on behalf of a

1 law enforcement officer when the use of such device is
2 necessary to protect the safety of the general public,
3 hostages, or law enforcement officers or anyone acting on
4 their behalf;

5 (p) Recording or listening with the aid of any device
6 to incoming telephone calls of phone lines publicly listed
7 or advertised as the "CPS Violence Prevention Hotline",
8 but only where the notice of recording is given at the
9 beginning of each call as required by Section 34-21.8 of
10 the School Code. The recordings may be retained only by
11 the Chicago Police Department or other law enforcement
12 authorities, and shall not be otherwise retained or
13 disseminated;

14 (q) (1) With prior request to and written or verbal
15 approval of the State's Attorney of the county in which
16 the conversation is anticipated to occur, recording or
17 listening with the aid of an eavesdropping device to a
18 conversation in which a law enforcement officer, or any
19 person acting at the direction of a law enforcement
20 officer, is a party to the conversation and has consented
21 to the conversation being intercepted or recorded in the
22 course of an investigation of a qualified offense. The
23 State's Attorney may grant this approval only after
24 determining that reasonable cause exists to believe that
25 inculpatory conversations concerning a qualified offense
26 will occur with a specified individual or individuals

1 within a designated period of time.

2 (2) Request for approval. To invoke the exception
3 contained in this subsection (q), a law enforcement
4 officer shall make a request for approval to the
5 appropriate State's Attorney. The request may be written
6 or verbal; however, a written memorialization of the
7 request must be made by the State's Attorney. This request
8 for approval shall include whatever information is deemed
9 necessary by the State's Attorney but shall include, at a
10 minimum, the following information about each specified
11 individual whom the law enforcement officer believes will
12 commit a qualified offense:

13 (A) his or her full or partial name, nickname or
14 alias;

15 (B) a physical description; or

16 (C) failing either (A) or (B) of this paragraph
17 (2), any other supporting information known to the law
18 enforcement officer at the time of the request that
19 gives rise to reasonable cause to believe that the
20 specified individual will participate in an
21 inculpatory conversation concerning a qualified
22 offense.

23 (3) Limitations on approval. Each written approval by
24 the State's Attorney under this subsection (q) shall be
25 limited to:

26 (A) a recording or interception conducted by a

1 specified law enforcement officer or person acting at
2 the direction of a law enforcement officer;

3 (B) recording or intercepting conversations with
4 the individuals specified in the request for approval,
5 provided that the verbal approval shall be deemed to
6 include the recording or intercepting of conversations
7 with other individuals, unknown to the law enforcement
8 officer at the time of the request for approval, who
9 are acting in conjunction with or as co-conspirators
10 with the individuals specified in the request for
11 approval in the commission of a qualified offense;

12 (C) a reasonable period of time but in no event
13 longer than 24 consecutive hours;

14 (D) the written request for approval, if
15 applicable, or the written memorialization must be
16 filed, along with the written approval, with the
17 circuit clerk of the jurisdiction on the next business
18 day following the expiration of the authorized period
19 of time, and shall be subject to review by the Chief
20 Judge or his or her designee as deemed appropriate by
21 the court.

22 (3.5) The written memorialization of the request for
23 approval and the written approval by the State's Attorney
24 may be in any format, including via facsimile, email, or
25 otherwise, so long as it is capable of being filed with the
26 circuit clerk.

1 (3.10) Beginning March 1, 2015, each State's Attorney
2 shall annually submit a report to the General Assembly
3 disclosing:

4 (A) the number of requests for each qualified
5 offense for approval under this subsection; and

6 (B) the number of approvals for each qualified
7 offense given by the State's Attorney.

8 (4) Admissibility of evidence. No part of the contents
9 of any wire, electronic, or oral communication that has
10 been recorded or intercepted as a result of this exception
11 may be received in evidence in any trial, hearing, or
12 other proceeding in or before any court, grand jury,
13 department, officer, agency, regulatory body, legislative
14 committee, or other authority of this State, or a
15 political subdivision of the State, other than in a
16 prosecution of:

17 (A) the qualified offense for which approval was
18 given to record or intercept a conversation under this
19 subsection (q);

20 (B) a forcible felony committed directly in the
21 course of the investigation of the qualified offense
22 for which approval was given to record or intercept a
23 conversation under this subsection (q); or

24 (C) any other forcible felony committed while the
25 recording or interception was approved in accordance
26 with this subsection (q), but for this specific

1 category of prosecutions, only if the law enforcement
2 officer or person acting at the direction of a law
3 enforcement officer who has consented to the
4 conversation being intercepted or recorded suffers
5 great bodily injury or is killed during the commission
6 of the charged forcible felony.

7 (5) Compliance with the provisions of this subsection
8 is a prerequisite to the admissibility in evidence of any
9 part of the contents of any wire, electronic or oral
10 communication that has been intercepted as a result of
11 this exception, but nothing in this subsection shall be
12 deemed to prevent a court from otherwise excluding the
13 evidence on any other ground recognized by State or
14 federal law, nor shall anything in this subsection be
15 deemed to prevent a court from independently reviewing the
16 admissibility of the evidence for compliance with the
17 Fourth Amendment to the U.S. Constitution or with Article
18 I, Section 6 of the Illinois Constitution.

19 (6) Use of recordings or intercepts unrelated to
20 qualified offenses. Whenever any private conversation or
21 private electronic communication has been recorded or
22 intercepted as a result of this exception that is not
23 related to an offense for which the recording or intercept
24 is admissible under paragraph (4) of this subsection (q),
25 no part of the contents of the communication and evidence
26 derived from the communication may be received in evidence

1 in any trial, hearing, or other proceeding in or before
2 any court, grand jury, department, officer, agency,
3 regulatory body, legislative committee, or other authority
4 of this State, or a political subdivision of the State,
5 nor may it be publicly disclosed in any way.

6 (6.5) The Illinois State Police shall adopt rules as
7 are necessary concerning the use of devices, retention of
8 recordings, and reports regarding their use under this
9 subsection (q).

10 (7) Definitions. For the purposes of this subsection
11 (q) only:

12 "Forcible felony" includes and is limited to those
13 offenses contained in Section 2-8 of the Criminal Code
14 of 1961 as of the effective date of this amendatory Act
15 of the 97th General Assembly, and only as those
16 offenses have been defined by law or judicial
17 interpretation as of that date.

18 "Qualified offense" means and is limited to:

19 (A) a felony violation of the Cannabis Control
20 Act, the Illinois Controlled Substances Act, or
21 the Methamphetamine Control and Community
22 Protection Act, except for violations of:

23 (i) Section 4 of the Cannabis Control Act;

24 (ii) Section 402 of the Illinois
25 Controlled Substances Act; and

26 (iii) Section 60 of the Methamphetamine

1 Control and Community Protection Act; and

2 (B) first degree murder, solicitation of
3 murder for hire, predatory criminal sexual assault
4 of a child, criminal sexual assault, aggravated
5 criminal sexual assault, aggravated arson,
6 kidnapping, aggravated kidnapping, child
7 abduction, trafficking in persons, involuntary
8 servitude, involuntary sexual servitude of a
9 minor, or gunrunning.

10 "State's Attorney" includes and is limited to the
11 State's Attorney or an assistant State's Attorney
12 designated by the State's Attorney to provide verbal
13 approval to record or intercept conversations under
14 this subsection (q).

15 (8) Sunset. This subsection (q) is inoperative on and
16 after January 1, 2027. No conversations intercepted
17 pursuant to this subsection (q), while operative, shall be
18 inadmissible in a court of law by virtue of the
19 inoperability of this subsection (q) on January 1, 2027.

20 (9) Recordings, records, and custody. Any private
21 conversation or private electronic communication
22 intercepted by a law enforcement officer or a person
23 acting at the direction of law enforcement shall, if
24 practicable, be recorded in such a way as will protect the
25 recording from editing or other alteration. Any and all
26 original recordings made under this subsection (q) shall

1 be inventoried without unnecessary delay pursuant to the
2 law enforcement agency's policies for inventorying
3 evidence. The original recordings shall not be destroyed
4 except upon an order of a court of competent jurisdiction;
5 and

6 (r) Electronic recordings, including but not limited
7 to, motion picture, videotape, digital, or other visual or
8 audio recording, made of a lineup under Section 107A-2 of
9 the Code of Criminal Procedure of 1963.

10 (Source: P.A. 101-80, eff. 7-12-19; 102-538, eff. 8-20-21;
11 102-918, eff. 5-27-22.)

12 (Text of Section after amendment by P.A. 104-245)

13 Sec. 14-3. Exemptions. The following activities shall be
14 exempt from the provisions of this Article:

15 (a) Listening to radio, wireless electronic
16 communications, and television communications of any sort
17 where the same are publicly made;

18 (b) Hearing conversation when heard by employees of
19 any common carrier by wire incidental to the normal course
20 of their employment in the operation, maintenance or
21 repair of the equipment of such common carrier by wire so
22 long as no information obtained thereby is used or
23 divulged by the hearer;

24 (c) Any broadcast by radio, television or otherwise
25 whether it be a broadcast or recorded for the purpose of

1 later broadcasts of any function where the public is in
2 attendance and the conversations are overheard incidental
3 to the main purpose for which such broadcasts are then
4 being made;

5 (d) Recording or listening with the aid of any device
6 to any emergency communication made in the normal course
7 of operations by any federal, state or local law
8 enforcement agency or institutions dealing in emergency
9 services, including, but not limited to, hospitals,
10 clinics, ambulance services, fire fighting agencies, any
11 public utility, emergency repair facility, civilian
12 defense establishment or military installation;

13 (e) Recording the proceedings of any meeting required
14 to be open by the Open Meetings Act, as amended;

15 (f) Recording or listening with the aid of any device
16 to incoming telephone calls of phone lines publicly listed
17 or advertised as consumer "hotlines" by manufacturers or
18 retailers of food and drug products. Such recordings must
19 be destroyed, erased or turned over to local law
20 enforcement authorities within 24 hours from the time of
21 such recording and shall not be otherwise disseminated.
22 Failure on the part of the individual or business
23 operating any such recording or listening device to comply
24 with the requirements of this subsection shall eliminate
25 any civil or criminal immunity conferred upon that
26 individual or business by the operation of this Section;

(g) With prior notification to the State's Attorney of the county in which it is to occur, recording or listening with the aid of any device to any conversation where a law enforcement officer, or any person acting at the direction of law enforcement, is a party to the conversation and has consented to it being intercepted or recorded under circumstances where the use of the device is necessary for the protection of the law enforcement officer or any person acting at the direction of law enforcement, in the course of an investigation of a forcible felony, a felony offense of involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons under Section 10-9 of this Code, ~~an offense involving prostitution,~~ solicitation of a sexual act, or promoting prostitution under subparagraph (A) of paragraph (2) of subsection (a) of Section 11-14.3 of the Criminal Code of 2012 ~~pandering,~~ a felony violation of the Illinois Controlled Substances Act, a felony violation of the Cannabis Control Act, a felony violation of the Methamphetamine Control and Community Protection Act, any "streetgang related" or "gang-related" felony as those terms are defined in the Illinois Streetgang Terrorism Omnibus Prevention Act, or any felony offense involving any weapon listed in paragraphs (1) through (11) of subsection (a) of Section 24-1 of this Code. Any recording or evidence derived as the result of this exemption shall

1 be inadmissible in any proceeding, criminal, civil or
2 administrative, except (i) where a party to the
3 conversation suffers great bodily injury or is killed
4 during such conversation, or (ii) when used as direct
5 impeachment of a witness concerning matters contained in
6 the interception or recording. The Director of the
7 Illinois State Police shall issue regulations as are
8 necessary concerning the use of devices, retention of tape
9 recordings, and reports regarding their use;

10 (g-5) (Blank);

11 (g-6) With approval of the State's Attorney of the
12 county in which it is to occur, recording or listening
13 with the aid of any device to any conversation where a law
14 enforcement officer, or any person acting at the direction
15 of law enforcement, is a party to the conversation and has
16 consented to it being intercepted or recorded in the
17 course of an investigation of child sexual abuse material,
18 aggravated child pornography, indecent solicitation of a
19 child, luring of a minor, sexual exploitation of a child,
20 aggravated criminal sexual abuse in which the victim of
21 the offense was at the time of the commission of the
22 offense under 18 years of age, or criminal sexual abuse by
23 force or threat of force in which the victim of the offense
24 was at the time of the commission of the offense under 18
25 years of age. In all such cases, an application for an
26 order approving the previous or continuing use of an

1 eavesdropping device must be made within 48 hours of the
2 commencement of such use. In the absence of such an order,
3 or upon its denial, any continuing use shall immediately
4 terminate. The Director of the Illinois State Police shall
5 issue rules as are necessary concerning the use of
6 devices, retention of recordings, and reports regarding
7 their use. Any recording or evidence obtained or derived
8 in the course of an investigation of child sexual abuse
9 material, aggravated child pornography, indecent
10 solicitation of a child, luring of a minor, sexual
11 exploitation of a child, aggravated criminal sexual abuse
12 in which the victim of the offense was at the time of the
13 commission of the offense under 18 years of age, or
14 criminal sexual abuse by force or threat of force in which
15 the victim of the offense was at the time of the commission
16 of the offense under 18 years of age shall, upon motion of
17 the State's Attorney or Attorney General prosecuting any
18 case involving child sexual abuse material, aggravated
19 child pornography, indecent solicitation of a child,
20 luring of a minor, sexual exploitation of a child,
21 aggravated criminal sexual abuse in which the victim of
22 the offense was at the time of the commission of the
23 offense under 18 years of age, or criminal sexual abuse by
24 force or threat of force in which the victim of the offense
25 was at the time of the commission of the offense under 18
26 years of age be reviewed in camera with notice to all

1 parties present by the court presiding over the criminal
2 case, and, if ruled by the court to be relevant and
3 otherwise admissible, it shall be admissible at the trial
4 of the criminal case. Absent such a ruling, any such
5 recording or evidence shall not be admissible at the trial
6 of the criminal case;

7 (h) Recordings made simultaneously with the use of an
8 in-car video camera recording of an oral conversation
9 between a uniformed peace officer, who has identified his
10 or her office, and a person in the presence of the peace
11 officer whenever (i) an officer assigned a patrol vehicle
12 is conducting an enforcement stop; or (ii) patrol vehicle
13 emergency lights are activated or would otherwise be
14 activated if not for the need to conceal the presence of
15 law enforcement.

16 For the purposes of this subsection (h), "enforcement
17 stop" means an action by a law enforcement officer in
18 relation to enforcement and investigation duties,
19 including but not limited to, traffic stops, pedestrian
20 stops, abandoned vehicle contacts, motorist assists,
21 commercial motor vehicle stops, roadside safety checks,
22 requests for identification, or responses to requests for
23 emergency assistance;

24 (h-5) Recordings of utterances made by a person while
25 in the presence of a uniformed peace officer and while an
26 occupant of a police vehicle including, but not limited

1 to, (i) recordings made simultaneously with the use of an
2 in-car video camera and (ii) recordings made in the
3 presence of the peace officer utilizing video or audio
4 systems, or both, authorized by the law enforcement
5 agency;

6 (h-10) Recordings made simultaneously with a video
7 camera recording during the use of a taser or similar
8 weapon or device by a peace officer if the weapon or device
9 is equipped with such camera;

10 (h-15) Recordings made under subsection (h), (h-5), or
11 (h-10) shall be retained by the law enforcement agency
12 that employs the peace officer who made the recordings for
13 a storage period of 90 days, unless the recordings are
14 made as a part of an arrest or the recordings are deemed
15 evidence in any criminal, civil, or administrative
16 proceeding and then the recordings must only be destroyed
17 upon a final disposition and an order from the court.
18 Under no circumstances shall any recording be altered or
19 erased prior to the expiration of the designated storage
20 period. Upon completion of the storage period, the
21 recording medium may be erased and reissued for
22 operational use;

23 (i) Recording of a conversation made by or at the
24 request of a person, not a law enforcement officer or
25 agent of a law enforcement officer, who is a party to the
26 conversation, under reasonable suspicion that another

1 party to the conversation is committing, is about to
2 commit, or has committed a criminal offense against the
3 person or a member of his or her immediate household, and
4 there is reason to believe that evidence of the criminal
5 offense may be obtained by the recording;

6 (j) The use of a telephone monitoring device by either
7 (1) a corporation or other business entity engaged in
8 marketing or opinion research or (2) a corporation or
9 other business entity engaged in telephone solicitation,
10 as defined in this subsection, to record or listen to oral
11 telephone solicitation conversations or marketing or
12 opinion research conversations by an employee of the
13 corporation or other business entity when:

14 (i) the monitoring is used for the purpose of
15 service quality control of marketing or opinion
16 research or telephone solicitation, the education or
17 training of employees or contractors engaged in
18 marketing or opinion research or telephone
19 solicitation, or internal research related to
20 marketing or opinion research or telephone
21 solicitation; and

22 (ii) the monitoring is used with the consent of at
23 least one person who is an active party to the
24 marketing or opinion research conversation or
25 telephone solicitation conversation being monitored.

26 No communication or conversation or any part, portion,

1 or aspect of the communication or conversation made,
2 acquired, or obtained, directly or indirectly, under this
3 exemption (j), may be, directly or indirectly, furnished
4 to any law enforcement officer, agency, or official for
5 any purpose or used in any inquiry or investigation, or
6 used, directly or indirectly, in any administrative,
7 judicial, or other proceeding, or divulged to any third
8 party.

9 When recording or listening authorized by this
10 subsection (j) on telephone lines used for marketing or
11 opinion research or telephone solicitation purposes
12 results in recording or listening to a conversation that
13 does not relate to marketing or opinion research or
14 telephone solicitation; the person recording or listening
15 shall, immediately upon determining that the conversation
16 does not relate to marketing or opinion research or
17 telephone solicitation, terminate the recording or
18 listening and destroy any such recording as soon as is
19 practicable.

20 Business entities that use a telephone monitoring or
21 telephone recording system pursuant to this exemption (j)
22 shall provide current and prospective employees with
23 notice that the monitoring or recordings may occur during
24 the course of their employment. The notice shall include
25 prominent signage notification within the workplace.

26 Business entities that use a telephone monitoring or

1 telephone recording system pursuant to this exemption (j)
2 shall provide their employees or agents with access to
3 personal-only telephone lines, which may be pay
4 telephones, that are not subject to telephone monitoring
5 or telephone recording.

6 For the purposes of this subsection (j), "telephone
7 solicitation" means a communication through the use of a
8 telephone by live operators:

9 (i) soliciting the sale of goods or services;

10 (ii) receiving orders for the sale of goods or
11 services;

12 (iii) assisting in the use of goods or services;

13 or

14 (iv) engaging in the solicitation, administration,
15 or collection of bank or retail credit accounts.

16 For the purposes of this subsection (j), "marketing or
17 opinion research" means a marketing or opinion research
18 interview conducted by a live telephone interviewer
19 engaged by a corporation or other business entity whose
20 principal business is the design, conduct, and analysis of
21 polls and surveys measuring the opinions, attitudes, and
22 responses of respondents toward products and services, or
23 social or political issues, or both;

24 (k) Electronic recordings, including but not limited
25 to, a motion picture, videotape, digital, or other visual
26 or audio recording, made of a custodial interrogation of

1 an individual at a police station or other place of
2 detention by a law enforcement officer under Section
3 5-401.5 of the Juvenile Court Act of 1987 or Section
4 103-2.1 of the Code of Criminal Procedure of 1963;

5 (1) Recording the interview or statement of any person
6 when the person knows that the interview is being
7 conducted by a law enforcement officer or prosecutor and
8 the interview takes place at a police station that is
9 currently participating in the Custodial Interview Pilot
10 Program established under the Illinois Criminal Justice
11 Information Act;

12 (m) An electronic recording, including but not limited
13 to, a motion picture, videotape, digital, or other visual
14 or audio recording, made of the interior of a school bus
15 while the school bus is being used in the transportation
16 of students to and from school and school-sponsored
17 activities, when the school board has adopted a policy
18 authorizing such recording, notice of such recording
19 policy is included in student handbooks and other
20 documents including the policies of the school, notice of
21 the policy regarding recording is provided to parents of
22 students, and notice of such recording is clearly posted
23 on the door of and inside the school bus.

24 Recordings made pursuant to this subsection (m) shall
25 be confidential records and may only be used by school
26 officials (or their designees) and law enforcement

1 personnel for investigations, school disciplinary actions
2 and hearings, proceedings under the Juvenile Court Act of
3 1987, and criminal prosecutions, related to incidents
4 occurring in or around the school bus;

5 (n) Recording or listening to an audio transmission
6 from a microphone placed by a person under the authority
7 of a law enforcement agency inside a bait car surveillance
8 vehicle while simultaneously capturing a photographic or
9 video image;

10 (o) The use of an eavesdropping camera or audio device
11 during an ongoing hostage or barricade situation by a law
12 enforcement officer or individual acting on behalf of a
13 law enforcement officer when the use of such device is
14 necessary to protect the safety of the general public,
15 hostages, or law enforcement officers or anyone acting on
16 their behalf;

17 (p) Recording or listening with the aid of any device
18 to incoming telephone calls of phone lines publicly listed
19 or advertised as the "CPS Violence Prevention Hotline",
20 but only where the notice of recording is given at the
21 beginning of each call as required by Section 34-21.8 of
22 the School Code. The recordings may be retained only by
23 the Chicago Police Department or other law enforcement
24 authorities, and shall not be otherwise retained or
25 disseminated;

26 (q) (1) With prior request to and written or verbal

1 approval of the State's Attorney of the county in which
2 the conversation is anticipated to occur, recording or
3 listening with the aid of an eavesdropping device to a
4 conversation in which a law enforcement officer, or any
5 person acting at the direction of a law enforcement
6 officer, is a party to the conversation and has consented
7 to the conversation being intercepted or recorded in the
8 course of an investigation of a qualified offense. The
9 State's Attorney may grant this approval only after
10 determining that reasonable cause exists to believe that
11 inculpatory conversations concerning a qualified offense
12 will occur with a specified individual or individuals
13 within a designated period of time.

14 (2) Request for approval. To invoke the exception
15 contained in this subsection (q), a law enforcement
16 officer shall make a request for approval to the
17 appropriate State's Attorney. The request may be written
18 or verbal; however, a written memorialization of the
19 request must be made by the State's Attorney. This request
20 for approval shall include whatever information is deemed
21 necessary by the State's Attorney but shall include, at a
22 minimum, the following information about each specified
23 individual whom the law enforcement officer believes will
24 commit a qualified offense:

25 (A) his or her full or partial name, nickname or
26 alias;

1 (B) a physical description; or

2 (C) failing either (A) or (B) of this paragraph
3 (2), any other supporting information known to the law
4 enforcement officer at the time of the request that
5 gives rise to reasonable cause to believe that the
6 specified individual will participate in an
7 inculpatory conversation concerning a qualified
8 offense.

9 (3) Limitations on approval. Each written approval by
10 the State's Attorney under this subsection (q) shall be
11 limited to:

12 (A) a recording or interception conducted by a
13 specified law enforcement officer or person acting at
14 the direction of a law enforcement officer;

15 (B) recording or intercepting conversations with
16 the individuals specified in the request for approval,
17 provided that the verbal approval shall be deemed to
18 include the recording or intercepting of conversations
19 with other individuals, unknown to the law enforcement
20 officer at the time of the request for approval, who
21 are acting in conjunction with or as co-conspirators
22 with the individuals specified in the request for
23 approval in the commission of a qualified offense;

24 (C) a reasonable period of time but in no event
25 longer than 24 consecutive hours;

26 (D) the written request for approval, if

1 applicable, or the written memorialization must be
2 filed, along with the written approval, with the
3 circuit clerk of the jurisdiction on the next business
4 day following the expiration of the authorized period
5 of time, and shall be subject to review by the Chief
6 Judge or his or her designee as deemed appropriate by
7 the court.

8 (3.5) The written memorialization of the request for
9 approval and the written approval by the State's Attorney
10 may be in any format, including via facsimile, email, or
11 otherwise, so long as it is capable of being filed with the
12 circuit clerk.

13 (3.10) Beginning March 1, 2015, each State's Attorney
14 shall annually submit a report to the General Assembly
15 disclosing:

16 (A) the number of requests for each qualified
17 offense for approval under this subsection; and

18 (B) the number of approvals for each qualified
19 offense given by the State's Attorney.

20 (4) Admissibility of evidence. No part of the contents
21 of any wire, electronic, or oral communication that has
22 been recorded or intercepted as a result of this exception
23 may be received in evidence in any trial, hearing, or
24 other proceeding in or before any court, grand jury,
25 department, officer, agency, regulatory body, legislative
26 committee, or other authority of this State, or a

1 political subdivision of the State, other than in a
2 prosecution of:

3 (A) the qualified offense for which approval was
4 given to record or intercept a conversation under this
5 subsection (q);

6 (B) a forcible felony committed directly in the
7 course of the investigation of the qualified offense
8 for which approval was given to record or intercept a
9 conversation under this subsection (q); or

10 (C) any other forcible felony committed while the
11 recording or interception was approved in accordance
12 with this subsection (q), but for this specific
13 category of prosecutions, only if the law enforcement
14 officer or person acting at the direction of a law
15 enforcement officer who has consented to the
16 conversation being intercepted or recorded suffers
17 great bodily injury or is killed during the commission
18 of the charged forcible felony.

19 (5) Compliance with the provisions of this subsection
20 is a prerequisite to the admissibility in evidence of any
21 part of the contents of any wire, electronic or oral
22 communication that has been intercepted as a result of
23 this exception, but nothing in this subsection shall be
24 deemed to prevent a court from otherwise excluding the
25 evidence on any other ground recognized by State or
26 federal law, nor shall anything in this subsection be

1 deemed to prevent a court from independently reviewing the
2 admissibility of the evidence for compliance with the
3 Fourth Amendment to the U.S. Constitution or with Article
4 I, Section 6 of the Illinois Constitution.

5 (6) Use of recordings or intercepts unrelated to
6 qualified offenses. Whenever any private conversation or
7 private electronic communication has been recorded or
8 intercepted as a result of this exception that is not
9 related to an offense for which the recording or intercept
10 is admissible under paragraph (4) of this subsection (q),
11 no part of the contents of the communication and evidence
12 derived from the communication may be received in evidence
13 in any trial, hearing, or other proceeding in or before
14 any court, grand jury, department, officer, agency,
15 regulatory body, legislative committee, or other authority
16 of this State, or a political subdivision of the State,
17 nor may it be publicly disclosed in any way.

18 (6.5) The Illinois State Police shall adopt rules as
19 are necessary concerning the use of devices, retention of
20 recordings, and reports regarding their use under this
21 subsection (q).

22 (7) Definitions. For the purposes of this subsection
23 (q) only:

24 "Forcible felony" includes and is limited to those
25 offenses contained in Section 2-8 of the Criminal Code
26 of 1961 as of the effective date of this amendatory Act

1 of the 97th General Assembly, and only as those
2 offenses have been defined by law or judicial
3 interpretation as of that date.

4 "Qualified offense" means and is limited to:

5 (A) a felony violation of the Cannabis Control
6 Act, the Illinois Controlled Substances Act, or
7 the Methamphetamine Control and Community
8 Protection Act, except for violations of:

9 (i) Section 4 of the Cannabis Control Act;

10 (ii) Section 402 of the Illinois
11 Controlled Substances Act; and

12 (iii) Section 60 of the Methamphetamine
13 Control and Community Protection Act; and

14 (B) first degree murder, solicitation of
15 murder for hire, predatory criminal sexual assault
16 of a child, criminal sexual assault, aggravated
17 criminal sexual assault, aggravated arson,
18 kidnapping, aggravated kidnapping, child
19 abduction, trafficking in persons, involuntary
20 servitude, involuntary sexual servitude of a
21 minor, or gunrunning.

22 "State's Attorney" includes and is limited to the
23 State's Attorney or an assistant State's Attorney
24 designated by the State's Attorney to provide verbal
25 approval to record or intercept conversations under
26 this subsection (q).

1 (8) Sunset. This subsection (q) is inoperative on and
2 after January 1, 2027. No conversations intercepted
3 pursuant to this subsection (q), while operative, shall be
4 inadmissible in a court of law by virtue of the
5 inoperability of this subsection (q) on January 1, 2027.

6 (9) Recordings, records, and custody. Any private
7 conversation or private electronic communication
8 intercepted by a law enforcement officer or a person
9 acting at the direction of law enforcement shall, if
10 practicable, be recorded in such a way as will protect the
11 recording from editing or other alteration. Any and all
12 original recordings made under this subsection (q) shall
13 be inventoried without unnecessary delay pursuant to the
14 law enforcement agency's policies for inventorying
15 evidence. The original recordings shall not be destroyed
16 except upon an order of a court of competent jurisdiction;
17 and

18 (r) Electronic recordings, including but not limited
19 to, motion picture, videotape, digital, or other visual or
20 audio recording, made of a lineup under Section 107A-2 of
21 the Code of Criminal Procedure of 1963.

22 (Source: P.A. 104-245, eff. 1-1-26.)

23 (720 ILCS 5/11-14 rep.)

24 (720 ILCS 5/11-18 rep.)

25 Section 10-30. The Criminal Code of 2012 is amended by

1 repealing Sections 11-14 and 11-18.

2 Section 10-35. The Improper Supervision of Children Act is
3 amended by changing Section 1 as follows:

4 (720 ILCS 640/1) (from Ch. 23, par. 2369)

5 Sec. 1. Any parent, legal guardian or other person commits
6 improper supervision of a child when he knowingly permits a
7 child in his custody or control under the age of 18 years to
8 associate with known thieves, burglars, felons, narcotic
9 addicts or other persons of ill repute, visit a place where
10 acts of sexual penetration as defined in Section 11-0.1 of the
11 Criminal Code of 2012 are conducted for money or other thing of
12 value ~~of prostitution~~, commit a lewd act, commit an act
13 tending to break the peace or violate a municipal curfew
14 ordinance.

15 (Source: Laws 1961, p. 2454.)

16 Section 10-36. The Code of Criminal Procedure of 1963 is
17 amended by changing Section 108B-3 as follows:

18 (725 ILCS 5/108B-3) (from Ch. 38, par. 108B-3)

19 Sec. 108B-3. Authorization for the interception of private
20 communication.

21 (a) The State's Attorney, or a person designated in
22 writing or by law to act for him and to perform his duties

1 during his absence or disability, may authorize, in writing,
2 an ex parte application to the chief judge of a court of
3 competent jurisdiction for an order authorizing the
4 interception of a private communication when no party has
5 consented to the interception and (i) the interception may
6 provide evidence of, or may assist in the apprehension of a
7 person who has committed, is committing or is about to commit,
8 a violation of Section 8-1(b) (solicitation of murder), 8-1.2
9 (solicitation of murder for hire), 9-1 (first degree murder),
10 10-9 (involuntary servitude, involuntary sexual servitude of a
11 minor, or trafficking in persons), paragraph (1), (2), or (3)
12 of subsection (a) of Section 11-14.4 (promoting commercial
13 sexual exploitation of a child), subdivision (a)(2)(A) ~~or~~
14 ~~(a)(2)(B)~~ of Section 11-14.3 (promoting prostitution), 11-15.1
15 (soliciting for a sexually exploited child), 11-16
16 (pandering), 11-17.1 (keeping a place of commercial sexual
17 exploitation of a child), 11-18.1 (patronizing a sexually
18 exploited child), 11-19.1 (juvenile pimping and aggravated
19 juvenile pimping), or 29B-1 (money laundering) of the Criminal
20 Code of 1961 or the Criminal Code of 2012, Section 401, 401.1
21 (controlled substance trafficking), 405, 405.1 (criminal drug
22 conspiracy) or 407 of the Illinois Controlled Substances Act
23 or any Section of the Methamphetamine Control and Community
24 Protection Act, a violation of Section 24-2.1, 24-2.2, 24-3,
25 24-3.1, 24-3.3, 24-3.4, 24-4, or 24-5 or subsection
26 24-1(a)(4), 24-1(a)(6), 24-1(a)(7), 24-1(a)(9), 24-1(a)(10),

1 or 24-1(c) of the Criminal Code of 1961 or the Criminal Code of
2 2012 or conspiracy to commit money laundering or conspiracy to
3 commit first degree murder; (ii) in response to a clear and
4 present danger of imminent death or great bodily harm to
5 persons resulting from: (1) a kidnapping or the holding of a
6 hostage by force or the threat of the imminent use of force; or
7 (2) the occupation by force or the threat of the imminent use
8 of force of any premises, place, vehicle, vessel or aircraft;
9 (iii) to aid an investigation or prosecution of a civil action
10 brought under the Illinois Streetgang Terrorism Omnibus
11 Prevention Act when there is probable cause to believe the
12 interception of the private communication will provide
13 evidence that a streetgang is committing, has committed, or
14 will commit a second or subsequent gang-related offense or
15 that the interception of the private communication will aid in
16 the collection of a judgment entered under that Act; or (iv)
17 upon information and belief that a streetgang has committed,
18 is committing, or is about to commit a felony.

19 (b) The State's Attorney or a person designated in writing
20 or by law to act for the State's Attorney and to perform his or
21 her duties during his or her absence or disability, may
22 authorize, in writing, an ex parte application to the chief
23 judge of a circuit court for an order authorizing the
24 interception of a private communication when no party has
25 consented to the interception and the interception may provide
26 evidence of, or may assist in the apprehension of a person who

1 has committed, is committing or is about to commit, a
2 violation of an offense under Article 29D of the Criminal Code
3 of 1961 or the Criminal Code of 2012.

4 (b-1) Subsection (b) is inoperative on and after January
5 1, 2005.

6 (b-2) No conversations recorded or monitored pursuant to
7 subsection (b) shall be made inadmissible in a court of law by
8 virtue of subsection (b-1).

9 (c) As used in this Section, "streetgang" and
10 "gang-related" have the meanings ascribed to them in Section
11 10 of the Illinois Streetgang Terrorism Omnibus Prevention
12 Act.

13 (Source: P.A. 103-1071, eff. 7-1-25.)

14 (725 ILCS 5/115-6.1 rep.)

15 Section 10-40. The Code of Criminal Procedure of 1963 is
16 amended by repealing Section 115-6.1.

17 Section 10-45. The Unified Code of Corrections is amended
18 by changing Section 5-4-1 as follows:

19 (730 ILCS 5/5-4-1) (from Ch. 38, par. 1005-4-1)

20 Sec. 5-4-1. Sentencing hearing.

21 (a) After a determination of guilt, a hearing shall be
22 held to impose the sentence. However, prior to the imposition
23 of sentence on an individual being sentenced for an offense

1 based upon a charge for a violation of Section 11-501 of the
2 Illinois Vehicle Code or a similar provision of a local
3 ordinance, the individual must undergo a professional
4 evaluation to determine if an alcohol or other drug abuse
5 problem exists and the extent of such a problem. Programs
6 conducting these evaluations shall be licensed by the
7 Department of Human Services. However, if the individual is
8 not a resident of Illinois, the court may, in its discretion,
9 accept an evaluation from a program in the state of such
10 individual's residence. The court shall make a specific
11 finding about whether the defendant is eligible for
12 participation in a Department impact incarceration program as
13 provided in Section 5-8-1.1 or 5-8-1.3, and if not, provide an
14 explanation as to why a sentence to impact incarceration is
15 not an appropriate sentence. The court may in its sentencing
16 order recommend a defendant for placement in a Department of
17 Corrections substance abuse treatment program as provided in
18 paragraph (a) of subsection (1) of Section 3-2-2 conditioned
19 upon the defendant being accepted in a program by the
20 Department of Corrections. At the hearing the court shall:

21 (1) consider the evidence, if any, received upon the
22 trial;

23 (2) consider any presentence reports;

24 (3) consider the financial impact of incarceration
25 based on the financial impact statement filed with the
26 clerk of the court by the Department of Corrections;

1 (4) consider evidence and information offered by the
2 parties in aggravation and mitigation;

3 (4.5) consider substance abuse treatment, eligibility
4 screening, and an assessment, if any, of the defendant by
5 an agent designated by the State of Illinois to provide
6 assessment services for the Illinois courts;

7 (5) hear arguments as to sentencing alternatives;

8 (6) afford the defendant the opportunity to make a
9 statement in his own behalf;

10 (7) afford the victim of a violent crime or a
11 violation of Section 11-501 of the Illinois Vehicle Code,
12 or a similar provision of a local ordinance, the
13 opportunity to present an oral or written statement, as
14 guaranteed by Article I, Section 8.1 of the Illinois
15 Constitution and provided in Section 6 of the Rights of
16 Crime Victims and Witnesses Act. The court shall allow a
17 victim to make an oral statement if the victim is present
18 in the courtroom and requests to make an oral or written
19 statement. An oral or written statement includes the
20 victim or a representative of the victim reading the
21 written statement. The court may allow persons impacted by
22 the crime who are not victims under subsection (a) of
23 Section 3 of the Rights of Crime Victims and Witnesses Act
24 to present an oral or written statement. A victim and any
25 person making an oral statement shall not be put under
26 oath or subject to cross-examination. All statements

1 offered under this paragraph (7) shall become part of the
2 record of the court. In this paragraph (7), "victim of a
3 violent crime" means a person who is a victim of a violent
4 crime for which the defendant has been convicted after a
5 bench or jury trial or a person who is the victim of a
6 violent crime with which the defendant was charged and the
7 defendant has been convicted under a plea agreement of a
8 crime that is not a violent crime as defined in subsection
9 (c) of 3 of the Rights of Crime Victims and Witnesses Act;

10 (7.5) afford a qualified person affected by: (i) a
11 violation of Section 405, 405.1, 405.2, or 407 of the
12 Illinois Controlled Substances Act or a violation of
13 Section 55 or Section 65 of the Methamphetamine Control
14 and Community Protection Act; or (ii) a Class 4 felony
15 violation of Section ~~11-14~~, 11-14.3 except as described in
16 subdivisions (a) (2) (A) and (a) (2) (B), 11-15, 11-17, ~~11-18~~,
17 11-18.1, or 11-19 of the Criminal Code of 1961 or the
18 Criminal Code of 2012, committed by the defendant the
19 opportunity to make a statement concerning the impact on
20 the qualified person and to offer evidence in aggravation
21 or mitigation; provided that the statement and evidence
22 offered in aggravation or mitigation shall first be
23 prepared in writing in conjunction with the State's
24 Attorney before it may be presented orally at the hearing.
25 Sworn testimony offered by the qualified person is subject
26 to the defendant's right to cross-examine. All statements

1 and evidence offered under this paragraph (7.5) shall
2 become part of the record of the court. In this paragraph
3 (7.5), "qualified person" means any person who: (i) lived
4 or worked within the territorial jurisdiction where the
5 offense took place when the offense took place; or (ii) is
6 familiar with various public places within the territorial
7 jurisdiction where the offense took place when the offense
8 took place. "Qualified person" includes any peace officer
9 or any member of any duly organized State, county, or
10 municipal peace officer unit assigned to the territorial
11 jurisdiction where the offense took place when the offense
12 took place;

13 (8) in cases of reckless homicide afford the victim's
14 spouse, guardians, parents or other immediate family
15 members an opportunity to make oral statements;

16 (9) in cases involving a felony sex offense as defined
17 under the Sex Offender Management Board Act, consider the
18 results of the sex offender evaluation conducted pursuant
19 to Section 5-3-2 of this Act; and

20 (10) make a finding of whether a motor vehicle was
21 used in the commission of the offense for which the
22 defendant is being sentenced.

23 (b) All sentences shall be imposed by the judge based upon
24 his independent assessment of the elements specified above and
25 any agreement as to sentence reached by the parties. The judge
26 who presided at the trial or the judge who accepted the plea of

1 guilty shall impose the sentence unless he is no longer
2 sitting as a judge in that court. Where the judge does not
3 impose sentence at the same time on all defendants who are
4 convicted as a result of being involved in the same offense,
5 the defendant or the State's Attorney may advise the
6 sentencing court of the disposition of any other defendants
7 who have been sentenced.

8 (b-1) In imposing a sentence of imprisonment or periodic
9 imprisonment for a Class 3 or Class 4 felony for which a
10 sentence of probation or conditional discharge is an available
11 sentence, if the defendant has no prior sentence of probation
12 or conditional discharge and no prior conviction for a violent
13 crime, the defendant shall not be sentenced to imprisonment
14 before review and consideration of a presentence report and
15 determination and explanation of why the particular evidence,
16 information, factor in aggravation, factual finding, or other
17 reasons support a sentencing determination that one or more of
18 the factors under subsection (a) of Section 5-6-1 of this Code
19 apply and that probation or conditional discharge is not an
20 appropriate sentence.

21 (c) In imposing a sentence for a violent crime or for an
22 offense of operating or being in physical control of a vehicle
23 while under the influence of alcohol, any other drug or any
24 combination thereof, or a similar provision of a local
25 ordinance, when such offense resulted in the personal injury
26 to someone other than the defendant, the trial judge shall

1 specify on the record the particular evidence, information,
2 factors in mitigation and aggravation or other reasons that
3 led to his sentencing determination. The full verbatim record
4 of the sentencing hearing shall be filed with the clerk of the
5 court and shall be a public record.

6 (c-1) In imposing a sentence for the offense of aggravated
7 kidnapping for ransom, home invasion, armed robbery,
8 aggravated vehicular hijacking, aggravated discharge of a
9 firearm, or armed violence with a category I weapon or
10 category II weapon, the trial judge shall make a finding as to
11 whether the conduct leading to conviction for the offense
12 resulted in great bodily harm to a victim, and shall enter that
13 finding and the basis for that finding in the record.

14 (c-1.5) Notwithstanding any other provision of law to the
15 contrary, in imposing a sentence for an offense that requires
16 a mandatory minimum sentence of imprisonment, the court may
17 instead sentence the offender to probation, conditional
18 discharge, or a lesser term of imprisonment it deems
19 appropriate if: (1) the offense involves the use or possession
20 of drugs, retail theft, or driving on a revoked license due to
21 unpaid financial obligations; (2) the court finds that the
22 defendant does not pose a risk to public safety; and (3) the
23 interest of justice requires imposing a term of probation,
24 conditional discharge, or a lesser term of imprisonment. The
25 court must state on the record its reasons for imposing
26 probation, conditional discharge, or a lesser term of

1 imprisonment.

2 (c-2) If the defendant is sentenced to prison, other than
3 when a sentence of natural life imprisonment is imposed, at
4 the time the sentence is imposed the judge shall state on the
5 record in open court the approximate period of time the
6 defendant will serve in custody according to the then current
7 statutory rules and regulations for sentence credit found in
8 Section 3-6-3 and other related provisions of this Code. This
9 statement is intended solely to inform the public, has no
10 legal effect on the defendant's actual release, and may not be
11 relied on by the defendant on appeal.

12 The judge's statement, to be given after pronouncing the
13 sentence, other than when the sentence is imposed for one of
14 the offenses enumerated in paragraph (a)(4) of Section 3-6-3,
15 shall include the following:

16 "The purpose of this statement is to inform the public of
17 the actual period of time this defendant is likely to spend in
18 prison as a result of this sentence. The actual period of
19 prison time served is determined by the statutes of Illinois
20 as applied to this sentence by the Illinois Department of
21 Corrections and the Illinois Prisoner Review Board. In this
22 case, assuming the defendant receives all of his or her
23 sentence credit, the period of estimated actual custody is ...
24 years and ... months, less up to 180 days additional earned
25 sentence credit. If the defendant, because of his or her own
26 misconduct or failure to comply with the institutional

1 regulations, does not receive those credits, the actual time
2 served in prison will be longer. The defendant may also
3 receive an additional one-half day sentence credit for each
4 day of participation in vocational, industry, substance abuse,
5 and educational programs as provided for by Illinois statute."

6 When the sentence is imposed for one of the offenses
7 enumerated in paragraph (a)(2) of Section 3-6-3, other than
8 first degree murder, and the offense was committed on or after
9 June 19, 1998, and when the sentence is imposed for reckless
10 homicide as defined in subsection (e) of Section 9-3 of the
11 Criminal Code of 1961 or the Criminal Code of 2012 if the
12 offense was committed on or after January 1, 1999, and when the
13 sentence is imposed for aggravated driving under the influence
14 of alcohol, other drug or drugs, or intoxicating compound or
15 compounds, or any combination thereof as defined in
16 subparagraph (F) of paragraph (1) of subsection (d) of Section
17 11-501 of the Illinois Vehicle Code, and when the sentence is
18 imposed for aggravated arson if the offense was committed on
19 or after July 27, 2001 (the effective date of Public Act
20 92-176), and when the sentence is imposed for aggravated
21 driving under the influence of alcohol, other drug or drugs,
22 or intoxicating compound or compounds, or any combination
23 thereof as defined in subparagraph (C) of paragraph (1) of
24 subsection (d) of Section 11-501 of the Illinois Vehicle Code
25 committed on or after January 1, 2011 (the effective date of
26 Public Act 96-1230), the judge's statement, to be given after

1 pronouncing the sentence, shall include the following:

2 "The purpose of this statement is to inform the public of
3 the actual period of time this defendant is likely to spend in
4 prison as a result of this sentence. The actual period of
5 prison time served is determined by the statutes of Illinois
6 as applied to this sentence by the Illinois Department of
7 Corrections and the Illinois Prisoner Review Board. In this
8 case, the defendant is entitled to no more than 4 1/2 days of
9 sentence credit for each month of his or her sentence of
10 imprisonment. Therefore, this defendant will serve at least
11 85% of his or her sentence. Assuming the defendant receives 4
12 1/2 days credit for each month of his or her sentence, the
13 period of estimated actual custody is ... years and ...
14 months. If the defendant, because of his or her own misconduct
15 or failure to comply with the institutional regulations
16 receives lesser credit, the actual time served in prison will
17 be longer."

18 When a sentence of imprisonment is imposed for first
19 degree murder and the offense was committed on or after June
20 19, 1998, the judge's statement, to be given after pronouncing
21 the sentence, shall include the following:

22 "The purpose of this statement is to inform the public of
23 the actual period of time this defendant is likely to spend in
24 prison as a result of this sentence. The actual period of
25 prison time served is determined by the statutes of Illinois
26 as applied to this sentence by the Illinois Department of

1 Corrections and the Illinois Prisoner Review Board. In this
2 case, the defendant is not entitled to sentence credit.
3 Therefore, this defendant will serve 100% of his or her
4 sentence."

5 When the sentencing order recommends placement in a
6 substance abuse program for any offense that results in
7 incarceration in a Department of Corrections facility and the
8 crime was committed on or after September 1, 2003 (the
9 effective date of Public Act 93-354), the judge's statement,
10 in addition to any other judge's statement required under this
11 Section, to be given after pronouncing the sentence, shall
12 include the following:

13 "The purpose of this statement is to inform the public of
14 the actual period of time this defendant is likely to spend in
15 prison as a result of this sentence. The actual period of
16 prison time served is determined by the statutes of Illinois
17 as applied to this sentence by the Illinois Department of
18 Corrections and the Illinois Prisoner Review Board. In this
19 case, the defendant shall receive no earned sentence credit
20 under clause (3) of subsection (a) of Section 3-6-3 until he or
21 she participates in and completes a substance abuse treatment
22 program or receives a waiver from the Director of Corrections
23 pursuant to clause (4.5) of subsection (a) of Section 3-6-3."

24 (c-4) Before the sentencing hearing and as part of the
25 presentence investigation under Section 5-3-1, the court shall
26 inquire of the defendant whether the defendant is currently

1 serving in or is a veteran of the Armed Forces of the United
2 States. If the defendant is currently serving in the Armed
3 Forces of the United States or is a veteran of the Armed Forces
4 of the United States and has been diagnosed as having a mental
5 illness by a qualified psychiatrist or clinical psychologist
6 or physician, the court may:

7 (1) order that the officer preparing the presentence
8 report consult with the United States Department of
9 Veterans Affairs, Illinois Department of Veterans Affairs,
10 or another agency or person with suitable knowledge or
11 experience for the purpose of providing the court with
12 information regarding treatment options available to the
13 defendant, including federal, State, and local
14 programming; and

15 (2) consider the treatment recommendations of any
16 diagnosing or treating mental health professionals
17 together with the treatment options available to the
18 defendant in imposing sentence.

19 For the purposes of this subsection (c-4), "qualified
20 psychiatrist" means a reputable physician licensed in Illinois
21 to practice medicine in all its branches, who has specialized
22 in the diagnosis and treatment of mental and nervous disorders
23 for a period of not less than 5 years.

24 (c-6) In imposing a sentence, the trial judge shall
25 specify, on the record, the particular evidence and other
26 reasons which led to his or her determination that a motor

1 vehicle was used in the commission of the offense.

2 (c-7) In imposing a sentence for a Class 3 or 4 felony,
3 other than a violent crime as defined in Section 3 of the
4 Rights of Crime Victims and Witnesses Act, the court shall
5 determine and indicate in the sentencing order whether the
6 defendant has 4 or more or fewer than 4 months remaining on his
7 or her sentence accounting for time served.

8 (d) When the defendant is committed to the Department of
9 Corrections, the State's Attorney shall and counsel for the
10 defendant may file a statement with the clerk of the court to
11 be transmitted to the department, agency or institution to
12 which the defendant is committed to furnish such department,
13 agency or institution with the facts and circumstances of the
14 offense for which the person was committed together with all
15 other factual information accessible to them in regard to the
16 person prior to his commitment relative to his habits,
17 associates, disposition and reputation and any other facts and
18 circumstances which may aid such department, agency or
19 institution during its custody of such person. The clerk shall
20 within 10 days after receiving any such statements transmit a
21 copy to such department, agency or institution and a copy to
22 the other party, provided, however, that this shall not be
23 cause for delay in conveying the person to the department,
24 agency or institution to which he has been committed.

25 (e) The clerk of the court shall transmit to the
26 department, agency or institution, if any, to which the

1 defendant is committed, the following:

2 (1) the sentence imposed;

3 (2) any statement by the court of the basis for
4 imposing the sentence;

5 (3) any presentence reports;

6 (3.3) the person's last known complete street address
7 prior to incarceration or legal residence, the person's
8 race, whether the person is of Hispanic or Latino origin,
9 and whether the person is 18 years of age or older;

10 (3.5) any sex offender evaluations;

11 (3.6) any substance abuse treatment eligibility
12 screening and assessment of the defendant by an agent
13 designated by the State of Illinois to provide assessment
14 services for the Illinois courts;

15 (4) the number of days, if any, which the defendant
16 has been in custody and for which he is entitled to credit
17 against the sentence, which information shall be provided
18 to the clerk by the sheriff;

19 (4.1) any finding of great bodily harm made by the
20 court with respect to an offense enumerated in subsection
21 (c-1);

22 (5) all statements filed under subsection (d) of this
23 Section;

24 (6) any medical or mental health records or summaries
25 of the defendant;

26 (7) the municipality where the arrest of the offender

1 or the commission of the offense has occurred, where such
2 municipality has a population of more than 25,000 persons;

3 (8) all statements made and evidence offered under
4 paragraph (7) of subsection (a) of this Section; and

5 (9) all additional matters which the court directs the
6 clerk to transmit.

7 (f) In cases in which the court finds that a motor vehicle
8 was used in the commission of the offense for which the
9 defendant is being sentenced, the clerk of the court shall,
10 within 5 days thereafter, forward a report of such conviction
11 to the Secretary of State.

12 (Source: P.A. 103-18, eff. 1-1-24; 103-51, eff. 1-1-24;
13 103-605, eff. 7-1-24; 104-5, eff. 1-1-26; 104-31, eff. 1-1-26;
14 104-234, eff. 8-15-25.)

15 Section 10-50. The Sex Offender Registration Act is
16 amended by changing Section 2 as follows:

17 (730 ILCS 150/2)

18 (Text of Section before amendment by P.A. 104-245)

19 Sec. 2. Definitions.

20 (A) As used in this Article, "sex offender" means any
21 person who is:

22 (1) charged pursuant to Illinois law, or any
23 substantially similar federal, Uniform Code of Military
24 Justice, sister state, or foreign country law, with a sex

1 offense set forth in subsection (B) of this Section or the
2 attempt to commit an included sex offense, and:

3 (a) is convicted of such offense or an attempt to
4 commit such offense; or

5 (b) is found not guilty by reason of insanity of
6 such offense or an attempt to commit such offense; or

7 (c) is found not guilty by reason of insanity
8 pursuant to Section 104-25(c) of the Code of Criminal
9 Procedure of 1963 of such offense or an attempt to
10 commit such offense; or

11 (d) is the subject of a finding not resulting in an
12 acquittal at a hearing conducted pursuant to Section
13 104-25(a) of the Code of Criminal Procedure of 1963
14 for the alleged commission or attempted commission of
15 such offense; or

16 (e) is found not guilty by reason of insanity
17 following a hearing conducted pursuant to a federal,
18 Uniform Code of Military Justice, sister state, or
19 foreign country law substantially similar to Section
20 104-25(c) of the Code of Criminal Procedure of 1963 of
21 such offense or of the attempted commission of such
22 offense; or

23 (f) is the subject of a finding not resulting in an
24 acquittal at a hearing conducted pursuant to a
25 federal, Uniform Code of Military Justice, sister
26 state, or foreign country law substantially similar to

1 Section 104-25(a) of the Code of Criminal Procedure of
2 1963 for the alleged violation or attempted commission
3 of such offense; or

4 (2) declared as a sexually dangerous person pursuant
5 to the Illinois Sexually Dangerous Persons Act, or any
6 substantially similar federal, Uniform Code of Military
7 Justice, sister state, or foreign country law; or

8 (3) subject to the provisions of Section 2 of the
9 Interstate Agreements on Sexually Dangerous Persons Act;
10 or

11 (4) found to be a sexually violent person pursuant to
12 the Sexually Violent Persons Commitment Act or any
13 substantially similar federal, Uniform Code of Military
14 Justice, sister state, or foreign country law; or

15 (5) adjudicated a juvenile delinquent as the result of
16 committing or attempting to commit an act which, if
17 committed by an adult, would constitute any of the
18 offenses specified in item (B), (C), or (C-5) of this
19 Section or a violation of any substantially similar
20 federal, Uniform Code of Military Justice, sister state,
21 or foreign country law, or found guilty under Article V of
22 the Juvenile Court Act of 1987 of committing or attempting
23 to commit an act which, if committed by an adult, would
24 constitute any of the offenses specified in item (B), (C),
25 or (C-5) of this Section or a violation of any
26 substantially similar federal, Uniform Code of Military

1 Justice, sister state, or foreign country law.

2 Convictions that result from or are connected with the
3 same act, or result from offenses committed at the same time,
4 shall be counted for the purpose of this Article as one
5 conviction. Any conviction set aside pursuant to law is not a
6 conviction for purposes of this Article.

7 For purposes of this Section, "convicted" shall have the
8 same meaning as "adjudicated".

9 (B) As used in this Article, "sex offense" means:

10 (1) A violation of any of the following Sections of
11 the Criminal Code of 1961 or the Criminal Code of 2012:

12 11-20.1 (child pornography),

13 11-20.1B or 11-20.3 (aggravated child
14 pornography),

15 11-6 (indecent solicitation of a child),

16 11-9.1 (sexual exploitation of a child),

17 11-9.2 (custodial sexual misconduct),

18 11-9.5 (sexual misconduct with a person with a
19 disability),

20 11-14.4 (promoting commercial sexual exploitation
21 of a child),

22 11-15.1 (soliciting for a sexually exploited
23 child),

24 11-18.1 (patronizing a sexually exploited child),

25 11-17.1 (keeping a place of commercial sexual
26 exploitation of a child),

1 11-19.1 (juvenile pimping),
2 11-19.2 (exploitation of a child),
3 11-25 (grooming),
4 11-26 (traveling to meet a minor or traveling to
5 meet a child),
6 11-1.20 or 12-13 (criminal sexual assault),
7 11-1.30 or 12-14 (aggravated criminal sexual
8 assault),
9 11-1.40 or 12-14.1 (predatory criminal sexual
10 assault of a child),
11 11-1.50 or 12-15 (criminal sexual abuse),
12 11-1.60 or 12-16 (aggravated criminal sexual
13 abuse),
14 12-33 (ritualized abuse of a child).

15 An attempt to commit any of these offenses.

16 (1.5) A violation of any of the following Sections of
17 the Criminal Code of 1961 or the Criminal Code of 2012,
18 when the victim is a person under 18 years of age, the
19 defendant is not a parent of the victim, the offense was
20 sexually motivated as defined in Section 10 of the Sex
21 Offender Evaluation and Treatment Act, and the offense was
22 committed on or after January 1, 1996:

23 10-1 (kidnapping),
24 10-2 (aggravated kidnapping),
25 10-3 (unlawful restraint),
26 10-3.1 (aggravated unlawful restraint).

1 If the offense was committed before January 1, 1996,
2 it is a sex offense requiring registration only when the
3 person is convicted of any felony after July 1, 2011, and
4 paragraph (2.1) of subsection (c) of Section 3 of this Act
5 applies.

6 (1.6) First degree murder under Section 9-1 of the
7 Criminal Code of 1961 or the Criminal Code of 2012,
8 provided the offense was sexually motivated as defined in
9 Section 10 of the Sex Offender Management Board Act.

10 (1.7) (Blank).

11 (1.8) A violation or attempted violation of Section
12 11-11 (sexual relations within families) of the Criminal
13 Code of 1961 or the Criminal Code of 2012, and the offense
14 was committed on or after June 1, 1997. If the offense was
15 committed before June 1, 1997, it is a sex offense
16 requiring registration only when the person is convicted
17 of any felony after July 1, 2011, and paragraph (2.1) of
18 subsection (c) of Section 3 of this Act applies.

19 (1.9) Child abduction under paragraph (10) of
20 subsection (b) of Section 10-5 of the Criminal Code of
21 1961 or the Criminal Code of 2012 committed by luring or
22 attempting to lure a child under the age of 16 into a motor
23 vehicle, building, house trailer, or dwelling place
24 without the consent of the parent or lawful custodian of
25 the child for other than a lawful purpose and the offense
26 was committed on or after January 1, 1998, provided the

1 offense was sexually motivated as defined in Section 10 of
2 the Sex Offender Management Board Act. If the offense was
3 committed before January 1, 1998, it is a sex offense
4 requiring registration only when the person is convicted
5 of any felony after July 1, 2011, and paragraph (2.1) of
6 subsection (c) of Section 3 of this Act applies.

7 (1.10) A violation or attempted violation of any of
8 the following Sections of the Criminal Code of 1961 or the
9 Criminal Code of 2012 when the offense was committed on or
10 after July 1, 1999:

11 10-4 (forcible detention, if the victim is under
12 18 years of age), provided the offense was sexually
13 motivated as defined in Section 10 of the Sex Offender
14 Management Board Act,

15 11-6.5 (indecent solicitation of an adult),

16 11-14.3 that involves soliciting for a person
17 engaged in the sex trade, or 11-15 (soliciting for a
18 person engaged in the sex trade, if the victim is under
19 18 years of age),

20 subdivision (a) (2) (A) or (a) (2) (B) of Section
21 11-14.3, or Section 11-16 (pandering, if the victim is
22 under 18 years of age),

23 11-18 (patronizing a person engaged in the sex
24 trade, if the victim is under 18 years of age),

25 11-18.1 (patronizing a sexually exploited child),

26 subdivision (a) (2) (C) of Section 11-14.3, or

1 Section 11-19 (pimping, if the victim is under 18
2 years of age).

3 If the offense was committed before July 1, 1999, it
4 is a sex offense requiring registration only when the
5 person is convicted of any felony after July 1, 2011, and
6 paragraph (2.1) of subsection (c) of Section 3 of this Act
7 applies.

8 (1.11) A violation or attempted violation of any of
9 the following Sections of the Criminal Code of 1961 or the
10 Criminal Code of 2012 when the offense was committed on or
11 after August 22, 2002:

12 11-9 or 11-30 (public indecency for a third or
13 subsequent conviction).

14 If the third or subsequent conviction was imposed
15 before August 22, 2002, it is a sex offense requiring
16 registration only when the person is convicted of any
17 felony after July 1, 2011, and paragraph (2.1) of
18 subsection (c) of Section 3 of this Act applies.

19 (1.12) A violation or attempted violation of Section
20 5.1 of the Wrongs to Children Act or Section 11-9.1A of the
21 Criminal Code of 1961 or the Criminal Code of 2012
22 (permitting sexual abuse) when the offense was committed
23 on or after August 22, 2002. If the offense was committed
24 before August 22, 2002, it is a sex offense requiring
25 registration only when the person is convicted of any
26 felony after July 1, 2011, and paragraph (2.1) of

1 subsection (c) of Section 3 of this Act applies.

2 (2) A violation of any former law of this State
3 substantially equivalent to any offense listed in
4 subsection (B) of this Section.

5 (C) A conviction for an offense of federal law, Uniform
6 Code of Military Justice, or the law of another state or a
7 foreign country that is substantially equivalent to any
8 offense listed in subsections (B), (C), (E), and (E-5) of this
9 Section shall constitute a conviction for the purpose of this
10 Article. A finding or adjudication as a sexually dangerous
11 person or a sexually violent person under any federal law,
12 Uniform Code of Military Justice, or the law of another state
13 or foreign country that is substantially equivalent to the
14 Sexually Dangerous Persons Act or the Sexually Violent Persons
15 Commitment Act shall constitute an adjudication for the
16 purposes of this Article.

17 (C-5) A person at least 17 years of age at the time of the
18 commission of the offense who is convicted of first degree
19 murder under Section 9-1 of the Criminal Code of 1961 or the
20 Criminal Code of 2012, against a person under 18 years of age,
21 shall be required to register for natural life. A conviction
22 for an offense of federal, Uniform Code of Military Justice,
23 sister state, or foreign country law that is substantially
24 equivalent to any offense listed in subsection (C-5) of this
25 Section shall constitute a conviction for the purpose of this
26 Article. This subsection (C-5) applies to a person who

1 committed the offense before June 1, 1996 if: (i) the person is
2 incarcerated in an Illinois Department of Corrections facility
3 on August 20, 2004 (the effective date of Public Act 93-977),
4 or (ii) subparagraph (i) does not apply and the person is
5 convicted of any felony after July 1, 2011, and paragraph
6 (2.1) of subsection (c) of Section 3 of this Act applies.

7 (C-6) A person who is convicted or adjudicated delinquent
8 of first degree murder as defined in Section 9-1 of the
9 Criminal Code of 1961 or the Criminal Code of 2012, against a
10 person 18 years of age or over, shall be required to register
11 for his or her natural life. A conviction for an offense of
12 federal, Uniform Code of Military Justice, sister state, or
13 foreign country law that is substantially equivalent to any
14 offense listed in subsection (C-6) of this Section shall
15 constitute a conviction for the purpose of this Article. This
16 subsection (C-6) does not apply to those individuals released
17 from incarceration more than 10 years prior to January 1, 2012
18 (the effective date of Public Act 97-154).

19 (D) As used in this Article, "law enforcement agency
20 having jurisdiction" means the Chief of Police in each of the
21 municipalities in which the sex offender expects to reside,
22 work, or attend school (1) upon his or her discharge, parole or
23 release or (2) during the service of his or her sentence of
24 probation or conditional discharge, or the Sheriff of the
25 county, in the event no Police Chief exists or if the offender
26 intends to reside, work, or attend school in an unincorporated

1 area. "Law enforcement agency having jurisdiction" includes
2 the location where out-of-state students attend school and
3 where out-of-state employees are employed or are otherwise
4 required to register.

5 (D-1) As used in this Article, "supervising officer" means
6 the assigned Illinois Department of Corrections parole agent
7 or county probation officer.

8 (E) As used in this Article, "sexual predator" means any
9 person who, after July 1, 1999, is:

10 (1) Convicted for an offense of federal, Uniform Code
11 of Military Justice, sister state, or foreign country law
12 that is substantially equivalent to any offense listed in
13 subsection (E) or (E-5) of this Section shall constitute a
14 conviction for the purpose of this Article. Convicted of a
15 violation or attempted violation of any of the following
16 Sections of the Criminal Code of 1961 or the Criminal Code
17 of 2012:

18 10-5.1 (luring of a minor),

19 11-14.4 that involves keeping a place of
20 commercial sexual exploitation of a child, or 11-17.1
21 (keeping a place of commercial sexual exploitation of
22 a child),

23 subdivision (a) (2) or (a) (3) of Section 11-14.4,
24 or Section 11-19.1 (juvenile pimping),

25 subdivision (a) (4) of Section 11-14.4, or Section
26 11-19.2 (exploitation of a child),

1 11-20.1 (child pornography),
2 11-20.1B or 11-20.3 (aggravated child
3 pornography),
4 11-1.20 or 12-13 (criminal sexual assault),
5 11-1.30 or 12-14 (aggravated criminal sexual
6 assault),
7 11-1.40 or 12-14.1 (predatory criminal sexual
8 assault of a child),
9 11-1.60 or 12-16 (aggravated criminal sexual
10 abuse),
11 12-33 (ritualized abuse of a child);

12 (2) (blank);

13 (3) declared as a sexually dangerous person pursuant
14 to the Sexually Dangerous Persons Act or any substantially
15 similar federal, Uniform Code of Military Justice, sister
16 state, or foreign country law;

17 (4) found to be a sexually violent person pursuant to
18 the Sexually Violent Persons Commitment Act or any
19 substantially similar federal, Uniform Code of Military
20 Justice, sister state, or foreign country law;

21 (5) convicted of a second or subsequent offense which
22 requires registration pursuant to this Act. For purposes
23 of this paragraph (5), "convicted" shall include a
24 conviction under any substantially similar Illinois,
25 federal, Uniform Code of Military Justice, sister state,
26 or foreign country law;

1 (6) (blank); or

2 (7) if the person was convicted of an offense set
3 forth in this subsection (E) on or before July 1, 1999, the
4 person is a sexual predator for whom registration is
5 required only when the person is convicted of a felony
6 offense after July 1, 2011, and paragraph (2.1) of
7 subsection (c) of Section 3 of this Act applies.

8 (E-5) As used in this Article, "sexual predator" also
9 means a person convicted of a violation or attempted violation
10 of any of the following Sections of the Criminal Code of 1961
11 or the Criminal Code of 2012:

12 (1) Section 9-1 (first degree murder, when the victim
13 was a person under 18 years of age and the defendant was at
14 least 17 years of age at the time of the commission of the
15 offense, provided the offense was sexually motivated as
16 defined in Section 10 of the Sex Offender Management Board
17 Act);

18 (2) Section 11-9.5 (sexual misconduct with a person
19 with a disability);

20 (3) when the victim is a person under 18 years of age,
21 the defendant is not a parent of the victim, the offense
22 was sexually motivated as defined in Section 10 of the Sex
23 Offender Management Board Act, and the offense was
24 committed on or after January 1, 1996: (A) Section 10-1
25 (kidnapping), (B) Section 10-2 (aggravated kidnapping),
26 (C) Section 10-3 (unlawful restraint), and (D) Section

1 10-3.1 (aggravated unlawful restraint); and

2 (4) Section 10-5(b)(10) (child abduction committed by
3 luring or attempting to lure a child under the age of 16
4 into a motor vehicle, building, house trailer, or dwelling
5 place without the consent of the parent or lawful
6 custodian of the child for other than a lawful purpose and
7 the offense was committed on or after January 1, 1998,
8 provided the offense was sexually motivated as defined in
9 Section 10 of the Sex Offender Management Board Act).

10 (E-10) As used in this Article, "sexual predator" also
11 means a person required to register in another State due to a
12 conviction, adjudication or other action of any court
13 triggering an obligation to register as a sex offender, sexual
14 predator, or substantially similar status under the laws of
15 that State.

16 (F) As used in this Article, "out-of-state student" means
17 any sex offender, as defined in this Section, or sexual
18 predator who is enrolled in Illinois, on a full-time or
19 part-time basis, in any public or private educational
20 institution, including, but not limited to, any secondary
21 school, trade or professional institution, or institution of
22 higher learning.

23 (G) As used in this Article, "out-of-state employee" means
24 any sex offender, as defined in this Section, or sexual
25 predator who works in Illinois, regardless of whether the
26 individual receives payment for services performed, for a

1 period of time of 10 or more days or for an aggregate period of
2 time of 30 or more days during any calendar year. Persons who
3 operate motor vehicles in the State accrue one day of
4 employment time for any portion of a day spent in Illinois.

5 (H) As used in this Article, "school" means any public or
6 private educational institution, including, but not limited
7 to, any elementary or secondary school, trade or professional
8 institution, or institution of higher education.

9 (I) As used in this Article, "fixed residence" means any
10 and all places that a sex offender resides for an aggregate
11 period of time of 5 or more days in a calendar year.

12 (J) As used in this Article, "Internet protocol address"
13 means the string of numbers by which a location on the Internet
14 is identified by routers or other computers connected to the
15 Internet.

16 (Source: P.A. 103-1071, eff. 7-1-25.)

17 (Text of Section after amendment by P.A. 104-245)

18 Sec. 2. Definitions.

19 (A) As used in this Article, "sex offender" means any
20 person who is:

21 (1) charged pursuant to Illinois law, or any
22 substantially similar federal, Uniform Code of Military
23 Justice, sister state, or foreign country law, with a sex
24 offense set forth in subsection (B) of this Section or the
25 attempt to commit an included sex offense, and:

1 (a) is convicted of such offense or an attempt to
2 commit such offense; or

3 (b) is found not guilty by reason of insanity of
4 such offense or an attempt to commit such offense; or

5 (c) is found not guilty by reason of insanity
6 pursuant to Section 104-25(c) of the Code of Criminal
7 Procedure of 1963 of such offense or an attempt to
8 commit such offense; or

9 (d) is the subject of a finding not resulting in an
10 acquittal at a hearing conducted pursuant to Section
11 104-25(a) of the Code of Criminal Procedure of 1963
12 for the alleged commission or attempted commission of
13 such offense; or

14 (e) is found not guilty by reason of insanity
15 following a hearing conducted pursuant to a federal,
16 Uniform Code of Military Justice, sister state, or
17 foreign country law substantially similar to Section
18 104-25(c) of the Code of Criminal Procedure of 1963 of
19 such offense or of the attempted commission of such
20 offense; or

21 (f) is the subject of a finding not resulting in an
22 acquittal at a hearing conducted pursuant to a
23 federal, Uniform Code of Military Justice, sister
24 state, or foreign country law substantially similar to
25 Section 104-25(a) of the Code of Criminal Procedure of
26 1963 for the alleged violation or attempted commission

1 of such offense; or

2 (2) declared as a sexually dangerous person pursuant
3 to the Illinois Sexually Dangerous Persons Act, or any
4 substantially similar federal, Uniform Code of Military
5 Justice, sister state, or foreign country law; or

6 (3) subject to the provisions of Section 2 of the
7 Interstate Agreements on Sexually Dangerous Persons Act;
8 or

9 (4) found to be a sexually violent person pursuant to
10 the Sexually Violent Persons Commitment Act or any
11 substantially similar federal, Uniform Code of Military
12 Justice, sister state, or foreign country law; or

13 (5) adjudicated a juvenile delinquent as the result of
14 committing or attempting to commit an act which, if
15 committed by an adult, would constitute any of the
16 offenses specified in item (B), (C), or (C-5) of this
17 Section or a violation of any substantially similar
18 federal, Uniform Code of Military Justice, sister state,
19 or foreign country law, or found guilty under Article V of
20 the Juvenile Court Act of 1987 of committing or attempting
21 to commit an act which, if committed by an adult, would
22 constitute any of the offenses specified in item (B), (C),
23 or (C-5) of this Section or a violation of any
24 substantially similar federal, Uniform Code of Military
25 Justice, sister state, or foreign country law.

26 Convictions that result from or are connected with the

1 same act, or result from offenses committed at the same time,
2 shall be counted for the purpose of this Article as one
3 conviction. Any conviction set aside pursuant to law is not a
4 conviction for purposes of this Article.

5 For purposes of this Section, "convicted" shall have the
6 same meaning as "adjudicated".

7 (B) As used in this Article, "sex offense" means:

8 (1) A violation of any of the following Sections of
9 the Criminal Code of 1961 or the Criminal Code of 2012:

10 11-20.1 (child sexual abuse material or child
11 pornography),

12 11-20.1B or 11-20.3 (aggravated child
13 pornography),

14 11-6 (indecent solicitation of a child),

15 11-9.1 (sexual exploitation of a child),

16 11-9.2 (custodial sexual misconduct),

17 11-9.5 (sexual misconduct with a person with a
18 disability),

19 11-14.4 (promoting commercial sexual exploitation
20 of a child),

21 11-15.1 (soliciting for a sexually exploited
22 child),

23 11-18.1 (patronizing a sexually exploited child),

24 11-17.1 (keeping a place of commercial sexual
25 exploitation of a child),

26 11-19.1 (juvenile pimping),

1 11-19.2 (exploitation of a child),
2 11-25 (grooming),
3 11-26 (traveling to meet a minor or traveling to
4 meet a child),
5 11-1.20 or 12-13 (criminal sexual assault),
6 11-1.30 or 12-14 (aggravated criminal sexual
7 assault),
8 11-1.40 or 12-14.1 (predatory criminal sexual
9 assault of a child),
10 11-1.50 or 12-15 (criminal sexual abuse),
11 11-1.60 or 12-16 (aggravated criminal sexual
12 abuse),
13 12-33 (ritualized abuse of a child).

14 An attempt to commit any of these offenses.

15 (1.5) A violation of any of the following Sections of
16 the Criminal Code of 1961 or the Criminal Code of 2012,
17 when the victim is a person under 18 years of age, the
18 defendant is not a parent of the victim, the offense was
19 sexually motivated as defined in Section 10 of the Sex
20 Offender Evaluation and Treatment Act, and the offense was
21 committed on or after January 1, 1996:

22 10-1 (kidnapping),
23 10-2 (aggravated kidnapping),
24 10-3 (unlawful restraint),
25 10-3.1 (aggravated unlawful restraint).

26 If the offense was committed before January 1, 1996,

1 it is a sex offense requiring registration only when the
2 person is convicted of any felony after July 1, 2011, and
3 paragraph (2.1) of subsection (c) of Section 3 of this Act
4 applies.

5 (1.6) First degree murder under Section 9-1 of the
6 Criminal Code of 1961 or the Criminal Code of 2012,
7 provided the offense was sexually motivated as defined in
8 Section 10 of the Sex Offender Management Board Act.

9 (1.7) (Blank).

10 (1.8) A violation or attempted violation of Section
11 11-11 (sexual relations within families) of the Criminal
12 Code of 1961 or the Criminal Code of 2012, and the offense
13 was committed on or after June 1, 1997. If the offense was
14 committed before June 1, 1997, it is a sex offense
15 requiring registration only when the person is convicted
16 of any felony after July 1, 2011, and paragraph (2.1) of
17 subsection (c) of Section 3 of this Act applies.

18 (1.9) Child abduction under paragraph (10) of
19 subsection (b) of Section 10-5 of the Criminal Code of
20 1961 or the Criminal Code of 2012 committed by luring or
21 attempting to lure a child under the age of 16 into a motor
22 vehicle, building, house trailer, or dwelling place
23 without the consent of the parent or lawful custodian of
24 the child for other than a lawful purpose and the offense
25 was committed on or after January 1, 1998, provided the
26 offense was sexually motivated as defined in Section 10 of

1 the Sex Offender Management Board Act. If the offense was
2 committed before January 1, 1998, it is a sex offense
3 requiring registration only when the person is convicted
4 of any felony after July 1, 2011, and paragraph (2.1) of
5 subsection (c) of Section 3 of this Act applies.

6 (1.10) A violation or attempted violation of any of
7 the following Sections of the Criminal Code of 1961 or the
8 Criminal Code of 2012 when the offense was committed on or
9 after July 1, 1999:

10 10-4 (forcible detention, if the victim is under
11 18 years of age), provided the offense was sexually
12 motivated as defined in Section 10 of the Sex Offender
13 Management Board Act,

14 11-6.5 (indecent solicitation of an adult),

15 11-14.3 that involves soliciting for a person
16 engaged in the sex trade, or 11-15 (soliciting for a
17 person engaged in the sex trade, if the victim is under
18 18 years of age),

19 subdivision (a)(2)(A) or (a)(2)(B) of Section
20 11-14.3, or Section 11-16 (pandering, if the victim is
21 under 18 years of age),

22 11-18.1 (patronizing a sexually exploited child)

23 ~~11-18 (patronizing a person engaged in the sex trade,~~
24 ~~if the victim is under 18 years of age),~~

25 subdivision (a)(2)(C) of Section 11-14.3, or
26 Section 11-19 (pimping, if the victim is under 18

1 years of age) .

2 If the offense was committed before July 1, 1999, it
3 is a sex offense requiring registration only when the
4 person is convicted of any felony after July 1, 2011, and
5 paragraph (2.1) of subsection (c) of Section 3 of this Act
6 applies.

7 (1.11) A violation or attempted violation of any of
8 the following Sections of the Criminal Code of 1961 or the
9 Criminal Code of 2012 when the offense was committed on or
10 after August 22, 2002:

11 11-9 or 11-30 (public indecency for a third or
12 subsequent conviction).

13 If the third or subsequent conviction was imposed
14 before August 22, 2002, it is a sex offense requiring
15 registration only when the person is convicted of any
16 felony after July 1, 2011, and paragraph (2.1) of
17 subsection (c) of Section 3 of this Act applies.

18 (1.12) A violation or attempted violation of Section
19 5.1 of the Wrongs to Children Act or Section 11-9.1A of the
20 Criminal Code of 1961 or the Criminal Code of 2012
21 (permitting sexual abuse) when the offense was committed
22 on or after August 22, 2002. If the offense was committed
23 before August 22, 2002, it is a sex offense requiring
24 registration only when the person is convicted of any
25 felony after July 1, 2011, and paragraph (2.1) of
26 subsection (c) of Section 3 of this Act applies.

1 (2) A violation of any former law of this State
2 substantially equivalent to any offense listed in
3 subsection (B) of this Section.

4 (C) A conviction for an offense of federal law, Uniform
5 Code of Military Justice, or the law of another state or a
6 foreign country that is substantially equivalent to any
7 offense listed in subsections (B), (C), (E), and (E-5) of this
8 Section shall constitute a conviction for the purpose of this
9 Article. A finding or adjudication as a sexually dangerous
10 person or a sexually violent person under any federal law,
11 Uniform Code of Military Justice, or the law of another state
12 or foreign country that is substantially equivalent to the
13 Sexually Dangerous Persons Act or the Sexually Violent Persons
14 Commitment Act shall constitute an adjudication for the
15 purposes of this Article.

16 (C-5) A person at least 17 years of age at the time of the
17 commission of the offense who is convicted of first degree
18 murder under Section 9-1 of the Criminal Code of 1961 or the
19 Criminal Code of 2012, against a person under 18 years of age,
20 shall be required to register for natural life. A conviction
21 for an offense of federal, Uniform Code of Military Justice,
22 sister state, or foreign country law that is substantially
23 equivalent to any offense listed in subsection (C-5) of this
24 Section shall constitute a conviction for the purpose of this
25 Article. This subsection (C-5) applies to a person who
26 committed the offense before June 1, 1996 if: (i) the person is

1 incarcerated in an Illinois Department of Corrections facility
2 on August 20, 2004 (the effective date of Public Act 93-977),
3 or (ii) subparagraph (i) does not apply and the person is
4 convicted of any felony after July 1, 2011, and paragraph
5 (2.1) of subsection (c) of Section 3 of this Act applies.

6 (C-6) A person who is convicted or adjudicated delinquent
7 of first degree murder as defined in Section 9-1 of the
8 Criminal Code of 1961 or the Criminal Code of 2012, against a
9 person 18 years of age or over, shall be required to register
10 for his or her natural life. A conviction for an offense of
11 federal, Uniform Code of Military Justice, sister state, or
12 foreign country law that is substantially equivalent to any
13 offense listed in subsection (C-6) of this Section shall
14 constitute a conviction for the purpose of this Article. This
15 subsection (C-6) does not apply to those individuals released
16 from incarceration more than 10 years prior to January 1, 2012
17 (the effective date of Public Act 97-154).

18 (D) As used in this Article, "law enforcement agency
19 having jurisdiction" means the Chief of Police in each of the
20 municipalities in which the sex offender expects to reside,
21 work, or attend school (1) upon his or her discharge, parole or
22 release or (2) during the service of his or her sentence of
23 probation or conditional discharge, or the Sheriff of the
24 county, in the event no Police Chief exists or if the offender
25 intends to reside, work, or attend school in an unincorporated
26 area. "Law enforcement agency having jurisdiction" includes

1 the location where out-of-state students attend school and
2 where out-of-state employees are employed or are otherwise
3 required to register.

4 (D-1) As used in this Article, "supervising officer" means
5 the assigned Illinois Department of Corrections parole agent
6 or county probation officer.

7 (E) As used in this Article, "sexual predator" means any
8 person who, after July 1, 1999, is:

9 (1) Convicted for an offense of federal, Uniform Code
10 of Military Justice, sister state, or foreign country law
11 that is substantially equivalent to any offense listed in
12 subsection (E) or (E-5) of this Section shall constitute a
13 conviction for the purpose of this Article. Convicted of a
14 violation or attempted violation of any of the following
15 Sections of the Criminal Code of 1961 or the Criminal Code
16 of 2012:

17 10-5.1 (luring of a minor),

18 11-14.4 that involves keeping a place of
19 commercial sexual exploitation of a child, or 11-17.1
20 (keeping a place of commercial sexual exploitation of
21 a child),

22 subdivision (a) (2) or (a) (3) of Section 11-14.4,
23 or Section 11-19.1 (juvenile pimping),

24 subdivision (a) (4) of Section 11-14.4, or Section
25 11-19.2 (exploitation of a child),

26 11-20.1 (child sexual abuse material or child

pornography),

11-20.1B or 11-20.3 (aggravated child
pornography),

11-1.20 or 12-13 (criminal sexual assault),

11-1.30 or 12-14 (aggravated criminal sexual
assault),

11-1.40 or 12-14.1 (predatory criminal sexual
assault of a child),

11-1.60 or 12-16 (aggravated criminal sexual
abuse),

12-33 (ritualized abuse of a child);

(2) (blank);

(3) declared as a sexually dangerous person pursuant
to the Sexually Dangerous Persons Act or any substantially
similar federal, Uniform Code of Military Justice, sister
state, or foreign country law;

(4) found to be a sexually violent person pursuant to
the Sexually Violent Persons Commitment Act or any
substantially similar federal, Uniform Code of Military
Justice, sister state, or foreign country law;

(5) convicted of a second or subsequent offense which
requires registration pursuant to this Act. For purposes
of this paragraph (5), "convicted" shall include a
conviction under any substantially similar Illinois,
federal, Uniform Code of Military Justice, sister state,
or foreign country law;

1 (6) (blank); or

2 (7) if the person was convicted of an offense set
3 forth in this subsection (E) on or before July 1, 1999, the
4 person is a sexual predator for whom registration is
5 required only when the person is convicted of a felony
6 offense after July 1, 2011, and paragraph (2.1) of
7 subsection (c) of Section 3 of this Act applies.

8 (E-5) As used in this Article, "sexual predator" also
9 means a person convicted of a violation or attempted violation
10 of any of the following Sections of the Criminal Code of 1961
11 or the Criminal Code of 2012:

12 (1) Section 9-1 (first degree murder, when the victim
13 was a person under 18 years of age and the defendant was at
14 least 17 years of age at the time of the commission of the
15 offense, provided the offense was sexually motivated as
16 defined in Section 10 of the Sex Offender Management Board
17 Act);

18 (2) Section 11-9.5 (sexual misconduct with a person
19 with a disability);

20 (3) when the victim is a person under 18 years of age,
21 the defendant is not a parent of the victim, the offense
22 was sexually motivated as defined in Section 10 of the Sex
23 Offender Management Board Act, and the offense was
24 committed on or after January 1, 1996: (A) Section 10-1
25 (kidnapping), (B) Section 10-2 (aggravated kidnapping),
26 (C) Section 10-3 (unlawful restraint), and (D) Section

1 10-3.1 (aggravated unlawful restraint); and

2 (4) Section 10-5(b)(10) (child abduction committed by
3 luring or attempting to lure a child under the age of 16
4 into a motor vehicle, building, house trailer, or dwelling
5 place without the consent of the parent or lawful
6 custodian of the child for other than a lawful purpose and
7 the offense was committed on or after January 1, 1998,
8 provided the offense was sexually motivated as defined in
9 Section 10 of the Sex Offender Management Board Act).

10 (E-10) As used in this Article, "sexual predator" also
11 means a person required to register in another State due to a
12 conviction, adjudication or other action of any court
13 triggering an obligation to register as a sex offender, sexual
14 predator, or substantially similar status under the laws of
15 that State.

16 (F) As used in this Article, "out-of-state student" means
17 any sex offender, as defined in this Section, or sexual
18 predator who is enrolled in Illinois, on a full-time or
19 part-time basis, in any public or private educational
20 institution, including, but not limited to, any secondary
21 school, trade or professional institution, or institution of
22 higher learning.

23 (G) As used in this Article, "out-of-state employee" means
24 any sex offender, as defined in this Section, or sexual
25 predator who works in Illinois, regardless of whether the
26 individual receives payment for services performed, for a

1 period of time of 10 or more days or for an aggregate period of
2 time of 30 or more days during any calendar year. Persons who
3 operate motor vehicles in the State accrue one day of
4 employment time for any portion of a day spent in Illinois.

5 (H) As used in this Article, "school" means any public or
6 private educational institution, including, but not limited
7 to, any elementary or secondary school, trade or professional
8 institution, or institution of higher education.

9 (I) As used in this Article, "fixed residence" means any
10 and all places that a sex offender resides for an aggregate
11 period of time of 5 or more days in a calendar year.

12 (J) As used in this Article, "Internet protocol address"
13 means the string of numbers by which a location on the Internet
14 is identified by routers or other computers connected to the
15 Internet.

16 (Source: P.A. 103-1071, eff. 7-1-25; 104-245, eff. 1-1-26;
17 revised 9-15-25.)

18 Section 10-55. The Lewdness Public Nuisance Act is amended
19 by changing Sections 1 and 10 as follows:

20 (740 ILCS 105/1) (from Ch. 100 1/2, par. 1)

21 Sec. 1. All buildings and apartments, and all places, and
22 the fixtures and movable contents thereof, used for purposes
23 of lewdness, ~~assignation, or prostitution,~~ are hereby declared
24 to be public nuisances, and may be abated as hereinafter

1 provided. The owners, agents, and occupants of any such
2 building or apartment, or of any such place shall be deemed
3 guilty of maintaining a public nuisance, and may be enjoined
4 as hereinafter provided.

5 (Source: Laws 1915, p. 371.)

6 (740 ILCS 105/10) (from Ch. 100 1/2, par. 10)

7 Sec. 10. If any lessee or occupant shall use leased
8 premises for the purpose of lewdness, ~~assignation or~~
9 ~~prostitution~~, or shall permit them to be used for any of such
10 purposes, the lease or contract for letting such premises
11 shall, at the option of the lessor, become void, and the owner
12 may have the like remedy to recover possession thereof as
13 against a tenant holding over after the expiration of his
14 term.

15 (Source: Laws 1915, p. 371.)

16 Section 10-60. The Illinois Securities Law of 1953 is
17 amended by changing Section 7a as follows:

18 (815 ILCS 5/7a) (from Ch. 121 1/2, par. 137.7a)

19 Sec. 7a. (a) Except as provided in subsection (b) of this
20 Section, no securities, issued by an issuer engaged in or
21 deriving revenues from the conduct of any business or
22 profession, the conduct of which would violate Section ~~11-14,~~
23 11-14.3 or 11-14.4 as described in subdivision (a)(1),

1 (a) (2), or (a) (3) or that involves soliciting for a sexually
2 exploited child, 11-15, 11-15.1, 11-16, 11-17, 11-19 or
3 11-19.1 of the Criminal Code of 1961 or the Criminal Code of
4 2012, if conducted in this State, shall be sold or registered
5 pursuant to Section 5, 6 or 7 of this Act nor sold pursuant to
6 the provisions of Section 3 or 4 of this Act.

7 (b) Notwithstanding the provisions of subsection (a)
8 hereof, such securities issued prior to the effective date of
9 this amendatory Act of 1989 may be sold by a resident of this
10 State in transactions which qualify for an exemption from the
11 registration requirements of this Act pursuant to subsection A
12 of Section 4 of this Act.

13 (Source: P.A. 103-1071, eff. 7-1-25.)

14 ARTICLE 99

15 Section 99-95. No acceleration or delay. Where this Act
16 makes changes in a statute that is represented in this Act by
17 text that is not yet or no longer in effect (for example, a
18 Section represented by multiple versions), the use of that
19 text does not accelerate or delay the taking effect of (i) the
20 changes made by this Act or (ii) provisions derived from any
21 other Public Act.

22 ARTICLE 99

23 Section 99-99. Effective date. This Act takes effect upon

SB3390

- 208 -

LRB104 16192 RLC 29575 b

1 becoming law.

1 INDEX

2 Statutes amended in order of appearance

3 New Act

4 20 ILCS 2630/5.2

5 225 ILCS 57/15

6 225 ILCS 57/45

7 225 ILCS 515/10 from Ch. 111, par. 910

8 235 ILCS 5/6-2 from Ch. 43, par. 120

9 705 ILCS 405/2-3 from Ch. 37, par. 802-3

10 720 ILCS 5/1-6 from Ch. 38, par. 1-6

11 720 ILCS 5/8-2 from Ch. 38, par. 8-2

12 720 ILCS 5/10-9

13 720 ILCS 5/11-9.1A

14 720 ILCS 5/11-14.1

15 720 ILCS 5/11-14.3

16 720 ILCS 5/14-3

17 720 ILCS 5/11-14 rep.

18 720 ILCS 5/11-18 rep.

19 720 ILCS 640/1 from Ch. 23, par. 2369

20 725 ILCS 5/108B-3 from Ch. 38, par. 108B-3

21 725 ILCS 5/115-6.1 rep.

22 730 ILCS 5/5-4-1 from Ch. 38, par. 1005-4-1

23 730 ILCS 150/2

24 740 ILCS 105/1 from Ch. 100 1/2, par. 1

25 740 ILCS 105/10 from Ch. 100 1/2, par. 10

SB3390

- 210 -

LRB104 16192 RLC 29575 b

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