



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4235

Introduced 1/27/2020, by Rep. Maurice A. West, II

SYNOPSIS AS INTRODUCED:

See Index

Amends the Counties Code. Provides that the county board or board of county commissioners of each county shall appoint a medical examiner and the medical examiner may appoint a deputy medical examiner, who both shall be physicians licensed to practice within this State. Discontinues the office of the coroner in each county on December 1, 2021 replacing it with the appointed medical examiner. Allows a medical examiner to appoint investigators. Provides that 2 or more counties may enter into an agreement to allow the same persons to act as medical examiner, deputy medical examiners, and investigators. Allows a medical examiner to establish an elderly and vulnerable adult death review team. Makes other changes concerning removal of medical examiners and deputy medical examiners, bonds, death investigations, identification of bodies, expenses, records, organ donation and cremation of a body subject to investigation, autopsies, removal of property found near a body, and notification of a medical examiner. Limits home rule powers. Amends various other Acts and Codes making conforming changes. Effective December 1, 2021, except for specified provisions which take effect immediately.

LRB101 15666 AWJ 65707 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

FISCAL NOTE ACT
MAY APPLY

HOME RULE NOTE
ACT MAY APPLY

HOUSING
AFFORDABILITY
IMPACT NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning local government.

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

4 Section 5. The Statute on Statutes is amended by changing
5 Section 1.08 as follows:

6 (5 ILCS 70/1.08) (from Ch. 1, par. 1009)

7 Sec. 1.08. "Sheriff," "medical examiner," ~~"coroner,"~~
8 "clerk," or other words used for an executive or ministerial
9 officer may include any deputy or other person performing the
10 duties of such officer, either generally or in special cases.
11 (Source: Laws 1965, p. 373.)

12 Section 10. The Freedom of Information Act is amended by
13 changing Section 7 as follows:

14 (5 ILCS 140/7) (from Ch. 116, par. 207)

15 Sec. 7. Exemptions.

16 (1) When a request is made to inspect or copy a public
17 record that contains information that is exempt from disclosure
18 under this Section, but also contains information that is not
19 exempt from disclosure, the public body may elect to redact the
20 information that is exempt. The public body shall make the
21 remaining information available for inspection and copying.

1 Subject to this requirement, the following shall be exempt from
2 inspection and copying:

3 (a) Information specifically prohibited from
4 disclosure by federal or State law or rules and regulations
5 implementing federal or State law.

6 (b) Private information, unless disclosure is required
7 by another provision of this Act, a State or federal law or
8 a court order.

9 (b-5) Files, documents, and other data or databases
10 maintained by one or more law enforcement agencies and
11 specifically designed to provide information to one or more
12 law enforcement agencies regarding the physical or mental
13 status of one or more individual subjects.

14 (c) Personal information contained within public
15 records, the disclosure of which would constitute a clearly
16 unwarranted invasion of personal privacy, unless the
17 disclosure is consented to in writing by the individual
18 subjects of the information. "Unwarranted invasion of
19 personal privacy" means the disclosure of information that
20 is highly personal or objectionable to a reasonable person
21 and in which the subject's right to privacy outweighs any
22 legitimate public interest in obtaining the information.
23 The disclosure of information that bears on the public
24 duties of public employees and officials shall not be
25 considered an invasion of personal privacy.

26 (d) Records in the possession of any public body

1 created in the course of administrative enforcement
2 proceedings, and any law enforcement or correctional
3 agency for law enforcement purposes, but only to the extent
4 that disclosure would:

5 (i) interfere with pending or actually and
6 reasonably contemplated law enforcement proceedings
7 conducted by any law enforcement or correctional
8 agency that is the recipient of the request;

9 (ii) interfere with active administrative
10 enforcement proceedings conducted by the public body
11 that is the recipient of the request;

12 (iii) create a substantial likelihood that a
13 person will be deprived of a fair trial or an impartial
14 hearing;

15 (iv) unavoidably disclose the identity of a
16 confidential source, confidential information
17 furnished only by the confidential source, or persons
18 who file complaints with or provide information to
19 administrative, investigative, law enforcement, or
20 penal agencies; except that the identities of
21 witnesses to traffic accidents, traffic accident
22 reports, and rescue reports shall be provided by
23 agencies of local government, except when disclosure
24 would interfere with an active criminal investigation
25 conducted by the agency that is the recipient of the
26 request;

1 (v) disclose unique or specialized investigative
2 techniques other than those generally used and known or
3 disclose internal documents of correctional agencies
4 related to detection, observation or investigation of
5 incidents of crime or misconduct, and disclosure would
6 result in demonstrable harm to the agency or public
7 body that is the recipient of the request;

8 (vi) endanger the life or physical safety of law
9 enforcement personnel or any other person; or

10 (vii) obstruct an ongoing criminal investigation
11 by the agency that is the recipient of the request.

12 (d-5) A law enforcement record created for law
13 enforcement purposes and contained in a shared electronic
14 record management system if the law enforcement agency that
15 is the recipient of the request did not create the record,
16 did not participate in or have a role in any of the events
17 which are the subject of the record, and only has access to
18 the record through the shared electronic record management
19 system.

20 (e) Records that relate to or affect the security of
21 correctional institutions and detention facilities.

22 (e-5) Records requested by persons committed to the
23 Department of Corrections, Department of Human Services
24 Division of Mental Health, or a county jail if those
25 materials are available in the library of the correctional
26 institution or facility or jail where the inmate is

1 confined.

2 (e-6) Records requested by persons committed to the
3 Department of Corrections, Department of Human Services
4 Division of Mental Health, or a county jail if those
5 materials include records from staff members' personnel
6 files, staff rosters, or other staffing assignment
7 information.

8 (e-7) Records requested by persons committed to the
9 Department of Corrections or Department of Human Services
10 Division of Mental Health if those materials are available
11 through an administrative request to the Department of
12 Corrections or Department of Human Services Division of
13 Mental Health.

14 (e-8) Records requested by a person committed to the
15 Department of Corrections, Department of Human Services
16 Division of Mental Health, or a county jail, the disclosure
17 of which would result in the risk of harm to any person or
18 the risk of an escape from a jail or correctional
19 institution or facility.

20 (e-9) Records requested by a person in a county jail or
21 committed to the Department of Corrections or Department of
22 Human Services Division of Mental Health, containing
23 personal information pertaining to the person's victim or
24 the victim's family, including, but not limited to, a
25 victim's home address, home telephone number, work or
26 school address, work telephone number, social security

1 number, or any other identifying information, except as may
2 be relevant to a requester's current or potential case or
3 claim.

4 (e-10) Law enforcement records of other persons
5 requested by a person committed to the Department of
6 Corrections, Department of Human Services Division of
7 Mental Health, or a county jail, including, but not limited
8 to, arrest and booking records, mug shots, and crime scene
9 photographs, except as these records may be relevant to the
10 requester's current or potential case or claim.

11 (f) Preliminary drafts, notes, recommendations,
12 memoranda and other records in which opinions are
13 expressed, or policies or actions are formulated, except
14 that a specific record or relevant portion of a record
15 shall not be exempt when the record is publicly cited and
16 identified by the head of the public body. The exemption
17 provided in this paragraph (f) extends to all those records
18 of officers and agencies of the General Assembly that
19 pertain to the preparation of legislative documents.

20 (g) Trade secrets and commercial or financial
21 information obtained from a person or business where the
22 trade secrets or commercial or financial information are
23 furnished under a claim that they are proprietary,
24 privileged, or confidential, and that disclosure of the
25 trade secrets or commercial or financial information would
26 cause competitive harm to the person or business, and only

1 insofar as the claim directly applies to the records
2 requested.

3 The information included under this exemption includes
4 all trade secrets and commercial or financial information
5 obtained by a public body, including a public pension fund,
6 from a private equity fund or a privately held company
7 within the investment portfolio of a private equity fund as
8 a result of either investing or evaluating a potential
9 investment of public funds in a private equity fund. The
10 exemption contained in this item does not apply to the
11 aggregate financial performance information of a private
12 equity fund, nor to the identity of the fund's managers or
13 general partners. The exemption contained in this item does
14 not apply to the identity of a privately held company
15 within the investment portfolio of a private equity fund,
16 unless the disclosure of the identity of a privately held
17 company may cause competitive harm.

18 Nothing contained in this paragraph (g) shall be
19 construed to prevent a person or business from consenting
20 to disclosure.

21 (h) Proposals and bids for any contract, grant, or
22 agreement, including information which if it were
23 disclosed would frustrate procurement or give an advantage
24 to any person proposing to enter into a contractor
25 agreement with the body, until an award or final selection
26 is made. Information prepared by or for the body in

1 preparation of a bid solicitation shall be exempt until an
2 award or final selection is made.

3 (i) Valuable formulae, computer geographic systems,
4 designs, drawings and research data obtained or produced by
5 any public body when disclosure could reasonably be
6 expected to produce private gain or public loss. The
7 exemption for "computer geographic systems" provided in
8 this paragraph (i) does not extend to requests made by news
9 media as defined in Section 2 of this Act when the
10 requested information is not otherwise exempt and the only
11 purpose of the request is to access and disseminate
12 information regarding the health, safety, welfare, or
13 legal rights of the general public.

14 (j) The following information pertaining to
15 educational matters:

16 (i) test questions, scoring keys and other
17 examination data used to administer an academic
18 examination;

19 (ii) information received by a primary or
20 secondary school, college, or university under its
21 procedures for the evaluation of faculty members by
22 their academic peers;

23 (iii) information concerning a school or
24 university's adjudication of student disciplinary
25 cases, but only to the extent that disclosure would
26 unavoidably reveal the identity of the student; and

1 (iv) course materials or research materials used
2 by faculty members.

3 (k) Architects' plans, engineers' technical
4 submissions, and other construction related technical
5 documents for projects not constructed or developed in
6 whole or in part with public funds and the same for
7 projects constructed or developed with public funds,
8 including, but not limited to, power generating and
9 distribution stations and other transmission and
10 distribution facilities, water treatment facilities,
11 airport facilities, sport stadiums, convention centers,
12 and all government owned, operated, or occupied buildings,
13 but only to the extent that disclosure would compromise
14 security.

15 (l) Minutes of meetings of public bodies closed to the
16 public as provided in the Open Meetings Act until the
17 public body makes the minutes available to the public under
18 Section 2.06 of the Open Meetings Act.

19 (m) Communications between a public body and an
20 attorney or auditor representing the public body that would
21 not be subject to discovery in litigation, and materials
22 prepared or compiled by or for a public body in
23 anticipation of a criminal, civil, or administrative
24 proceeding upon the request of an attorney advising the
25 public body, and materials prepared or compiled with
26 respect to internal audits of public bodies.

1 (n) Records relating to a public body's adjudication of
2 employee grievances or disciplinary cases; however, this
3 exemption shall not extend to the final outcome of cases in
4 which discipline is imposed.

5 (o) Administrative or technical information associated
6 with automated data processing operations, including, but
7 not limited to, software, operating protocols, computer
8 program abstracts, file layouts, source listings, object
9 modules, load modules, user guides, documentation
10 pertaining to all logical and physical design of
11 computerized systems, employee manuals, and any other
12 information that, if disclosed, would jeopardize the
13 security of the system or its data or the security of
14 materials exempt under this Section.

15 (p) Records relating to collective negotiating matters
16 between public bodies and their employees or
17 representatives, except that any final contract or
18 agreement shall be subject to inspection and copying.

19 (q) Test questions, scoring keys, and other
20 examination data used to determine the qualifications of an
21 applicant for a license or employment.

22 (r) The records, documents, and information relating
23 to real estate purchase negotiations until those
24 negotiations have been completed or otherwise terminated.
25 With regard to a parcel involved in a pending or actually
26 and reasonably contemplated eminent domain proceeding

1 under the Eminent Domain Act, records, documents, and
2 information relating to that parcel shall be exempt except
3 as may be allowed under discovery rules adopted by the
4 Illinois Supreme Court. The records, documents, and
5 information relating to a real estate sale shall be exempt
6 until a sale is consummated.

7 (s) Any and all proprietary information and records
8 related to the operation of an intergovernmental risk
9 management association or self-insurance pool or jointly
10 self-administered health and accident cooperative or pool.
11 Insurance or self insurance (including any
12 intergovernmental risk management association or self
13 insurance pool) claims, loss or risk management
14 information, records, data, advice or communications.

15 (t) Information contained in or related to
16 examination, operating, or condition reports prepared by,
17 on behalf of, or for the use of a public body responsible
18 for the regulation or supervision of financial
19 institutions, insurance companies, or pharmacy benefit
20 managers, unless disclosure is otherwise required by State
21 law.

22 (u) Information that would disclose or might lead to
23 the disclosure of secret or confidential information,
24 codes, algorithms, programs, or private keys intended to be
25 used to create electronic or digital signatures under the
26 Electronic Commerce Security Act.

1 (v) Vulnerability assessments, security measures, and
2 response policies or plans that are designed to identify,
3 prevent, or respond to potential attacks upon a community's
4 population or systems, facilities, or installations, the
5 destruction or contamination of which would constitute a
6 clear and present danger to the health or safety of the
7 community, but only to the extent that disclosure could
8 reasonably be expected to jeopardize the effectiveness of
9 the measures or the safety of the personnel who implement
10 them or the public. Information exempt under this item may
11 include such things as details pertaining to the
12 mobilization or deployment of personnel or equipment, to
13 the operation of communication systems or protocols, or to
14 tactical operations.

15 (w) (Blank).

16 (x) Maps and other records regarding the location or
17 security of generation, transmission, distribution,
18 storage, gathering, treatment, or switching facilities
19 owned by a utility, by a power generator, or by the
20 Illinois Power Agency.

21 (y) Information contained in or related to proposals,
22 bids, or negotiations related to electric power
23 procurement under Section 1-75 of the Illinois Power Agency
24 Act and Section 16-111.5 of the Public Utilities Act that
25 is determined to be confidential and proprietary by the
26 Illinois Power Agency or by the Illinois Commerce

1 Commission.

2 (z) Information about students exempted from
3 disclosure under Sections 10-20.38 or 34-18.29 of the
4 School Code, and information about undergraduate students
5 enrolled at an institution of higher education exempted
6 from disclosure under Section 25 of the Illinois Credit
7 Card Marketing Act of 2009.

8 (aa) Information the disclosure of which is exempted
9 under the Viatical Settlements Act of 2009.

10 (bb) Records and information provided to a mortality
11 review team and records maintained by a mortality review
12 team appointed under the Department of Juvenile Justice
13 Mortality Review Team Act.

14 (cc) Information regarding interments, entombments, or
15 inurnments of human remains that are submitted to the
16 Cemetery Oversight Database under the Cemetery Care Act or
17 the Cemetery Oversight Act, whichever is applicable.

18 (dd) Correspondence and records (i) that may not be
19 disclosed under Section 11-9 of the Illinois Public Aid
20 Code or (ii) that pertain to appeals under Section 11-8 of
21 the Illinois Public Aid Code.

22 (ee) The names, addresses, or other personal
23 information of persons who are minors and are also
24 participants and registrants in programs of park
25 districts, forest preserve districts, conservation
26 districts, recreation agencies, and special recreation

1 associations.

2 (ff) The names, addresses, or other personal
3 information of participants and registrants in programs of
4 park districts, forest preserve districts, conservation
5 districts, recreation agencies, and special recreation
6 associations where such programs are targeted primarily to
7 minors.

8 (gg) Confidential information described in Section
9 1-100 of the Illinois Independent Tax Tribunal Act of 2012.

10 (hh) The report submitted to the State Board of
11 Education by the School Security and Standards Task Force
12 under item (8) of subsection (d) of Section 2-3.160 of the
13 School Code and any information contained in that report.

14 (ii) Records requested by persons committed to or
15 detained by the Department of Human Services under the
16 Sexually Violent Persons Commitment Act or committed to the
17 Department of Corrections under the Sexually Dangerous
18 Persons Act if those materials: (i) are available in the
19 library of the facility where the individual is confined;
20 (ii) include records from staff members' personnel files,
21 staff rosters, or other staffing assignment information;
22 or (iii) are available through an administrative request to
23 the Department of Human Services or the Department of
24 Corrections.

25 (jj) Confidential information described in Section
26 5-535 of the Civil Administrative Code of Illinois.

1 (kk) The public body's credit card numbers, debit card
2 numbers, bank account numbers, Federal Employer
3 Identification Number, security code numbers, passwords,
4 and similar account information, the disclosure of which
5 could result in identity theft or impersonation or defrauding
6 of a governmental entity or a person.

7 (ll) ~~(kk)~~ Records concerning the work of the threat
8 assessment team of a school district.

9 (mm) Medical records, books, papers, or other
10 documents that a medical examiner, deputy medical
11 examiner, or investigator obtains in conducting an
12 investigation or inquest under Division 3-3 of the Counties
13 Code.

14 (1.5) Any information exempt from disclosure under the
15 Judicial Privacy Act shall be redacted from public records
16 prior to disclosure under this Act.

17 (2) A public record that is not in the possession of a
18 public body but is in the possession of a party with whom the
19 agency has contracted to perform a governmental function on
20 behalf of the public body, and that directly relates to the
21 governmental function and is not otherwise exempt under this
22 Act, shall be considered a public record of the public body,
23 for purposes of this Act.

24 (3) This Section does not authorize withholding of
25 information or limit the availability of records to the public,
26 except as stated in this Section or otherwise provided in this

1 Act.

2 (Source: P.A. 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;
3 100-732, eff. 8-3-18; 101-434, eff. 1-1-20; 101-452, eff.
4 1-1-20; 101-455, eff. 8-23-19; revised 9-27-19.)

5 Section 15. The Election Code is amended by changing
6 Section 18A-218.10 as follows:

7 (10 ILCS 5/18A-218.10)

8 Sec. 18A-218.10. Definitions relating to provisional
9 ballots.

10 (a) As used in this Article:

11 "Citywide or villagewide office" means an office
12 elected by the electors of an entire municipality.

13 "Correct precinct" means the precinct containing the
14 addresses at which the provisional voter resides and at
15 which he or she is registered to vote.

16 "Countywide office" means the offices of Clerk,
17 Sheriff, State's Attorney, Circuit Court Clerk, Recorder,
18 Auditor, County Board President, County Board Member or
19 County Commissioner in those counties that elect those
20 officers countywide, ~~Coroner~~, Regional Superintendent of
21 Schools, Sanitary District Commissioners or Trustees,
22 Assessor, Board of Review Members in those counties that
23 elect those officers countywide, and Treasurer.

24 "Election authority" means either the County Clerk,

1 County Board of Election Commissioners, or Municipal Board
2 of Election Commissioners, as the case may be.

3 "Election jurisdiction" means an entire county, in the
4 case of a county in which no city board of election
5 commissioners is located or that is under the jurisdiction
6 of a county board of election commissioners; the
7 territorial jurisdiction of a city board of election
8 commissioners; and the territory in a county outside of the
9 jurisdiction of a city board of election commissioners.
10 Election jurisdictions shall be determined according to
11 which election authority maintains the permanent
12 registration records of qualified electors.

13 "Incorrect precinct" means the precinct in which the
14 voter cast a provisional ballot, but is not the precinct
15 containing the address at which he or she is registered to
16 vote. In order for a provisional ballot to be eligible for
17 counting when cast in an incorrect precinct, that precinct
18 must be located within either the county or municipality in
19 which the voter is registered.

20 "Leading established political party" means one of the
21 two political parties whose candidates for Governor at the
22 most recent 3 gubernatorial elections received either the
23 highest or second highest average number of votes. The
24 first leading political party is the party whose candidate
25 for Governor received the highest average number of votes
26 in the 3 most recent gubernatorial elections and the second

1 leading political party is the party whose candidate for
2 Governor received the second highest average number of
3 votes in the 3 most recent gubernatorial elections.

4 "Legislative district" means the district in which an
5 Illinois State Senator is elected to serve the residents.

6 "Persons entitled to vote provisionally" or
7 "provisional voter" means a person claiming to be a
8 registered voter who is entitled by Section 18A-5 of this
9 Code to vote a provisional ballot under the following
10 circumstances:

11 (1) The person's name does not appear on the
12 official list of eligible voters for the precinct in
13 which the person seeks to vote and the person has
14 refused an opportunity to register at the polling
15 location or another grace period registration site.

16 (2) The person's voting status has been
17 successfully challenged by an election judge, a
18 pollwatcher or any legal voter.

19 (3) A federal or State court order extends the time
20 for closing the polls beyond the time period
21 established by State law and the person votes during
22 the extended time period.

23 (4) The voter registered to vote by mail and is
24 required by law to present identification when voting
25 either in person or by vote by mail ballot, but fails
26 to do so.

1 (5) The voter's name appears on the list of voters
2 who voted during the early voting period, but the voter
3 claims not to have voted during the early voting
4 period.

5 (6) The voter received a vote by mail ballot but
6 did not return the vote by mail ballot to the election
7 authority, and failed to surrender it to the election
8 judges.

9 (7) The voter attempted to register to vote on
10 election day, but failed to provide the necessary
11 documentation.

12 "Representative district" means the district from
13 which an Illinois State Representative is elected to serve
14 the residents.

15 "Statewide office" means the Constitutional offices of
16 Governor and Lt. Governor running jointly, Secretary of
17 State, Attorney General, Comptroller, and Treasurer.

18 "Township office" means an office elected by the
19 electors of an entire township.

20 (b) Procedures for Voting Provisionally in the Polling
21 Place.

22 (1) If any of the 7 reasons cited in the definition of
23 provisional voter in subsection (a) for casting a
24 provisional ballot exists, an election judge must accept
25 any information provided by a person who casts a
26 provisional ballot that the person believes supports his or

1 her claim that he or she is a duly registered voter and
2 qualified to vote in the election. However, if the person's
3 residence address is outside the precinct boundaries, the
4 election judge shall inform the person of that fact, give
5 the person the appropriate telephone number of the election
6 authority in order to locate the polling place assigned to
7 serve that address (or consult any alternative tools
8 provided by the election authority for determining a
9 voter's correct precinct polling place) and instruct the
10 person to go to the proper polling place to vote.

11 (2) Once it has been determined by the election judges
12 that the person is entitled to receive a provisional
13 ballot, and the voter has completed the provisional voter
14 affidavit, the voter shall be given a provisional ballot
15 and shall proceed to vote that ballot. Upon receipt of the
16 ballot by the election judges, the ballot shall be
17 transmitted to the election authority in accordance with
18 subsection (a) of Section 18A-10 of this Code.

19 (3) In the event that a provisional ballot is
20 mistakenly cast in a precinct other than the precinct that
21 contains the voter's address of registration (if the voter
22 believed he or she registered in the precinct in which he
23 or she voted provisionally, and the election judges should
24 have, but did not direct the voter to vote in the correct
25 precinct), Section 218.20 shall apply.

26 (Source: P.A. 98-1171, eff. 6-1-15.)

1 (10 ILCS 5/2A-18 rep.)

2 Section 20. The Election Code is amended by repealing
3 Section 2A-18.

4 Section 25. The Civil Administrative Code of Illinois is
5 amended by changing Section 5-565 and by adding Section 5-566
6 as follows:

7 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

8 Sec. 5-565. In the Department of Public Health.

9 (a) The General Assembly declares it to be the public
10 policy of this State that all citizens of Illinois are entitled
11 to lead healthy lives. Governmental public health has a
12 specific responsibility to ensure that a public health system
13 is in place to allow the public health mission to be achieved.
14 The public health system is the collection of public, private,
15 and voluntary entities as well as individuals and informal
16 associations that contribute to the public's health within the
17 State. To develop a public health system requires certain core
18 functions to be performed by government. The State Board of
19 Health is to assume the leadership role in advising the
20 Director in meeting the following functions:

21 (1) Needs assessment.

22 (2) Statewide health objectives.

23 (3) Policy development.

1 (4) Assurance of access to necessary services.

2 There shall be a State Board of Health composed of 20
3 persons, all of whom shall be appointed by the Governor, with
4 the advice and consent of the Senate for those appointed by the
5 Governor on and after June 30, 1998, and one of whom shall be a
6 senior citizen age 60 or over. Five members shall be physicians
7 licensed to practice medicine in all its branches, one
8 representing a medical school faculty, one who is board
9 certified in preventive medicine, and one who is engaged in
10 private practice. One member shall be a chiropractic physician.
11 One member shall be a dentist; one an environmental health
12 practitioner; one a local public health administrator; one a
13 local board of health member; one a registered nurse; one a
14 physical therapist; one an optometrist; one a veterinarian; one
15 a public health academician; one a health care industry
16 representative; one a representative of the business
17 community; one a representative of the non-profit public
18 interest community; and 2 shall be citizens at large.

19 The terms of Board of Health members shall be 3 years,
20 except that members shall continue to serve on the Board of
21 Health until a replacement is appointed. Upon the effective
22 date of Public Act 93-975 (January 1, 2005) ~~this amendatory Act~~
23 ~~of the 93rd General Assembly,~~ in the appointment of the Board
24 of Health members appointed to vacancies or positions with
25 terms expiring on or before December 31, 2004, the Governor
26 shall appoint up to 6 members to serve for terms of 3 years; up

1 to 6 members to serve for terms of 2 years; and up to 5 members
2 to serve for a term of one year, so that the term of no more
3 than 6 members expire in the same year. All members shall be
4 legal residents of the State of Illinois. The duties of the
5 Board shall include, but not be limited to, the following:

6 (1) To advise the Department of ways to encourage
7 public understanding and support of the Department's
8 programs.

9 (2) To evaluate all boards, councils, committees,
10 authorities, and bodies advisory to, or an adjunct of, the
11 Department of Public Health or its Director for the purpose
12 of recommending to the Director one or more of the
13 following:

14 (i) The elimination of bodies whose activities are
15 not consistent with goals and objectives of the
16 Department.

17 (ii) The consolidation of bodies whose activities
18 encompass compatible programmatic subjects.

19 (iii) The restructuring of the relationship
20 between the various bodies and their integration
21 within the organizational structure of the Department.

22 (iv) The establishment of new bodies deemed
23 essential to the functioning of the Department.

24 (3) To serve as an advisory group to the Director for
25 public health emergencies and control of health hazards.

26 (4) To advise the Director regarding public health

1 policy, and to make health policy recommendations
2 regarding priorities to the Governor through the Director.

3 (5) To present public health issues to the Director and
4 to make recommendations for the resolution of those issues.

5 (6) To recommend studies to delineate public health
6 problems.

7 (7) To make recommendations to the Governor through the
8 Director regarding the coordination of State public health
9 activities with other State and local public health
10 agencies and organizations.

11 (8) To report on or before February 1 of each year on
12 the health of the residents of Illinois to the Governor,
13 the General Assembly, and the public.

14 (9) To review the final draft of all proposed
15 administrative rules, other than emergency or peremptory
16 ~~preemptory~~ rules and those rules that another advisory body
17 must approve or review within a statutorily defined time
18 period, of the Department after September 19, 1991 (the
19 effective date of Public Act 87-633). The Board shall
20 review the proposed rules within 90 days of submission by
21 the Department. The Department shall take into
22 consideration any comments and recommendations of the
23 Board regarding the proposed rules prior to submission to
24 the Secretary of State for initial publication. If the
25 Department disagrees with the recommendations of the
26 Board, it shall submit a written response outlining the

1 reasons for not accepting the recommendations.

2 In the case of proposed administrative rules or
3 amendments to administrative rules regarding immunization
4 of children against preventable communicable diseases
5 designated by the Director under the Communicable Disease
6 Prevention Act, after the Immunization Advisory Committee
7 has made its recommendations, the Board shall conduct 3
8 public hearings, geographically distributed throughout the
9 State. At the conclusion of the hearings, the State Board
10 of Health shall issue a report, including its
11 recommendations, to the Director. The Director shall take
12 into consideration any comments or recommendations made by
13 the Board based on these hearings.

14 (10) To deliver to the Governor for presentation to the
15 General Assembly a State Health Improvement Plan. The first
16 3 such plans shall be delivered to the Governor on January
17 1, 2006, January 1, 2009, and January 1, 2016 and then
18 every 5 years thereafter.

19 The Plan shall recommend priorities and strategies to
20 improve the public health system and the health status of
21 Illinois residents, taking into consideration national
22 health objectives and system standards as frameworks for
23 assessment.

24 The Plan shall also take into consideration priorities
25 and strategies developed at the community level through the
26 Illinois Project for Local Assessment of Needs (IPLAN) and

1 any regional health improvement plans that may be
2 developed. The Plan shall focus on prevention as a key
3 strategy for long-term health improvement in Illinois.

4 The Plan shall examine and make recommendations on the
5 contributions and strategies of the public and private
6 sectors for improving health status and the public health
7 system in the State. In addition to recommendations on
8 health status improvement priorities and strategies for
9 the population of the State as a whole, the Plan shall make
10 recommendations regarding priorities and strategies for
11 reducing and eliminating health disparities in Illinois;
12 including racial, ethnic, gender, age, socio-economic, and
13 geographic disparities.

14 The Director of the Illinois Department of Public
15 Health shall appoint a Planning Team that includes a range
16 of public, private, and voluntary sector stakeholders and
17 participants in the public health system. This Team shall
18 include: the directors of State agencies with public health
19 responsibilities (or their designees), including, but not
20 limited to, the Illinois Departments of Public Health and
21 Department of Human Services, representatives of local
22 health departments, representatives of local community
23 health partnerships, and individuals with expertise who
24 represent an array of organizations and constituencies
25 engaged in public health improvement and prevention.

26 The State Board of Health shall hold at least 3 public

1 hearings addressing drafts of the Plan in representative
2 geographic areas of the State. Members of the Planning Team
3 shall receive no compensation for their services, but may
4 be reimbursed for their necessary expenses.

5 Upon the delivery of each State Health Improvement
6 Plan, the Governor shall appoint a SHIP Implementation
7 Coordination Council that includes a range of public,
8 private, and voluntary sector stakeholders and
9 participants in the public health system. The Council shall
10 include the directors of State agencies and entities with
11 public health system responsibilities (or their
12 designees), including, but not limited to, the Department
13 of Public Health, Department of Human Services, Department
14 of Healthcare and Family Services, Environmental
15 Protection Agency, Illinois State Board of Education,
16 Department on Aging, Illinois Violence Prevention
17 Authority, Department of Agriculture, Department of
18 Insurance, Department of Financial and Professional
19 Regulation, Department of Transportation, and Department
20 of Commerce and Economic Opportunity and the Chair of the
21 State Board of Health. The Council shall include
22 representatives of local health departments and
23 individuals with expertise who represent an array of
24 organizations and constituencies engaged in public health
25 improvement and prevention, including non-profit public
26 interest groups, health issue groups, faith community

1 groups, health care providers, businesses and employers,
2 academic institutions, and community-based organizations.
3 The Governor shall endeavor to make the membership of the
4 Council representative of the racial, ethnic, gender,
5 socio-economic, and geographic diversity of the State. The
6 Governor shall designate one State agency representative
7 and one other non-governmental member as co-chairs of the
8 Council. The Governor shall designate a member of the
9 Governor's office to serve as liaison to the Council and
10 one or more State agencies to provide or arrange for
11 support to the Council. The members of the SHIP
12 Implementation Coordination Council for each State Health
13 Improvement Plan shall serve until the delivery of the
14 subsequent State Health Improvement Plan, whereupon a new
15 Council shall be appointed. Members of the SHIP Planning
16 Team may serve on the SHIP Implementation Coordination
17 Council if so appointed by the Governor.

18 The SHIP Implementation Coordination Council shall
19 coordinate the efforts and engagement of the public,
20 private, and voluntary sector stakeholders and
21 participants in the public health system to implement each
22 SHIP. The Council shall serve as a forum for collaborative
23 action; coordinate existing and new initiatives; develop
24 detailed implementation steps, with mechanisms for action;
25 implement specific projects; identify public and private
26 funding sources at the local, State and federal level;

1 promote public awareness of the SHIP; advocate for the
2 implementation of the SHIP; and develop an annual report to
3 the Governor, General Assembly, and public regarding the
4 status of implementation of the SHIP. The Council shall
5 not, however, have the authority to direct any public or
6 private entity to take specific action to implement the
7 SHIP.

8 (11) Upon the request of the Governor, to recommend to
9 the Governor candidates for Director of Public Health when
10 vacancies occur in the position.

11 (12) To adopt bylaws for the conduct of its own
12 business, including the authority to establish ad hoc
13 committees to address specific public health programs
14 requiring resolution.

15 (13) (Blank).

16 Upon appointment, the Board shall elect a chairperson from
17 among its members.

18 Members of the Board shall receive compensation for their
19 services at the rate of \$150 per day, not to exceed \$10,000 per
20 year, as designated by the Director for each day required for
21 transacting the business of the Board and shall be reimbursed
22 for necessary expenses incurred in the performance of their
23 duties. The Board shall meet from time to time at the call of
24 the Department, at the call of the chairperson, or upon the
25 request of 3 of its members, but shall not meet less than 4
26 times per year.

1 (b) (Blank).

2 (c) An Advisory Board on Necropsy Service to Medical
3 Examiners ~~Coroners~~, which shall counsel and advise with the
4 Director on the administration of the Autopsy Act. The Advisory
5 Board shall consist of 11 members, including a senior citizen
6 age 60 or over, appointed by the Governor, one of whom shall be
7 designated as chairman by a majority of the members of the
8 Board. In the appointment of the first Board the Governor shall
9 appoint 3 members to serve for terms of 1 year, 3 for terms of 2
10 years, and 3 for terms of 3 years. The members first appointed
11 under Public Act 83-1538 shall serve for a term of 3 years. All
12 members appointed thereafter shall be appointed for terms of 3
13 years, except that when an appointment is made to fill a
14 vacancy, the appointment shall be for the remaining term of the
15 position vacant. The members of the Board shall be citizens of
16 the State of Illinois. In the appointment of members of the
17 Advisory Board the Governor shall appoint 3 members who shall
18 be persons licensed to practice medicine and surgery in the
19 State of Illinois, at least 2 of whom shall have received
20 post-graduate training in the field of pathology; 3 members who
21 are medical examiners ~~duly elected coroners~~ in this State; and
22 5 members who shall have interest and abilities in the field of
23 forensic medicine but who shall be neither persons licensed to
24 practice any branch of medicine in this State nor medical
25 examiners ~~coroners~~. In the appointment of medical and medical
26 examiner ~~coroner~~ members of the Board, the Governor shall

1 invite nominations from recognized medical and medical
2 examiner ~~coroners~~ organizations in this State respectively.
3 Board members, while serving on business of the Board, shall
4 receive actual necessary travel and subsistence expenses while
5 so serving away from their places of residence.

6 (Source: P.A. 98-463, eff. 8-16-13; 99-527, eff. 1-1-17;
7 revised 7-17-19.)

8 (20 ILCS 5/5-566 new)

9 Sec. 5-566. Transition to Advisory Board on Necropsy
10 Service to Medical Examiners. No later than November 30, 2021,
11 the Governor shall appoint 3 medical examiners to the Board
12 under subsection (c) of Section 5-565, designating for each
13 appointment which coroner on the Board is being replaced, from
14 the medical examiners appointed under subsection (a) of Section
15 3-3000 of the Counties Code. The terms of the medical examiners
16 appointed under this Section shall expire at the same time of
17 the coroner whom each medical examiner replaced. If all 3
18 medical examiners are not appointed to the Board under this
19 Section on or before November 30, 2021, the coroner or coroners
20 on the Board who have not yet been replaced with a medical
21 examiner on November 30, 2021 shall continue as Board members
22 until medical examiners are appointed and qualified to replace
23 them.

24 Section 30. The Illinois Act on the Aging is amended by

1 changing Section 4.04 as follows:

2 (20 ILCS 105/4.04) (from Ch. 23, par. 6104.04)

3 Sec. 4.04. Long Term Care Ombudsman Program. The purpose of
4 the Long Term Care Ombudsman Program is to ensure that older
5 persons and persons with disabilities receive quality
6 services. This is accomplished by providing advocacy services
7 for residents of long term care facilities and participants
8 receiving home care and community-based care. Managed care is
9 increasingly becoming the vehicle for delivering health and
10 long-term services and supports to seniors and persons with
11 disabilities, including dual eligible participants. The
12 additional ombudsman authority will allow advocacy services to
13 be provided to Illinois participants for the first time and
14 will produce a cost savings for the State of Illinois by
15 supporting the rebalancing efforts of the Patient Protection
16 and Affordable Care Act.

17 (a) Long Term Care Ombudsman Program. The Department shall
18 establish a Long Term Care Ombudsman Program, through the
19 Office of State Long Term Care Ombudsman ("the Office"), in
20 accordance with the provisions of the Older Americans Act of
21 1965, as now or hereafter amended. The Long Term Care Ombudsman
22 Program is authorized, subject to sufficient appropriations,
23 to advocate on behalf of older persons and persons with
24 disabilities residing in their own homes or community-based
25 settings, relating to matters which may adversely affect the

1 health, safety, welfare, or rights of such individuals.

2 (b) Definitions. As used in this Section, unless the
3 context requires otherwise:

4 (1) "Access" means the right to:

5 (i) Enter any long term care facility or assisted
6 living or shared housing establishment or supportive
7 living facility;

8 (ii) Communicate privately and without restriction
9 with any resident, regardless of age, who consents to
10 the communication;

11 (iii) Seek consent to communicate privately and
12 without restriction with any participant or resident,
13 regardless of age;

14 (iv) Inspect the clinical and other records of a
15 participant or resident, regardless of age, with the
16 express written consent of the participant or
17 resident;

18 (v) Observe all areas of the long term care
19 facility or supportive living facilities, assisted
20 living or shared housing establishment except the
21 living area of any resident who protests the
22 observation; and

23 (vi) Subject to permission of the participant or
24 resident requesting services or his or her
25 representative, enter a home or community-based
26 setting.

1 (2) "Long Term Care Facility" means (i) any facility as
2 defined by Section 1-113 of the Nursing Home Care Act, as
3 now or hereafter amended; (ii) any skilled nursing facility
4 or a nursing facility which meets the requirements of
5 Section 1819(a), (b), (c), and (d) or Section 1919(a), (b),
6 (c), and (d) of the Social Security Act, as now or
7 hereafter amended (42 U.S.C. 1395i-3(a), (b), (c), and (d)
8 and 42 U.S.C. 1396r(a), (b), (c), and (d)); (iii) any
9 facility as defined by Section 1-113 of the ID/DD Community
10 Care Act, as now or hereafter amended; (iv) any facility as
11 defined by Section 1-113 of MC/DD Act, as now or hereafter
12 amended; and (v) any facility licensed under Section 4-105
13 or 4-201 of the Specialized Mental Health Rehabilitation
14 Act of 2013, as now or hereafter amended.

15 (2.5) "Assisted living establishment" and "shared
16 housing establishment" have the meanings given those terms
17 in Section 10 of the Assisted Living and Shared Housing
18 Act.

19 (2.7) "Supportive living facility" means a facility
20 established under Section 5-5.01a of the Illinois Public
21 Aid Code.

22 (2.8) "Community-based setting" means any place of
23 abode other than an individual's private home.

24 (3) "State Long Term Care Ombudsman" means any person
25 employed by the Department to fulfill the requirements of
26 the Office of State Long Term Care Ombudsman as required

1 under the Older Americans Act of 1965, as now or hereafter
2 amended, and Departmental policy.

3 (3.1) "Ombudsman" means any designated representative
4 of the State Long Term Care Ombudsman Program; provided
5 that the representative, whether he is paid for or
6 volunteers his ombudsman services, shall be qualified and
7 designated by the Office to perform the duties of an
8 ombudsman as specified by the Department in rules and in
9 accordance with the provisions of the Older Americans Act
10 of 1965, as now or hereafter amended.

11 (4) "Participant" means an older person aged 60 or over
12 or an adult with a disability aged 18 through 59 who is
13 eligible for services under any of the following:

14 (i) A medical assistance waiver administered by
15 the State.

16 (ii) A managed care organization providing care
17 coordination and other services to seniors and persons
18 with disabilities.

19 (5) "Resident" means an older person aged 60 or over or
20 an adult with a disability aged 18 through 59 who resides
21 in a long-term care facility.

22 (c) Ombudsman; rules. The Office of State Long Term Care
23 Ombudsman shall be composed of at least one full-time ombudsman
24 and shall include a system of designated regional long term
25 care ombudsman programs. Each regional program shall be
26 designated by the State Long Term Care Ombudsman as a

1 subdivision of the Office and any representative of a regional
2 program shall be treated as a representative of the Office.

3 The Department, in consultation with the Office, shall
4 promulgate administrative rules in accordance with the
5 provisions of the Older Americans Act of 1965, as now or
6 hereafter amended, to establish the responsibilities of the
7 Department and the Office of State Long Term Care Ombudsman and
8 the designated regional Ombudsman programs. The administrative
9 rules shall include the responsibility of the Office and
10 designated regional programs to investigate and resolve
11 complaints made by or on behalf of residents of long term care
12 facilities, supportive living facilities, and assisted living
13 and shared housing establishments, and participants residing
14 in their own homes or community-based settings, including the
15 option to serve residents and participants under the age of 60,
16 relating to actions, inaction, or decisions of providers, or
17 their representatives, of such facilities and establishments,
18 of public agencies, or of social services agencies, which may
19 adversely affect the health, safety, welfare, or rights of such
20 residents and participants. The Office and designated regional
21 programs may represent all residents and participants, but are
22 not required by this Act to represent persons under 60 years of
23 age, except to the extent required by federal law. When
24 necessary and appropriate, representatives of the Office shall
25 refer complaints to the appropriate regulatory State agency.
26 The Department, in consultation with the Office, shall

1 cooperate with the Department of Human Services and other State
2 agencies in providing information and training to designated
3 regional long term care ombudsman programs about the
4 appropriate assessment and treatment (including information
5 about appropriate supportive services, treatment options, and
6 assessment of rehabilitation potential) of the participants
7 they serve.

8 The State Long Term Care Ombudsman and all other ombudsmen,
9 as defined in paragraph (3.1) of subsection (b) must submit to
10 background checks under the Health Care Worker Background Check
11 Act and receive training, as prescribed by the Illinois
12 Department on Aging, before visiting facilities, private
13 homes, or community-based settings. The training must include
14 information specific to assisted living establishments,
15 supportive living facilities, shared housing establishments,
16 private homes, and community-based settings and to the rights
17 of residents and participants guaranteed under the
18 corresponding Acts and administrative rules.

19 (c-5) Consumer Choice Information Reports. The Office
20 shall:

21 (1) In collaboration with the Attorney General, create
22 a Consumer Choice Information Report form to be completed
23 by all licensed long term care facilities to aid
24 Illinoisans and their families in making informed choices
25 about long term care. The Office shall create a Consumer
26 Choice Information Report for each type of licensed long

1 term care facility. The Office shall collaborate with the
2 Attorney General and the Department of Human Services to
3 create a Consumer Choice Information Report form for
4 facilities licensed under the ID/DD Community Care Act or
5 the MC/DD Act.

6 (2) Develop a database of Consumer Choice Information
7 Reports completed by licensed long term care facilities
8 that includes information in the following consumer
9 categories:

- 10 (A) Medical Care, Services, and Treatment.
- 11 (B) Special Services and Amenities.
- 12 (C) Staffing.
- 13 (D) Facility Statistics and Resident Demographics.
- 14 (E) Ownership and Administration.
- 15 (F) Safety and Security.
- 16 (G) Meals and Nutrition.
- 17 (H) Rooms, Furnishings, and Equipment.
- 18 (I) Family, Volunteer, and Visitation Provisions.

19 (3) Make this information accessible to the public,
20 including on the Internet by means of a hyperlink labeled
21 "Resident's Right to Know" on the Office's World Wide Web
22 home page. Information about facilities licensed under the
23 ID/DD Community Care Act or the MC/DD Act shall be made
24 accessible to the public by the Department of Human
25 Services, including on the Internet by means of a hyperlink
26 labeled "Resident's and Families' Right to Know" on the

1 Department of Human Services' "For Customers" website.

2 (4) Have the authority, with the Attorney General, to
3 verify that information provided by a facility is accurate.

4 (5) Request a new report from any licensed facility
5 whenever it deems necessary.

6 (6) Include in the Office's Consumer Choice
7 Information Report for each type of licensed long term care
8 facility additional information on each licensed long term
9 care facility in the State of Illinois, including
10 information regarding each facility's compliance with the
11 relevant State and federal statutes, rules, and standards;
12 customer satisfaction surveys; and information generated
13 from quality measures developed by the Centers for Medicare
14 and Medicaid Services.

15 (d) Access and visitation rights.

16 (1) In accordance with subparagraphs (A) and (E) of
17 paragraph (3) of subsection (c) of Section 1819 and
18 subparagraphs (A) and (E) of paragraph (3) of subsection
19 (c) of Section 1919 of the Social Security Act, as now or
20 hereafter amended (42 U.S.C. 1395i-3 (c) (3) (A) and (E) and
21 42 U.S.C. 1396r (c) (3) (A) and (E)), and Section 712 of the
22 Older Americans Act of 1965, as now or hereafter amended
23 (42 U.S.C. 3058f), a long term care facility, supportive
24 living facility, assisted living establishment, and shared
25 housing establishment must:

26 (i) permit immediate access to any resident,

1 regardless of age, by a designated ombudsman;

2 (ii) permit representatives of the Office, with
3 the permission of the resident's legal representative
4 or legal guardian, to examine a resident's clinical and
5 other records, regardless of the age of the resident,
6 and if a resident is unable to consent to such review,
7 and has no legal guardian, permit representatives of
8 the Office appropriate access, as defined by the
9 Department, in consultation with the Office, in
10 administrative rules, to the resident's records; and

11 (iii) permit a representative of the Program to
12 communicate privately and without restriction with any
13 participant who consents to the communication
14 regardless of the consent of, or withholding of consent
15 by, a legal guardian or an agent named in a power of
16 attorney executed by the participant.

17 (2) Each long term care facility, supportive living
18 facility, assisted living establishment, and shared
19 housing establishment shall display, in multiple,
20 conspicuous public places within the facility accessible
21 to both visitors and residents and in an easily readable
22 format, the address and phone number of the Office of the
23 Long Term Care Ombudsman, in a manner prescribed by the
24 Office.

25 (e) Immunity. An ombudsman or any representative of the
26 Office participating in the good faith performance of his or

1 her official duties shall have immunity from any liability
2 (civil, criminal or otherwise) in any proceedings (civil,
3 criminal or otherwise) brought as a consequence of the
4 performance of his official duties.

5 (f) Business offenses.

6 (1) No person shall:

7 (i) Intentionally prevent, interfere with, or
8 attempt to impede in any way any representative of the
9 Office in the performance of his official duties under
10 this Act and the Older Americans Act of 1965; or

11 (ii) Intentionally retaliate, discriminate
12 against, or effect reprisals against any long term care
13 facility resident or employee for contacting or
14 providing information to any representative of the
15 Office.

16 (2) A violation of this Section is a business offense,
17 punishable by a fine not to exceed \$501.

18 (3) The State Long Term Care Ombudsman shall notify the
19 State's Attorney of the county in which the long term care
20 facility, supportive living facility, or assisted living
21 or shared housing establishment is located, or the Attorney
22 General, of any violations of this Section.

23 (g) Confidentiality of records and identities. The
24 Department shall establish procedures for the disclosure by the
25 State Ombudsman or the regional ombudsmen entities of files
26 maintained by the program. The procedures shall provide that

1 the files and records may be disclosed only at the discretion
2 of the State Long Term Care Ombudsman or the person designated
3 by the State Ombudsman to disclose the files and records, and
4 the procedures shall prohibit the disclosure of the identity of
5 any complainant, resident, participant, witness, or employee
6 of a long term care provider unless:

7 (1) the complainant, resident, participant, witness,
8 or employee of a long term care provider or his or her
9 legal representative consents to the disclosure and the
10 consent is in writing;

11 (2) the complainant, resident, participant, witness,
12 or employee of a long term care provider gives consent
13 orally; and the consent is documented contemporaneously in
14 writing in accordance with such requirements as the
15 Department shall establish; or

16 (3) the disclosure is required by court order.

17 (h) Legal representation. The Attorney General shall
18 provide legal representation to any representative of the
19 Office against whom suit or other legal action is brought in
20 connection with the performance of the representative's
21 official duties, in accordance with the State Employee
22 Indemnification Act.

23 (i) Treatment by prayer and spiritual means. Nothing in
24 this Act shall be construed to authorize or require the medical
25 supervision, regulation or control of remedial care or
26 treatment of any resident in a long term care facility operated

1 exclusively by and for members or adherents of any church or
2 religious denomination the tenets and practices of which
3 include reliance solely upon spiritual means through prayer for
4 healing.

5 (j) The Long Term Care Ombudsman Fund is created as a
6 special fund in the State treasury to receive moneys for the
7 express purposes of this Section. All interest earned on moneys
8 in the fund shall be credited to the fund. Moneys contained in
9 the fund shall be used to support the purposes of this Section.

10 (k) Each Regional Ombudsman may, in accordance with rules
11 promulgated by the Office, establish a multi-disciplinary team
12 to act in an advisory role for the purpose of providing
13 professional knowledge and expertise in handling complex
14 abuse, neglect, and advocacy issues involving participants.
15 Each multi-disciplinary team may consist of one or more
16 volunteer representatives from any combination of at least 7
17 members from the following professions: banking or finance;
18 disability care; health care; pharmacology; law; law
19 enforcement; emergency responder; mental health care; clergy;
20 ~~coroner or~~ medical examiner; substance abuse; domestic
21 violence; sexual assault; or other related fields. To support
22 multi-disciplinary teams in this role, law enforcement
23 agencies and ~~coroners or~~ medical examiners shall supply records
24 as may be requested in particular cases. The Regional
25 Ombudsman, or his or her designee, of the area in which the
26 multi-disciplinary team is created shall be the facilitator of

1 the multi-disciplinary team.

2 (Source: P.A. 98-380, eff. 8-16-13; 98-989, eff. 1-1-15;
3 99-180, eff. 7-29-15; 99-712, eff. 8-5-16.)

4 Section 35. The Child Death Review Team Act is amended by
5 changing Sections 15, 20, 25, and 40 as follows:

6 (20 ILCS 515/15)

7 Sec. 15. Child death review teams; establishment.

8 (a) The Inspector General of the Department, in
9 consultation and cooperation with the Executive Council, law
10 enforcement, and other professionals who work in the field of
11 investigating, treating, or preventing child abuse or neglect
12 in that subregion, shall appoint members to a child death
13 review team in each of the Department's administrative
14 subregions of the State outside Cook County and at least one
15 child death review team in Cook County. The members of a team
16 shall be appointed for 2-year terms and shall be eligible for
17 reappointment upon the expiration of the terms. The Inspector
18 General of the Department must fill any vacancy in a team
19 within 60 days after that vacancy occurs.

20 (b) Each child death review team shall consist of at least
21 one member from each of the following categories:

22 (1) Pediatrician or other physician knowledgeable
23 about child abuse and neglect.

24 (2) Representative of the Department.

1 (3) State's attorney or State's attorney's
2 representative.

3 (4) Representative of a local law enforcement agency.

4 (5) Psychologist or psychiatrist.

5 (6) Representative of a local health department.

6 (7) Representative of a school district or other
7 education or child care interests.

8 (8) Medical examiner ~~Coroner~~ or forensic pathologist.

9 (9) Representative of a child welfare agency or child
10 advocacy organization.

11 (10) Representative of a local hospital, trauma
12 center, or provider of emergency medical services.

13 (11) Representative of the Department of State Police.

14 (12) Representative of the Department of Public
15 Health.

16 Each child death review team may make recommendations to
17 the Inspector General of the Department concerning additional
18 appointments. In the event of a disagreement, the Executive
19 Council's decision shall control.

20 Each child death review team member must have demonstrated
21 experience and an interest in investigating, treating, or
22 preventing child abuse or neglect.

23 (c) Each child death review team shall select a chairperson
24 and vice-chairperson from among its members. The chairperson
25 shall also serve on the Illinois Child Death Review Teams
26 Executive Council. The vice-chairperson may also serve on the

1 Illinois Child Death Review Teams Executive Council, but shall
2 not have a vote on child death review team business unless the
3 chairperson is unable to attend a meeting.

4 (d) The child death review teams shall be funded under a
5 separate line item in the Department's annual budget.

6 (e) The Department shall provide at least one full-time
7 Statewide Department of Children and Family Services Liaison
8 who shall attend all child death review team meetings, all
9 Executive meetings, all Executive Council meetings, and
10 meetings between the Director and the Executive Council.

11 (Source: P.A. 100-397, eff. 1-1-18; 100-1122, eff. 11-27-18.)

12 (20 ILCS 515/20)

13 Sec. 20. Reviews of child deaths.

14 (a) Every child death shall be reviewed by the team in the
15 subregion which has primary case management responsibility.
16 The deceased child must be one of the following:

17 (1) A youth in care.

18 (2) The subject of an open service case maintained by
19 the Department.

20 (3) The subject of a pending child abuse or neglect
21 investigation.

22 (4) A child who was the subject of an abuse or neglect
23 investigation at any time during the 12 months preceding
24 the child's death.

25 (5) Any other child whose death is reported to the

1 State central register as a result of alleged child abuse
2 or neglect which report is subsequently indicated.

3 A child death review team may, at its discretion, review
4 other sudden, unexpected, or unexplained child deaths, cases of
5 serious or fatal injuries to a child identified under the
6 Children's Advocacy Center Act, and all unfounded child death
7 cases.

8 (b) A child death review team's purpose in conducting
9 reviews of child deaths is to do the following:

10 (1) Assist in determining the cause and manner of the
11 child's death, when requested.

12 (2) Evaluate means by which the death might have been
13 prevented.

14 (3) Report its findings to appropriate agencies and
15 make recommendations that may help to reduce the number of
16 child deaths caused by abuse or neglect.

17 (4) Promote continuing education for professionals
18 involved in investigating, treating, and preventing child
19 abuse and neglect as a means of preventing child deaths due
20 to abuse or neglect.

21 (5) Make specific recommendations to the Director and
22 the Inspector General of the Department concerning the
23 prevention of child deaths due to abuse or neglect and the
24 establishment of protocols for investigating child deaths.

25 (c) A child death review team shall review a child death as
26 soon as practical and not later than 90 days following the

1 completion by the Department of the investigation of the death
2 under the Abused and Neglected Child Reporting Act. When there
3 has been no investigation by the Department, the child death
4 review team shall review a child's death within 90 days after
5 obtaining the information necessary to complete the review from
6 the ~~coroner~~, pathologist, medical examiner, or law enforcement
7 agency, depending on the nature of the case. A child death
8 review team shall meet at least once in each calendar quarter.

9 (d) The Director shall, within 90 days, review and reply to
10 recommendations made by a team under item (5) of subsection
11 (b). With respect to each recommendation made by a team, the
12 Director shall submit his or her reply both to the chairperson
13 of that team and to the chairperson of the Executive Council.
14 The Director's reply to each recommendation must include a
15 statement as to whether the Director intends to implement the
16 recommendation. The Director shall meet in person with the
17 Executive Council at least every 60 days to discuss
18 recommendations and the Department's responses.

19 The Director shall implement recommendations as feasible
20 and appropriate and shall respond in writing to explain the
21 implementation or nonimplementation of the recommendations.

22 (e) Within 90 days after the Director submits a reply with
23 respect to a recommendation as required by subsection (d), the
24 Director must submit an additional report that sets forth in
25 detail the way, if any, in which the Director will implement
26 the recommendation and the schedule for implementing the

1 recommendation. The Director shall submit this report to the
2 chairperson of the team that made the recommendation and to the
3 chairperson of the Executive Council.

4 (f) Within 180 days after the Director submits a report
5 under subsection (e) concerning the implementation of a
6 recommendation, the Director shall submit a further report to
7 the chairperson of the team that made the recommendation and to
8 the chairperson of the Executive Council. This report shall set
9 forth the specific changes in the Department's policies and
10 procedures that have been made in response to the
11 recommendation.

12 (Source: P.A. 100-159, eff. 8-18-17; 100-1122, eff. 11-27-18.)

13 (20 ILCS 515/25)

14 Sec. 25. Team access to information.

15 (a) No later than 21 days prior to a child death review
16 team meeting, the Department shall provide to a child death
17 review team and its staff all records and information in the
18 Department's possession that are relevant to the team's review
19 of a child death, including records and information concerning
20 previous reports or investigations of suspected child abuse or
21 neglect, all records and information from the Statewide
22 Automated Child Welfare Information System or from any other
23 database maintained by the Department, and all documents,
24 including, but not limited to, police reports and medical
25 information.

1 (b) A child death review team shall have access to all
2 records and information that are relevant to its review of a
3 child death and in the possession of a State or local
4 governmental agency, including, but not limited to,
5 information gained through the Child Advocacy Center protocol
6 for cases of serious or fatal injury to a child. These records
7 and information include, without limitation, birth
8 certificates, all relevant medical and mental health records,
9 records of law enforcement agency investigations, records of
10 ~~coroner or~~ medical examiner investigations, records of the
11 Department of Corrections and Department of Juvenile Justice
12 concerning a person's parole or aftercare release, records of a
13 probation and court services department, and records of a
14 social services agency that provided services to the child or
15 the child's family.

16 (c) Child death review team staff must have full access to
17 the Statewide Automated Child Welfare Information System, any
18 other child welfare database maintained by the Department, and
19 any child death certificates held by the Office of Vital
20 Records within the Department of Public Health.

21 (Source: P.A. 100-1122, eff. 11-27-18.)

22 (20 ILCS 515/40)

23 Sec. 40. Illinois Child Death Review Teams Executive
24 Council.

25 (a) The Illinois Child Death Review Teams Executive

1 Council, consisting of the chairpersons of the 9 child death
2 review teams in Illinois, is the coordinating and oversight
3 body for child death review teams and activities in Illinois.
4 The vice-chairperson of a child death review team, as
5 designated by the chairperson, may serve as a back-up member or
6 an alternate member of the Executive Council, if the
7 chairperson of the child death review team is unavailable to
8 serve on the Executive Council. The Inspector General of the
9 Department, ex officio, is a non-voting member of the Executive
10 Council. The Inspector General of the Department may appoint to
11 the Executive Council any additional ex-officio members deemed
12 necessary. Persons with expertise needed by the Executive
13 Council may be invited to meetings. The Executive Council must
14 select from its members a chairperson and a vice-chairperson,
15 each to serve a 2-year, renewable term.

16 The Executive Council must meet at least 4 times during
17 each calendar year. At each such meeting, in addition to any
18 other matters under consideration, the Executive Council shall
19 review all replies and reports received from the Director
20 pursuant to subsections (d), (e), and (f) of Section 20 since
21 the Executive Council's previous meeting. The Executive
22 Council's review must include consideration of the Director's
23 proposed manner of and schedule for implementing each
24 recommendation made by a child death review team.

25 (b) The Department must provide or arrange for the staff
26 support necessary for the Executive Council to carry out its

1 duties. This includes a full-time Executive Director and
2 support staff person. The Inspector General of the Department,
3 in cooperation and consultation with the Executive Council,
4 shall appoint, reappoint, and remove team members. In the event
5 of a disagreement, the Executive Council's decision shall
6 control. From funds available, the Director may select from a
7 list of 2 or more candidates recommended by the Executive
8 Council to serve as the Child Death Review Teams Executive
9 Director. The Child Death Review Teams Executive Director shall
10 oversee the operations of the child death review teams and
11 shall report directly to the Executive Council.

12 (c) The Executive Council has, but is not limited to, the
13 following duties:

14 (1) To serve as the voice of child death review teams
15 in Illinois.

16 (2) To oversee the regional teams in order to ensure
17 that the teams' work is coordinated and in compliance with
18 the statutes and the operating protocol.

19 (3) To ensure that the data, results, findings, and
20 recommendations of the teams are adequately used to make
21 any necessary changes in the policies, procedures, and
22 statutes in order to protect children in a timely manner.

23 (4) To collaborate with the General Assembly, the
24 Department, and others in order to develop any legislation
25 needed to prevent child fatalities and to protect children.

26 (5) To assist in the development of quarterly and

1 annual reports based on the work and the findings of the
2 teams.

3 (6) To ensure that the regional teams' review processes
4 are standardized in order to convey data, findings, and
5 recommendations in a usable format.

6 (7) To serve as a link with child death review teams
7 throughout the country and to participate in national child
8 death review team activities.

9 (8) To develop an annual statewide symposium to update
10 the knowledge and skills of child death review team members
11 and to promote the exchange of information between teams.

12 (9) To provide the child death review teams with the
13 most current information and practices concerning child
14 death review and related topics.

15 (10) To perform any other functions necessary to
16 enhance the capability of the child death review teams to
17 reduce and prevent child injuries and fatalities.

18 (c-5) The Executive Council shall prepare an annual report.
19 The report must include, but need not be limited to, (i) each
20 recommendation made by a child death review team pursuant to
21 item (5) of subsection (b) of Section 20 during the period
22 covered by the report, (ii) the Director's proposed schedule
23 for implementing each such recommendation, and (iii) a
24 description of the specific changes in the Department's
25 policies and procedures that have been made in response to the
26 recommendation. The Executive Council shall send a copy of its

1 annual report to each of the following:

2 (1) The Governor.

3 (2) Each member of the Senate or the House of
4 Representatives, county ~~coroners~~ and medical examiners,
5 and State's Attorneys, in the sole discretion of the
6 Executive Council.

7 (3) Each member of each child death review team in the
8 State.

9 (d) In any instance when a child death review team does not
10 operate in accordance with established protocol, the Director,
11 in consultation and cooperation with the Executive Council,
12 must take any necessary actions to bring the team into
13 compliance with the protocol.

14 (Source: P.A. 100-1122, eff. 11-27-18.)

15 Section 40. The Department of Human Services Act is amended
16 by changing Section 1-17 as follows:

17 (20 ILCS 1305/1-17)

18 Sec. 1-17. Inspector General.

19 (a) Nature and purpose. It is the express intent of the
20 General Assembly to ensure the health, safety, and financial
21 condition of individuals receiving services in this State due
22 to mental illness, developmental disability, or both by
23 protecting those persons from acts of abuse, neglect, or both
24 by service providers. To that end, the Office of the Inspector

1 General for the Department of Human Services is created to
2 investigate and report upon allegations of the abuse, neglect,
3 or financial exploitation of individuals receiving services
4 within mental health facilities, developmental disabilities
5 facilities, and community agencies operated, licensed, funded,
6 or certified by the Department of Human Services, but not
7 licensed or certified by any other State agency.

8 (b) Definitions. The following definitions apply to this
9 Section:

10 "Adult student with a disability" means an adult student,
11 age 18 through 21, inclusive, with an Individual Education
12 Program, other than a resident of a facility licensed by the
13 Department of Children and Family Services in accordance with
14 the Child Care Act of 1969. For purposes of this definition,
15 "through age 21, inclusive", means through the day before the
16 student's 22nd birthday.

17 "Agency" or "community agency" means (i) a community agency
18 licensed, funded, or certified by the Department, but not
19 licensed or certified by any other human services agency of the
20 State, to provide mental health service or developmental
21 disabilities service, or (ii) a program licensed, funded, or
22 certified by the Department, but not licensed or certified by
23 any other human services agency of the State, to provide mental
24 health service or developmental disabilities service.

25 "Aggravating circumstance" means a factor that is
26 attendant to a finding and that tends to compound or increase

1 the culpability of the accused.

2 "Allegation" means an assertion, complaint, suspicion, or
3 incident involving any of the following conduct by an employee,
4 facility, or agency against an individual or individuals:
5 mental abuse, physical abuse, sexual abuse, neglect, or
6 financial exploitation.

7 "Day" means working day, unless otherwise specified.

8 "Deflection" means a situation in which an individual is
9 presented for admission to a facility or agency, and the
10 facility staff or agency staff do not admit the individual.
11 "Deflection" includes triage, redirection, and denial of
12 admission.

13 "Department" means the Department of Human Services.

14 "Developmental disability" means "developmental
15 disability" as defined in the Mental Health and Developmental
16 Disabilities Code.

17 "Egregious neglect" means a finding of neglect as
18 determined by the Inspector General that (i) represents a gross
19 failure to adequately provide for, or a callused indifference
20 to, the health, safety, or medical needs of an individual and
21 (ii) results in an individual's death or other serious
22 deterioration of an individual's physical condition or mental
23 condition.

24 "Employee" means any person who provides services at the
25 facility or agency on-site or off-site. The service
26 relationship can be with the individual or with the facility or

1 agency. Also, "employee" includes any employee or contractual
2 agent of the Department of Human Services or the community
3 agency involved in providing or monitoring or administering
4 mental health or developmental disability services. This
5 includes but is not limited to: owners, operators, payroll
6 personnel, contractors, subcontractors, and volunteers.

7 "Facility" or "State-operated facility" means a mental
8 health facility or developmental disabilities facility
9 operated by the Department.

10 "Financial exploitation" means taking unjust advantage of
11 an individual's assets, property, or financial resources
12 through deception, intimidation, or conversion for the
13 employee's, facility's, or agency's own advantage or benefit.

14 "Finding" means the Office of Inspector General's
15 determination regarding whether an allegation is
16 substantiated, unsubstantiated, or unfounded.

17 "Health Care Worker Registry" or "Registry" means the
18 Health Care Worker Registry under the Health Care Worker
19 Background Check Act.

20 "Individual" means any person receiving mental health
21 service, developmental disabilities service, or both from a
22 facility or agency, while either on-site or off-site.

23 "Mental abuse" means the use of demeaning, intimidating, or
24 threatening words, signs, gestures, or other actions by an
25 employee about an individual and in the presence of an
26 individual or individuals that results in emotional distress or

1 maladaptive behavior, or could have resulted in emotional
2 distress or maladaptive behavior, for any individual present.

3 "Mental illness" means "mental illness" as defined in the
4 Mental Health and Developmental Disabilities Code.

5 "Mentally ill" means having a mental illness.

6 "Mitigating circumstance" means a condition that (i) is
7 attendant to a finding, (ii) does not excuse or justify the
8 conduct in question, but (iii) may be considered in evaluating
9 the severity of the conduct, the culpability of the accused, or
10 both the severity of the conduct and the culpability of the
11 accused.

12 "Neglect" means an employee's, agency's, or facility's
13 failure to provide adequate medical care, personal care, or
14 maintenance and that, as a consequence, (i) causes an
15 individual pain, injury, or emotional distress, (ii) results in
16 either an individual's maladaptive behavior or the
17 deterioration of an individual's physical condition or mental
18 condition, or (iii) places the individual's health or safety at
19 substantial risk.

20 "Person with a developmental disability" means a person
21 having a developmental disability.

22 "Physical abuse" means an employee's non-accidental and
23 inappropriate contact with an individual that causes bodily
24 harm. "Physical abuse" includes actions that cause bodily harm
25 as a result of an employee directing an individual or person to
26 physically abuse another individual.

1 "Recommendation" means an admonition, separate from a
2 finding, that requires action by the facility, agency, or
3 Department to correct a systemic issue, problem, or deficiency
4 identified during an investigation.

5 "Required reporter" means any employee who suspects,
6 witnesses, or is informed of an allegation of any one or more
7 of the following: mental abuse, physical abuse, sexual abuse,
8 neglect, or financial exploitation.

9 "Secretary" means the Chief Administrative Officer of the
10 Department.

11 "Sexual abuse" means any sexual contact or intimate
12 physical contact between an employee and an individual,
13 including an employee's coercion or encouragement of an
14 individual to engage in sexual behavior that results in sexual
15 contact, intimate physical contact, sexual behavior, or
16 intimate physical behavior. Sexual abuse also includes (i) an
17 employee's actions that result in the sending or showing of
18 sexually explicit images to an individual via computer,
19 cellular phone, electronic mail, portable electronic device,
20 or other media with or without contact with the individual or
21 (ii) an employee's posting of sexually explicit images of an
22 individual online or elsewhere whether or not there is contact
23 with the individual.

24 "Sexually explicit images" includes, but is not limited to,
25 any material which depicts nudity, sexual conduct, or
26 sado-masochistic abuse, or which contains explicit and

1 detailed verbal descriptions or narrative accounts of sexual
2 excitement, sexual conduct, or sado-masochistic abuse.

3 "Substantiated" means there is a preponderance of the
4 evidence to support the allegation.

5 "Unfounded" means there is no credible evidence to support
6 the allegation.

7 "Unsubstantiated" means there is credible evidence, but
8 less than a preponderance of evidence to support the
9 allegation.

10 (c) Appointment. The Governor shall appoint, and the Senate
11 shall confirm, an Inspector General. The Inspector General
12 shall be appointed for a term of 4 years and shall function
13 within the Department of Human Services and report to the
14 Secretary and the Governor.

15 (d) Operation and appropriation. The Inspector General
16 shall function independently within the Department with
17 respect to the operations of the Office, including the
18 performance of investigations and issuance of findings and
19 recommendations. The appropriation for the Office of Inspector
20 General shall be separate from the overall appropriation for
21 the Department.

22 (e) Powers and duties. The Inspector General shall
23 investigate reports of suspected mental abuse, physical abuse,
24 sexual abuse, neglect, or financial exploitation of
25 individuals in any mental health or developmental disabilities
26 facility or agency and shall have authority to take immediate

1 action to prevent any one or more of the following from
2 happening to individuals under its jurisdiction: mental abuse,
3 physical abuse, sexual abuse, neglect, or financial
4 exploitation. Upon written request of an agency of this State,
5 the Inspector General may assist another agency of the State in
6 investigating reports of the abuse, neglect, or abuse and
7 neglect of persons with mental illness, persons with
8 developmental disabilities, or persons with both. To comply
9 with the requirements of subsection (k) of this Section, the
10 Inspector General shall also review all reportable deaths for
11 which there is no allegation of abuse or neglect. Nothing in
12 this Section shall preempt any duties of the Medical Review
13 Board set forth in the Mental Health and Developmental
14 Disabilities Code. The Inspector General shall have no
15 authority to investigate alleged violations of the State
16 Officials and Employees Ethics Act. Allegations of misconduct
17 under the State Officials and Employees Ethics Act shall be
18 referred to the Office of the Governor's Executive Inspector
19 General for investigation.

20 (f) Limitations. The Inspector General shall not conduct an
21 investigation within an agency or facility if that
22 investigation would be redundant to or interfere with an
23 investigation conducted by another State agency. The Inspector
24 General shall have no supervision over, or involvement in, the
25 routine programmatic, licensing, funding, or certification
26 operations of the Department. Nothing in this subsection limits

1 investigations by the Department that may otherwise be required
2 by law or that may be necessary in the Department's capacity as
3 central administrative authority responsible for the operation
4 of the State's mental health and developmental disabilities
5 facilities.

6 (g) Rulemaking authority. The Inspector General shall
7 promulgate rules establishing minimum requirements for
8 reporting allegations as well as for initiating, conducting,
9 and completing investigations based upon the nature of the
10 allegation or allegations. The rules shall clearly establish
11 that if 2 or more State agencies could investigate an
12 allegation, the Inspector General shall not conduct an
13 investigation that would be redundant to, or interfere with, an
14 investigation conducted by another State agency. The rules
15 shall further clarify the method and circumstances under which
16 the Office of Inspector General may interact with the
17 licensing, funding, or certification units of the Department in
18 preventing further occurrences of mental abuse, physical
19 abuse, sexual abuse, neglect, egregious neglect, and financial
20 exploitation.

21 (h) Training programs. The Inspector General shall (i)
22 establish a comprehensive program to ensure that every person
23 authorized to conduct investigations receives ongoing training
24 relative to investigation techniques, communication skills,
25 and the appropriate means of interacting with persons receiving
26 treatment for mental illness, developmental disability, or

1 both mental illness and developmental disability, and (ii)
2 establish and conduct periodic training programs for facility
3 and agency employees concerning the prevention and reporting of
4 any one or more of the following: mental abuse, physical abuse,
5 sexual abuse, neglect, egregious neglect, or financial
6 exploitation. The Inspector General shall further ensure (i)
7 every person authorized to conduct investigations at community
8 agencies receives ongoing training in Title 59, Parts 115, 116,
9 and 119 of the Illinois Administrative Code, and (ii) every
10 person authorized to conduct investigations shall receive
11 ongoing training in Title 59, Part 50 of the Illinois
12 Administrative Code. Nothing in this Section shall be deemed to
13 prevent the Office of Inspector General from conducting any
14 other training as determined by the Inspector General to be
15 necessary or helpful.

16 (i) Duty to cooperate.

17 (1) The Inspector General shall at all times be granted
18 access to any facility or agency for the purpose of
19 investigating any allegation, conducting unannounced site
20 visits, monitoring compliance with a written response, or
21 completing any other statutorily assigned duty. The
22 Inspector General shall conduct unannounced site visits to
23 each facility at least annually for the purpose of
24 reviewing and making recommendations on systemic issues
25 relative to preventing, reporting, investigating, and
26 responding to all of the following: mental abuse, physical

1 abuse, sexual abuse, neglect, egregious neglect, or
2 financial exploitation.

3 (2) Any employee who fails to cooperate with an Office
4 of the Inspector General investigation is in violation of
5 this Act. Failure to cooperate with an investigation
6 includes, but is not limited to, any one or more of the
7 following: (i) creating and transmitting a false report to
8 the Office of the Inspector General hotline, (ii) providing
9 false information to an Office of the Inspector General
10 Investigator during an investigation, (iii) colluding with
11 other employees to cover up evidence, (iv) colluding with
12 other employees to provide false information to an Office
13 of the Inspector General investigator, (v) destroying
14 evidence, (vi) withholding evidence, or (vii) otherwise
15 obstructing an Office of the Inspector General
16 investigation. Additionally, any employee who, during an
17 unannounced site visit or written response compliance
18 check, fails to cooperate with requests from the Office of
19 the Inspector General is in violation of this Act.

20 (j) Subpoena powers. The Inspector General shall have the
21 power to subpoena witnesses and compel the production of all
22 documents and physical evidence relating to his or her
23 investigations and any hearings authorized by this Act. This
24 subpoena power shall not extend to persons or documents of a
25 labor organization or its representatives insofar as the
26 persons are acting in a representative capacity to an employee

1 whose conduct is the subject of an investigation or the
2 documents relate to that representation. Any person who
3 otherwise fails to respond to a subpoena or who knowingly
4 provides false information to the Office of the Inspector
5 General by subpoena during an investigation is guilty of a
6 Class A misdemeanor.

7 (k) Reporting allegations and deaths.

8 (1) Allegations. If an employee witnesses, is told of,
9 or has reason to believe an incident of mental abuse,
10 physical abuse, sexual abuse, neglect, or financial
11 exploitation has occurred, the employee, agency, or
12 facility shall report the allegation by phone to the Office
13 of the Inspector General hotline according to the agency's
14 or facility's procedures, but in no event later than 4
15 hours after the initial discovery of the incident,
16 allegation, or suspicion of any one or more of the
17 following: mental abuse, physical abuse, sexual abuse,
18 neglect, or financial exploitation. A required reporter as
19 defined in subsection (b) of this Section who knowingly or
20 intentionally fails to comply with these reporting
21 requirements is guilty of a Class A misdemeanor.

22 (2) Deaths. Absent an allegation, a required reporter
23 shall, within 24 hours after initial discovery, report by
24 phone to the Office of the Inspector General hotline each
25 of the following:

26 (i) Any death of an individual occurring within 14

1 calendar days after discharge or transfer of the
2 individual from a residential program or facility.

3 (ii) Any death of an individual occurring within 24
4 hours after deflection from a residential program or
5 facility.

6 (iii) Any other death of an individual occurring at
7 an agency or facility or at any Department-funded site.

8 (3) Retaliation. It is a violation of this Act for any
9 employee or administrator of an agency or facility to take
10 retaliatory action against an employee who acts in good
11 faith in conformance with his or her duties as a required
12 reporter.

13 (1) Reporting to law enforcement.

14 (1) Reporting criminal acts. Within 24 hours after
15 determining that there is credible evidence indicating
16 that a criminal act may have been committed or that special
17 expertise may be required in an investigation, the
18 Inspector General shall notify the Department of State
19 Police or other appropriate law enforcement authority, or
20 ensure that such notification is made. The Department of
21 State Police shall investigate any report from a
22 State-operated facility indicating a possible murder,
23 sexual assault, or other felony by an employee. All
24 investigations conducted by the Inspector General shall be
25 conducted in a manner designed to ensure the preservation
26 of evidence for possible use in a criminal prosecution.

1 (2) Reporting allegations of adult students with
2 disabilities. Upon receipt of a reportable allegation
3 regarding an adult student with a disability, the
4 Department's Office of the Inspector General shall
5 determine whether the allegation meets the criteria for the
6 Domestic Abuse Program under the Abuse of Adults with
7 Disabilities Intervention Act. If the allegation is
8 reportable to that program, the Office of the Inspector
9 General shall initiate an investigation. If the allegation
10 is not reportable to the Domestic Abuse Program, the Office
11 of the Inspector General shall make an expeditious referral
12 to the respective law enforcement entity. If the alleged
13 victim is already receiving services from the Department,
14 the Office of the Inspector General shall also make a
15 referral to the respective Department of Human Services'
16 Division or Bureau.

17 (m) Investigative reports. Upon completion of an
18 investigation, the Office of Inspector General shall issue an
19 investigative report identifying whether the allegations are
20 substantiated, unsubstantiated, or unfounded. Within 10
21 business days after the transmittal of a completed
22 investigative report substantiating an allegation, finding an
23 allegation is unsubstantiated, or if a recommendation is made,
24 the Inspector General shall provide the investigative report on
25 the case to the Secretary and to the director of the facility
26 or agency where any one or more of the following occurred:

1 mental abuse, physical abuse, sexual abuse, neglect, egregious
2 neglect, or financial exploitation. The director of the
3 facility or agency shall be responsible for maintaining the
4 confidentiality of the investigative report consistent with
5 State and federal law. In a substantiated case, the
6 investigative report shall include any mitigating or
7 aggravating circumstances that were identified during the
8 investigation. If the case involves substantiated neglect, the
9 investigative report shall also state whether egregious
10 neglect was found. An investigative report may also set forth
11 recommendations. All investigative reports prepared by the
12 Office of the Inspector General shall be considered
13 confidential and shall not be released except as provided by
14 the law of this State or as required under applicable federal
15 law. Unsubstantiated and unfounded reports shall not be
16 disclosed except as allowed under Section 6 of the Abused and
17 Neglected Long Term Care Facility Residents Reporting Act. Raw
18 data used to compile the investigative report shall not be
19 subject to release unless required by law or a court order.
20 "Raw data used to compile the investigative report" includes,
21 but is not limited to, any one or more of the following: the
22 initial complaint, witness statements, photographs,
23 investigator's notes, police reports, or incident reports. If
24 the allegations are substantiated, the victim, the victim's
25 guardian, and the accused shall be provided with a redacted
26 copy of the investigative report. Death reports where there was

1 no allegation of abuse or neglect shall only be released
2 pursuant to applicable State or federal law or a valid court
3 order. Unredacted investigative reports, as well as raw data,
4 may be shared with a local law enforcement entity, a State's
5 Attorney's office, or a county medical examiner's ~~coroner's~~
6 office upon written request.

7 (n) Written responses, clarification requests, and
8 reconsideration requests.

9 (1) Written responses. Within 30 calendar days from
10 receipt of a substantiated investigative report or an
11 investigative report which contains recommendations,
12 absent a reconsideration request, the facility or agency
13 shall file a written response that addresses, in a concise
14 and reasoned manner, the actions taken to: (i) protect the
15 individual; (ii) prevent recurrences; and (iii) eliminate
16 the problems identified. The response shall include the
17 implementation and completion dates of such actions. If the
18 written response is not filed within the allotted 30
19 calendar day period, the Secretary shall determine the
20 appropriate corrective action to be taken.

21 (2) Requests for clarification. The facility, agency,
22 victim or guardian, or the subject employee may request
23 that the Office of Inspector General clarify the finding or
24 findings for which clarification is sought.

25 (3) Requests for reconsideration. The facility,
26 agency, victim or guardian, or the subject employee may

1 request that the Office of the Inspector General reconsider
2 the finding or findings or the recommendations. A request
3 for reconsideration shall be subject to a multi-layer
4 review and shall include at least one reviewer who did not
5 participate in the investigation or approval of the
6 original investigative report. After the multi-layer
7 review process has been completed, the Inspector General
8 shall make the final determination on the reconsideration
9 request. The investigation shall be reopened if the
10 reconsideration determination finds that additional
11 information is needed to complete the investigative
12 record.

13 (o) Disclosure of the finding by the Inspector General. The
14 Inspector General shall disclose the finding of an
15 investigation to the following persons: (i) the Governor, (ii)
16 the Secretary, (iii) the director of the facility or agency,
17 (iv) the alleged victims and their guardians, (v) the
18 complainant, and (vi) the accused. This information shall
19 include whether the allegations were deemed substantiated,
20 unsubstantiated, or unfounded.

21 (p) Secretary review. Upon review of the Inspector
22 General's investigative report and any agency's or facility's
23 written response, the Secretary shall accept or reject the
24 written response and notify the Inspector General of that
25 determination. The Secretary may further direct that other
26 administrative action be taken, including, but not limited to,

1 any one or more of the following: (i) additional site visits,
2 (ii) training, (iii) provision of technical assistance
3 relative to administrative needs, licensure, or certification,
4 or (iv) the imposition of appropriate sanctions.

5 (q) Action by facility or agency. Within 30 days of the
6 date the Secretary approves the written response or directs
7 that further administrative action be taken, the facility or
8 agency shall provide an implementation report to the Inspector
9 General that provides the status of the action taken. The
10 facility or agency shall be allowed an additional 30 days to
11 send notice of completion of the action or to send an updated
12 implementation report. If the action has not been completed
13 within the additional 30-day period, the facility or agency
14 shall send updated implementation reports every 60 days until
15 completion. The Inspector General shall conduct a review of any
16 implementation plan that takes more than 120 days after
17 approval to complete, and shall monitor compliance through a
18 random review of approved written responses, which may include,
19 but are not limited to: (i) site visits, (ii) telephone
20 contact, and (iii) requests for additional documentation
21 evidencing compliance.

22 (r) Sanctions. Sanctions, if imposed by the Secretary under
23 Subdivision (p)(iv) of this Section, shall be designed to
24 prevent further acts of mental abuse, physical abuse, sexual
25 abuse, neglect, egregious neglect, or financial exploitation
26 or some combination of one or more of those acts at a facility

1 or agency, and may include any one or more of the following:

2 (1) Appointment of on-site monitors.

3 (2) Transfer or relocation of an individual or
4 individuals.

5 (3) Closure of units.

6 (4) Termination of any one or more of the following:

7 (i) Department licensing, (ii) funding, or (iii)
8 certification.

9 The Inspector General may seek the assistance of the
10 Illinois Attorney General or the office of any State's Attorney
11 in implementing sanctions.

12 (s) Health Care Worker Registry.

13 (1) Reporting to the Registry. The Inspector General
14 shall report to the Department of Public Health's Health
15 Care Worker Registry, a public registry, the identity and
16 finding of each employee of a facility or agency against
17 whom there is a final investigative report containing a
18 substantiated allegation of physical or sexual abuse,
19 financial exploitation, or egregious neglect of an
20 individual.

21 (2) Notice to employee. Prior to reporting the name of
22 an employee, the employee shall be notified of the
23 Department's obligation to report and shall be granted an
24 opportunity to request an administrative hearing, the sole
25 purpose of which is to determine if the substantiated
26 finding warrants reporting to the Registry. Notice to the

1 employee shall contain a clear and concise statement of the
2 grounds on which the report to the Registry is based, offer
3 the employee an opportunity for a hearing, and identify the
4 process for requesting such a hearing. Notice is sufficient
5 if provided by certified mail to the employee's last known
6 address. If the employee fails to request a hearing within
7 30 days from the date of the notice, the Inspector General
8 shall report the name of the employee to the Registry.
9 Nothing in this subdivision (s) (2) shall diminish or impair
10 the rights of a person who is a member of a collective
11 bargaining unit under the Illinois Public Labor Relations
12 Act or under any other federal labor statute.

13 (3) Registry hearings. If the employee requests an
14 administrative hearing, the employee shall be granted an
15 opportunity to appear before an administrative law judge to
16 present reasons why the employee's name should not be
17 reported to the Registry. The Department shall bear the
18 burden of presenting evidence that establishes, by a
19 preponderance of the evidence, that the substantiated
20 finding warrants reporting to the Registry. After
21 considering all the evidence presented, the administrative
22 law judge shall make a recommendation to the Secretary as
23 to whether the substantiated finding warrants reporting
24 the name of the employee to the Registry. The Secretary
25 shall render the final decision. The Department and the
26 employee shall have the right to request that the

1 administrative law judge consider a stipulated disposition
2 of these proceedings.

3 (4) Testimony at Registry hearings. A person who makes
4 a report or who investigates a report under this Act shall
5 testify fully in any judicial proceeding resulting from
6 such a report, as to any evidence of abuse or neglect, or
7 the cause thereof. No evidence shall be excluded by reason
8 of any common law or statutory privilege relating to
9 communications between the alleged perpetrator of abuse or
10 neglect, or the individual alleged as the victim in the
11 report, and the person making or investigating the report.
12 Testimony at hearings is exempt from the confidentiality
13 requirements of subsection (f) of Section 10 of the Mental
14 Health and Developmental Disabilities Confidentiality Act.

15 (5) Employee's rights to collateral action. No
16 reporting to the Registry shall occur and no hearing shall
17 be set or proceed if an employee notifies the Inspector
18 General in writing, including any supporting
19 documentation, that he or she is formally contesting an
20 adverse employment action resulting from a substantiated
21 finding by complaint filed with the Illinois Civil Service
22 Commission, or which otherwise seeks to enforce the
23 employee's rights pursuant to any applicable collective
24 bargaining agreement. If an action taken by an employer
25 against an employee as a result of a finding of physical
26 abuse, sexual abuse, or egregious neglect is overturned

1 through an action filed with the Illinois Civil Service
2 Commission or under any applicable collective bargaining
3 agreement and if that employee's name has already been sent
4 to the Registry, the employee's name shall be removed from
5 the Registry.

6 (6) Removal from Registry. At any time after the report
7 to the Registry, but no more than once in any 12-month
8 period, an employee may petition the Department in writing
9 to remove his or her name from the Registry. Upon receiving
10 notice of such request, the Inspector General shall conduct
11 an investigation into the petition. Upon receipt of such
12 request, an administrative hearing will be set by the
13 Department. At the hearing, the employee shall bear the
14 burden of presenting evidence that establishes, by a
15 preponderance of the evidence, that removal of the name
16 from the Registry is in the public interest. The parties
17 may jointly request that the administrative law judge
18 consider a stipulated disposition of these proceedings.

19 (t) Review of Administrative Decisions. The Department
20 shall preserve a record of all proceedings at any formal
21 hearing conducted by the Department involving Health Care
22 Worker Registry hearings. Final administrative decisions of
23 the Department are subject to judicial review pursuant to
24 provisions of the Administrative Review Law.

25 (u) Quality Care Board. There is created, within the Office
26 of the Inspector General, a Quality Care Board to be composed

1 of 7 members appointed by the Governor with the advice and
2 consent of the Senate. One of the members shall be designated
3 as chairman by the Governor. Of the initial appointments made
4 by the Governor, 4 Board members shall each be appointed for a
5 term of 4 years and 3 members shall each be appointed for a
6 term of 2 years. Upon the expiration of each member's term, a
7 successor shall be appointed for a term of 4 years. In the case
8 of a vacancy in the office of any member, the Governor shall
9 appoint a successor for the remainder of the unexpired term.

10 Members appointed by the Governor shall be qualified by
11 professional knowledge or experience in the area of law,
12 investigatory techniques, or in the area of care of the
13 mentally ill or care of persons with developmental
14 disabilities. Two members appointed by the Governor shall be
15 persons with a disability or parents of persons with a
16 disability. Members shall serve without compensation, but
17 shall be reimbursed for expenses incurred in connection with
18 the performance of their duties as members.

19 The Board shall meet quarterly, and may hold other meetings
20 on the call of the chairman. Four members shall constitute a
21 quorum allowing the Board to conduct its business. The Board
22 may adopt rules and regulations it deems necessary to govern
23 its own procedures.

24 The Board shall monitor and oversee the operations,
25 policies, and procedures of the Inspector General to ensure the
26 prompt and thorough investigation of allegations of neglect and

1 abuse. In fulfilling these responsibilities, the Board may do
2 the following:

3 (1) Provide independent, expert consultation to the
4 Inspector General on policies and protocols for
5 investigations of alleged abuse, neglect, or both abuse and
6 neglect.

7 (2) Review existing regulations relating to the
8 operation of facilities.

9 (3) Advise the Inspector General as to the content of
10 training activities authorized under this Section.

11 (4) Recommend policies concerning methods for
12 improving the intergovernmental relationships between the
13 Office of the Inspector General and other State or federal
14 offices.

15 (v) Annual report. The Inspector General shall provide to
16 the General Assembly and the Governor, no later than January 1
17 of each year, a summary of reports and investigations made
18 under this Act for the prior fiscal year with respect to
19 individuals receiving mental health or developmental
20 disabilities services. The report shall detail the imposition
21 of sanctions, if any, and the final disposition of any
22 corrective or administrative action directed by the Secretary.
23 The summaries shall not contain any confidential or identifying
24 information of any individual, but shall include objective data
25 identifying any trends in the number of reported allegations,
26 the timeliness of the Office of the Inspector General's

1 investigations, and their disposition, for each facility and
2 Department-wide, for the most recent 3-year time period. The
3 report shall also identify, by facility, the staff-to-patient
4 ratios taking account of direct care staff only. The report
5 shall also include detailed recommended administrative actions
6 and matters for consideration by the General Assembly.

7 (w) Program audit. The Auditor General shall conduct a
8 program audit of the Office of the Inspector General on an
9 as-needed basis, as determined by the Auditor General. The
10 audit shall specifically include the Inspector General's
11 compliance with the Act and effectiveness in investigating
12 reports of allegations occurring in any facility or agency. The
13 Auditor General shall conduct the program audit according to
14 the provisions of the Illinois State Auditing Act and shall
15 report its findings to the General Assembly no later than
16 January 1 following the audit period.

17 (x) Nothing in this Section shall be construed to mean that
18 an individual is a victim of abuse or neglect because of health
19 care services appropriately provided or not provided by health
20 care professionals.

21 (y) Nothing in this Section shall require a facility,
22 including its employees, agents, medical staff members, and
23 health care professionals, to provide a service to an
24 individual in contravention of that individual's stated or
25 implied objection to the provision of that service on the
26 ground that that service conflicts with the individual's

1 religious beliefs or practices, nor shall the failure to
2 provide a service to an individual be considered abuse under
3 this Section if the individual has objected to the provision of
4 that service based on his or her religious beliefs or
5 practices.

6 (Source: P.A. 100-313, eff. 8-24-17; 100-432, eff. 8-25-17;
7 100-863, eff. 8-14-18; 100-943, eff. 1-1-19; 100-991, eff.
8 8-20-18; 100-1098, eff. 8-26-18; 101-81, eff. 7-12-19.)

9 Section 45. The Department of Public Health Powers and
10 Duties Law of the Civil Administrative Code of Illinois is
11 amended by changing Sections 2310-236 and 2310-335 as follows:

12 (20 ILCS 2310/2310-236)

13 Sec. 2310-236. Form of medical examiner's ~~coroner's~~
14 report; sudden unexpected infant death and sudden infant death
15 syndrome.

16 (a) The Department shall develop and require the use of a
17 form by medical examiners ~~coroners~~ in the case of a death of an
18 infant in which the cause of death is sudden unexpected infant
19 death or sudden infant death syndrome. The form shall contain,
20 at minimum, the following information to be recorded after a
21 preliminary investigation:

22 (1) The date and time of death.

23 (2) The county of occurrence and the county of the
24 infant's residence.

1 (3) Relevant demographic details regarding the infant,
2 such as date of birth and gender.

3 (4) Relevant demographic details regarding the parents
4 or caretaker of the infant.

5 (5) Relevant details regarding the circumstances of
6 the death, including, but not limited to, who found the
7 infant, where, and what they did.

8 (6) Relevant details concerning where the infant was
9 placed, by whom, and in what position.

10 (7) Any additional relevant details concerning the
11 sleep environment that the infant was placed in and what
12 environmental factors were present, to the extent that
13 those factors are ascertainable.

14 (8) Relevant details concerning health hazards present
15 in the sleep environment, to the extent that those health
16 hazards are ascertainable.

17 (9) Relevant details concerning the infant's medical
18 history and previous medical issues.

19 (10) Other information the Department may determine to
20 be relevant and conducive to understanding and recording
21 the circumstances of the infant's death.

22 (b) The Department shall publish current information
23 concerning sudden unexpected infant death and sudden infant
24 death syndrome.

25 (c) At least once every 5 years, the Department shall
26 review the form and determine whether updates need to be made

1 for effectiveness and relevancy.

2 (Source: P.A. 101-338, eff. 1-1-20.)

3 (20 ILCS 2310/2310-335) (was 20 ILCS 2310/55.43)

4 Sec. 2310-335. Alzheimer's disease; exchange of
5 information; autopsies.

6 (a) The Department shall establish policies, procedures,
7 standards, and criteria for the collection, maintenance, and
8 exchange of confidential personal and medical information
9 necessary for the identification and evaluation of victims of
10 Alzheimer's disease and related disorders and for the conduct
11 of consultation, referral, and treatment through personal
12 physicians, primary Alzheimer's centers, and regional
13 Alzheimer's assistance centers provided for in the Alzheimer's
14 Disease Assistance Act. These requirements shall include
15 procedures for obtaining the necessary consent of a patient or
16 guardian to the disclosure and exchange of that information
17 among providers of services within an Alzheimer's disease
18 assistance network and for the maintenance of the information
19 in a centralized medical information system administered by a
20 regional Alzheimer's center. Nothing in this Section requires
21 disclosure or exchange of information pertaining to
22 confidential communications between patients and therapists or
23 disclosure or exchange of information contained within a
24 therapist's personal notes.

25 (b) Any person identified as a victim of Alzheimer's

1 disease or a related disorder under the Alzheimer's Disease
2 Assistance Act shall be provided information regarding the
3 critical role that autopsies play in the diagnosis and in the
4 conduct of research into the cause and cure of Alzheimer's
5 disease and related disorders. The person, or the spouse or
6 guardian of the person, shall be encouraged to consent to an
7 autopsy upon the person's death.

8 The Department shall provide information to medical
9 examiners ~~and coroners~~ in this State regarding the importance
10 of autopsies in the diagnosis and in the conduct of research
11 into the causes and cure of Alzheimer's disease and related
12 disorders. The Department shall also arrange for education and
13 training programs that will enable medical examiners ~~and~~
14 ~~coroners~~ to conduct autopsies necessary for a proper diagnosis
15 of Alzheimer's disease or related disorders as the cause or a
16 contributing factor to a death.

17 (Source: P.A. 91-239, eff. 1-1-00.)

18 Section 50. The Department of State Police Law of the Civil
19 Administrative Code of Illinois is amended by changing Sections
20 2605-40 and 2605-380 as follows:

21 (20 ILCS 2605/2605-40) (was 20 ILCS 2605/55a-4)

22 Sec. 2605-40. Division of Forensic Services. The Division
23 of Forensic Services shall exercise the following functions:

24 (1) (Blank).

1 (2) Exercise the rights, powers, and duties vested by
2 law in the Department by Section 2605-300 of this Law.

3 (3) Provide assistance to local law enforcement
4 agencies through training, management, and consultant
5 services.

6 (4) (Blank).

7 (5) Exercise other duties that may be assigned by the
8 Director in order to fulfill the responsibilities and
9 achieve the purposes of the Department.

10 (6) Establish and operate a forensic science
11 laboratory system, including a forensic toxicological
12 laboratory service, for the purpose of testing specimens
13 submitted by medical examiners ~~coroners~~ and other law
14 enforcement officers in their efforts to determine whether
15 alcohol, drugs, or poisonous or other toxic substances have
16 been involved in deaths, accidents, or illness. Forensic
17 toxicological laboratories shall be established in
18 Springfield, Chicago, and elsewhere in the State as needed.

19 (6.5) Establish administrative rules in order to set
20 forth standardized requirements for the disclosure of
21 toxicology results and other relevant documents related to
22 a toxicological analysis. These administrative rules are
23 to be adopted to produce uniform and sufficient information
24 to allow a proper, well-informed determination of the
25 admissibility of toxicology evidence and to ensure that
26 this evidence is presented competently. These

1 administrative rules are designed to provide a minimum
2 standard for compliance of toxicology evidence and is not
3 intended to limit the production and discovery of material
4 information. These administrative rules shall be submitted
5 by the Department of State Police into the rulemaking
6 process under the Illinois Administrative Procedure Act on
7 or before June 30, 2017.

8 (7) Subject to specific appropriations made for these
9 purposes, establish and coordinate a system for providing
10 accurate and expedited forensic science and other
11 investigative and laboratory services to local law
12 enforcement agencies and local State's Attorneys in aid of
13 the investigation and trial of capital cases.

14 (Source: P.A. 101-378, eff. 1-1-20.)

15 (20 ILCS 2605/2605-380) (was 20 ILCS 2605/55a-8)

16 Sec. 2605-380. Dental records. The Department shall do the
17 following:

18 (1) Coordinate State participation in a national
19 central repository for dental records of missing persons
20 and unidentified dead bodies.

21 (2) Receive and file dental records submitted by county
22 medical examiners ~~and coroners~~ from unidentified dead
23 bodies and submitted by law enforcement agencies from
24 persons reported missing for more than 30 days.

25 (3) Provide information from the file on possible

1 identifications resulting from the comparison of dental
2 records submitted with those records on file, to county
3 medical examiners, ~~coroners,~~ and law enforcement agencies.

4 (4) Expunge the dental records of those missing persons
5 who are found, and expunge from the file the dental records
6 of missing persons who are positively identified as a
7 result of comparisons made with this file or the files
8 maintained by other states, territories, insular
9 possessions of the United States, or the United States.

10 (Source: P.A. 91-239, eff. 1-1-00; 91-760, eff. 1-1-01.)

11 Section 55. The Criminal Identification Act is amended by
12 changing Sections 9 and 9.5 as follows:

13 (20 ILCS 2630/9) (from Ch. 38, par. 206-9)

14 Sec. 9. (a) Every county medical examiner ~~and coroner~~
15 shall, in every death investigation where the identity of a
16 dead body cannot be determined by visual means, fingerprints,
17 or other identifying data, have a qualified dentist, as
18 determined by the county medical examiner ~~or coroner,~~ conduct a
19 dental examination of the dead body. If the county medical
20 examiner ~~or coroner,~~ with the aid of the dental examination and
21 other identifiers, is still unable to establish the identity of
22 the dead body, the medical examiner ~~or coroner~~ shall forthwith
23 submit the dental records to the Department.

24 (b) If a person reported missing has not been found within

1 30 days, the law enforcement agency to whom the person was
2 reported missing shall, within the next 5 days, make all
3 necessary efforts to locate and request from the family or next
4 of kin of the missing person written consent to contact and
5 receive from the dentist of the missing person that person's
6 dental records and shall forthwith make every reasonable effort
7 to acquire such records. Within 5 days of the receipt of the
8 missing person's dental records, the law enforcement agency
9 shall submit such records to the Department.

10 (c) The Department shall be the State central repository
11 for all dental records submitted pursuant to this Section. The
12 Department may promulgate rules for the form and manner of
13 submission of dental records, reporting of the location or
14 identification of persons for whom dental records have been
15 submitted and other procedures for program operations.

16 (d) When a person who has been reported missing is located
17 and that person's dental records have been submitted to the
18 Department, the law enforcement agency which submitted that
19 person's dental records to the Department shall report that
20 fact to the Department and the Department shall expunge the
21 dental records of that person from the Department's file. The
22 Department shall also expunge from its files the dental records
23 of those dead and missing persons who are positively identified
24 as a result of comparisons made with its files, the files
25 maintained by other states, territories, insular possessions
26 of the United States, or the United States.

1 (Source: P.A. 84-255.)

2 (20 ILCS 2630/9.5)

3 Sec. 9.5. Material for DNA fingerprint analysis. Every
4 county medical examiner ~~and coroner~~ shall provide to the
5 Department a sample of dried blood and buccal specimens (tissue
6 may be submitted if no uncontaminated blood or buccal specimens
7 can be obtained) from a dead body for DNA fingerprint analysis
8 if the Department notifies the medical examiner ~~or coroner~~ that
9 the Department has determined that providing that sample may be
10 useful for law enforcement purposes in a criminal
11 investigation. In addition, if a local law enforcement agency
12 notifies a county medical examiner ~~or coroner~~ that such a
13 sample would be useful in a criminal examination, the county
14 medical examiner ~~or coroner~~ shall provide a sample to the local
15 law enforcement agency for submission to the Department.

16 (Source: P.A. 95-500, eff. 1-1-08.)

17 Section 60. The Human Skeletal Remains Protection Act is
18 amended by changing Section 3 as follows:

19 (20 ILCS 3440/3) (from Ch. 127, par. 2663)

20 Sec. 3. Any person who discovers human skeletal remains
21 subject to this Act shall promptly notify the medical examiner
22 ~~coroner~~. Any person who knowingly fails to report such a
23 discovery within 48 hours is guilty of a Class C misdemeanor,

1 unless such person has reasonable cause to believe that the
2 medical examiner ~~coroner~~ had already been so notified. If the
3 human skeletal remains appear to be from an unregistered grave,
4 the medical examiner ~~coroner~~ shall promptly notify the
5 Department of Natural Resources prior to their removal. Nothing
6 in this Act shall be construed to apply to human skeletal
7 remains subject to Division 3-3 of the Counties Code ~~"An Act to~~
8 ~~revise the law in relation to coroners"~~.

9 (Source: P.A. 100-695, eff. 8-3-18.)

10 Section 65. The Retailers' Occupation Tax Act is amended by
11 changing Section 5d as follows:

12 (35 ILCS 120/5d) (from Ch. 120, par. 444d)

13 Sec. 5d. The Department is not required to furnish any bond
14 nor to make a deposit for or pay any costs or fees of any court
15 or officer thereof in any judicial proceedings under this Act.
16 Whenever a certified copy of a judgment or order for
17 attachment, issued from any court for the enforcement or
18 collection of any liability created by this Act, is levied by
19 any sheriff or medical examiner ~~coroner~~ upon any personal
20 property, and such property is claimed by any person other than
21 the judgment debtor or the defendant in the attachment, or is
22 claimed by the judgment debtor or defendant in the attachment
23 as exempt from enforcement of a judgment thereon by virtue of
24 the exemption laws of this State, then the person making such

1 claim shall give notice in writing of his or her claim and of
2 his or her intention to prosecute the claim, to the sheriff or
3 medical examiner ~~coroner~~ within 10 days after the making of the
4 levy. On receiving such notice, the sheriff or medical examiner
5 ~~coroner~~ shall proceed in accordance with Part 2 of Article XII
6 of the Code of Civil Procedure, as amended. The giving of such
7 notice within the 10 day period is a condition precedent to any
8 judicial action against the sheriff or medical examiner ~~coroner~~
9 for wrongfully levying, seizing or selling the property and any
10 such person who fails to give such notice within that time is
11 barred from bringing any judicial action against such sheriff
12 or medical examiner ~~coroner~~ for injury or damages to or
13 conversion of the property.

14 (Source: P.A. 83-1362.)

15 Section 70. The Property Tax Code is amended by changing
16 Sections 19-55, 21-355, 21-385, 22-15, and 22-20 as follows:

17 (35 ILCS 200/19-55)

18 Sec. 19-55. Sureties on collector's bonds. No chairman of
19 the county board, clerk of the circuit court, county clerk,
20 sheriff, deputy sheriff or medical examiner ~~coroner~~ shall be
21 permitted to be a surety on the bond of a county, township or
22 deputy collector or county treasurer.

23 (Source: Laws 1965, p. 631; P.A. 88-455.)

1 (35 ILCS 200/21-355)

2 Sec. 21-355. Amount of redemption. Any person desiring to
3 redeem shall deposit an amount specified in this Section with
4 the county clerk of the county in which the property is
5 situated, in legal money of the United States, or by cashier's
6 check, certified check, post office money order or money order
7 issued by a financial institution insured by an agency or
8 instrumentality of the United States, payable to the county
9 clerk of the proper county. The deposit shall be deemed timely
10 only if actually received in person at the county clerk's
11 office prior to the close of business as defined in Section
12 3-2007 of the Counties Code on or before the expiration of the
13 period of redemption or by United States mail with a post
14 office cancellation mark dated not less than one day prior to
15 the expiration of the period of redemption. The deposit shall
16 be in an amount equal to the total of the following:

17 (a) the certificate amount, which shall include all tax
18 principal, special assessments, interest and penalties
19 paid by the tax purchaser together with costs and fees of
20 sale and fees paid under Sections 21-295 and 21-315 through
21 21-335;

22 (b) the accrued penalty, computed through the date of
23 redemption as a percentage of the certificate amount, as
24 follows:

25 (1) if the redemption occurs on or before the
26 expiration of 6 months from the date of sale, the

1 certificate amount times the penalty bid at sale;

2 (2) if the redemption occurs after 6 months from
3 the date of sale, and on or before the expiration of 12
4 months from the date of sale, the certificate amount
5 times 2 times the penalty bid at sale;

6 (3) if the redemption occurs after 12 months from
7 the date of sale and on or before the expiration of 18
8 months from the date of sale, the certificate amount
9 times 3 times the penalty bid at sale;

10 (4) if the redemption occurs after 18 months from
11 the date of sale and on or before the expiration of 24
12 months from the date of sale, the certificate amount
13 times 4 times the penalty bid at sale;

14 (5) if the redemption occurs after 24 months from
15 the date of sale and on or before the expiration of 30
16 months from the date of sale, the certificate amount
17 times 5 times the penalty bid at sale;

18 (6) if the redemption occurs after 30 months from
19 the date of sale and on or before the expiration of 36
20 months from the date of sale, the certificate amount
21 times 6 times the penalty bid at sale.

22 In the event that the property to be redeemed has
23 been purchased under Section 21-405, the penalty bid
24 shall be 12% per penalty period as set forth in
25 subparagraphs (1) through (6) of this subsection (b).
26 The changes to this subdivision (b)(6) made by this

1 amendatory Act of the 91st General Assembly are not a
2 new enactment, but declaratory of existing law.

3 (c) The total of all taxes, special assessments,
4 accrued interest on those taxes and special assessments and
5 costs charged in connection with the payment of those taxes
6 or special assessments, which have been paid by the tax
7 certificate holder on or after the date those taxes or
8 special assessments became delinquent together with 12%
9 penalty on each amount so paid for each year or portion
10 thereof intervening between the date of that payment and
11 the date of redemption. In counties with less than
12 3,000,000 inhabitants, however, a tax certificate holder
13 may not pay all or part of an installment of a subsequent
14 tax or special assessment for any year, nor shall any
15 tender of such a payment be accepted, until after the
16 second or final installment of the subsequent tax or
17 special assessment has become delinquent or until after the
18 holder of the certificate of purchase has filed a petition
19 for a tax deed under Section 22.30. The person redeeming
20 shall also pay the amount of interest charged on the
21 subsequent tax or special assessment and paid as a penalty
22 by the tax certificate holder. This amendatory Act of 1995
23 applies to tax years beginning with the 1995 taxes, payable
24 in 1996, and thereafter.

25 (d) Any amount paid to redeem a forfeiture occurring
26 subsequent to the tax sale together with 12% penalty

1 thereon for each year or portion thereof intervening
2 between the date of the forfeiture redemption and the date
3 of redemption from the sale.

4 (e) Any amount paid by the certificate holder for
5 redemption of a subsequently occurring tax sale.

6 (f) All fees paid to the county clerk under Section
7 22-5.

8 (g) All fees paid to the registrar of titles incident
9 to registering the tax certificate in compliance with the
10 Registered Titles (Torrens) Act.

11 (h) All fees paid to the circuit clerk and the sheriff,
12 a licensed or registered private detective, or the medical
13 examiner ~~coroner~~ in connection with the filing of the
14 petition for tax deed and service of notices under Sections
15 22-15 through 22-30 and 22-40 in addition to (1) a fee of
16 \$35 if a petition for tax deed has been filed, which fee
17 shall be posted to the tax judgement, sale, redemption, and
18 forfeiture record, to be paid to the purchaser or his or
19 her assignee; (2) a fee of \$4 if a notice under Section
20 22-5 has been filed, which fee shall be posted to the tax
21 judgment, sale, redemption, and forfeiture record, to be
22 paid to the purchaser or his or her assignee; (3) all costs
23 paid to record a lis pendens notice in connection with
24 filing a petition under this Code; and (4) if a petition
25 for tax deed has been filed, all fees up to \$150 per
26 redemption paid to a registered or licensed title insurance

1 company or title insurance agent for a title search to
2 identify all owners, parties interested, and occupants of
3 the property, to be paid to the purchaser or his or her
4 assignee. The fees in (1) and (2) of this paragraph (h)
5 shall be exempt from the posting requirements of Section
6 21-360. The costs incurred in causing notices to be served
7 by a licensed or registered private detective under Section
8 22-15, may not exceed the amount that the sheriff would be
9 authorized by law to charge if those notices had been
10 served by the sheriff.

11 (i) All fees paid for publication of notice of the tax
12 sale in accordance with Section 22-20.

13 (j) All sums paid to any county, city, village or
14 incorporated town for reimbursement under Section 22-35.

15 (k) All costs and expenses of receivership under
16 Section 21-410, to the extent that these costs and expenses
17 exceed any income from the property in question, if the
18 costs and expenditures have been approved by the court
19 appointing the receiver and a certified copy of the order
20 or approval is filed and posted by the certificate holder
21 with the county clerk. Only actual costs expended may be
22 posted on the tax judgment, sale, redemption and forfeiture
23 record.

24 (Source: P.A. 98-1162, eff. 6-1-15.)

25 (35 ILCS 200/21-385)

1 Sec. 21-385. Extension of period of redemption. The
2 purchaser or his or her assignee of property sold for
3 nonpayment of general taxes or special assessments may extend
4 the period of redemption at any time before the expiration of
5 the original period of redemption, or thereafter prior to the
6 expiration of any extended period of redemption, for a period
7 which will expire not later than 3 years from the date of sale,
8 by filing with the county clerk of the county in which the
9 property is located a written notice to that effect describing
10 the property, stating the date of the sale and specifying the
11 extended period of redemption. Upon receiving the notice, the
12 county clerk shall stamp the date of receipt upon the notice.
13 If the notice is submitted as an electronic record, the county
14 clerk shall acknowledge receipt of the record and shall provide
15 confirmation in the same manner to the certificate holder. The
16 confirmation from the county clerk shall include the date of
17 receipt and shall serve as proof that the notice was filed with
18 the county clerk. The county clerk shall not be required to
19 extend the period of redemption unless the purchaser or his or
20 her assignee obtains this acknowledgement of delivery. If prior
21 to the expiration of the period of redemption or extended
22 period of redemption a petition for tax deed has been filed
23 under Section 22-30, upon application of the petitioner, the
24 court shall allow the purchaser or his or her assignee to
25 extend the period of redemption after expiration of the
26 original period or any extended period of redemption, provided

1 that any extension allowed will expire not later than 3 years
2 from the date of sale, unless the certificate has been assigned
3 to the county collector by order of the court which ordered the
4 property sold, in which case the period of redemption shall be
5 extended for such period as may be designated by the holder of
6 the certificate, such period not to exceed 36 months from the
7 date of the assignment to the collector. If the period of
8 redemption is extended, the purchaser or his or her assignee
9 must give the notices provided for in Section 22-10 at the
10 specified times prior to the expiration of the extended period
11 of redemption by causing a sheriff (or if he or she is
12 disqualified, a medical examiner ~~coroner~~) of the county in
13 which the property, or any part thereof, is located to serve
14 the notices as provided in Sections 22-15 and 22-20. The
15 notices may also be served as provided in Sections 22-15 and
16 22-20 by a special process server appointed by the court under
17 Section 22-15.

18 (Source: P.A. 100-890, eff. 1-1-19; 100-975, eff. 8-19-18;
19 101-81, eff. 7-12-19.)

20 (35 ILCS 200/22-15)

21 Sec. 22-15. Service of notice. The purchaser or his or her
22 assignee shall give the notice required by Section 22-10 by
23 causing it to be published in a newspaper as set forth in
24 Section 22-20. In addition, the notice shall be served by a
25 sheriff (or if he or she is disqualified, by a medical examiner

1 ~~coroner~~) of the county in which the property, or any part
2 thereof, is located or, except in Cook County, by a person who
3 is licensed or registered as a private detective under the
4 Private Detective, Private Alarm, Private Security,
5 Fingerprint Vendor, and Locksmith Act of 2004 upon owners who
6 reside on any part of the property sold by leaving a copy of
7 the notice with those owners personally.

8 In counties of 3,000,000 or more inhabitants where a taxing
9 district is a petitioner for tax deed pursuant to Section
10 21-90, in lieu of service by the sheriff or medical examiner
11 ~~coroner~~ the notice may be served by a special process server
12 appointed by the circuit court as provided in this Section. The
13 taxing district may move prior to filing one or more petitions
14 for tax deed for appointment of such a special process server.
15 The court, upon being satisfied that the person named in the
16 motion is at least 18 years of age and is capable of serving
17 notice as required under this Code, shall enter an order
18 appointing such person as a special process server for a period
19 of one year. The appointment may be renewed for successive
20 periods of one year each by motion and order, and a copy of the
21 original and any subsequent order shall be filed in each tax
22 deed case in which a notice is served by the appointed person.
23 Delivery of the notice to and service of the notice by the
24 special process server shall have the same force and effect as
25 its delivery to and service by the sheriff or medical examiner
26 ~~coroner~~.

1 The same form of notice shall also be served, in the manner
2 set forth under Sections 2-203, 2-204, 2-205, 2-205.1, and
3 2-211 of the Code of Civil Procedure, upon all other owners and
4 parties interested in the property, if upon diligent inquiry
5 they can be found in the county, and upon the occupants of the
6 property.

7 If the property sold has more than 4 dwellings or other
8 rental units, and has a managing agent or party who collects
9 rents, that person shall be deemed the occupant and shall be
10 served with notice instead of the occupants of the individual
11 units. If the property has no dwellings or rental units, but
12 economic or recreational activities are carried on therein, the
13 person directing such activities shall be deemed the occupant.
14 Holders of rights of entry and possibilities of reverter shall
15 not be deemed parties interested in the property.

16 When a party interested in the property is a trustee,
17 notice served upon the trustee shall be deemed to have been
18 served upon any beneficiary or note holder thereunder unless
19 the holder of the note is disclosed of record.

20 When a judgment is a lien upon the property sold, the
21 holder of the lien shall be served with notice if the name of
22 the judgment debtor as shown in the transcript, certified copy
23 or memorandum of judgment filed of record is identical, as to
24 given name and surname, with the name of the party interested
25 as it appears of record.

26 If any owner or party interested, upon diligent inquiry and

1 effort, cannot be found or served with notice in the county as
2 provided in this Section, and the person in actual occupancy
3 and possession is tenant to, or in possession under the owners
4 or the parties interested in the property, then service of
5 notice upon the tenant, occupant or person in possession shall
6 be deemed service upon the owners or parties interested.

7 If any owner or party interested, upon diligent inquiry and
8 effort cannot be found or served with notice in the county,
9 then the person making the service shall cause a copy of the
10 notice to be sent by registered or certified mail, return
11 receipt requested, to that party at his or her residence, if
12 ascertainable.

13 The changes to this Section made by Public Act 95-477 apply
14 only to matters in which a petition for tax deed is filed on or
15 after June 1, 2008 (the effective date of Public Act 95-477).

16 (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08; 95-876,
17 eff. 8-21-08.)

18 (35 ILCS 200/22-20)

19 Sec. 22-20. Proof of service of notice; publication of
20 notice. The sheriff or medical examiner ~~coroner~~ serving notice
21 under Section 22-15 shall endorse his or her return thereon and
22 file it with the Clerk of the Circuit Court and it shall be a
23 part of the court record. A private detective or a special
24 process server appointed under Section 22-15 shall make his or
25 her return by affidavit and shall file it with the Clerk of the

1 Circuit Court, where it shall be a part of the court record. If
2 a sheriff, private detective, special process server, or
3 medical examiner ~~coroner~~ to whom any notice is delivered for
4 service, neglects or refuses to make the return, the purchaser
5 or his or her assignee may petition the court to enter a rule
6 requiring the sheriff, private detective, special process
7 server, or medical examiner ~~coroner~~ to make return of the
8 notice on a day to be fixed by the court, or to show cause on
9 that day why he or she should not be attached for contempt of
10 the court. The purchaser or assignee shall cause a written
11 notice of the rule to be served upon the sheriff, private
12 detective, special process server, or medical examiner
13 ~~coroner~~. If good and sufficient cause to excuse the sheriff,
14 private detective, special process server, or medical examiner
15 ~~coroner~~ is not shown, the court shall adjudge him or her guilty
16 of a contempt, and shall proceed to punish him as in other
17 cases of contempt.

18 If the property is located in a municipality in a county
19 with less than 3,000,000 inhabitants, the purchaser or his or
20 her assignee shall also publish a notice as to the owner or
21 party interested, in some newspaper published in the
22 municipality. If the property is not in a municipality in a
23 county with less than 3,000,000 inhabitants, or if no newspaper
24 is published therein, or if the property is in a county with
25 3,000,000 or more inhabitants, the notice shall be published in
26 some newspaper in the county. If no newspaper is published in

1 the county, then the notice shall be published in the newspaper
2 that is published nearest the county seat of the county in
3 which the property is located. If the owners and parties
4 interested in the property upon diligent inquiry are unknown to
5 the purchaser or his or her assignee, the publication as to
6 such owner or party interested, may be made to unknown owners
7 or parties interested. Any notice by publication given under
8 this Section shall be given 3 times at any time after filing a
9 petition for tax deed, but not less than 3 months nor more than
10 6 months prior to the expiration of the period of redemption.
11 The publication shall contain (a) notice of the filing of the
12 petition for tax deed, (b) the date on which the petitioner
13 intends to make application for an order on the petition that a
14 tax deed issue, (c) a description of the property, (d) the date
15 upon which the property was sold, (e) the taxes or special
16 assessments for which it was sold and (f) the date on which the
17 period of redemption will expire. The publication shall not
18 include more than one property listed and sold in one
19 description, except as provided in Section 21-90, and except
20 that when more than one property is owned by one person, all of
21 the parcels owned by that person may be included in one notice.

22 The changes to this Section made by Public Act 95-477 apply
23 only to matters in which a petition for tax deed is filed on or
24 after June 1, 2008 (the effective date of Public Act 95-477).

25 (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08; 95-876,
26 eff. 8-21-08.)

1 Section 75. The Mobile Home Local Services Tax Enforcement
2 Act is amended by changing Sections 300, 330, 375, and 380 as
3 follows:

4 (35 ILCS 516/300)

5 Sec. 300. Amount of redemption. Any person desiring to
6 redeem shall deposit an amount specified in this Section with
7 the county clerk of the county in which the mobile home is
8 situated, in legal money of the United States, or by cashier's
9 check, certified check, post office money order or money order,
10 issued by a financial institution insured by an agency or
11 instrumentality of the United States, payable to the county
12 clerk of the proper county. The deposit shall be deemed timely
13 only if actually received in person at the county clerk's
14 office prior to the close of business as defined in Section
15 3-2007 of the Counties Code on or before the expiration of the
16 period of redemption or by United States mail with a post
17 office cancellation mark dated not less than one day prior to
18 the expiration of the period of redemption. The deposit shall
19 be in an amount equal to the total of the following:

20 (a) the certificate amount, which shall include all tax
21 principal, interest, and penalties paid by the tax
22 purchaser together with costs and fees of sale and fees
23 paid under Sections 235 and 260 through 280;

24 (b) the accrued penalty, computed through the date of

1 redemption as a percentage of the certificate amount, as
2 follows:

3 (1) if the redemption occurs on or before the
4 expiration of 6 months from the date of sale, the
5 certificate amount times the penalty bid at sale;

6 (2) if the redemption occurs after 6 months from
7 the date of sale, and on or before the expiration of 12
8 months from the date of sale, the certificate amount
9 times 2 times the penalty bid at sale;

10 (3) if the redemption occurs after 12 months from
11 the date of sale and on or before the expiration of 18
12 months from the date of sale, the certificate amount
13 times 3 times the penalty bid at sale;

14 (4) if the redemption occurs after 18 months from
15 the date of sale and on or before the expiration of 24
16 months from the date of sale, the certificate amount
17 times 4 times the penalty bid at sale;

18 (5) if the redemption occurs after 24 months from
19 the date of sale and on or before the expiration of 30
20 months from the date of sale, the certificate amount
21 times 5 times the penalty bid at sale;

22 (6) if the redemption occurs after 30 months from
23 the date of sale and on or before the expiration of 36
24 months from the date of sale, the certificate amount
25 times 6 times the penalty bid at sale.

26 (c) The total of all taxes, accrued interest on those

1 taxes, and costs charged in connection with the payment of
2 those taxes, which have been paid by the tax certificate
3 holder on or after the date those taxes became delinquent
4 together with 12% penalty on each amount so paid for each
5 year or portion thereof intervening between the date of
6 that payment and the date of redemption. In counties with
7 less than 3,000,000 inhabitants, however, a tax
8 certificate holder may not pay the subsequent tax for any
9 year, nor shall any tender of such a payment be accepted,
10 until the subsequent tax has become delinquent or until
11 after the holder of the certificate of purchase has filed a
12 petition for a tax certificate of title under Section 390.
13 The person redeeming shall also pay the amount of interest
14 charged on the subsequent tax and paid as a penalty by the
15 tax certificate holder.

16 (d) Any amount paid to redeem a forfeiture occurring
17 subsequent to the tax sale together with 12% penalty
18 thereon for each year or portion thereof intervening
19 between the date of the forfeiture redemption and the date
20 of redemption from the sale.

21 (e) Any amount paid by the certificate holder for
22 redemption of a subsequently occurring tax sale.

23 (f) All fees paid to the county clerk under Section
24 22-5.

25 (g) All fees paid to the circuit clerk and the sheriff
26 or medical examiner ~~coroner~~ in connection with the filing

1 of the petition for tax certificate of title and service of
2 notices under Sections 375 through 390 and 400 in addition
3 to (1) a fee of \$35 if a petition for tax certificate of
4 title has been filed, which fee shall be posted to the tax
5 judgment, sale, redemption, and forfeiture record, to be
6 paid to the purchaser or his or her assignee; (2) a fee of
7 \$4 if a notice under Section 365 has been filed, which fee
8 shall be posted to the tax judgment, sale, redemption, and
9 forfeiture record, to be paid to the purchaser or his or
10 her assignee; and (3) all costs paid to record a lis
11 pendens notice in connection with filing a petition under
12 this Act. The fees in (1) and (2) of this paragraph (g)
13 shall be exempt from the posting requirements of Section
14 305.

15 (h) All fees paid for publication of notice of the tax
16 sale in accordance with Section 380.

17 (i) All sums paid to any city, village or incorporated
18 town for reimbursement under Section 395.

19 (j) All costs and expenses of receivership under
20 Section 350, to the extent that these costs and expenses
21 exceed any income from the mobile home in question, if the
22 costs and expenditures have been approved by the court
23 appointing the receiver and a certified copy of the order
24 or approval is filed and posted by the certificate holder
25 with the county clerk. Only actual costs expended may be
26 posted on the tax judgment, sale, redemption and forfeiture

1 record.

2 (Source: P.A. 92-807, eff. 1-1-03.)

3 (35 ILCS 516/330)

4 Sec. 330. Extension of period of redemption. The purchaser
5 or his or her assignee of a mobile home sold for nonpayment of
6 taxes may extend the period of redemption at any time before
7 the expiration of the original period of redemption, or
8 thereafter prior to the expiration of any extended period of
9 redemption, for a period which will expire not later than 3
10 years from the date of sale, by filing with the county clerk of
11 the county in which the mobile home is located a written notice
12 to that effect describing the mobile home, stating the date of
13 the sale and specifying the extended period of redemption. If
14 prior to the expiration of the period of redemption or extended
15 period of redemption a petition for tax certificate of title
16 has been filed under Section 390, upon application of the
17 petitioner, the court shall allow the purchaser or his or her
18 assignee to extend the period of redemption after expiration of
19 the original period or any extended period of redemption,
20 provided that any extension allowed will expire not later than
21 3 years from the date of sale. If the period of redemption is
22 extended, the purchaser or his or her assignee must give the
23 notices provided for in Section 370 at the specified times
24 prior to the expiration of the extended period of redemption by
25 causing a sheriff (or if he or she is disqualified, a medical

1 examiner ~~coroner~~) of the county in which the mobile home, or
2 any part thereof, is located to serve the notices as provided
3 in Sections 375 and 380. The notices may also be served as
4 provided in Sections 375 and 380 by a special process server.

5 (Source: P.A. 92-807, eff. 1-1-03.)

6 (35 ILCS 516/375)

7 Sec. 375. Service of notice. The purchaser or his or her
8 assignee shall give the notice required by Section 370 by
9 causing it to be published in a newspaper as set forth in
10 Section 380. In addition, the notice shall be served by a
11 process server or sheriff (or if he or she is disqualified, by
12 a medical examiner ~~coroner~~) of the county in which the mobile
13 home is located upon owners who reside in the mobile home sold
14 by leaving a copy of the notice with those owners personally.

15 The same form of notice shall also be served upon all other
16 owners and parties interested in the mobile home, if upon
17 diligent inquiry they can be found in the county, and upon the
18 occupants of the mobile home in the following manner:

19 (a) as to individuals, by (1) leaving a copy of the
20 notice with the person personally or (2) by leaving a copy
21 at his or her usual place of residence with a person of the
22 family, of the age of 13 years or more, and informing that
23 person of its contents. The person making the service shall
24 cause a copy of the notice to be sent by registered or
25 certified mail, return receipt requested, to that party at

1 his or her usual place of residence;

2 (b) as to public and private corporations, municipal,
3 governmental and quasi-municipal corporations,
4 partnerships, receivers and trustees of corporations, by
5 leaving a copy of the notice with the person designated by
6 the Civil Practice Law.

7 When a party interested in the mobile home is a trustee,
8 notice served upon the trustee shall be deemed to have been
9 served upon any beneficiary or note holder thereunder unless
10 the holder of the note is disclosed of record.

11 When a judgment is a lien upon the mobile home sold, the
12 holder of the lien shall be served with notice if the name of
13 the judgment debtor as shown in the transcript, certified copy
14 or memorandum of judgment filed of record is identical, as to
15 given name and surname, with the name of the party interested
16 as it appears of record.

17 If any owner or party interested, upon diligent inquiry and
18 effort, cannot be found or served with notice in the county as
19 provided in this Section, and the person in actual occupancy
20 and possession is tenant to, or in possession under the owners
21 or the parties interested in the mobile home, then service of
22 notice upon the tenant, occupant or person in possession shall
23 be deemed service upon the owners or parties interested.

24 If any owner or party interested, upon diligent inquiry and
25 effort cannot be found or served with notice in the county,
26 then the person making the service shall cause a copy of the

1 notice to be sent by registered or certified mail, return
2 receipt requested, to that party at his or her residence, if
3 ascertainable.

4 (Source: P.A. 92-807, eff. 1-1-03.)

5 (35 ILCS 516/380)

6 Sec. 380. Proof of service of notice; publication of
7 notice. The sheriff or medical examiner ~~coroner~~ serving notice
8 under Section 375 shall endorse his or her return thereon and
9 file it with the clerk of the circuit court and it shall be a
10 part of the court record. A special process server appointed
11 under Section 375 shall make his or her return by affidavit and
12 shall file it with the clerk of the circuit court, where it
13 shall be a part of the court record. If a sheriff, special
14 process server, or medical examiner ~~coroner~~ to whom any notice
15 is delivered for service, neglects or refuses to make the
16 return, the purchaser or his or her assignee may petition the
17 court to enter a rule requiring the sheriff, special process
18 server, or medical examiner ~~coroner~~ to make return of the
19 notice on a day to be fixed by the court, or to show cause on
20 that day why he or she should not be attached for contempt of
21 the court. The purchaser or assignee shall cause a written
22 notice of the rule to be served upon the sheriff, special
23 process server, or medical examiner ~~coroner~~. If good and
24 sufficient cause to excuse the sheriff, special process server,
25 or medical examiner ~~coroner~~ is not shown, the court shall

1 adjudge him or her guilty of contempt, and shall proceed to
2 punish him as in other cases of contempt.

3 If the mobile home is located in a municipality in a county
4 with less than 3,000,000 inhabitants, the purchaser or his or
5 her assignee shall also publish a notice as to the owner or
6 party interested, in some newspaper published in the
7 municipality. If the mobile home is not in a municipality in a
8 county with less than 3,000,000 inhabitants, or if no newspaper
9 is published therein, the notice shall be published in some
10 newspaper in the county. If no newspaper is published in the
11 county, then the notice shall be published in the newspaper
12 that is published nearest the county seat of the county in
13 which the mobile home is located. If the owners and parties
14 interested in the mobile home upon diligent inquiry are unknown
15 to the purchaser or his or her assignee, the publication as to
16 such owner or party interested, may be made to unknown owners
17 or parties interested. Any notice by publication given under
18 this Section shall be given 3 times at any time after filing a
19 petition for tax certificate of title, but not less than 3
20 months nor more than 5 months prior to the expiration of the
21 period of redemption. The publication shall contain (a) notice
22 of the filing of the petition for tax certificate of title, (b)
23 the date on which the petitioner intends to make application
24 for an order on the petition that a tax certificate of title
25 issue, (c) a description of the mobile home, (d) the date upon
26 which the mobile home was sold, (e) the taxes for which it was

1 sold and (f) the date on which the period of redemption will
2 expire. The publication shall not include more than one mobile
3 home listed and sold in one description, except as provided in
4 Section 35, and except that when more than one mobile home is
5 owned by one person, all of the mobile homes owned by that
6 person may be included in one notice.

7 (Source: P.A. 92-807, eff. 1-1-03.)

8 Section 80. The Illinois Pension Code is amended by
9 changing Section 7-145.1 as follows:

10 (40 ILCS 5/7-145.1)

11 Sec. 7-145.1. Alternative annuity for county officers.

12 (a) The benefits provided in this Section and Section
13 7-145.2 are available only if, prior to the effective date of
14 this amendatory Act of the 97th General Assembly, the county
15 board has filed with the Board of the Fund a resolution or
16 ordinance expressly consenting to the availability of these
17 benefits for its elected county officers. The county board's
18 consent is irrevocable with respect to persons participating in
19 the program, but may be revoked at any time with respect to
20 persons who have not paid an additional optional contribution
21 under this Section before the date of revocation.

22 An elected county officer may elect to establish
23 alternative credits for an alternative annuity by electing in
24 writing before the effective date of this amendatory Act of the

1 97th General Assembly to make additional optional
2 contributions in accordance with this Section and procedures
3 established by the board. These alternative credits are
4 available only for periods of service as an elected county
5 officer. The elected county officer may discontinue making the
6 additional optional contributions by notifying the Fund in
7 writing in accordance with this Section and procedures
8 established by the board.

9 Additional optional contributions for the alternative
10 annuity shall be as follows:

11 (1) For service as an elected county officer after the
12 option is elected, an additional contribution of 3% of
13 salary shall be contributed to the Fund on the same basis
14 and under the same conditions as contributions required
15 under Section 7-173.

16 (2) For service as an elected county officer before the
17 option is elected, an additional contribution of 3% of the
18 salary for the applicable period of service, plus interest
19 at the effective rate from the date of service to the date
20 of payment, plus any additional amount required by the
21 county board under paragraph (3). All payments for past
22 service must be paid in full before credit is given.
23 Payment must be received by the Board while the member is
24 an active participant, except that one payment will be
25 permitted after termination of participation.

26 (3) With respect to service as an elected county

1 officer before the option is elected, if payment is made
2 after the county board has filed with the Board of the Fund
3 a resolution or ordinance requiring an additional
4 contribution under this paragraph, then the contribution
5 required under paragraph (2) shall include an amount to be
6 determined by the Fund, equal to the actuarial present
7 value of the additional employer cost that would otherwise
8 result from the alternative credits being established for
9 that service. A county board's resolution or ordinance
10 requiring additional contributions under this paragraph
11 (3) is irrevocable. Payment must be received by the Board
12 while the member is an active participant, except that one
13 payment will be permitted after termination of
14 participation.

15 No additional optional contributions may be made for any
16 period of service for which credit has been previously
17 forfeited by acceptance of a refund, unless the refund is
18 repaid in full with interest at the effective rate from the
19 date of refund to the date of repayment.

20 (b) In lieu of the retirement annuity otherwise payable
21 under this Article, an elected county officer who (1) has
22 elected to participate in the Fund and make additional optional
23 contributions in accordance with this Section, (2) has held and
24 made additional optional contributions with respect to the same
25 elected county office for at least 8 years, and (3) has
26 attained age 55 with at least 8 years of service credit (or has

1 attained age 50 with at least 20 years of service as a
2 sheriff's law enforcement employee) may elect to have his
3 retirement annuity computed as follows: 3% of the participant's
4 salary for each of the first 8 years of service credit, plus 4%
5 of that salary for each of the next 4 years of service credit,
6 plus 5% of that salary for each year of service credit in
7 excess of 12 years, subject to a maximum of 80% of that salary.

8 This formula applies only to service in an elected county
9 office that the officer held for at least 8 years, and only to
10 service for which additional optional contributions have been
11 paid under this Section. If an elected county officer qualifies
12 to have this formula applied to service in more than one
13 elected county office, the qualifying service shall be
14 accumulated for purposes of determining the applicable accrual
15 percentages, but the salary used for each office shall be the
16 separate salary calculated for that office, as defined in
17 subsection (g).

18 To the extent that the elected county officer has service
19 credit that does not qualify for this formula, his retirement
20 annuity will first be determined in accordance with this
21 formula with respect to the service to which this formula
22 applies, and then in accordance with the remaining Sections of
23 this Article with respect to the service to which this formula
24 does not apply.

25 (c) In lieu of the disability benefits otherwise payable
26 under this Article, an elected county officer who (1) has

1 elected to participate in the Fund, and (2) has become
2 permanently disabled and as a consequence is unable to perform
3 the duties of his office, and (3) was making optional
4 contributions in accordance with this Section at the time the
5 disability was incurred, may elect to receive a disability
6 annuity calculated in accordance with the formula in subsection
7 (b). For the purposes of this subsection, an elected county
8 officer shall be considered permanently disabled only if: (i)
9 disability occurs while in service as an elected county officer
10 and is of such a nature as to prevent him from reasonably
11 performing the duties of his office at the time; and (ii) the
12 board has received a written certification by at least 2
13 licensed physicians appointed by it stating that the officer is
14 disabled and that the disability is likely to be permanent.

15 (d) Refunds of additional optional contributions shall be
16 made on the same basis and under the same conditions as
17 provided under Section 7-166, 7-167 and 7-168. Interest shall
18 be credited at the effective rate on the same basis and under
19 the same conditions as for other contributions.

20 If an elected county officer fails to hold that same
21 elected county office for at least 8 years, he or she shall be
22 entitled after leaving office to receive a refund of the
23 additional optional contributions made with respect to that
24 office, plus interest at the effective rate.

25 (e) The plan of optional alternative benefits and
26 contributions shall be available to persons who are elected

1 county officers and active contributors to the Fund on or after
2 November 15, 1994 and elected to establish alternative credit
3 before the effective date of this amendatory Act of the 97th
4 General Assembly. A person who was an elected county officer
5 and an active contributor to the Fund on November 15, 1994 but
6 is no longer an active contributor may apply to make additional
7 optional contributions under this Section at any time within 90
8 days after the effective date of this amendatory Act of 1997;
9 if the person is an annuitant, the resulting increase in
10 annuity shall begin to accrue on the first day of the month
11 following the month in which the required payment is received
12 by the Fund.

13 (f) For the purposes of this Section and Section 7-145.2,
14 the terms "elected county officer" and "elected county office"
15 include, but are not limited to: (1) the county clerk,
16 recorder, treasurer, ~~coroner~~, assessor (if elected), auditor,
17 sheriff, and State's Attorney; members of the county board; and
18 the clerk of the circuit court; and (2) a person who has been
19 appointed to fill a vacancy in an office that is normally
20 filled by election on a countywide basis, for the duration of
21 his or her service in that office. The terms "elected county
22 officer" and "elected county office" do not include any officer
23 or office of a county that has not consented to the
24 availability of benefits under this Section and Section
25 7-145.2.

26 (g) For the purposes of this Section and Section 7-145.2,

1 the term "salary" means the final rate of earnings for the
2 elected county office held, calculated in a manner consistent
3 with Section 7-116, but for that office only. If an elected
4 county officer qualifies to have the formula in subsection (b)
5 applied to service in more than one elected county office, a
6 separate salary shall be calculated and applied with respect to
7 each such office.

8 (h) The changes to this Section made by this amendatory Act
9 of the 91st General Assembly apply to persons who first make an
10 additional optional contribution under this Section on or after
11 the effective date of this amendatory Act.

12 (i) Any elected county officer who was entitled to receive
13 a stipend from the State on or after July 1, 2009 and on or
14 before June 30, 2010 may establish earnings credit for the
15 amount of stipend not received, if the elected county official
16 applies in writing to the fund within 6 months after the
17 effective date of this amendatory Act of the 96th General
18 Assembly and pays to the fund an amount equal to (i) employee
19 contributions on the amount of stipend not received, (ii)
20 employer contributions determined by the Board equal to the
21 employer's normal cost of the benefit on the amount of stipend
22 not received, plus (iii) interest on items (i) and (ii) at the
23 actuarially assumed rate.

24 (Source: P.A. 100-148, eff. 8-18-17.)

25 Section 85. The Illinois Police Training Act is amended by

1 changing Section 10.11 as follows:

2 (50 ILCS 705/10.11)

3 Sec. 10.11. Training; death and homicide investigation.

4 The Illinois Law Enforcement Training and Standards Board shall
5 conduct or approve a training program in death and homicide
6 investigation for the training of law enforcement officers of
7 local government agencies. Only law enforcement officers who
8 successfully complete the training program may be assigned as
9 lead investigators in death and homicide investigations.
10 Satisfactory completion of the training program shall be
11 evidenced by a certificate issued to the law enforcement
12 officer by the Illinois Law Enforcement Training and Standards
13 Board.

14 The Illinois Law Enforcement Training and Standards Board
15 shall develop a process for waiver applications sent by a local
16 law enforcement agency administrator for those officers whose
17 prior training and experience as homicide investigators may
18 qualify them for a waiver. The Board may issue a waiver at its
19 discretion, based solely on the prior training and experience
20 of an officer as a homicide investigator. This Section does not
21 affect or impede the powers of the office of the medical
22 examiner ~~coroner~~ to investigate all deaths as provided in
23 Division 3-3 of the Counties Code and the Medical Examiner
24 ~~Coroner~~ Training Board Act.

25 (Source: P.A. 99-408, eff. 1-1-16.)

1 Section 90. The Law Enforcement Camera Grant Act is amended
2 by changing Section 15 as follows:

3 (50 ILCS 707/15)

4 Sec. 15. Rules; in-car video camera grants.

5 (a) The Board shall develop model rules for the use of
6 in-car video cameras to be adopted by law enforcement agencies
7 that receive grants under Section 10 of this Act. The rules
8 shall include all of the following requirements:

9 (1) Cameras must be installed in the law enforcement
10 agency vehicles.

11 (2) Video recording must provide audio of the officer
12 when the officer is outside of the vehicle.

13 (3) Camera access must be restricted to the supervisors
14 of the officer in the vehicle.

15 (4) Cameras must be turned on continuously throughout
16 the officer's shift.

17 (5) A copy of the video record must be made available
18 upon request to personnel of the law enforcement agency,
19 the local State's Attorney, and any persons depicted in the
20 video. Procedures for distribution of the video record must
21 include safeguards to protect the identities of
22 individuals who are not a party to the requested stop.

23 (6) Law enforcement agencies that receive moneys under
24 this grant shall provide for storage of the video records

1 for a period of not less than 2 years.

2 (b) Each law enforcement agency receiving a grant for
3 in-car video cameras under Section 10 of this Act must provide
4 an annual report to the Board, the Governor, and the General
5 Assembly on or before May 1 of the year following the receipt
6 of the grant and by each May 1 thereafter during the period of
7 the grant. The report shall include the following:

8 (1) the number of cameras received by the law
9 enforcement agency;

10 (2) the number of cameras actually installed in law
11 enforcement agency vehicles;

12 (3) a brief description of the review process used by
13 supervisors within the law enforcement agency;

14 (4) a list of any criminal, traffic, ordinance, and
15 civil cases in which in-car video recordings were used,
16 including party names, case numbers, offenses charged, and
17 disposition of the matter. Proceedings to which this
18 paragraph (4) applies include, but are not limited to,
19 court proceedings, medical examiner's ~~coroner's~~ inquests,
20 grand jury proceedings, and plea bargains; and

21 (5) any other information relevant to the
22 administration of the program.

23 (Source: P.A. 99-352, eff. 1-1-16.)

24 Section 95. The Missing Persons Identification Act is
25 amended by changing Sections 15, 20, and 25 as follows:

1 (50 ILCS 722/15)

2 Sec. 15. Reporting of unidentified persons and human
3 remains.

4 (a) Handling of death scene investigations.

5 (1) The Department of State Police shall provide
6 information to local law enforcement agencies about best
7 practices for handling death scene investigations.

8 (2) The Department of State Police shall identify any
9 publications or training opportunities that may be
10 available to local law enforcement agencies or law
11 enforcement officers ~~and coroners~~ and medical examiners
12 concerning the handling of death scene investigations.

13 (b) Law enforcement reports.

14 (1) Before performing any death scene investigation
15 deemed appropriate under the circumstances, the official
16 with custody of the human remains shall ensure that the
17 ~~coroner or~~ medical examiner of the county in which the
18 deceased was found has been notified.

19 (2) Any ~~coroner or~~ medical examiner with custody of
20 human remains that are not identified within 24 hours of
21 discovery shall promptly notify the Department of State
22 Police of the location of those remains.

23 (3) If the ~~coroner or~~ medical examiner with custody of
24 remains cannot determine whether or not the remains found
25 are human, the ~~coroner or~~ medical examiner shall notify the

1 Department of State Police of the existence of possible
2 human remains.

3 (Source: P.A. 95-192, eff. 8-16-07.)

4 (50 ILCS 722/20)

5 Sec. 20. Unidentified persons or human remains
6 identification responsibilities.

7 (a) In this Section, "assisting law enforcement agency"
8 means a law enforcement agency with jurisdiction acting under
9 the request and direction of the medical examiner ~~or coroner~~ to
10 assist with human remains identification.

11 (a-5) If the official with custody of the human remains is
12 not a ~~coroner or~~ medical examiner, the official shall
13 immediately notify the ~~coroner or~~ medical examiner of the
14 county in which the remains were found. The ~~coroner or~~ medical
15 examiner shall go to the scene and take charge of the remains.

16 (b) Notwithstanding any other action deemed appropriate
17 for the handling of the human remains, the assisting law
18 enforcement agency or, medical examiner, ~~or coroner~~ shall make
19 reasonable attempts to promptly identify human remains. This
20 does not include historic or prehistoric skeletal remains.
21 These actions shall include, but are not limited to, obtaining
22 the following when possible:

23 (1) photographs of the human remains (prior to an
24 autopsy);

25 (2) dental and skeletal X-rays;

1 (3) photographs of items found on or with the human
2 remains;

3 (4) fingerprints from the remains;

4 (5) tissue samples suitable for DNA analysis;

5 (6) (blank); and

6 (7) any other information that may support
7 identification efforts.

8 (c) No medical examiner ~~or coroner~~ or any other person
9 shall dispose of, or engage in actions that will materially
10 affect the unidentified human remains before the assisting law
11 enforcement agency or ~~medical examiner, or coroner~~ obtains
12 items essential for human identification efforts listed in
13 subsection (b) of this Section.

14 (d) Cremation of unidentified human remains is prohibited.

15 (e) (Blank).

16 (f) The assisting law enforcement agency or ~~medical~~
17 ~~examiner, or coroner~~ shall seek support from appropriate State
18 and federal agencies, including National Missing and
19 Unidentified Persons System resources to facilitate prompt
20 identification of human remains. This support may include, but
21 is not limited to, fingerprint comparison; forensic
22 odontology; nuclear or mitochondrial DNA analysis, or both; and
23 forensic anthropology.

24 (f-5) Fingerprints from the unidentified remains,
25 including partial prints, shall be submitted to the Department
26 of State Police or other resource for the purpose of attempting

1 to identify the deceased. The ~~coroner or~~ medical examiner shall
2 cause a dental examination to be performed by a forensic
3 odontologist for the purpose of dental charting, comparison to
4 missing person records, or both. Tissue samples collected for
5 DNA analysis shall be submitted within 30 days of the recovery
6 of the remains to a National Missing and Unidentified Persons
7 System partner laboratory or other resource where DNA profiles
8 are entered into the National DNA Index System upon completion
9 of testing. Forensic anthropological analysis of the remains
10 shall also be considered.

11 (g) (Blank).

12 (g-2) The medical examiner ~~or coroner~~ shall report the
13 unidentified human remains and the location where the remains
14 were found to the Department of State Police within 24 hours of
15 discovery as mandated by Section 15 of this Act. The assisting
16 law enforcement agency or medical examiner, ~~or coroner~~ shall
17 contact the Department of State Police to request the creation
18 of a National Crime Information Center Unidentified Person
19 record within 5 days of the discovery of the remains. The
20 assisting law enforcement agency or medical examiner, ~~or~~
21 ~~coroner~~ shall provide the Department of State Police all
22 information required for National Crime Information Center
23 entry. Upon notification, the Department of State Police shall
24 create the Unidentified Person record without unnecessary
25 delay.

26 (g-5) The assisting law enforcement agency or medical

1 examiner, ~~or coroner~~ shall obtain a National Crime Information
2 Center number from the Department of State Police to verify
3 entry and maintain this number within the unidentified human
4 remains case file. A National Crime Information Center
5 Unidentified Person record shall remain on file indefinitely or
6 until action is taken by the originating agency to clear or
7 cancel the record. The assisting law enforcement agency or
8 medical examiner, ~~or coroner~~ shall notify the Department of
9 State Police of necessary record modifications or cancellation
10 if identification is made.

11 (h) (Blank).

12 (h-5) The assisting law enforcement agency or medical
13 examiner, ~~or coroner~~ shall create an unidentified person record
14 in the National Missing and Unidentified Persons System prior
15 to the submission of samples or within 30 days of the discovery
16 of the remains, if no identification has been made. The entry
17 shall include all available case information including
18 fingerprint data and dental charts. Samples shall be submitted
19 to a National Missing and Unidentified Persons System partner
20 laboratory for DNA analysis within 30 Days. A notation of DNA
21 submission shall be made within the National Missing and
22 Unidentified Persons System Unidentified Person record.

23 (i) Nothing in this Act shall be interpreted to preclude
24 any assisting law enforcement agency, medical examiner,
25 ~~coroner~~, or the Department of State Police from pursuing other
26 efforts to identify human remains including efforts to

1 publicize information, descriptions, or photographs related to
2 the investigation.

3 (j) For historic or prehistoric human skeletal remains
4 determined by an anthropologist to be older than 100 years,
5 jurisdiction shall be transferred to the Department of Natural
6 Resources for further investigation under the Archaeological
7 and Paleontological Resources Protection Act.

8 (Source: P.A. 100-901, eff. 1-1-19; 101-81, eff. 7-12-19.)

9 (50 ILCS 722/25)

10 Sec. 25. Unidentified persons. The ~~coroner~~ or medical
11 examiner shall obtain a DNA sample from any individual whose
12 remains are not identifiable. The DNA sample shall be forwarded
13 to a National Missing and Unidentified Persons System partner
14 laboratory or other resource for analysis and inclusion in the
15 National DNA Index System.

16 Prior to the burial or interment of any unknown
17 individual's remains or any unknown individual's body part, the
18 medical examiner ~~or coroner~~ in possession of the remains or
19 body part must assign a DNA log number to the unknown
20 individual or body part. The medical examiner ~~or coroner~~ shall
21 place a tag that is stamped or inscribed with the DNA log
22 number on the individual or body part. The DNA log number shall
23 be stamped on the unidentified individual's toe tag, if
24 possible.

25 (Source: P.A. 100-901, eff. 1-1-19.)

1 Section 100. The Counties Code is amended by changing
2 Sections 1-4009, 3-3001, 3-3003, 3-3004, 3-3007, 3-3008,
3 3-3009, 3-3010, 3-3012, 3-3013, 3-3014, 3-3015, 3-3016.5,
4 3-3017, 3-3018, 3-3019, 3-3020, 3-3021, 3-3022, 3-3024,
5 3-3025, 3-3026, 3-3027, 3-3028, 3-3029, 3-3031, 3-3032,
6 3-3033, 3-3034, 3-3035, 3-3036, 3-3037, 3-3038, 3-3040,
7 3-3041, 3-3042, 3-3043, 3-3045, 3-14002, 4-6001, 4-6002,
8 4-7001, 4-11002, 5-1085.5, and 5-1106, by changing the headings
9 of Division 3-3 of Article 3 and Division 4-7 of Article 4, and
10 by adding Sections 3-3000, 3-3002.5, 3-3013.3, 3-3013.5, and
11 3-3046 as follows:

12 (55 ILCS 5/1-4009) (from Ch. 34, par. 1-4009)

13 Sec. 1-4009. Medical examiner ~~Coroner~~. The medical
14 examiner ~~coroner~~ of the petitioning county shall perform all
15 the duties required of him by law within the territory that had
16 constituted the petitioning county before the proclamation
17 aforesaid, until his term of office shall expire, and shall
18 receive the compensation to which he may be entitled by law,
19 and whatever fees or compensation may be payable by law out of
20 the county treasury, shall be certified and paid by the county
21 board of the adjoining county to such medical examiner ~~coroner~~,
22 out of taxes collected from property in the territory that had
23 constituted the petitioning county.

24 (Source: P.A. 86-962.)

1 (55 ILCS 5/Div. 3-3 heading)

2 Division 3-3. Medical Examiner ~~Coroner~~

3 (55 ILCS 5/3-3000 new)

4 Sec. 3-3000. Appointment of medical examiners; medical
5 examiner qualifications; discontinuance of the office of
6 coroner; references to coroner.

7 (a) On or before September 1, 2021, each county board and
8 board of county commissioners shall appoint a medical examiner
9 for a term of 4 years beginning December 1, 2021.

10 (b) Medical examiners shall be physicians licensed to
11 practice within this State for all counties, and, for counties
12 with populations of 250,000 or more, medical examiners shall
13 also be board certified in forensic pathology or possess 20 or
14 more years of death investigation experience.

15 (c) On December 1, 2021:

16 (1) in each county that has an office of the coroner,
17 the office of the coroner is discontinued, the term of
18 office of the person elected or appointed coroner is
19 terminated, and the office of the medical examiner is
20 created and the powers and duties of the coroner are
21 transferred to the medical examiner;

22 (2) in counties in which another county officer is
23 performing the duties of the coroner, the powers and duties
24 of the coroner (as being performed by the county officer)

1 are transferred to the medical examiner;

2 (3) the personnel of the office of the coroner (if any)
3 shall be transferred to the office of the medical examiner;
4 the status and rights of such employees and the county
5 under any applicable collective bargaining agreements or
6 contracts, or under any pension, retirement, or annuity
7 plan shall not be affected by this amendatory Act of the
8 101st General Assembly;

9 (4) all books, records, papers, documents, property
10 (real and personal), contracts, causes of action, and
11 pending business pertaining to the powers, duties, rights,
12 and responsibilities transferred by this amendatory Act of
13 the 101st General Assembly from the coroner to the medical
14 examiner, including, but not limited to, material in
15 electronic or magnetic format and necessary computer
16 hardware and software, shall be transferred to the medical
17 examiner;

18 (5) all unexpended appropriations and balances and
19 other funds available for use by the office of the coroner
20 shall be transferred for use by the office of the medical
21 examiner; unexpended balances so transferred shall be
22 expended only for the purpose for which the appropriations
23 were originally made;

24 (6) this amendatory Act of the 101st General Assembly
25 does not affect any act done, ratified, or canceled or any
26 right occurring or established or any action or proceeding

1 had or commenced in an administrative, civil, or criminal
2 cause by the coroner before the effective date of this
3 amendatory Act of the 101st General Assembly; such actions
4 or proceedings may be continued by the medical examiner;
5 and

6 (7) if a county has an elected or appointed medical
7 examiner whose term is in effect on November 30, 2021, the
8 medical examiner's term is terminated unless the county
9 board or county board of commissioners appoints, under
10 subsection (a), the person serving as medical examiner on
11 November 30, 2021 as the medical examiner under this
12 Section.

13 (d) After appointment of a medical examiner under
14 subsection (a), the county board or board of county
15 commissioners shall reappoint a medical examiner or appoint a
16 new medical examiner in each year in which a medical examiner's
17 term expires and the reappointed or appointed medical examiner
18 shall enter upon the duties of the office on the December 1
19 next following the medical examiner's appointment. Vacancies
20 in an office of medical examiner shall be filled as provided in
21 Section 3-3043.

22 (e) Two or more counties, by resolution of the respective
23 county board or board of county commissioners, may enter into
24 an agreement to appoint: (1) the same person to act as medical
25 examiner for those counties; and (2) the same persons to act as
26 deputy medical examiners and investigators for those counties.

1 A person appointed to act as medical examiner for more than one
2 county must meet the requirements of subsection (b) for all
3 counties.

4 (f) On and after December 1, 2021, references to "coroner"
5 in this Division or in any other provision of law shall mean
6 "medical examiner" except where the context requires
7 otherwise.

8 (55 ILCS 5/3-3001) (from Ch. 34, par. 3-3001)

9 Sec. 3-3001. Commission; training; ~~duties performed by~~
10 ~~other county officer.~~

11 (a) Every medical examiner ~~coroner~~ shall be commissioned by
12 the Governor, but no commission shall issue except upon the
13 certificate of the county clerk of the proper county of the due
14 ~~election or~~ appointment of the medical examiner ~~coroner~~ and
15 that the medical examiner ~~coroner~~ has filed his or her bond and
16 taken the oath of office as provided in this Division.

17 (b)(1) Within 30 days of assuming office, a medical
18 examiner appointed ~~coroner elected~~ to that office for the first
19 time shall apply for admission to the Medical Examiner ~~Coroner~~
20 Training Board medical examiners ~~coroners~~ training program.
21 Completion of the training program shall be within 6 months of
22 application. Any medical examiner ~~coroner~~ may direct the chief
23 deputy medical examiner ~~coroner~~ or a deputy medical examiner
24 ~~coroner~~, or both, to attend the training program, provided the
25 medical examiner ~~coroner~~ has completed the training program.

1 Satisfactory completion of the program shall be evidenced by a
2 certificate issued to the medical examiner ~~coroner~~ by the
3 Medical Examiner ~~Coroner~~ Training Board. All medical examiners
4 ~~coroners~~ shall complete the training program at least once
5 while serving as medical examiner ~~coroner~~.

6 (2) In developing the medical examiner ~~coroner~~ training
7 program, the Medical Examiner ~~Coroner~~ Training Board shall
8 consult with the Illinois Coroners and Medical Examiners
9 Association or other organization as approved by the Medical
10 Examiner ~~Coroner~~ Training Board.

11 (3) The Medical Examiner ~~Coroner~~ Training Board shall
12 notify the proper county board of the failure by a medical
13 examiner ~~coroner~~ to successfully complete this training
14 program.

15 (c) Every medical examiner ~~coroner~~ shall attend at least 24
16 hours of accredited continuing education for medical examiners
17 ~~coroners~~ in each calendar year.

18 (d) (Blank). ~~In all counties that provide by resolution for~~
19 ~~the elimination of the office of coroner pursuant to a~~
20 ~~referendum, the resolution may also provide, as part of the~~
21 ~~same proposition, that the duties of the coroner be taken over~~
22 ~~by another county officer specified by the resolution and~~
23 ~~proposition.~~

24 (Source: P.A. 99-408, eff. 1-1-16.)

25 (55 ILCS 5/3-3002.5 new)

1 Sec. 3-3002.5. Investigators.

2 (a) The medical examiner may appoint investigators,
3 subject to county board or board of county commissioners
4 appropriation, to assist the medical examiner in carrying out
5 the duties required by this Division. The medical examiner
6 shall determine the qualifications of an investigator, taking
7 into consideration a person's education, training, or
8 experience, and shall be solely responsible for determining the
9 duties assigned to the investigator.

10 (b) The medical examiner may designate an investigator
11 appointed under subsection (a) to take charge of the body, make
12 pertinent investigation, note the circumstances surrounding
13 the death, and, if considered necessary, cause the body to be
14 transported for examination by the medical examiner.

15 (c) The medical examiner shall maintain a list of
16 investigators appointed under this Section and their
17 qualifications and shall file the list with all law enforcement
18 agencies in the county.

19 (d) An investigator appointed under subsection (a) shall
20 not:

21 (1) be an agent or employee of a funeral director or
22 funeral establishment;

23 (2) receive, directly or indirectly, remuneration in
24 connection with the disposition of the body; or

25 (3) make funeral or burial arrangements without
26 approval of the next of kin or the individual responsible

1 for the funeral expenses.

2 (55 ILCS 5/3-3003) (from Ch. 34, par. 3-3003)

3 Sec. 3-3003. Office of medical examiner; compensation;
4 elderly and vulnerable adult death review team; removal of
5 medical examiner or deputy medical examiner ~~Duties of coroner.~~

6 (a) The medical examiner is in charge of the office of the
7 medical examiner and may adopt rules relative to the conduct of
8 the office. The medical examiner may delegate any functions of
9 the office to a duly appointed deputy medical examiner.

10 (b) The compensation of a medical examiner shall be fixed
11 by the county board or board of county commissioners.

12 (c) ~~The county coroner shall control the internal~~
13 ~~operations of his office.~~ Subject to the applicable county
14 appropriation ordinance, the medical examiner ~~coroner~~ shall
15 procure necessary equipment, materials, supplies and services
16 to perform the duties of the office. Compensation of deputies
17 and employees shall be fixed by the medical examiner ~~coroner~~,
18 subject to budgetary limitations established by the county
19 board or board of county commissioners. Purchases of equipment
20 shall be made in accordance with any ordinance requirements for
21 centralized purchasing through another county office or
22 through the State which are applicable to all county offices.

23 (d) The medical examiner may establish an elderly and
24 vulnerable adult death review team, including developing
25 protocols to be used by the elderly and vulnerable adult death

1 review team in conducting a review of an elderly or vulnerable
2 adult death. If established, one member, except as otherwise
3 noted, of each of the following shall be allowed to participate
4 on the elderly and vulnerable adult death review team: the
5 medical examiner or deputy medical examiner; a physician or
6 other health care professional specializing in geriatric
7 medicine; a physician or other health care professionals
8 employed by long term care facilities; 2 to 3 members of
9 relevant State and local law enforcement agencies; a member
10 from the State's Attorney's office; and 3 members from State
11 departments who are involved with issues regarding adult
12 protective services, adult foster care homes, and homes for the
13 aged. The elderly and vulnerable adult death review team may
14 allow participation by others as designated by the team,
15 including, but not limited to, members representing the long
16 term care ombudsman program, community mental health, and the
17 Department of Healthcare and Family Services who are involved
18 with the licensing and regulation of long-term care facilities.

19 (e) The county board or board of county commissioners shall
20 remove from office, after hearing, a medical examiner or, upon
21 request of the medical examiner, a deputy medical examiner who
22 fails to discharge properly the duties of the medical examiner
23 or deputy medical examiner.

24 (Source: P.A. 86-962.)

25 (55 ILCS 5/3-3004) (from Ch. 34, par. 3-3004)

1 Sec. 3-3004. Bond. Before entering upon the duties of his
2 or her office, he or she shall give bond, with 2 or more
3 sufficient sureties (or, if the county is self-insured, the
4 county through its self-insurance program may provide
5 bonding), to be approved by the circuit court for each ~~his or~~
6 ~~her~~ county in which the person will serve as medical examiner,
7 in the penal sum of \$5,000, which shall cover both the medical
8 examiner ~~coroner~~ and any deputy medical examiners or
9 investigators ~~deputies~~, payable to the People of the State of
10 Illinois, conditioned that each will faithfully discharge all
11 the duties required or to be required of him by law as such
12 medical examiner ~~coroner~~, deputy medical examiner,
13 investigator, ~~coroner~~ or as sheriff of the county, in case he
14 or she shall act as such. The bond shall be entered of record
15 in the court and filed in the office of the county clerk of his
16 or her county. The costs of the bond shall be paid by the
17 county.

18 (Source: P.A. 88-387.)

19 (55 ILCS 5/3-3007) (from Ch. 34, par. 3-3007)

20 Sec. 3-3007. Conservator of the peace. Each medical
21 examiner ~~coroner~~ shall be conservator of the peace in his
22 county, and, in the performance of his duties as such, shall
23 have the same powers as the sheriff.

24 (Source: P.A. 86-962.)

1 (55 ILCS 5/3-3008) (from Ch. 34, par. 3-3008)

2 Sec. 3-3008. Medical examiner ~~Coroner~~ to act when sheriff
3 prejudiced. When it appears from the papers in a case that the
4 sheriff or his deputy is a party thereto, or from affidavit
5 filed that he is interested therein, or is of kin, or partial
6 to or prejudiced against either party, the summons, execution
7 or other process may be directed to the medical examiner
8 ~~coroner~~, who shall perform all the duties in relation thereto,
9 and attend to the suit in like manner as if he were sheriff;
10 and the interests, consanguinity, partiality or prejudice of
11 the sheriff shall not be cause for a change of venue.

12 (Source: P.A. 86-962.)

13 (55 ILCS 5/3-3009) (from Ch. 34, par. 3-3009)

14 Sec. 3-3009. Deputy medical examiner's ~~coroner's~~,
15 sheriff's or police officer's performance of medical
16 examiner's ~~coroner's~~ duties. If there is no medical examiner
17 ~~coroner~~, or it shall appear in like manner that he or she is
18 also a party to or interested in the suit, or of kin, or
19 partial to or prejudiced against either party, or the medical
20 examiner ~~coroner~~ has an economic or personal interest that
21 conflicts with his or her official duties as medical examiner
22 ~~coroner~~, the medical examiner ~~coroner~~ shall disqualify himself
23 or herself from acting at an investigation or inquest and
24 process shall in like manner issue to the deputy medical
25 examiner ~~coroner~~ if designated by the medical examiner ~~coroner~~

1 to fill the vacancy, or, if no designation is made, to any
2 sheriff, sheriff's deputy or police officer, in the county, who
3 shall perform like duties as required of the medical examiner
4 ~~coroner~~. The designation shall be in writing and filed with the
5 county clerk.

6 (Source: P.A. 98-812, eff. 8-1-14.)

7 (55 ILCS 5/3-3010) (from Ch. 34, par. 3-3010)

8 Sec. 3-3010. Deputy sheriff, undersheriff, or medical
9 examiner ~~coroner~~ to act when sheriff's office vacant. Where the
10 office of the sheriff is vacant, the chief deputy sheriff or
11 undersheriff if designated by the sheriff to fill the vacancy,
12 or, if no designation is made, the medical examiner ~~coroner~~ of
13 the county shall perform all the duties required by law to be
14 performed by the sheriff, and have the same powers, and be
15 liable to the same penalties and proceedings as if he were
16 sheriff, until another sheriff is ~~elected or~~ appointed and
17 qualified. The designation shall be in writing and filed with
18 the county clerk.

19 (Source: P.A. 91-633, eff. 12-1-99.)

20 (55 ILCS 5/3-3012) (from Ch. 34, par. 3-3012)

21 Sec. 3-3012. In-service training expenses. The medical
22 examiner ~~county coroner~~ may maintain a special fund, from which
23 the county board shall authorize payments by voucher between
24 board meetings, to pay necessary travel dues and other expenses

1 incurred in attending workshops, educational seminars and
2 organizational meetings for the purpose of providing
3 in-service training.

4 (Source: P.A. 86-962.)

5 (55 ILCS 5/3-3013) (from Ch. 34, par. 3-3013)

6 Sec. 3-3013. Preliminary investigations; blood and urine
7 analysis; summoning jury; reports. Every medical examiner or
8 deputy medical examiner ~~coroner~~, whenever, as soon as he or she
9 knows or is informed that the dead body of any person is found,
10 or lying within his county, whose death is suspected of being:

11 (a) A sudden or violent death, whether apparently
12 suicidal, homicidal or accidental, including but not
13 limited to deaths apparently caused or contributed to by
14 thermal, traumatic, chemical, electrical or radiational
15 injury, or a complication of any of them, or by drowning or
16 suffocation, or as a result of domestic violence as defined
17 in the Illinois Domestic Violence Act of 1986;

18 (b) A death due to a sex crime;

19 (c) A death where the circumstances are suspicious,
20 obscure, mysterious or otherwise unexplained or where, in
21 the written opinion of the attending physician, the cause
22 of death is not determined;

23 (d) A death where addiction to alcohol or to any drug
24 may have been a contributory cause; ~~or~~

25 (e) A death where the decedent was not attended by a

1 licensed physician; or

2 (f) A death of a prisoner in a county or municipal
3 jail;

4 shall go to the place where the dead body is, and take charge
5 of the same and shall make a preliminary investigation into the
6 circumstances of the death. In the case of death without
7 attendance by a licensed physician, the body may be moved with
8 the medical examiner's ~~coroner's~~ consent from the place of
9 death to a mortuary in the same county. Medical examiners
10 ~~Coroners~~ in their discretion shall notify such physician as is
11 designated in accordance with Section 3-3014 to attempt to
12 ascertain the cause of death, either by autopsy or otherwise.
13 If the body of a deceased person has been removed to a private
14 mortuary for examination upon the order of the medical
15 examiner, the keeper of such mortuary shall be allowed
16 compensation, on the order of the medical examiner, for his or
17 her services as the medical examiner deems reasonable out of
18 the general fund of the county where the body is found.

19 Any expense incurred under the provisions of this Division
20 shall be within the appropriations made therefor by the county
21 board or board of county commissioners.

22 A medical examiner or deputy medical examiner may secure
23 records or documents as he or she deems necessary to complete
24 an investigation under this Section in the same manner as
25 provided in Section 3-3026.

26 In cases of accidental death involving a motor vehicle in

1 which the decedent was (1) the operator or a suspected operator
2 of a motor vehicle, or (2) a pedestrian 16 years of age or
3 older, the medical examiner ~~coroner~~ shall require that a blood
4 specimen of at least 30 cc., and if medically possible a urine
5 specimen of at least 30 cc. or as much as possible up to 30 cc.,
6 be withdrawn from the body of the decedent in a timely fashion
7 after the accident causing his death, by such physician as has
8 been designated in accordance with Section 3-3014, or by the
9 medical examiner ~~coroner~~ or deputy medical examiner ~~coroner~~ or
10 a qualified person designated by such physician, medical
11 examiner ~~coroner~~, or deputy medical examiner ~~coroner~~. If the
12 county does not maintain laboratory facilities for making such
13 analysis, the blood and urine so drawn shall be sent to the
14 Department of State Police or any other accredited or
15 State-certified laboratory for analysis of the alcohol, carbon
16 monoxide, and dangerous or narcotic drug content of such blood
17 and urine specimens. Each specimen submitted shall be
18 accompanied by pertinent information concerning the decedent
19 upon a form prescribed by such laboratory. Any person drawing
20 blood and urine and any person making any examination of the
21 blood and urine under the terms of this Division shall be
22 immune from all liability, civil or criminal, that might
23 otherwise be incurred or imposed.

24 In all other cases coming within the jurisdiction of the
25 medical examiner ~~coroner~~ and referred to in subparagraphs (a)
26 through (f) ~~(e)~~ above, blood, and whenever possible, urine

1 samples shall be analyzed for the presence of alcohol and other
2 drugs. When the medical examiner ~~coroner~~ suspects that drugs
3 may have been involved in the death, either directly or
4 indirectly, a toxicological examination shall be performed
5 which may include analyses of blood, urine, bile, gastric
6 contents and other tissues. When the medical examiner ~~coroner~~
7 suspects a death is due to toxic substances, other than drugs,
8 the medical examiner ~~coroner~~ shall consult with the
9 toxicologist prior to collection of samples. Information
10 submitted to the toxicologist shall include information as to
11 height, weight, age, sex and race of the decedent as well as
12 medical history, medications used by and the manner of death of
13 decedent.

14 When the ~~coroner or~~ medical examiner finds that the cause
15 of death is due to homicidal means, the ~~coroner or~~ medical
16 examiner shall cause blood and buccal specimens (tissue may be
17 submitted if no uncontaminated blood or buccal specimen can be
18 obtained), whenever possible, to be withdrawn from the body of
19 the decedent in a timely fashion. For proper preservation of
20 the specimens, collected blood and buccal specimens shall be
21 dried and tissue specimens shall be frozen if available
22 equipment exists. As soon as possible, but no later than 30
23 days after the collection of the specimens, the ~~coroner or~~
24 medical examiner shall release those specimens to the police
25 agency responsible for investigating the death. As soon as
26 possible, but no later than 30 days after the receipt from the

1 ~~coroner or~~ medical examiner, the police agency shall submit the
2 specimens using the agency case number to a National DNA Index
3 System (NDIS) participating laboratory within this State, such
4 as the Illinois Department of State Police, Division of
5 Forensic Services, for analysis and categorizing into genetic
6 marker groupings. The results of the analysis and categorizing
7 into genetic marker groupings shall be provided to the Illinois
8 Department of State Police and shall be maintained by the
9 Illinois Department of State Police in the State central
10 repository in the same manner, and subject to the same
11 conditions, as provided in Section 5-4-3 of the Unified Code of
12 Corrections. The requirements of this paragraph are in addition
13 to any other findings, specimens, or information that the
14 ~~coroner or~~ medical examiner is required to provide during the
15 conduct of a criminal investigation.

16 In all counties, in cases of apparent suicide, homicide, or
17 accidental death or in other cases, within the discretion of
18 the medical examiner ~~coroner~~, the medical examiner ~~coroner~~ may
19 summon 8 persons of lawful age from those persons drawn for
20 petit jurors in the county. The summons shall command these
21 persons to present themselves personally at such a place and
22 time as the medical examiner ~~coroner~~ shall determine, and may
23 be in any form which the medical examiner ~~coroner~~ shall
24 determine and may incorporate any reasonable form of request
25 for acknowledgement which the medical examiner ~~coroner~~ deems
26 practical and provides a reliable proof of service. The summons

1 may be served by first class mail. From the 8 persons so
2 summoned, the medical examiner ~~coroner~~ shall select 6 to serve
3 as the jury for the inquest. Inquests may be continued from
4 time to time, as the medical examiner ~~coroner~~ may deem
5 necessary. The 6 jurors selected in a given case may view the
6 body of the deceased. If at any continuation of an inquest one
7 or more of the original jurors shall be unable to continue to
8 serve, the medical examiner ~~coroner~~ shall fill the vacancy or
9 vacancies. A juror serving pursuant to this paragraph shall
10 receive compensation from the county at the same rate as the
11 rate of compensation that is paid to petit or grand jurors in
12 the county. The medical examiner ~~coroner~~ shall furnish to each
13 juror without fee at the time of his discharge a certificate of
14 the number of days in attendance at an inquest, and, upon being
15 presented with such certificate, the county treasurer shall pay
16 to the juror the sum provided for his services.

17 In counties which have a jury commission, in cases of
18 apparent suicide or homicide or of accidental death, the
19 medical examiner ~~coroner~~ may conduct an inquest. The jury
20 commission shall provide at least 8 jurors to the medical
21 examiner ~~coroner~~, from whom the medical examiner ~~coroner~~ shall
22 select any 6 to serve as the jury for the inquest. Inquests may
23 be continued from time to time as the medical examiner ~~coroner~~
24 may deem necessary. The 6 jurors originally chosen in a given
25 case may view the body of the deceased. If at any continuation
26 of an inquest one or more of the 6 jurors originally chosen

1 shall be unable to continue to serve, the medical examiner
2 ~~coroner~~ shall fill the vacancy or vacancies. At the medical
3 examiner's ~~coroner's~~ discretion, additional jurors to fill
4 such vacancies shall be supplied by the jury commission. A
5 juror serving pursuant to this paragraph in such county shall
6 receive compensation from the county at the same rate as the
7 rate of compensation that is paid to petit or grand jurors in
8 the county.

9 In every case in which a fire is determined to be a
10 contributing factor in a death, the medical examiner ~~coroner~~
11 shall report the death to the Office of the State Fire Marshal.
12 The medical examiner ~~coroner~~ shall provide a copy of the death
13 certificate (i) within 30 days after filing the permanent death
14 certificate and (ii) in a manner that is agreed upon by the
15 medical examiner ~~coroner~~ and the State Fire Marshal.

16 In every case in which a drug overdose is determined to be
17 the cause or a contributing factor in the death, the ~~coroner or~~
18 medical examiner shall report the death to the Department of
19 Public Health. The Department of Public Health shall adopt
20 rules regarding specific information that must be reported in
21 the event of such a death. If possible, the medical examiner
22 ~~coroner~~ shall report the cause of the overdose. As used in this
23 Section, "overdose" has the same meaning as it does in Section
24 414 of the Illinois Controlled Substances Act. The Department
25 of Public Health shall issue a semiannual report to the General
26 Assembly summarizing the reports received. The Department

1 shall also provide on its website a monthly report of overdose
2 death figures organized by location, age, and any other
3 factors, the Department deems appropriate.

4 In addition, in every case in which domestic violence is
5 determined to be a contributing factor in a death, the medical
6 examiner ~~coroner~~ shall report the death to the Department of
7 State Police.

8 All deaths in State institutions and all deaths of wards of
9 the State or youth in care as defined in Section 4d of the
10 Children and Family Services Act in private care facilities or
11 in programs funded by the Department of Human Services under
12 its powers relating to mental health and developmental
13 disabilities or alcoholism and substance abuse or funded by the
14 Department of Children and Family Services shall be reported to
15 the medical examiner ~~coroner~~ of the county in which the
16 facility is located. If the medical examiner ~~coroner~~ has reason
17 to believe that an investigation is needed to determine whether
18 the death was caused by maltreatment or negligent care of the
19 ward of the State or youth in care as defined in Section 4d of
20 the Children and Family Services Act, the medical examiner
21 ~~coroner~~ may conduct a preliminary investigation of the
22 circumstances of such death as in cases of death under
23 circumstances set forth in paragraphs (a) through (f) ~~(e)~~ of
24 this Section.

25 The Department of Public Health may adopt rules for record
26 keeping for medical examiner offices where necessary to

1 uniformly report on a public health issue, including those
2 issues mentioned in this Section.

3 Medical examiners shall keep a record of all persons who
4 have viewed a body that is subject to investigation under this
5 Division while the investigation is ongoing.

6 As used in this Section:

7 "Hospice care" has the meaning given to that term in
8 Section 3 of the Hospice Program Licensing Act.

9 "Licensed physician" means a person licensed under the
10 Medical Practice Act of 1987.

11 "Registered nurse" has the meaning given to that term in
12 Section 50-10 of the Nurse Practice Act.

13 (Source: P.A. 100-159, eff. 8-18-17; 101-13, eff. 6-12-19.)

14 (55 ILCS 5/3-3013.3 new)

15 Sec. 3-3013.3. Identification of the body.

16 (a) The medical examiner shall ascertain the identity of
17 the decedent and immediately and as compassionately as possible
18 notify the next of kin of the decedent's death, including the
19 current location of the body. The notification described in
20 this subsection is not required if a law enforcement agency
21 informs the medical examiner that the notification has already
22 occurred.

23 (b) If visual identification of a decedent is impossible as
24 a result of burns, decomposition, or other disfiguring injuries
25 or if the medical examiner is aware that the death is the

1 result of an accident that involved 2 or more individuals who
2 were approximately the same age, sex, height, weight, hair
3 color, eye color, and race, then the medical examiner shall
4 verify the identity of the decedent through fingerprints,
5 dental records, DNA, or other definitive identification
6 procedures and, if the accident resulted in the survival of any
7 individuals with the same attributes, shall notify the
8 respective hospital or institution of his or her findings. The
9 medical examiner may conduct an autopsy under Section 3-3014 if
10 he or she determines that an autopsy reasonably appears to be
11 required pursuant to law. After the medical examiner, a deputy
12 medical examiner, or a person from law enforcement has made a
13 diligent effort to locate and notify the next of kin and was
14 unsuccessful in notifying the next of kin, the medical examiner
15 may order or conduct the autopsy under Section 3-3014 with or
16 without the consent of the next of kin of the decedent.

17 (c) The medical examiner or a deputy medical examiner shall
18 keep a written record of the efforts to locate and notify the
19 next of kin for a period of one year from the date of the
20 autopsy.

21 (55 ILCS 5/3-3013.5 new)

22 Sec. 3-3013.5. Organ donation. If an investigation of the
23 cause and manner of death, regardless of whether the death
24 occurred in a hospital or not, is required under this Division
25 and the medical examiner or his or her designee has notice that

1 the body is of an individual that was a donor or that a gift of
2 all or a part of the body has been designated to be made under
3 the Illinois Anatomical Gift Act or any other law, the medical
4 examiner or his or her designee shall conduct the examination
5 of the dead body within a time period that permits organs,
6 tissues, and eyes to remain viable for transplant. If the
7 medical examiner or his or her designee is unable to conduct
8 the investigation within that period of time, a health
9 professional or technician who is authorized to remove an
10 anatomical gift from a donor may remove the donated organs,
11 tissues, or eyes in order to preserve the viability of the
12 donated tissues or organs for transplant upon notifying the
13 medical examiner or his or her designee. If the medical
14 examiner or his or her designee determines that an organ may be
15 related to the cause of death, the medical examiner or his or
16 her designee may do one or more of the following:

17 (1) request to be present during the removal of the
18 donated organs; or

19 (2) request a biopsy of the donated organs.

20 (55 ILCS 5/3-3014) (from Ch. 34, par. 3-3014)

21 Sec. 3-3014. Autopsy ~~to be performed by licensed physician;~~
22 costs; reports. Any medical examination or autopsy conducted
23 pursuant to this Division shall be performed by the medical
24 examiner or deputy medical examiner or, as directed by the
25 medical examiner, a physician duly licensed to practice

1 medicine in all of its branches, and wherever possible by one
2 having special training in pathology. ~~In Class I counties,~~
3 ~~medical examinations or autopsies (including those performed~~
4 ~~on exhumed bodies) shall be performed by physicians appointed~~
5 ~~or designated by the coroner, and in Class II counties by~~
6 ~~physicians appointed or designated by the Director of Public~~
7 ~~Health upon the recommendation of the advisory board on~~
8 ~~necropsy service to coroners after the board has consulted with~~
9 ~~the elected coroner.~~ Any autopsy performed by the medical
10 examiner, deputy medical examiner, or a physician so appointed
11 or designated shall be deemed lawful. The cost of all
12 autopsies, medical examinations, laboratory fees, if any, and
13 travel expenses of the examining physician and the costs of
14 exhuming a body under the authority of subsection (c) of
15 Section 3-3015 shall be payable from the general fund of the
16 county where the body is found. The examining physician shall
17 file copies of the reports or results of his or her autopsies
18 and medical examinations with the medical examiner ~~coroner~~ and
19 also with the Department of Public Health.

20 The medical examiner shall promptly deliver or return the
21 body or any portion of the body to relatives or representatives
22 of the decedent after an examination or autopsy is performed
23 under this Section. If there are no relatives or
24 representatives of the decedent that could be located and
25 notified by the medical examiner, he or she may cause the body
26 to be cremated as provided in 3-3017. A medical examiner may

1 retain any portion of the body that he or she considers
2 necessary to establish the cause of death, the conditions
3 contributing to death, or the manner of death, or as evidence
4 of any crime. If a portion of the body retained is an entire
5 organ or limb of the decedent, the medical examiner shall
6 attempt to verbally or in writing notify the relatives or
7 representatives of the decedent of that retention and offer an
8 opportunity for the relative or representative to request the
9 return of that organ or limb. If notification is verbally made
10 under this Section, the medical examiner shall follow up with
11 written notification. The medical examiner or a deputy medical
12 examiner shall keep a written record of the efforts to notify
13 the relatives or representatives of the decedent under this
14 paragraph for a period of one year from the date of the
15 notification or attempt to notify. Upon determination that
16 retention of the portions of the body is no longer necessary
17 under this paragraph, the medical examiner shall do all of the
18 following, as applicable:

19 (1) If requested in writing under this paragraph,
20 promptly deliver or return the retained organ or limb to
21 the relatives or representatives of the decedent.

22 (2) Dispose of any remaining retained body portions in
23 the manner prescribed for medical waste.

24 A medical examiner or any person acting under the authority
25 of the medical examiner who performs the medical examiner's
26 duties for the retention of body parts shall not be liable in a

1 civil action as a result of an act or omission by the person
2 arising out of the person's good faith performance of those
3 duties unless that person's act or omission was the result of
4 that person's negligence.

5 ~~No coroner may perform any autopsy required or authorized~~
6 ~~by law unless the coroner is a pathologist whose services are~~
7 ~~requested by the coroner of another county.~~

8 (Source: P.A. 86-962; 87-317.)

9 (55 ILCS 5/3-3015) (from Ch. 34, par. 3-3015)

10 Sec. 3-3015. Circumstances under which autopsy to be
11 performed.

12 (a) Where a death has occurred and the circumstances
13 concerning the death are suspicious, obscure, mysterious, or
14 otherwise unexplained and in the opinion of the examining
15 physician or the medical examiner ~~coroner~~ the cause of death
16 cannot be established definitely except by autopsy, and where a
17 death has occurred while being pursued, apprehended, or taken
18 into custody by or while in the custody of any law enforcement
19 agency, it is declared that the public interest requires that
20 an autopsy be performed, and it shall be the duty and
21 responsibility of the medical examiner ~~coroner~~ to cause an
22 autopsy to be performed, including the taking of x-rays and the
23 performance of other medical tests as the medical examiner
24 ~~coroner~~ deems appropriate.

25 (b) The medical examiner ~~coroner~~ shall instruct involved

1 parties that embalming of the body is not to be conducted until
2 the toxicology samples are drawn. If a child dies from
3 suspicious or unexplained circumstances, the medical examiner
4 ~~coroner~~ shall secure the services of a pathologist. The
5 Department of Public Health shall provide medical examiners
6 ~~coroners~~ and pathologists with a child death autopsy protocol.

7 (c) If the medical examiner ~~coroner~~ determines it advisable
8 to exhume a body for the purpose of investigation or autopsy or
9 both, and the medical examiner ~~coroner~~ would have been
10 authorized under this Section to perform an investigation or
11 autopsy on the body before it was interred, the medical
12 examiner ~~coroner~~ may exhume the body after consulting on the
13 matter with the state's attorney and upon the order of the
14 circuit court directing the exhumation upon the petition of the
15 state's attorney.

16 (Source: P.A. 86-962; 87-317; 87-419; 87-895.)

17 (55 ILCS 5/3-3016.5)

18 Sec. 3-3016.5. Sudden, unexpected death in epilepsy
19 (SUDEP).

20 (a) All autopsies conducted in this State shall include an
21 inquiry to determine whether the death was a direct result of a
22 seizure or epilepsy. If the findings in an autopsy of a medical
23 examiner, or examining physician, ~~or coroner~~ are consistent
24 with known or suspected sudden, unexpected death in epilepsy
25 (SUDEP), then the medical examiner, or examining physician, ~~or~~

1 ~~coroner~~ shall:

2 (1) cause to be indicated on the death certificate that
3 SUDEP is the cause or suspected cause of death; and

4 (2) forward a copy of the death certificate to the
5 North American SUDEP Registry at the Langone Medical Center
6 at New York University within 30 days.

7 (b) For the purposes of this Section, "sudden, unexpected
8 death in epilepsy" refers to a death in a patient previously
9 diagnosed with epilepsy that is not due to trauma, drowning,
10 status epilepticus, or other known causes, but for which there
11 is often evidence of an associated seizure. A finding of
12 sudden, unexpected death in epilepsy is definite when clinical
13 criteria are met and autopsy reveals no alternative cause of
14 death, such as stroke, myocardial infarction, or drug
15 intoxication, although there may be evidence of a seizure.

16 (Source: P.A. 98-340, eff. 1-1-14; 98-756, eff. 7-16-14.)

17 (55 ILCS 5/3-3017) (from Ch. 34, par. 3-3017)

18 Sec. 3-3017. Cremation. In any death where the remains are
19 to be cremated, it shall be the duty of the funeral director or
20 person having custody of the dead body to obtain from the
21 medical examiner ~~coroner~~ a permit to cremate the body. The
22 medical examiner's ~~coroner's~~ permit to cremate shall be
23 presented to the local registrar in applying for the Permit for
24 Disposition of Dead Human Body provided for in Section 21 of
25 the Vital Records Act, and the local registrar shall attach the

1 medical examiner's ~~coroner's~~ permit to cremate to the Permit
2 for Disposition of Dead Human Body which is issued. No
3 crematory shall cremate a dead human body unless a Permit for
4 Disposition of Dead Human Body with an attached medical
5 examiner's ~~coroner's~~ permit to cremate has been furnished to
6 authorize the cremation. Any person knowingly violating the
7 provisions of this Section is guilty of a Class A misdemeanor.

8 (Source: P.A. 86-962; 86-1028; 87-895.)

9 (55 ILCS 5/3-3018) (from Ch. 34, par. 3-3018)

10 Sec. 3-3018. Death certificates. Every medical examiner
11 ~~coroner~~, as soon as he shall have completed his investigation
12 of the cause and circumstances of any death coming within his
13 jurisdiction hereunder, shall issue a death certificate on the
14 form prescribed by law.

15 (Source: P.A. 86-962.)

16 (55 ILCS 5/3-3019) (from Ch. 34, par. 3-3019)

17 Sec. 3-3019. Removal of bodies and property; violation.

18 (a) No dead body which may be subject to the terms of this
19 Division, or the personal property of such a deceased person,
20 shall be handled, moved, disturbed, embalmed or removed from
21 the place of death by any person, except with the permission of
22 the medical examiner ~~coroner~~, unless the same shall be
23 necessary to protect such body or property from damage or
24 destruction, or unless necessary to protect life, safety, or

1 health. Any person knowingly violating the provisions of this
2 subsection ~~Section~~ is guilty of a Class A misdemeanor.

3 (b) In all cases arising under the provisions of this
4 Division, in the absence of next of kin of the deceased person,
5 the most senior law enforcement officer being concerned with
6 the matter, and in the absence of law enforcement, the medical
7 examiner or his or her deputy medical examiner, shall take
8 possession of all property of value found upon the person of
9 the deceased, make an exact inventory report thereof and shall
10 deliver the property, unless required as evidence, to the
11 person entitled to the custody or possession of the body. If
12 the personal property of value is not claimed by the person
13 entitled to the custody or possession of the body of the
14 decedent within 60 days, the property shall be disposed of
15 under Section 3-3033; or, if required as evidence, the
16 property, within 60 days after the termination of any
17 proceeding or appeal period therefrom, shall be turned over to
18 the person entitled to the custody or possession of the body or
19 disposed of under Section 3-3033. Nothing in this subsection
20 shall affect the powers and duties of a public administrator.

21 (Source: P.A. 86-962.)

22 (55 ILCS 5/3-3020) (from Ch. 34, par. 3-3020)

23 Sec. 3-3020. Medical examiner ~~Coroner~~ to be notified;
24 violation; elderly and vulnerable adult death review team
25 notification.

1 (a) Every law enforcement official, funeral director,
2 ambulance attendant, hospital director or administrator or
3 person having custody of the body of a deceased person, where
4 the death is one subject to investigation under Section 3-3013,
5 and any physician in attendance upon such a decedent at the
6 time of his death, shall notify the medical examiner ~~coroner~~
7 promptly. Any such person failing to so notify the medical
8 examiner ~~coroner~~ promptly shall be guilty of a Class A
9 misdemeanor, unless such person has reasonable cause to believe
10 that the medical examiner ~~coroner~~ had already been so notified.

11 (b) If a person required to notify the medical examiner
12 under subsection (a) has knowledge that there were 2 or more
13 individuals involved in the same incident who were
14 approximately the same age, sex, height, weight, hair color,
15 eye color, and race, then he or she shall make the medical
16 examiner or deputy medical examiner aware of that fact and
17 whether or not any of those individuals survived that incident
18 when notifying the medical examiner or deputy medical examiner
19 of the death as required under subsection (a). If any of those
20 individuals survived, the medical examiner or deputy medical
21 examiner shall also be informed which hospital or institution
22 those individuals were taken to and the hospital or institution
23 shall also be made aware that the incident involved 2 or more
24 individuals with similar attributes.

25 (c) If an elderly and vulnerable adult death review team is
26 established under Section 3-3003, a medical examiner or deputy

1 medical examiner who receives notice of a death of an elderly
2 or vulnerable adult who died unexpectedly or under suspicious
3 circumstances may refer the case to the elderly and vulnerable
4 adult death review team. Upon receipt of a referral under this
5 subsection, the elderly and vulnerable adult death review team
6 shall conduct a review of this matter. Information obtained
7 under this subsection by an elderly and vulnerable adult death
8 review team is confidential and may be disclosed by the elderly
9 and vulnerable adult death review team only to the medical
10 examiner, the State's Attorney's office, local law
11 enforcement, or another elderly and vulnerable adult death
12 review team, as appropriate. The information obtained under
13 this subsection by an elderly and vulnerable adult death review
14 team is exempt from disclosure under the Freedom of Information
15 Act.

16 (Source: P.A. 86-962.)

17 (55 ILCS 5/3-3021) (from Ch. 34, par. 3-3021)

18 Sec. 3-3021. Public policy; release of body to next of kin.
19 As a guide to the interpretation and application of this
20 Division it is declared that the public policy of the State is
21 as follows:

22 That as soon as may be consistent with the performance of
23 his duties under this Division the medical examiner ~~coroner~~
24 shall release the body of the decedent to the decedent's next
25 of kin, personal representative, friends, or to the person

1 designated in writing by the decedent or to the funeral
2 director selected by such persons, as the case may be, for
3 burial, and none of the duties or powers of medical examiners
4 ~~coroners~~ enumerated in this Division shall be construed to
5 interfere with or control the right of such persons to the
6 custody and burial of the decedent upon completion of the
7 medical examiner's ~~coroner's~~ investigation.

8 Nothing herein shall be construed to preclude the medical
9 examiner ~~coroner~~ from consulting with the decedent's next of
10 kin, personal representative, friends or the person designated
11 in writing by the decedent where the decedent was under
12 treatment by prayer or spiritual means alone in accordance with
13 the tenets and practice of a well recognized church or
14 religious denomination in making his preliminary investigation
15 under subsection (E) of Section 3-3013, nor shall anything
16 herein contained be construed to require an autopsy by reason
17 of the sole fact that the decedent was under treatment by
18 prayer or spiritual means alone.

19 (Source: P.A. 86-962.)

20 (55 ILCS 5/3-3022) (from Ch. 34, par. 3-3022)

21 Sec. 3-3022. Bystanders. If a sufficient number of jurors
22 so summoned do not attend, the medical examiner ~~coroner~~ may
23 summon others from among the bystanders to make up the jury.

24 (Source: P.A. 86-962.)

1 (55 ILCS 5/3-3024) (from Ch. 34, par. 3-3024)

2 Sec. 3-3024. Oath of jurors. When the jury are assembled,
3 the medical examiner ~~coroner~~ shall appoint one of the number as
4 foreman, and administer to him an oath or affirmation, in the
5 following form, to-wit:

6 You, as foreman to this inquest, do solemnly swear (or
7 affirm, as the case may require), that you will diligently
8 inquire, and true presentment make, how, and in what manner,
9 and by whom or what, the body which lies dead, came to its
10 death; and that you will deliver to me, the medical examiner
11 ~~coroner~~ of this county, a true inquest thereof, according to
12 such evidence as shall be given you, and according to the best
13 of your knowledge and belief; so help you God.

14 And to the other jurors, one as follows, to-wit:

15 The same oath which A B, your foreman has just now taken on
16 his part, you and each of you do solemnly swear (or affirm, as
17 the case may require), to keep on your respective parts; so
18 help you God.

19 (Source: P.A. 86-962.)

20 (55 ILCS 5/3-3025) (from Ch. 34, par. 3-3025)

21 Sec. 3-3025. Verdict of jury. It shall be the duty of the
22 jurors, as sworn aforesaid, to inquire how, in what manner, and
23 by whom or what, the said dead body came to its death, and of
24 all other facts of and concerning the same, together with all
25 material circumstances in anywise related to or connected with

1 the said death, and make up and sign a verdict, and deliver the
2 same to the medical examiner ~~coroner~~. As part of its verdict,
3 the jury may make recommendations other than for criminal
4 prosecutions.

5 (Source: P.A. 86-962.)

6 (55 ILCS 5/3-3026) (from Ch. 34, par. 3-3026)

7 Sec. 3-3026. Summoning witnesses; subpoenas. The medical
8 examiner ~~coroner~~ shall have power to summon, or cause to be
9 summoned, and compel the attendance of all such witnesses whose
10 testimony may probably be requisite to the proving of any fact
11 or circumstance relating to the object of such his inquest, and
12 to administer to such witnesses the proper oath.

13 If the medical examiner ~~coroner~~ is unable to secure records
14 or documents he deems necessary to complete the investigation
15 required by Section 3-3013, or for the establishing or proving
16 of any fact or circumstance relating to the object of his
17 inquest, he shall appear before the circuit judge of the county
18 for which he is medical examiner ~~coroner~~ and, upon good cause
19 shown, said judge shall issue a subpoena for the delivery to
20 the medical examiner ~~coroner~~ of the documents or records
21 requested.

22 (Source: P.A. 86-962.)

23 (55 ILCS 5/3-3027) (from Ch. 34, par. 3-3027)

24 Sec. 3-3027. Notice of inquest. The medical examiner

1 ~~coroner~~ shall make a reasonable attempt to notify the family of
2 the deceased, and all known eyewitnesses to the death, of the
3 date an inquest is to be held. Such notice shall be given at
4 least 7 days before the date of the inquest. Such family
5 members or eyewitnesses shall, if they request it, be given an
6 opportunity to testify at the inquest. For purposes of this
7 Section, "family" includes the parents, children, brothers and
8 sisters of the deceased.

9 (Source: P.A. 86-962.)

10 (55 ILCS 5/3-3028) (from Ch. 34, par. 3-3028)

11 Sec. 3-3028. Recognizance of witness. If the evidence of
12 any witness implicates any person as the unlawful slayer of the
13 person over whom the inquest is held, the medical examiner
14 ~~coroner~~ shall recognize such witness in such sum as he may
15 think proper, to be and appear at the Circuit Court for the
16 county on a designated day, within 30 days from the date of the
17 recognizance, or as soon after such designated day as the court
18 is in session, there to give evidence of the matter in
19 question, and not depart without leave.

20 (Source: P.A. 86-962.)

21 (55 ILCS 5/3-3029) (from Ch. 34, par. 3-3029)

22 Sec. 3-3029. Commitment of witness; returns. If any witness
23 shall refuse to enter into such recognizance, it shall be the
24 duty of the medical examiner ~~coroner~~ to commit the witness so

1 refusing to the common jail of the county, there to remain
2 until discharged according to law; and the medical examiner
3 ~~coroner~~ shall carefully seal up and return to the clerk of the
4 court the verdict of the jury, and the recognizances, and it
5 shall be the duty of the clerk to carefully file and preserve
6 the same.

7 (Source: P.A. 86-962.)

8 (55 ILCS 5/3-3031) (from Ch. 34, par. 3-3031)

9 Sec. 3-3031. Testimony reduced to writing; medical
10 examiner's ~~coroner's~~ verdict not admissible in civil suit. The
11 medical examiner ~~coroner~~ shall cause the testimony of each
12 witness who may be sworn and examined at any inquest to be
13 written out and signed by said witness, together with his
14 occupation and place of residence, which testimony shall be
15 filed with said medical examiner ~~coroner~~ in his office and
16 carefully preserved: Provided, the medical examiner ~~coroner~~
17 may cause the testimony of such witnesses to be recorded or
18 taken in shorthand minutes and transcribed by a competent
19 person, who shall certify that the transcript of the evidence
20 so taken and transcribed by him from notes or a recording is a
21 true and correct copy of the original minutes taken at said
22 inquest and is a true and correct statement of the testimony of
23 each of the several witnesses who have testified at said
24 inquest. Which said transcript shall be filed and carefully
25 preserved in the office of the medical examiner ~~coroner~~: And,

1 provided, further, that whenever the testimony of the several
2 witnesses at such inquest shall have been recorded or taken in
3 shorthand minutes and transcribed as above provided for, the
4 several witnesses shall not be required to sign such transcript
5 or other statement of his testimony. Provided, further, that in
6 any suit or proceeding hereafter commenced for the recovery of
7 damages arising from or growing out of injuries caused by the
8 negligence of any person, firm or corporation resulting in the
9 death of any person or for the collection of a policy of
10 insurance, neither the medical examiner's ~~coroner's~~ verdict
11 returned upon the inquisition as provided herein, nor a copy
12 thereof, shall be admissible as evidence to prove or establish
13 any of the facts in controversy in said civil suit or
14 proceeding.

15 (Source: P.A. 86-962.)

16 (55 ILCS 5/3-3032) (from Ch. 34, par. 3-3032)

17 Sec. 3-3032. Inquest record. Every medical examiner
18 ~~coroner~~ shall, at the expense of the county, be supplied with
19 proper record books wherein he shall enter the name, if known,
20 of each person upon whose body an inquest shall be held,
21 together with the names of the jurors comprising the jury, the
22 names, residences and occupations of the witnesses who are
23 sworn and examined, and the verdict of the jury; in case the
24 name of the person deceased is not known, the medical examiner
25 ~~coroner~~ shall make out a description of said person, and enter

1 the same upon the record book to be so kept by him, together
2 with all such facts and circumstances attending the death which
3 may be known, and which may lead to the identification of the
4 person; and shall carefully take an inventory of said person's
5 personal effects and property of every kind and nature
6 whatever, and state on his records what has been done with the
7 same, and where the proceeds of any such property and the money
8 and papers, if any, are deposited.

9 (Source: P.A. 86-962.)

10 (55 ILCS 5/3-3033) (from Ch. 34, par. 3-3033)

11 Sec. 3-3033. Disposition of property. When any valuable
12 personal property, money or papers, are found upon or near the
13 body which is the subject of a medical examiner's ~~coroner's~~
14 investigation, inquiry or inquest is, ~~the coroner shall take~~
15 ~~charge of the same and deliver the same to those entitled to~~
16 ~~its care or possession; but if not claimed as provided in~~
17 Section 3-3019, ~~or if the same shall be necessary to defray the~~
18 ~~expenses of the burial,~~ the medical examiner ~~coroner~~ shall,
19 after giving 10 days' notice of the time and place of sale,
20 sell such property, and after deducting medical examiner's
21 ~~coroner's~~ fees and funeral expenses, deposit the proceeds
22 thereof, and the money and papers so found, with the county
23 treasurer, taking his receipt therefor, there to remain subject
24 to the order of the legal representatives of the deceased, if
25 claimed within 5 years thereafter, or if not claimed within

1 that time, to vest in the county.

2 (Source: P.A. 86-962.)

3 (55 ILCS 5/3-3034) (from Ch. 34, par. 3-3034)

4 Sec. 3-3034. Disposition of body. After the inquest the
5 medical examiner ~~coroner~~ may deliver the body or human remains
6 of the deceased to the family of the deceased or, if there are
7 no family members to accept the body or the remains, then to
8 friends of the deceased, if there be any, but if not, the
9 medical examiner ~~coroner~~ shall cause the body or the remains to
10 be decently buried, cremated, or donated for medical science
11 purposes, the expenses to be paid from the property of the
12 deceased, if there is sufficient, if not, by the county. The
13 medical examiner ~~coroner~~ may not approve the cremation or
14 donation of the body if it is necessary to preserve the body
15 for law enforcement purposes. If the State Treasurer, pursuant
16 to the Revised Uniform Unclaimed Property Act, delivers human
17 remains to the medical examiner ~~coroner~~, the medical examiner
18 ~~coroner~~ shall cause the human remains to be disposed of as
19 provided in this Section. If the police department of any
20 municipality or county investigates abandoned cremated
21 remains, determines that they are human remains, and cannot
22 locate the owner of the remains, then the police shall deliver
23 the remains to the medical examiner ~~coroner~~, and the medical
24 examiner ~~coroner~~ shall cause the remains to be disposed of as
25 provided in this Section.

1 (Source: P.A. 100-22, eff. 1-1-18.)

2 (55 ILCS 5/3-3035) (from Ch. 34, par. 3-3035)

3 Sec. 3-3035. Liability of common carrier for burial
4 expenses. When any railroad, common carrier, airline or any
5 steamboat, barge, propeller or other vessel engaged in whole or
6 in part in carrying passengers for hire, brings the dead body
7 of any person into this State; or, wherever any person dies
8 upon any railroad car, airplane or any such steamboat, barge,
9 propeller or other vessel in this State, or any person is
10 killed by cars or machinery of any railroad company, or by
11 accident thereto, or by accident to or upon any such airplane,
12 steamboat, barge, propeller or other vessel, or by accident
13 thereto, or when the death occurs in or about any mine, mill or
14 manufactory, and such death shall have been caused by the
15 wrongful act, neglect or default of any such railroad company,
16 common carrier, airline, steamboat, barge, propeller or other
17 vessel owner, or of the owner of any mine, mill or manufactory,
18 the company or person owning or operating such railroad cars,
19 common carrier, airline, machinery, barge, steamboat,
20 propeller or other vessel, mine, mill or manufactory, shall be
21 liable to pay the expenses of the medical examiner's ~~coroner's~~
22 inquest upon and for the burial of the deceased, and the same
23 may be recovered in the name of the county, in any circuit
24 court.

25 (Source: P.A. 86-962.)

1 (55 ILCS 5/3-3036) (from Ch. 34, par. 3-3036)

2 Sec. 3-3036. Arrest of slayer based on verdict. If a person
3 implicated by the inquest as the unlawful slayer of the
4 deceased or an accessory thereto is not in custody therefor,
5 the medical examiner ~~coroner~~ acting upon the signed verdict of
6 his jury shall, in his capacity as conservator of the peace,
7 apprehend such person and immediately bring him before a judge
8 of the circuit court of his county to be dealt with according
9 to law on a criminal charge preferred on the basis of such
10 verdict.

11 (Source: P.A. 86-962.)

12 (55 ILCS 5/3-3037) (from Ch. 34, par. 3-3037)

13 Sec. 3-3037. Embalming dead body. No licensed embalmer or
14 person shall embalm the dead body of any person with, or inject
15 therein, or place thereon any fluid or preparation of any kind
16 before obtaining permission from the medical examiner ~~coroner~~
17 where such body is the subject of a medical examiner's
18 ~~coroner's~~ inquest. Any person who shall violate the provision
19 of this Section commits a business offense and shall be fined
20 not exceeding \$5,000.

21 (Source: P.A. 86-962.)

22 (55 ILCS 5/3-3038) (from Ch. 34, par. 3-3038)

23 Sec. 3-3038. Medical examiner ~~Coroner~~ in military service.

1 In case any medical examiner ~~coroner~~ is called into the active
2 military service of the United States, the office of medical
3 examiner ~~coroner~~ shall not be deemed to be vacant during the
4 time such medical examiner ~~coroner~~ is in the active military
5 service of the United States, but the presiding officer of the
6 county board of the county, with the advice and consent of the
7 county board, shall appoint some competent and qualified person
8 to perform and discharge the duties of medical examiner ~~coroner~~
9 in such county during the time such medical examiner ~~coroner~~ is
10 in the active military service of the United States, and such
11 person shall receive the same compensation as provided by law
12 for the medical examiner ~~coroner~~, apportioned as to the time of
13 service, and such appointment and all authority thereunder
14 shall cease upon the discharge of such medical examiner ~~coroner~~
15 from the active military service of the United States. Such
16 appointee shall give a bond as required of regularly appointed
17 medical examiners ~~elected coroners~~.

18 (Source: P.A. 86-962.)

19 (55 ILCS 5/3-3040) (from Ch. 34, par. 3-3040)

20 Sec. 3-3040. Appointment of deputies. Each medical
21 examiner ~~coroner~~ may appoint one or more persons licensed to
22 practice medicine in this State as deputy medical examiners
23 ~~deputies~~ as the medical examiner ~~coroner~~, in his or her sole
24 discretion, determines necessary and appropriate, subject to
25 county board appropriations. The appointment shall be in

1 writing and signed by the medical examiner ~~coroner~~. A deputy
2 medical examiner's ~~deputy's~~ compensation shall be determined
3 by the county board or board of county commissioners.

4 (Source: P.A. 88-281.)

5 (55 ILCS 5/3-3041) (from Ch. 34, par. 3-3041)

6 Sec. 3-3041. Oath of deputies. Each deputy shall, before
7 entering upon the duties of his office take and subscribe an
8 oath or affirmation, in like form as required of medical
9 examiners ~~coroners~~, which shall be filed in the office of the
10 county clerk.

11 (Source: P.A. 86-962.)

12 (55 ILCS 5/3-3042) (from Ch. 34, par. 3-3042)

13 Sec. 3-3042. Duties of deputies. Deputy medical examiners
14 ~~coroners~~, duly appointed and qualified, may perform any and all
15 of the duties of the medical examiner ~~coroner~~ in the name of
16 the medical examiner ~~coroner~~, and the acts of such deputies
17 shall be held to be acts of the medical examiner ~~coroner~~.

18 (Source: P.A. 91-357, eff. 7-29-99.)

19 (55 ILCS 5/3-3043) (from Ch. 34, par. 3-3043)

20 Sec. 3-3043. Vacancy; ~~appointed coroner~~. When a permanent
21 vacancy in the office of medical examiner ~~coroner~~ occurs ~~and~~
22 ~~the position is an appointed one~~, the county board or board of
23 county commissioners shall fill the vacancy within 60 days from

1 the time the vacancy occurs. ~~If the sheriff of the county is~~
2 ~~selected to perform the duties of the coroner and the sheriff~~
3 ~~agrees to serve in that capacity, the sheriff may be~~
4 ~~compensated for those duties. This compensation shall be in~~
5 ~~addition to all other compensation received as sheriff. Any~~
6 ~~sheriff who is serving as coroner before the effective date of~~
7 ~~this amendatory Act of 1991 must be reappointed in order to~~
8 ~~continue to serve as coroner and to receive additional~~
9 ~~compensation under this Section.~~

10 (Source: P.A. 87-738.)

11 (55 ILCS 5/3-3045)

12 Sec. 3-3045. Disposal of medications. A ~~coroner or~~ medical
13 examiner may dispose of any unused medications found at the
14 scene of a death the ~~coroner or~~ medical examiner is
15 investigating under Section 18 of the Safe Pharmaceutical
16 Disposal Act.

17 (Source: P.A. 99-648, eff. 1-1-17.)

18 (55 ILCS 5/3-3046 new)

19 Sec. 3-3046. Home rule. A home rule county may not regulate
20 medical examiners in a manner inconsistent with this Division.
21 This Division is a limitation under subsection (i) of Section 6
22 of Article VII of the Illinois Constitution on the concurrent
23 exercise by home rule units of powers and functions exercised
24 by the State.

1 (55 ILCS 5/3-14002) (from Ch. 34, par. 3-14002)

2 Sec. 3-14002. Position-classification agency. The Board of
3 Commissioners shall have the authority to create a
4 position-classification agency and to delegate to such agency
5 the power to establish and maintain a position-classification
6 and compensation plan for all county employees except those
7 whose election or appointment is otherwise provided for by law
8 and except those enumerated in Section 3-14022. Without
9 limitation as to the generality hereof the authority of such
10 agency shall also extend to the offices of the Clerk of the
11 Circuit Court, Sheriff, County Treasurer, Recorder, Medical
12 Examiner ~~Coroner~~, Jury Commissioners, Public Defender, County
13 Clerk, State's Attorney, County Assessor, Board of Appeals and
14 Superintendent of Schools.

15 (Source: P.A. 86-962.)

16 (55 ILCS 5/4-6001) (from Ch. 34, par. 4-6001)

17 Sec. 4-6001. Officers in counties of less than 2,000,000.

18 (a) In all counties of less than 2,000,000 inhabitants, the
19 compensation of Medical Examiners ~~Coroners~~, County Treasurers,
20 County Clerks, Recorders and Auditors shall be determined under
21 this Section. The County Board in those counties shall fix the
22 amount of the necessary clerk hire, stationery, fuel and other
23 expenses of those officers. The compensation of those officers
24 shall be separate from the necessary clerk hire, stationery,

1 fuel and other expenses, and such compensation (except for
2 medical examiners ~~coroners~~ in those counties with less than
3 2,000,000 population in which the medical examiner's ~~coroner's~~
4 compensation is set in accordance with Section 4-6002) shall be
5 fixed within the following limits:

6 To each such officer in counties containing less than
7 14,000 inhabitants, not less than \$13,500 per annum.

8 To each such officer in counties containing 14,000 or more
9 inhabitants, but less than 30,000 inhabitants, not less than
10 \$14,500 per annum.

11 To each such officer in counties containing 30,000 or more
12 inhabitants but less than 60,000 inhabitants, not less than
13 \$15,000 per annum.

14 To each such officer in counties containing 60,000 or more
15 inhabitants but less than 100,000 inhabitants, not less than
16 \$15,000 per annum.

17 To each such officer in counties containing 100,000 or more
18 inhabitants but less than 200,000 inhabitants, not less than
19 \$16,500 per annum.

20 To each such officer in counties containing 200,000 or more
21 inhabitants but less than 300,000 inhabitants, not less than
22 \$18,000 per annum.

23 To each such officer in counties containing 300,000 or more
24 inhabitants but less than 2,000,000 inhabitants, not less than
25 \$20,000 per annum.

26 (b) Those officers beginning a term of office before

1 December 1, 1990 shall be compensated at the rate of their base
2 salary. "Base salary" is the compensation paid for each of
3 those offices, respectively, before July 1, 1989.

4 (c) Those officers beginning a term of office on or after
5 December 1, 1990 shall be compensated as follows:

6 (1) Beginning December 1, 1990, base salary plus at
7 least 3% of base salary.

8 (2) Beginning December 1, 1991, base salary plus at
9 least 6% of base salary.

10 (3) Beginning December 1, 1992, base salary plus at
11 least 9% of base salary.

12 (4) Beginning December 1, 1993, base salary plus at
13 least 12% of base salary.

14 (d) In addition to but separate and apart from the
15 compensation provided in this Section, the county clerk of each
16 county, the recorder of each county, and the chief clerk of
17 each county board of election commissioners shall receive an
18 award as follows:

19 (1) \$4,500 per year after January 1, 1998;

20 (2) \$5,500 per year after January 1, 1999; and

21 (3) \$6,500 per year after January 1, 2000.

22 The total amount required for such awards each year shall be
23 appropriated by the General Assembly to the State Board of
24 Elections which shall distribute the awards in annual lump sum
25 payments to the several county clerks, recorders, and chief
26 election clerks. Beginning December 1, 1990, this annual award,

1 and any other award or stipend paid out of State funds to
2 county officers, shall not affect any other compensation
3 provided by law to be paid to county officers.

4 (e) Beginning December 1, 1990, no county board may reduce
5 or otherwise impair the compensation payable from county funds
6 to a county officer if the reduction or impairment is the
7 result of the county officer receiving an award or stipend
8 payable from State funds.

9 (f) The compensation, necessary clerk hire, stationery,
10 fuel and other expenses of the county auditor, as fixed by the
11 county board, shall be paid by the county.

12 (g) The population of all counties for the purpose of
13 fixing compensation, as herein provided, shall be based upon
14 the last Federal census immediately previous to the election of
15 the officer in question in each county.

16 (h) With respect to an auditor who takes office on or after
17 the effective date of this amendatory Act of the 95th General
18 Assembly, the auditor shall receive an annual stipend of \$6,500
19 per year. The General Assembly shall appropriate the total
20 amount required for the stipend each year from the Personal
21 Property Tax Replacement Fund to the Department of Revenue, and
22 the Department of Revenue shall distribute the awards in an
23 annual lump sum payment to each county auditor. The stipend
24 shall be in addition to, but separate and apart from, the
25 compensation provided in this Section. No county board may
26 reduce or otherwise impair the compensation payable from county

1 funds to the auditor if the reduction or impairment is the
2 result of the auditor receiving an award or stipend pursuant to
3 this subsection.

4 (Source: P.A. 97-72, eff. 7-1-11.)

5 (55 ILCS 5/4-6002) (from Ch. 34, par. 4-6002)

6 Sec. 4-6002. Medical examiners ~~Coroners~~ in counties of less
7 than 2,000,000.

8 (a) The County Board, in all counties of less than
9 2,000,000 inhabitants, shall fix the compensation of medical
10 examiners ~~Coroners~~ within the limitations fixed by this
11 Division, and shall appropriate for their necessary clerk hire,
12 stationery, fuel, supplies, and other expenses. The
13 compensation of the medical examiners ~~Coroner~~ shall be fixed
14 separately from his necessary clerk hire, stationery, fuel and
15 other expenses, and such compensation shall be fixed within the
16 following limits:

17 To each medical examiner ~~Coroner~~ in counties containing
18 less than 5,000 inhabitants, not less than \$4,500 per annum.

19 To each medical examiner ~~Coroner~~ in counties containing
20 5,000 or more inhabitants but less than 14,000 inhabitants, not
21 less than \$6,000 per annum.

22 To each medical examiner ~~Coroner~~ in counties containing
23 14,000 or more inhabitants, but less than 30,000 inhabitants,
24 not less than \$9,000 per annum.

25 To each medical examiner ~~Coroner~~ in counties containing

1 30,000 or more inhabitants, but less than 60,000 inhabitants,
2 not less than \$14,000 per annum.

3 To each medical examiner ~~Coroner~~ in counties containing
4 60,000 or more inhabitants, but less than 100,000 inhabitants,
5 not less than \$15,000 per annum.

6 To each medical examiner ~~Coroner~~ in counties containing
7 100,000 or more inhabitants, but less than 200,000 inhabitants,
8 not less than \$16,500 per annum.

9 To each medical examiner ~~Coroner~~ in counties containing
10 200,000 or more inhabitants, but less than 300,000 inhabitants,
11 not less than \$18,000 per annum.

12 To each medical examiner ~~Coroner~~ in counties containing
13 300,000 or more inhabitants, but less than 2,000,000
14 inhabitants, not less than \$20,000 per annum.

15 The population of all counties for the purpose of fixing
16 compensation, as herein provided, shall be based upon the last
17 Federal census immediately previous to the election of the
18 medical examiner ~~Coroner~~ in question in each county. This
19 Section does not apply to a county which has abolished the
20 elective office of medical examiner ~~coroner~~.

21 (b) Those medical examiners ~~coroners~~ beginning a term of
22 office on or after December 1, 1990 shall be compensated as
23 follows:

24 (1) Beginning December 1, 1990, base salary plus at
25 least 3% of base salary.

26 (2) Beginning December 1, 1991, base salary plus at

1 least 6% of base salary.

2 (3) Beginning December 1, 1992, base salary plus at
3 least 9% of base salary.

4 (4) Beginning December 1, 1993, base salary plus at
5 least 12% of base salary.

6 "Base salary", as used in this subsection (b), means the
7 salary in effect before July 1, 1989.

8 (c) In addition to, but separate and apart from, the
9 compensation provided in this Section, subject to
10 appropriation, the medical examiner ~~coroner~~ of each county
11 shall receive an annual stipend of \$6,500 to be paid by the
12 Illinois Department of Revenue out of the Personal Property Tax
13 Replacement Fund if his or her term begins on or after December
14 1, 2000.

15 (Source: P.A. 97-72, eff. 7-1-11.)

16 (55 ILCS 5/Div. 4-7 heading)

17 Division 4-7. Medical Examiner's ~~Coroner's~~ Fees

18 (55 ILCS 5/4-7001) (from Ch. 34, par. 4-7001)

19 Sec. 4-7001. Medical examiner's ~~Coroner's~~ fees. The fees of
20 the medical examiner's ~~coroner's~~ office shall be as follows:

21 1. For a copy of a transcript of sworn testimony: \$5.00
22 per page.

23 2. For a copy of an autopsy report (if not included in
24 transcript): \$50.00.

1 3. For a copy of the verdict of a medical examiner's
2 ~~coroner's~~ jury: \$5.00.

3 4. For a copy of a toxicology report: \$25.00.

4 5. For a print of or an electronic file containing a
5 picture obtained by the medical examiner ~~coroner~~: actual
6 cost or \$3.00, whichever is greater.

7 6. For each copy of miscellaneous reports, including
8 artist's drawings but not including police reports: actual
9 cost or \$25.00, whichever is greater.

10 7. For a ~~coroner's or~~ medical examiner's permit to
11 cremate a dead human body: \$50.00. The medical examiner
12 ~~coroner~~ may waive, at his or her discretion, the permit fee
13 if the medical examiner ~~coroner~~ determines that the person
14 is indigent and unable to pay the permit fee or under other
15 special circumstances.

16 All of which fees shall be certified by the court; in the
17 case of inmates of any State charitable or penal institution,
18 the fees shall be paid by the operating department or
19 commission, out of the State Treasury. The medical examiner
20 ~~coroner~~ shall file his or her claim in probate for his or her
21 fees and he or she shall render assistance to the State's
22 attorney in the collection of such fees out of the estate of
23 the deceased. In counties of less than 1,000,000 population,
24 the State's attorney shall collect such fees out of the estate
25 of the deceased.

26 Except as otherwise provided in this Section, whenever the

1 medical examiner ~~coroner~~ is required by law to perform any of
2 the duties of the office of the sheriff, the medical examiner
3 ~~coroner~~ is entitled to the like fees and compensation as are
4 allowed by law to the sheriff for the performance of similar
5 services.

6 Except as otherwise provided in this Section, whenever the
7 medical examiner ~~coroner~~ of any county is required to travel in
8 the performance of his or her duties, he or she shall receive
9 the same mileage fees as are authorized for the sheriff of such
10 county.

11 All fees under this Section collected by or on behalf of
12 the medical examiner's ~~coroner's~~ office shall be paid over to
13 the county treasurer and deposited into a special account in
14 the county treasury. Moneys in the special account shall be
15 used solely for the purchase of electronic and forensic
16 identification equipment or other related supplies and the
17 operating expenses of the medical examiner's ~~coroner's~~ office.

18 (Source: P.A. 96-1161, eff. 7-21-10.)

19 (55 ILCS 5/4-11002) (from Ch. 34, par. 4-11002)

20 Sec. 4-11002. Juror's fees on inquest. The fees of each
21 juror attending an inquest shall be fixed by the county board
22 at a sum not to exceed \$10 per inquest and not to exceed \$40 per
23 day, payable out of the county treasury, upon the certificate
24 of the medical examiner or acting medical examiner ~~coroner or~~
25 ~~acting coroner~~ of the county wherein the inquest was held. Any

1 juror may elect to waive the fees paid for attending an
2 inquest.

3 (Source: P.A. 97-840, eff. 1-1-13.)

4 (55 ILCS 5/5-1085.5)

5 Sec. 5-1085.5. Homicide and questionable death protocol.
6 Each county, except home rule counties, must establish a
7 written protocol to deal with homicides and questionable
8 deaths. The protocol must be promulgated by the Medical
9 Examiner ~~Coroner~~, Sheriff, State's Attorney, all fire
10 departments and fire protection districts located in the
11 county, and all police departments located in the county. The
12 protocol must include at least the following:

13 (a) the types of deaths that fall under the scope of
14 the protocol;

15 (b) the agencies concerned with the death;

16 (c) the area of responsibility for each agency
17 regarding the death; and

18 (d) uniform procedures concerning homicides and
19 questionable deaths.

20 If, prior to the effective date of this amendatory Act of
21 the 92nd General Assembly, a county has established a written
22 protocol that was agreed to by the agencies specified in this
23 Section to deal with homicides and questionable deaths, then
24 that protocol is deemed to satisfy the requirements of this
25 Section.

1 The protocol shall not interfere with reasonable attempts
2 to preserve life, attempt resuscitation, or provide necessary
3 medical services.

4 (Source: P.A. 92-802, eff. 1-1-03.)

5 (55 ILCS 5/5-1106) (from Ch. 34, par. 5-1106)

6 Sec. 5-1106. County offices, equipment and expenditures.
7 It shall be the duty of the county board of each county:

8 First--To erect or otherwise provide when necessary, and
9 the finances of the county will justify it, and keep in repair,
10 a suitable court house, jail and other necessary county
11 buildings, and to provide proper rooms and offices for the
12 accommodation of the county board, State's attorney, county
13 clerk, county treasurer, recorder and sheriff, and to provide
14 suitable furniture therefor. But in counties not under township
15 organization, no appropriations shall be made for the erection
16 of public buildings, without first submitting the proposition
17 to a vote of the people of the county, and the vote shall be
18 submitted in the same manner and under the same restrictions as
19 provided for in like cases in Section 5-2001; and the votes
20 therefor shall be "For taxation," specifying the object, and
21 those against shall be "Against taxation," specifying the
22 object.

23 Second--To provide and keep in repair, when the finances of
24 the county permit, suitable fireproof safes or offices for the
25 county clerk, State's attorney, county treasurer, recorder and

1 sheriff.

2 Third--To provide reasonable and necessary expenses for
3 the use of the county board, county clerk, county treasurer,
4 recorder, sheriff, medical examiner ~~coroner~~, State's attorney,
5 superintendent of schools, judges and clerks of courts, and
6 supervisor of assessment.

7 Fourth--To cause to be published at the close of each
8 annual, regular or special meeting of the board, a brief
9 statement of the proceedings thereof in one or more newspapers
10 published in the county, in which shall be set forth the name
11 of every individual who shall have had any account audited and
12 allowed by the board and the amount of such claim as allowed,
13 and the amount claimed, and also their proceedings upon the
14 equalization of the assessment roll: Provided, that no
15 publication in a newspaper shall be required unless the same
16 can be done without unreasonable expense.

17 Fifth--To make out at its meeting in September, annually, a
18 full and accurate statement of the receipts and expenditures of
19 the preceding year, which statement shall contain a full and
20 correct description of each item, from whom and on what account
21 received, to whom paid, and on what account expended, together
22 with an accurate statement of the finances of the county at the
23 end of the fiscal year, including all debts and liabilities of
24 every description, and the assets and other means to discharge
25 the same; and within 30 days thereafter to cause the same to be
26 posted up at the court house door, and at 2 other places in the

1 county, and published for one week in some newspaper therein,
2 if there is one, and the same can be done without unreasonable
3 expense.

4 Sixth--To provide proper rooms and offices, and for the
5 repair thereof, for the accommodation of the circuit court of
6 the county and for the clerks for such court, and to provide
7 suitable furnishings for such rooms and offices, and to furnish
8 fire proof safes, and the repair thereof, for the offices of
9 the clerks of the circuit court of the county. On or before
10 June 1, 2019, every facility that houses a circuit court room
11 shall include at least one lactation room or area for members
12 of the public to express breast milk in private that is located
13 outside the confines of a restroom and includes, at minimum, a
14 chair, a table, and an electrical outlet, as well as a sink
15 with running water where possible. The court rooms and
16 furnishings thereof shall meet with reasonable minimum
17 standards prescribed by the Supreme Court of Illinois. Such
18 standards shall be substantially the same as those generally
19 accepted in court rooms as to general furnishings, arrangement
20 of bench, tables and chairs, cleanliness, convenience to
21 litigants, decorations, lighting and other such matters
22 relating to the physical appearance of the court room. The
23 lactation rooms and areas shall also meet with reasonable
24 minimum standards prescribed by the Supreme Court, which the
25 Supreme Court is respectfully requested to create, including
26 requirements for posting of notice to the public regarding

1 location and access to lactation rooms and areas, as well as
2 requirements for the addition of a sink with running water in
3 the event of renovation to such facilities. The Supreme Court
4 is also respectfully requested to create minimum standards for
5 training of courthouse staff and personnel regarding location
6 and access to lactation rooms and areas for all people present
7 in the courthouse who need to use lactation rooms and areas.

8 (Source: P.A. 100-947, eff. 1-1-19.)

9 (55 ILCS 5/3-3002 rep.)

10 (55 ILCS 5/3-3011 rep.)

11 (55 ILCS 5/3-3039 rep.)

12 (55 ILCS 5/3-3044 rep.)

13 Section 105. The Counties Code is amended by repealing
14 Sections 3-3002, 3-3011, 3-3039, and 3-3044.

15 Section 110. The Coroner Training Board Act is amended by
16 changing Sections 1, 5, 10, 20, 25, 30, and 35 and adding
17 Section 37 as follows:

18 (55 ILCS 135/1)

19 Sec. 1. Short title. This Act may be cited as the Medical
20 Examiner ~~Coroner~~ Training Board Act.

21 (Source: P.A. 99-408, eff. 1-1-16.)

22 (55 ILCS 135/5)

1 Sec. 5. Definitions. As used in this Act:

2 "Board" means the Medical Examiner ~~Coroner~~ Training Board.

3 ~~"Coroner" means coroners and deputy coroners.~~

4 ~~"Coroner training school" means any school located within~~
5 ~~or outside the State of Illinois whether privately or publicly~~
6 ~~owned which offers a course in coroner training and has been~~
7 ~~approved by the Board.~~

8 "Forensic pathologist" means a board certified pathologist
9 by the American Board of Pathology.

10 "Local governmental agency" means any local governmental
11 unit or municipal corporation in this State. It does not
12 include the State of Illinois or any office, officer,
13 department, division, bureau, board, commission, or agency of
14 the State.

15 "Medical examiner" means medical examiners and deputy
16 medical examiners.

17 "Medical examiner training school" means any school
18 located within or outside the State of Illinois, whether
19 privately or publicly owned, which offers a course in medical
20 examiner training and has been approved by the Board.

21 (Source: P.A. 99-408, eff. 1-1-16.)

22 (55 ILCS 135/10)

23 Sec. 10. Board; composition; appointments; tenure;
24 vacancies. The Board shall be composed of 5 members who shall
25 be appointed by the Governor as follows: 2 medical examiners

1 ~~coroners~~, one forensic pathologist from the Cook County Medical
2 Examiner's Office, one forensic pathologist from a county other
3 than Cook County, and one citizen of Illinois who is not
4 currently or was a medical examiner ~~coroner~~ or forensic
5 pathologist. The initial appointments by the Governor shall be
6 made on the first Monday of August in 2016 and the initial
7 appointments' terms shall be as follows: one coroner and one
8 forensic pathologist shall be for a period of one year, the
9 second coroner and the second forensic pathologist for 3 years,
10 and the citizen for a period of 3 years. Their successors,
11 including those appointed under subsection (c) of Section 37,
12 shall be appointed in like manner for terms to expire the first
13 Monday of August each 3 years thereafter. All members shall
14 serve until their respective successors are appointed and
15 qualify. Vacancies shall be filled by the Governor for the
16 unexpired terms.

17 (Source: P.A. 99-408, eff. 1-1-16.)

18 (55 ILCS 135/20)

19 Sec. 20. Powers of the Board. The Board has the following
20 powers and duties:

21 (a) To require units of local government to furnish such
22 reports and information as the Board deems necessary to fully
23 implement this Act.

24 (b) To establish by rule appropriate mandatory minimum
25 standards relating to the training of medical examiners

1 ~~coroners~~, including, but not limited to, Part 1760 of Chapter V
2 of Title 20 of the Illinois Administrative Code. The Board
3 shall consult with the Illinois Coroners and Medical Examiners
4 Association when adopting mandatory minimum standards.

5 (c) To provide appropriate certification to those medical
6 examiners ~~coroners~~ who successfully complete the prescribed
7 minimum standard basic training course.

8 (d) To review and approve annual training curriculum for
9 medical examiners ~~coroners~~.

10 (e) To review and approve applicants to ensure no applicant
11 is admitted to a medical examiner ~~coroner~~ training school
12 unless the applicant is a person of good character and has not
13 been convicted of a felony offense, any of the misdemeanors in
14 Sections 11-1.50, 11-6, 11-9.1, 11-14, 11-17, 11-19, 12-2,
15 12-15, 16-1, 17-1, 17-2, 28-3, 29-1, 31-1, 31-6, 31-7, 32-4a,
16 or 32-7 of the Criminal Code of 1961 or the Criminal Code of
17 2012, subdivision (a) (1) or (a) (2) (C) of Section 11-14.3 of the
18 Criminal Code of 1961 or the Criminal Code of 2012, or
19 subsection (a) of Section 17-32 of the Criminal Code of 1961 or
20 the Criminal Code of 2012, or Section 5 or 5.2 of the Cannabis
21 Control Act, or a crime involving moral turpitude under the
22 laws of this State or any other state which if committed in
23 this State would be punishable as a felony or a crime of moral
24 turpitude. The Board may appoint investigators who shall
25 enforce the duties conferred upon the Board by this Act.

26 (Source: P.A. 99-408, eff. 1-1-16.)

1 (55 ILCS 135/25)

2 Sec. 25. Selection and certification of schools. The Board
3 shall select and certify medical examiner ~~coroner~~ training
4 schools within or outside the State of Illinois for the purpose
5 of providing basic training for medical examiners ~~coroners~~ and
6 of providing advanced or in-service training for medical
7 examiners ~~coroners~~, which schools may be either publicly or
8 privately owned and operated.

9 (Source: P.A. 99-408, eff. 1-1-16.)

10 (55 ILCS 135/30)

11 Sec. 30. Death investigation training; waiver for
12 experience.

13 (a) The Board shall conduct or approve a training program
14 in death investigation for the training of medical examiners
15 ~~coroners~~. Only medical examiners ~~coroners~~ who successfully
16 complete the training program may be assigned as lead
17 investigators in a medical examiner's ~~coroner's~~
18 investigations. Satisfactory completion of the training
19 program shall be evidenced by a certificate issued to the
20 medical examiner ~~coroner~~ by the Board.

21 (b) The Board shall develop a process for waiver
22 applications sent from a medical examiner's ~~coroner's~~ office
23 for those medical examiners ~~coroners~~ whose prior training and
24 experience as a death or homicide investigator may qualify them

1 for a waiver. The Board may issue a waiver at its discretion,
2 based solely on the prior training and experience of a medical
3 examiner ~~coroner~~ as a death or homicide investigator.

4 (Source: P.A. 99-408, eff. 1-1-16.)

5 (55 ILCS 135/35)

6 Sec. 35. Acceptance of contributions and gifts. The Board
7 may accept contributions, capital grants, gifts, donations,
8 services or other financial assistance from any individual,
9 association, corporation, the United States of America and any
10 of its agencies or instrumentalities, or any other organization
11 having a legitimate interest in medical examiner ~~coroner~~
12 training.

13 (Source: P.A. 99-408, eff. 1-1-16.)

14 (55 ILCS 135/37 new)

15 Sec. 37. Transition into Medical Examiner Training Board.

16 (a) No later than 60 days after the effective date of this
17 amendatory Act of the 101st General Assembly, the Board and the
18 Executive Director, if any, shall meet to discuss what changes
19 are necessary, as a result of this amendatory Act of the 101st
20 General Assembly, to:

21 (1) reports or information furnished to the Board by
22 units of local government;

23 (2) rules that may be adopted for mandatory minimum
24 standards relating to the training of medical examiners;

1 (3) appropriate certification for medical examiners;

2 (4) annual training curriculum for medical examiners;

3 (5) death investigation training for medical
4 examiners; and

5 (6) selection and certification of schools for medical
6 examiner training.

7 (b) The Board shall implement changes necessary under
8 subsection (a) due to this amendatory Act of the 101st General
9 Assembly so that appointment of medical examiners under
10 subsection (a) of Section 3-3000 of the Counties Code and
11 training of the medical examiners under Section 3-3001 of the
12 Counties Code are not delayed.

13 (c) No later than November 30, 2021, the Governor shall
14 appoint 2 medical examiners, designating for each appointment
15 which coroner on the Board is being replaced, from the medical
16 examiners appointed under subsection (a) of Section 3-3000 of
17 the Counties Code. The terms of the medical examiners appointed
18 under this subsection shall expire at the same time of the
19 coroner whom each medical examiner replaced. If both medical
20 examiners are not appointed to the Board under this subsection
21 on or before November 30, 2021, the coroner or coroners on the
22 Board who have not been replaced with a medical examiner on
23 November 30, 2021 shall continue as Board members until medical
24 examiners are appointed and qualified to replace them.

25 Section 115. The Illinois Drainage Code is amended by

1 changing Section 5-7 as follows:

2 (70 ILCS 605/5-7) (from Ch. 42, par. 5-7)

3 Sec. 5-7. Original assessments - Right to jury. The
4 commissioners and any parties interested have the right to a
5 trial by jury upon all questions as to benefits and damages to
6 any lands and property affected, if a written demand for a jury
7 is filed on or before the date and hour fixed for hearing on
8 the assessment roll. If no demand for a jury trial is filed,
9 then all parties shall be deemed to have waived a jury, and the
10 court shall proceed to hear and determine all questions as to
11 benefits and damages to any lands and other property without a
12 jury. If a trial by jury is demanded by the commissioners or by
13 one or more interested parties, then the court shall submit to
14 the jury all questions as to benefits and damages to any and
15 all lands and property, even though a demand for a jury has not
16 been made by all of the parties interested.

17 If any lands or property are sought to be taken by the
18 exercise of the right of eminent domain, then the compensation
19 to be paid for any lands or property so sought to be taken
20 shall be fixed by a jury, unless a waiver of a trial by jury has
21 been filed by each owner of land or property sought to be
22 taken.

23 If a trial by jury is to be held, the jury may be drawn and
24 summoned in the manner now or hereafter provided for the
25 drawing and summoning of juries for the circuit court. If the

1 jury is not summoned as above provided, then the court may,
2 when the cause is set for trial, direct the clerk of the court
3 to issue a venire for not less than 12 nor more than 24
4 competent jurors, as the court shall direct, and deliver the
5 same to the sheriff or medical examiner ~~coroner~~, who shall
6 summon such jurors from the body of the county to appear before
7 the court at the time set for trial. The jury shall be
8 impaneled, and the parties shall be entitled to challenge
9 jurors as in other civil cases.

10 (Source: P.A. 84-886.)

11 Section 120. The Abuse Prevention Review Team Act is
12 amended by changing Sections 15, 20, and 25 as follows:

13 (210 ILCS 28/15)

14 Sec. 15. Residential health care facility resident sexual
15 assault and death review teams; establishment.

16 (a) The Director, in consultation with the Executive
17 Council and with law enforcement agencies and other
18 professionals who work in the field of investigating, treating,
19 or preventing nursing home resident abuse or neglect in the
20 State, shall appoint members to two residential health care
21 facility resident sexual assault and death review teams. The
22 Director shall appoint more teams if the Director or the
23 existing teams determine that more teams are necessary to
24 achieve the purposes of this Act. An Executive Council shall be

1 organized no later than when at least 4 teams are formed. The
2 members of a team shall be appointed for 2-year staggered terms
3 and shall be eligible for reappointment upon the expiration of
4 their terms.

5 (b) Each review team shall consist of at least one member
6 from each of the following categories:

7 (1) Geriatrician or other physician knowledgeable
8 about nursing home resident abuse and neglect.

9 (2) Representative of the Department.

10 (3) State's Attorney or State's Attorney's
11 representative.

12 (4) Representative of a local law enforcement agency.

13 (5) Representative of the Illinois Attorney General.

14 (6) Psychologist or psychiatrist.

15 (7) Representative of a local health department.

16 (8) Representative of a social service or health care
17 agency that provides services to persons with mental
18 illness, in a program whose accreditation to provide such
19 services is recognized by the Office of Mental Health
20 within the Department of Human Services.

21 (9) Representative of a social service or health care
22 agency that provides services to persons with
23 developmental disabilities, in a program whose
24 accreditation to provide such services is recognized by the
25 Office of Developmental Disabilities within the Department
26 of Human Services.

1 (10) Medical examiner ~~Coroner~~ or forensic pathologist.

2 (11) Representative of the local sub-state ombudsman.

3 (12) Representative of a nursing home resident
4 advocacy organization.

5 (13) Representative of a local hospital, trauma
6 center, or provider of emergency medical services.

7 (14) Representative of an organization that represents
8 nursing homes.

9 Each review team may make recommendations to the Director
10 concerning additional appointments. Each review team member
11 must have demonstrated experience and an interest in
12 investigating, treating, or preventing nursing home resident
13 abuse or neglect.

14 (c) Each review team shall select a chairperson from among
15 its members. The chairperson shall also serve on the Illinois
16 Residential Health Care Facility Sexual Assault and Death
17 Review Teams Executive Council.

18 (Source: P.A. 93-577, eff. 8-21-03; 94-931, eff. 6-26-06.)

19 (210 ILCS 28/20)

20 Sec. 20. Reviews of nursing home resident sexual assaults
21 and deaths.

22 (a) Every case of sexual assault of a nursing home resident
23 that the Department determined to be valid shall be reviewed by
24 the review team for the region that has primary case management
25 responsibility.

1 (b) Every death of a nursing home resident shall be
2 reviewed by the review team for the region that has primary
3 case management responsibility, if the deceased resident is one
4 of the following:

5 (1) A person whose death is reviewed by the Department
6 during any regulatory activity, whether or not there were
7 any federal or State violations.

8 (2) A person about whose care the Department received a
9 complaint alleging that the resident's care violated
10 federal or State standards so as to contribute to the
11 resident's death.

12 (3) A resident whose death is referred to the
13 Department for investigation by a local ~~coroner~~, medical
14 examiner, or law enforcement agency.

15 A review team may, at its discretion, review other sudden,
16 unexpected, or unexplained nursing home resident deaths. The
17 Department shall bring such deaths to the attention of the
18 teams when it determines that doing so will help to achieve the
19 purposes of this Act.

20 (c) A review team's purpose in conducting reviews of
21 resident sexual assaults and deaths is to do the following:

22 (1) Assist in determining the cause and manner of the
23 resident's assault or death, when requested.

24 (2) Evaluate means, if any, by which the assault or
25 death might have been prevented.

26 (3) Report its findings to the Director and make

1 recommendations that may help to reduce the number of
2 sexual assaults on and unnecessary deaths of nursing home
3 residents.

4 (4) Promote continuing education for professionals
5 involved in investigating, treating, and preventing
6 nursing home resident abuse and neglect as a means of
7 preventing sexual assaults and unnecessary deaths of
8 nursing home residents.

9 (5) Make specific recommendations to the Director
10 concerning the prevention of sexual assaults and
11 unnecessary deaths of nursing home residents and the
12 establishment of protocols for investigating resident
13 sexual assaults and deaths.

14 (d) A review team must review the sexual assault or death
15 cases submitted to it on a quarterly basis. The review team
16 must meet at least once in each calendar quarter if there are
17 cases to be reviewed. The Department shall forward cases
18 pursuant to subsections (a) and (b) of this Section within 120
19 days after completion of the investigation.

20 (e) Within 90 days after receiving recommendations made by
21 a review team under item (5) of subsection (c), the Director
22 must review those recommendations and respond to the review
23 team. The Director shall implement recommendations as feasible
24 and appropriate and shall respond to the review team in writing
25 to explain the implementation or nonimplementation of the
26 recommendations.

1 (f) In any instance when a review team does not operate in
2 accordance with established protocol, the Director, in
3 consultation and cooperation with the Executive Council, must
4 take any necessary actions to bring the review team into
5 compliance with the protocol.

6 (Source: P.A. 93-577, eff. 8-21-03; 94-931, eff. 6-26-06.)

7 (210 ILCS 28/25)

8 Sec. 25. Review team access to information.

9 (a) The Department shall provide to a review team, on the
10 request of the review team chairperson, all records and
11 information in the Department's possession that are relevant to
12 the review team's review of a sexual assault or death described
13 in subsection (b) of Section 20, including records and
14 information concerning previous reports or investigations of
15 suspected abuse or neglect.

16 (b) A review team shall have access to all records and
17 information that are relevant to its review of a sexual assault
18 or death and in the possession of a State or local governmental
19 agency. These records and information include, without
20 limitation, death certificates, all relevant medical and
21 mental health records, records of law enforcement agency
22 investigations, records of ~~coroner~~ or medical examiner
23 investigations, records of the Department of Corrections and
24 Department of Juvenile Justice concerning a person's parole or
25 aftercare release, records of a probation and court services

1 department, and records of a social services agency that
2 provided services to the resident.

3 (Source: P.A. 98-558, eff. 1-1-14.)

4 Section 125. The Abused and Neglected Long Term Care
5 Facility Residents Reporting Act is amended by changing Section
6 4 as follows:

7 (210 ILCS 30/4) (from Ch. 111 1/2, par. 4164)

8 Sec. 4. Any long term care facility administrator, agent or
9 employee or any physician, hospital, surgeon, dentist,
10 osteopath, chiropractor, podiatric physician, accredited
11 religious practitioner who provides treatment by spiritual
12 means alone through prayer in accordance with the tenets and
13 practices of the accrediting church, medical examiner ~~coroner~~,
14 social worker, social services administrator, registered
15 nurse, law enforcement officer, field personnel of the
16 Department of Healthcare and Family Services, field personnel
17 of the Illinois Department of Public Health and County or
18 Municipal Health Departments, personnel of the Department of
19 Human Services (acting as the successor to the Department of
20 Mental Health and Developmental Disabilities or the Department
21 of Public Aid), personnel of the Guardianship and Advocacy
22 Commission, personnel of the State Fire Marshal, local fire
23 department inspectors or other personnel, or personnel of the
24 Illinois Department on Aging, or its subsidiary Agencies on

1 Aging, or employee of a facility licensed under the Assisted
2 Living and Shared Housing Act, having reasonable cause to
3 believe any resident with whom they have direct contact has
4 been subjected to abuse or neglect shall immediately report or
5 cause a report to be made to the Department. Persons required
6 to make reports or cause reports to be made under this Section
7 include all employees of the State of Illinois who are involved
8 in providing services to residents, including professionals
9 providing medical or rehabilitation services and all other
10 persons having direct contact with residents; and further
11 include all employees of community service agencies who provide
12 services to a resident of a public or private long term care
13 facility outside of that facility. Any long term care surveyor
14 of the Illinois Department of Public Health who has reasonable
15 cause to believe in the course of a survey that a resident has
16 been abused or neglected and initiates an investigation while
17 on site at the facility shall be exempt from making a report
18 under this Section but the results of any such investigation
19 shall be forwarded to the central register in a manner and form
20 described by the Department.

21 The requirement of this Act shall not relieve any long term
22 care facility administrator, agent or employee of
23 responsibility to report the abuse or neglect of a resident
24 under Section 3-610 of the Nursing Home Care Act or under
25 Section 3-610 of the ID/DD Community Care Act or under Section
26 3-610 of the MC/DD Act or under Section 2-107 of the

1 Specialized Mental Health Rehabilitation Act of 2013.

2 In addition to the above persons required to report
3 suspected resident abuse and neglect, any other person may make
4 a report to the Department, or to any law enforcement officer,
5 if such person has reasonable cause to suspect a resident has
6 been abused or neglected.

7 This Section also applies to residents whose death occurs
8 from suspected abuse or neglect before being found or brought
9 to a hospital.

10 A person required to make reports or cause reports to be
11 made under this Section who fails to comply with the
12 requirements of this Section is guilty of a Class A
13 misdemeanor.

14 (Source: P.A. 98-104, eff. 7-22-13; 98-214, eff. 8-9-13;
15 98-756, eff. 7-16-14; 99-180, eff. 7-29-15.)

16 Section 130. The MC/DD Act is amended by changing Section
17 2-208 as follows:

18 (210 ILCS 46/2-208)

19 Sec. 2-208. Notice of imminent death, unusual incident,
20 abuse, or neglect.

21 (a) A facility shall immediately notify the identified
22 resident's next of kin, guardian, resident's representative,
23 and physician of the resident's death or when the resident's
24 death appears to be imminent. A facility shall immediately

1 notify the Department by telephone of a resident's death within
2 24 hours after the resident's death. The facility shall notify
3 the Department of the death of a facility's resident that does
4 not occur in the facility immediately upon learning of the
5 death. A facility shall promptly notify the ~~coroner or~~ medical
6 examiner of a resident's death in a manner and form to be
7 determined by the Department after consultation with the
8 ~~coroner or~~ medical examiner of the county in which the facility
9 is located. In addition to notice to the Department by
10 telephone, the Department shall require the facility to submit
11 written notification of the death of a resident within 72 hours
12 after the death, including a report of any medication errors or
13 other incidents that occurred within 30 days of the resident's
14 death. A facility's failure to comply with this Section shall
15 constitute a Type "B" violation.

16 (b) A facility shall immediately notify the resident's next
17 of kin, guardian, or resident representative of any unusual
18 incident, abuse, or neglect involving the resident. A facility
19 shall immediately notify the Department by telephone of any
20 unusual incident, abuse, or neglect required to be reported
21 pursuant to State law or administrative rule. In addition to
22 notice to the Department by telephone, the Department shall
23 require the facility to submit written notification of any
24 unusual incident, abuse, or neglect within one day after the
25 unusual incident, abuse, or neglect occurring. A facility's
26 failure to comply with this Section shall constitute a Type "B"

1 violation. For purposes of this Section, "unusual incident"
2 means serious injury; unscheduled hospital visit for treatment
3 of serious injury; 9-1-1 calls for emergency services directly
4 relating to a resident threat; or stalking of staff or person
5 served that raises health or safety concerns.

6 (Source: P.A. 99-180, eff. 7-29-15.)

7 Section 135. The ID/DD Community Care Act is amended by
8 changing Section 2-208 as follows:

9 (210 ILCS 47/2-208)

10 Sec. 2-208. Notice of imminent death, unusual incident,
11 abuse, or neglect.

12 (a) A facility shall immediately notify the identified
13 resident's next of kin, guardian, resident's representative,
14 and physician of the resident's death or when the resident's
15 death appears to be imminent. A facility shall immediately
16 notify the Department by telephone of a resident's death within
17 24 hours after the resident's death. The facility shall notify
18 the Department of the death of a facility's resident that does
19 not occur in the facility immediately upon learning of the
20 death. A facility shall promptly notify the ~~coroner or~~ medical
21 examiner of a resident's death in a manner and form to be
22 determined by the Department after consultation with the
23 ~~coroner or~~ medical examiner of the county in which the facility
24 is located. In addition to notice to the Department by

1 telephone, the Department shall require the facility to submit
2 written notification of the death of a resident within 72 hours
3 after the death, including a report of any medication errors or
4 other incidents that occurred within 30 days of the resident's
5 death. A facility's failure to comply with this Section shall
6 constitute a Type "B" violation.

7 (b) A facility shall immediately notify the resident's next
8 of kin, guardian, or resident representative of any unusual
9 incident, abuse, or neglect involving the resident. A facility
10 shall immediately notify the Department by telephone of any
11 unusual incident, abuse, or neglect required to be reported
12 pursuant to State law or administrative rule. In addition to
13 notice to the Department by telephone, the Department shall
14 require the facility to submit written notification of any
15 unusual incident, abuse, or neglect within one day after the
16 unusual incident, abuse, or neglect occurring. A facility's
17 failure to comply with this Section shall constitute a Type "B"
18 violation. For purposes of this Section, "unusual incident"
19 means serious injury; unscheduled hospital visit for treatment
20 of serious injury; 9-1-1 calls for emergency services directly
21 relating to a resident threat; or stalking of staff or person
22 served that raises health or safety concerns.

23 (Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11.)

24 Section 140. The Hospital Licensing Act is amended by
25 changing Sections 6.09a and 7 as follows:

1 (210 ILCS 85/6.09a)

2 Sec. 6.09a. Report of death. Every hospital shall promptly
3 report the death of a person readily known to be, without an
4 investigation by the hospital, a resident of a facility
5 licensed under the ID/DD Community Care Act or the MC/DD Act,
6 to the ~~coroner or~~ medical examiner. The ~~coroner or~~ medical
7 examiner shall promptly respond to the report by accepting or
8 not accepting the body for investigation.

9 (Source: P.A. 99-180, eff. 7-29-15.)

10 (210 ILCS 85/7) (from Ch. 111 1/2, par. 148)

11 Sec. 7. (a) The Director after notice and opportunity for
12 hearing to the applicant or licensee may deny, suspend, or
13 revoke a permit to establish a hospital or deny, suspend, or
14 revoke a license to open, conduct, operate, and maintain a
15 hospital in any case in which he finds that there has been a
16 substantial failure to comply with the provisions of this Act,
17 the Hospital Report Card Act, or the Illinois Adverse Health
18 Care Events Reporting Law of 2005 or the standards, rules, and
19 regulations established by virtue of any of those Acts. The
20 Department may impose fines on hospitals, not to exceed \$500
21 per occurrence, for failing to (1) initiate a criminal
22 background check on a patient that meets the criteria for
23 hospital-initiated background checks or (2) report the death of
24 a person known to be a resident of a facility licensed under

1 the ID/DD Community Care Act or the MC/DD Act to the ~~coroner or~~
2 medical examiner within 24 hours as required by Section 6.09a
3 of this Act. In assessing whether to impose such a fine for
4 failure to initiate a criminal background check, the Department
5 shall consider various factors including, but not limited to,
6 whether the hospital has engaged in a pattern or practice of
7 failing to initiate criminal background checks. Money from
8 fines shall be deposited into the Long Term Care Provider Fund.

9 (b) Such notice shall be effected by registered mail or by
10 personal service setting forth the particular reasons for the
11 proposed action and fixing a date, not less than 15 days from
12 the date of such mailing or service, at which time the
13 applicant or licensee shall be given an opportunity for a
14 hearing. Such hearing shall be conducted by the Director or by
15 an employee of the Department designated in writing by the
16 Director as Hearing Officer to conduct the hearing. On the
17 basis of any such hearing, or upon default of the applicant or
18 licensee, the Director shall make a determination specifying
19 his findings and conclusions. In case of a denial to an
20 applicant of a permit to establish a hospital, such
21 determination shall specify the subsection of Section 6 under
22 which the permit was denied and shall contain findings of fact
23 forming the basis of such denial. A copy of such determination
24 shall be sent by registered mail or served personally upon the
25 applicant or licensee. The decision denying, suspending, or
26 revoking a permit or a license shall become final 35 days after

1 it is so mailed or served, unless the applicant or licensee,
2 within such 35 day period, petitions for review pursuant to
3 Section 13.

4 (c) The procedure governing hearings authorized by this
5 Section shall be in accordance with rules promulgated by the
6 Department and approved by the Hospital Licensing Board. A full
7 and complete record shall be kept of all proceedings, including
8 the notice of hearing, complaint, and all other documents in
9 the nature of pleadings, written motions filed in the
10 proceedings, and the report and orders of the Director and
11 Hearing Officer. All testimony shall be reported but need not
12 be transcribed unless the decision is appealed pursuant to
13 Section 13. A copy or copies of the transcript may be obtained
14 by any interested party on payment of the cost of preparing
15 such copy or copies.

16 (d) The Director or Hearing Officer shall upon his own
17 motion, or on the written request of any party to the
18 proceeding, issue subpoenas requiring the attendance and the
19 giving of testimony by witnesses, and subpoenas duces tecum
20 requiring the production of books, papers, records, or
21 memoranda. All subpoenas and subpoenas duces tecum issued under
22 the terms of this Act may be served by any person of full age.
23 The fees of witnesses for attendance and travel shall be the
24 same as the fees of witnesses before the Circuit Court of this
25 State, such fees to be paid when the witness is excused from
26 further attendance. When the witness is subpoenaed at the

1 instance of the Director, or Hearing Officer, such fees shall
2 be paid in the same manner as other expenses of the Department,
3 and when the witness is subpoenaed at the instance of any other
4 party to any such proceeding the Department may require that
5 the cost of service of the subpoena or subpoena duces tecum and
6 the fee of the witness be borne by the party at whose instance
7 the witness is summoned. In such case, the Department in its
8 discretion, may require a deposit to cover the cost of such
9 service and witness fees. A subpoena or subpoena duces tecum
10 issued as aforesaid shall be served in the same manner as a
11 subpoena issued out of a court.

12 (e) Any Circuit Court of this State upon the application of
13 the Director, or upon the application of any other party to the
14 proceeding, may, in its discretion, compel the attendance of
15 witnesses, the production of books, papers, records, or
16 memoranda and the giving of testimony before the Director or
17 Hearing Officer conducting an investigation or holding a
18 hearing authorized by this Act, by an attachment for contempt,
19 or otherwise, in the same manner as production of evidence may
20 be compelled before the court.

21 (f) The Director or Hearing Officer, or any party in an
22 investigation or hearing before the Department, may cause the
23 depositions of witnesses within the State to be taken in the
24 manner prescribed by law for like depositions in civil actions
25 in courts of this State, and to that end compel the attendance
26 of witnesses and the production of books, papers, records, or

1 memoranda.

2 (Source: P.A. 99-180, eff. 7-29-15.)

3 Section 145. The Safe Pharmaceutical Disposal Act is
4 amended by changing Section 18 as follows:

5 (210 ILCS 150/18)

6 Sec. 18. Unused medications at the scene of a death.

7 (a) Notwithstanding any provision of law to the contrary,
8 the Department of State Police may by rule authorize State
9 Police officers to dispose of any unused medications found at
10 the scene of a death the State Police officer is investigating.
11 A State Police officer may only dispose of any unused
12 medications under this subsection after consulting with any
13 other investigating law enforcement agency to ensure that the
14 unused medications will not be needed as evidence in any
15 investigation. This Section shall not apply to any unused
16 medications a State Police officer takes into custody as part
17 of any investigation into a crime.

18 (b) Notwithstanding any provision of law to the contrary, a
19 local governmental agency may authorize police officers to
20 dispose of any unused medications found at the scene of a death
21 a police officer is investigating. A police officer may only
22 dispose of any unused medications under this subsection after
23 consulting with any other investigating law enforcement agency
24 to ensure that the unused medications will not be needed as

1 evidence in any investigation. This Section shall not apply to
2 any unused medications a police officer takes into custody as
3 part of any investigation into a crime.

4 (c) Notwithstanding any provision of law to the contrary, a
5 ~~coroner or~~ medical examiner may dispose of any unused
6 medications found at the scene of a death the ~~coroner or~~
7 medical examiner is investigating. A ~~coroner or~~ medical
8 examiner may only dispose of any unused medications under this
9 subsection after consulting with any investigating law
10 enforcement agency to ensure that the unused medications will
11 not be needed as evidence in any investigation.

12 (d) Any disposal under this Section shall be in accordance
13 with Section 17 of this Act or another State or federally
14 approved medication take-back program or location.

15 (e) This Section shall not apply to prescription drugs for
16 which the United States Food and Drug Administration created a
17 Risk Evaluation and Mitigation Strategy for under the Food and
18 Drug Administration Amendments Act of 2007.

19 (f) Nothing in this Section shall be construed to require a
20 search of the scene for unused medications.

21 (g) Prior to disposal of any medication collected as
22 evidence in a criminal investigation under this Section, a
23 State Police officer, police officer, ~~coroner,~~ or medical
24 examiner shall photograph the unused medication and its
25 container or packaging, if available; document the number or
26 amount of medication to be disposed; and include the

1 photographs and documentation in the police report,~~coroner~~
2 ~~report~~, or medical examiner report.

3 (h) If an autopsy is performed as part of a death
4 investigation, no medication seized under this Section shall be
5 disposed of until after a toxicology report is received by the
6 entity requesting the report.

7 (i) If a police officer, State Police officer,~~coroner~~, or
8 medical examiner is not present at the scene of a death, a
9 nurse may dispose of any unused medications found at the scene
10 of a death the nurse is present at while engaging in the
11 performance of his or her duties. A nurse may dispose of any
12 unused medications under this subsection only after consulting
13 with any investigating law enforcement agency to ensure that
14 the unused medications will not be needed as evidence in an
15 investigation.

16 (j) When an individual authorized to dispose of unused
17 medication under this Section disposes of unused medication
18 under this Section in good faith, the individual, and his or
19 her employer, employees, and agents, shall incur no criminal
20 liability or professional discipline.

21 (Source: P.A. 99-648, eff. 1-1-17; 100-345, eff. 8-25-17.)

22 Section 150. The Coal Mining Act is amended by changing
23 Sections 10.03 and 10.04 as follows:

24 (225 ILCS 705/10.03) (from Ch. 96 1/2, par. 1003)

1 Sec. 10.03. If any person is killed in or about a mine the
2 operator shall notify the medical examiner ~~coroner~~ of the
3 county, who shall hold an inquest concerning the cause of the
4 death. The State Mine Inspector may question or cross-question
5 any witness testifying at the inquest.

6 (Source: Laws 1953, p. 701.)

7 (225 ILCS 705/10.04) (from Ch. 96 1/2, par. 1004)

8 Sec. 10.04. The State Mine Inspector shall make a personal
9 investigation as to the nature and cause of all serious
10 accidents in mines under his supervision. He shall make a
11 record of the circumstances attending the accident, as
12 developed at the medical examiner's ~~coroner's~~ inquest and by
13 his own personal investigation. A copy of the record shall be
14 filed with the Department within 30 days following the
15 conclusion of the investigation, and the report shall thereupon
16 become a part of the records of the Department. To enable the
17 State Mine Inspector to make his investigation he has the power
18 to compel the attendance of witnesses, and to administer oaths
19 or affirmations to them.

20 (Source: P.A. 79-340.)

21 Section 155. The Fluorspar Mines Act is amended by changing
22 Sections 15 and 16 as follows:

23 (225 ILCS 710/15) (from Ch. 96 1/2, par. 4222)

1 Sec. 15. The superintendent shall post or cause to be
2 posted an emergency organization chart or plan in a conspicuous
3 place on each mine property designating the duties of various
4 employees and listing mine rescue stations, hospitals,
5 doctors, etc., to be called in case of fire, explosion, flood,
6 cave-in or other emergency. Whenever loss of life occurs from
7 accident in or about a mine, and when death results from
8 personal injury, the superintendent or other person having
9 immediate charge of the work at the time of the accident shall
10 give notice to the inspector promptly by telephone or
11 telegraph, followed by a notice in writing, after knowledge of
12 death comes.

13 Whenever possible, the inspector shall be present at the
14 medical examiner's ~~coroner's~~ inquest held over the remains of a
15 person killed in or about a mine. Due notice of an intended
16 inquest to be held by the medical examiner ~~coroner~~ shall be
17 given by the medical examiner ~~coroner~~ to the inspector, and at
18 such inquest the inspector shall have the right to examine and
19 cross-examine witnesses, and such examination shall be part of
20 the records of such inquest. If, at any inquest held over the
21 body or bodies of persons whose death was caused by an accident
22 in or about the mine, the inspector be not present, and it be
23 found from the evidence given at the inquest that the accident
24 was caused by neglect or by any defect in or about the mine, or
25 because the mine was operated contrary to the provisions of
26 this Act, the medical examiner ~~coroner~~ shall send notice in

1 writing to said inspector of such reported neglect or default;
2 and the said inspector shall immediately take steps to have an
3 investigation made of the same. The medical examiner ~~coroner~~
4 before whom such an inquest is held shall promptly file with
5 the inspector of mines a copy of the testimony taken thereat
6 and a copy of the verdict rendered by the medical examiner's
7 ~~coroner's~~ jury.

8 (Source: Laws 1945, p. 1035.)

9 (225 ILCS 710/16) (from Ch. 96 1/2, par. 4223)

10 Sec. 16. Employee failure; investigation. Whenever, in the
11 opinion of the inspector of mines, a serious or fatal accident
12 in or about any mine in this State shall have been caused by
13 failure on the part of the operator or any employee of such
14 mine, or by any other person, or by any of them, to observe the
15 provisions of this Act, it shall be the duty of the inspector
16 to immediately notify the Department of Natural Resources by
17 wire or telephone, and cause a copy of the report of such
18 accident or a copy of the testimony taken at the medical
19 examiner's ~~coroner's~~ inquest, together with the verdict of the
20 medical examiner's ~~coroner's~~ jury, and all papers in his or her
21 hands relating thereto, to be forwarded to the Department of
22 Natural Resources that an investigation may be immediately
23 conducted by the Department of Natural Resources, and if they
24 concur with the inspector, all reports and testimony so
25 assembled shall be delivered to the prosecuting officer of the

1 county in which the accident or loss of life occurred, together
2 with a statement of the inspector showing in what particular or
3 particulars he or she believes the law to have been violated,
4 and if upon the receipt thereof the prosecuting officer of the
5 said county deems the facts to make a prima facie cause of
6 action against any party, that officer shall present such
7 evidence to the grand jury and take such further steps for the
8 criminal prosecution of such operators, employees or other
9 persons as may seem advisable.

10 (Source: P.A. 89-445, eff. 2-7-96.)

11 Section 160. The Adult Protective Services Act is amended
12 by changing Sections 2, 3, 5, 8, and 15 as follows:

13 (320 ILCS 20/2) (from Ch. 23, par. 6602)

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

16 (a) "Abuse" means causing any physical, mental or sexual
17 injury to an eligible adult, including exploitation of such
18 adult's financial resources.

19 Nothing in this Act shall be construed to mean that an
20 eligible adult is a victim of abuse, neglect, or self-neglect
21 for the sole reason that he or she is being furnished with or
22 relies upon treatment by spiritual means through prayer alone,
23 in accordance with the tenets and practices of a recognized
24 church or religious denomination.

1 Nothing in this Act shall be construed to mean that an
2 eligible adult is a victim of abuse because of health care
3 services provided or not provided by licensed health care
4 professionals.

5 (a-5) "Abuser" means a person who abuses, neglects, or
6 financially exploits an eligible adult.

7 (a-6) "Adult with disabilities" means a person aged 18
8 through 59 who resides in a domestic living situation and whose
9 disability as defined in subsection (c-5) impairs his or her
10 ability to seek or obtain protection from abuse, neglect, or
11 exploitation.

12 (a-7) "Caregiver" means a person who either as a result of
13 a family relationship, voluntarily, or in exchange for
14 compensation has assumed responsibility for all or a portion of
15 the care of an eligible adult who needs assistance with
16 activities of daily living or instrumental activities of daily
17 living.

18 (b) "Department" means the Department on Aging of the State
19 of Illinois.

20 (c) "Director" means the Director of the Department.

21 (c-5) "Disability" means a physical or mental disability,
22 including, but not limited to, a developmental disability, an
23 intellectual disability, a mental illness as defined under the
24 Mental Health and Developmental Disabilities Code, or dementia
25 as defined under the Alzheimer's Disease Assistance Act.

26 (d) "Domestic living situation" means a residence where the

1 eligible adult at the time of the report lives alone or with
2 his or her family or a caregiver, or others, or other
3 community-based unlicensed facility, but is not:

4 (1) A licensed facility as defined in Section 1-113 of
5 the Nursing Home Care Act;

6 (1.5) A facility licensed under the ID/DD Community
7 Care Act;

8 (1.6) A facility licensed under the MC/DD Act;

9 (1.7) A facility licensed under the Specialized Mental
10 Health Rehabilitation Act of 2013;

11 (2) A "life care facility" as defined in the Life Care
12 Facilities Act;

13 (3) A home, institution, or other place operated by the
14 federal government or agency thereof or by the State of
15 Illinois;

16 (4) A hospital, sanitarium, or other institution, the
17 principal activity or business of which is the diagnosis,
18 care, and treatment of human illness through the
19 maintenance and operation of organized facilities
20 therefor, which is required to be licensed under the
21 Hospital Licensing Act;

22 (5) A "community living facility" as defined in the
23 Community Living Facilities Licensing Act;

24 (6) (Blank);

25 (7) A "community-integrated living arrangement" as
26 defined in the Community-Integrated Living Arrangements

1 Licensure and Certification Act or a "community
2 residential alternative" as licensed under that Act;

3 (8) An assisted living or shared housing establishment
4 as defined in the Assisted Living and Shared Housing Act;
5 or

6 (9) A supportive living facility as described in
7 Section 5-5.01a of the Illinois Public Aid Code.

8 (e) "Eligible adult" means either an adult with
9 disabilities aged 18 through 59 or a person aged 60 or older
10 who resides in a domestic living situation and is, or is
11 alleged to be, abused, neglected, or financially exploited by
12 another individual or who neglects himself or herself.
13 "Eligible adult" also includes an adult who resides in any of
14 the facilities that are excluded from the definition of
15 "domestic living situation" under paragraphs (1) through (9) of
16 subsection (d), if either: (i) the alleged abuse or neglect
17 occurs outside of the facility and not under facility
18 supervision and the alleged abuser is a family member,
19 caregiver, or another person who has a continuing relationship
20 with the adult; or (ii) the alleged financial exploitation is
21 perpetrated by a family member, caregiver, or another person
22 who has a continuing relationship with the adult, but who is
23 not an employee of the facility where the adult resides.

24 (f) "Emergency" means a situation in which an eligible
25 adult is living in conditions presenting a risk of death or
26 physical, mental or sexual injury and the provider agency has

1 reason to believe the eligible adult is unable to consent to
2 services which would alleviate that risk.

3 (f-1) "Financial exploitation" means the use of an eligible
4 adult's resources by another to the disadvantage of that adult
5 or the profit or advantage of a person other than that adult.

6 (f-5) "Mandated reporter" means any of the following
7 persons while engaged in carrying out their professional
8 duties:

9 (1) a professional or professional's delegate while
10 engaged in: (i) social services, (ii) law enforcement,
11 (iii) education, (iv) the care of an eligible adult or
12 eligible adults, or (v) any of the occupations required to
13 be licensed under the Clinical Psychologist Licensing Act,
14 the Clinical Social Work and Social Work Practice Act, the
15 Illinois Dental Practice Act, the Dietitian Nutritionist
16 Practice Act, the Marriage and Family Therapy Licensing
17 Act, the Medical Practice Act of 1987, the Naprapathic
18 Practice Act, the Nurse Practice Act, the Nursing Home
19 Administrators Licensing and Disciplinary Act, the
20 Illinois Occupational Therapy Practice Act, the Illinois
21 Optometric Practice Act of 1987, the Pharmacy Practice Act,
22 the Illinois Physical Therapy Act, the Physician Assistant
23 Practice Act of 1987, the Podiatric Medical Practice Act of
24 1987, the Respiratory Care Practice Act, the Professional
25 Counselor and Clinical Professional Counselor Licensing
26 and Practice Act, the Illinois Speech-Language Pathology

1 and Audiology Practice Act, the Veterinary Medicine and
2 Surgery Practice Act of 2004, and the Illinois Public
3 Accounting Act;

4 (1.5) an employee of an entity providing developmental
5 disabilities services or service coordination funded by
6 the Department of Human Services;

7 (2) an employee of a vocational rehabilitation
8 facility prescribed or supervised by the Department of
9 Human Services;

10 (3) an administrator, employee, or person providing
11 services in or through an unlicensed community based
12 facility;

13 (4) any religious practitioner who provides treatment
14 by prayer or spiritual means alone in accordance with the
15 tenets and practices of a recognized church or religious
16 denomination, except as to information received in any
17 confession or sacred communication enjoined by the
18 discipline of the religious denomination to be held
19 confidential;

20 (5) field personnel of the Department of Healthcare and
21 Family Services, Department of Public Health, and
22 Department of Human Services, and any county or municipal
23 health department;

24 (6) personnel of the Department of Human Services, the
25 Guardianship and Advocacy Commission, the State Fire
26 Marshal, local fire departments, the Department on Aging

1 and its subsidiary Area Agencies on Aging and provider
2 agencies, and the Office of State Long Term Care Ombudsman;

3 (7) any employee of the State of Illinois not otherwise
4 specified herein who is involved in providing services to
5 eligible adults, including professionals providing medical
6 or rehabilitation services and all other persons having
7 direct contact with eligible adults;

8 (8) a person who performs the duties of a ~~coroner or~~
9 medical examiner; or

10 (9) a person who performs the duties of a paramedic or
11 an emergency medical technician.

12 (g) "Neglect" means another individual's failure to
13 provide an eligible adult with or willful withholding from an
14 eligible adult the necessities of life including, but not
15 limited to, food, clothing, shelter or health care. This
16 subsection does not create any new affirmative duty to provide
17 support to eligible adults. Nothing in this Act shall be
18 construed to mean that an eligible adult is a victim of neglect
19 because of health care services provided or not provided by
20 licensed health care professionals.

21 (h) "Provider agency" means any public or nonprofit agency
22 in a planning and service area that is selected by the
23 Department or appointed by the regional administrative agency
24 with prior approval by the Department on Aging to receive and
25 assess reports of alleged or suspected abuse, neglect, or
26 financial exploitation. A provider agency is also referenced as

1 a "designated agency" in this Act.

2 (i) "Regional administrative agency" means any public or
3 nonprofit agency in a planning and service area that provides
4 regional oversight and performs functions as set forth in
5 subsection (b) of Section 3 of this Act. The Department shall
6 designate an Area Agency on Aging as the regional
7 administrative agency or, in the event the Area Agency on Aging
8 in that planning and service area is deemed by the Department
9 to be unwilling or unable to provide those functions, the
10 Department may serve as the regional administrative agency or
11 designate another qualified entity to serve as the regional
12 administrative agency; any such designation shall be subject to
13 terms set forth by the Department.

14 (i-5) "Self-neglect" means a condition that is the result
15 of an eligible adult's inability, due to physical or mental
16 impairments, or both, or a diminished capacity, to perform
17 essential self-care tasks that substantially threaten his or
18 her own health, including: providing essential food, clothing,
19 shelter, and health care; and obtaining goods and services
20 necessary to maintain physical health, mental health,
21 emotional well-being, and general safety. The term includes
22 compulsive hoarding, which is characterized by the acquisition
23 and retention of large quantities of items and materials that
24 produce an extensively cluttered living space, which
25 significantly impairs the performance of essential self-care
26 tasks or otherwise substantially threatens life or safety.

1 (j) "Substantiated case" means a reported case of alleged
2 or suspected abuse, neglect, financial exploitation, or
3 self-neglect in which a provider agency, after assessment,
4 determines that there is reason to believe abuse, neglect, or
5 financial exploitation has occurred.

6 (k) "Verified" means a determination that there is "clear
7 and convincing evidence" that the specific injury or harm
8 alleged was the result of abuse, neglect, or financial
9 exploitation.

10 (Source: P.A. 99-180, eff. 7-29-15; 100-641, eff. 1-1-19.)

11 (320 ILCS 20/3) (from Ch. 23, par. 6603)

12 Sec. 3. Responsibilities.

13 (a) The Department shall establish, design, and manage a
14 protective services program for eligible adults who have been,
15 or are alleged to be, victims of abuse, neglect, financial
16 exploitation, or self-neglect. The Department shall contract
17 with or fund, or contract with and fund, regional
18 administrative agencies, provider agencies, or both, for the
19 provision of those functions, and, contingent on adequate
20 funding, with attorneys or legal services provider agencies for
21 the provision of legal assistance pursuant to this Act. For
22 self-neglect, the program shall include the following services
23 for eligible adults who have been removed from their residences
24 for the purpose of cleanup or repairs: temporary housing;
25 counseling; and caseworker services to try to ensure that the

1 conditions necessitating the removal do not reoccur.

2 (a-1) The Department shall by rule develop standards for
3 minimum staffing levels and staff qualifications. The
4 Department shall by rule establish mandatory standards for the
5 investigation of abuse, neglect, financial exploitation, or
6 self-neglect of eligible adults and mandatory procedures for
7 linking eligible adults to appropriate services and supports.

8 (a-5) A provider agency shall, in accordance with rules
9 promulgated by the Department, establish a multi-disciplinary
10 team to act in an advisory role for the purpose of providing
11 professional knowledge and expertise in the handling of complex
12 abuse cases involving eligible adults. Each multi-disciplinary
13 team shall consist of one volunteer representative from the
14 following professions: banking or finance; disability care;
15 health care; law; law enforcement; mental health care; and
16 clergy. A provider agency may also choose to add
17 representatives from the fields of substance abuse, domestic
18 violence, sexual assault, or other related fields. To support
19 multi-disciplinary teams in this role, law enforcement
20 agencies and ~~coroners or~~ medical examiners shall supply records
21 as may be requested in particular cases.

22 (b) Each regional administrative agency shall designate
23 provider agencies within its planning and service area with
24 prior approval by the Department on Aging, monitor the use of
25 services, provide technical assistance to the provider
26 agencies and be involved in program development activities.

1 (c) Provider agencies shall assist, to the extent possible,
2 eligible adults who need agency services to allow them to
3 continue to function independently. Such assistance shall
4 include, but not be limited to, receiving reports of alleged or
5 suspected abuse, neglect, financial exploitation, or
6 self-neglect, conducting face-to-face assessments of such
7 reported cases, determination of substantiated cases, referral
8 of substantiated cases for necessary support services,
9 referral of criminal conduct to law enforcement in accordance
10 with Department guidelines, and provision of case work and
11 follow-up services on substantiated cases. In the case of a
12 report of alleged or suspected abuse or neglect that places an
13 eligible adult at risk of injury or death, a provider agency
14 shall respond to the report on an emergency basis in accordance
15 with guidelines established by the Department by
16 administrative rule and shall ensure that it is capable of
17 responding to such a report 24 hours per day, 7 days per week.
18 A provider agency may use an on-call system to respond to
19 reports of alleged or suspected abuse or neglect after hours
20 and on weekends.

21 (c-5) Where a provider agency has reason to believe that
22 the death of an eligible adult may be the result of abuse or
23 neglect, including any reports made after death, the agency
24 shall immediately report the matter to both the appropriate law
25 enforcement agency and the ~~coroner or~~ medical examiner. Between
26 30 and 45 days after making such a report, the provider agency

1 again shall contact the law enforcement agency and ~~coroner or~~
2 medical examiner to determine whether any further action was
3 taken. Upon request by a provider agency, a law enforcement
4 agency and ~~coroner or~~ medical examiner shall supply a summary
5 of its action in response to a reported death of an eligible
6 adult. A copy of the report shall be maintained and all
7 subsequent follow-up with the law enforcement agency and
8 ~~coroner or~~ medical examiner shall be documented in the case
9 record of the eligible adult. If the law enforcement agency,
10 ~~coroner,~~ or medical examiner determines the reported death was
11 caused by abuse or neglect by a caregiver, the law enforcement
12 agency, ~~coroner,~~ or medical examiner shall inform the
13 Department, and the Department shall report the caregiver's
14 identity on the Registry as described in Section 7.5 of this
15 Act.

16 (d) Upon sufficient appropriations to implement a
17 statewide program, the Department shall implement a program,
18 based on the recommendations of the Self-Neglect Steering
19 Committee, for (i) responding to reports of possible
20 self-neglect, (ii) protecting the autonomy, rights, privacy,
21 and privileges of adults during investigations of possible
22 self-neglect and consequential judicial proceedings regarding
23 competency, (iii) collecting and sharing relevant information
24 and data among the Department, provider agencies, regional
25 administrative agencies, and relevant seniors, (iv) developing
26 working agreements between provider agencies and law

1 enforcement, where practicable, and (v) developing procedures
2 for collecting data regarding incidents of self-neglect.

3 (Source: P.A. 98-49, eff. 7-1-13; 98-1039, eff. 8-25-14.)

4 (320 ILCS 20/5) (from Ch. 23, par. 6605)

5 Sec. 5. Procedure.

6 (a) A provider agency designated to receive reports of
7 alleged or suspected abuse, neglect, financial exploitation,
8 or self-neglect under this Act shall, upon receiving such a
9 report, conduct a face-to-face assessment with respect to such
10 report, in accord with established law and Department
11 protocols, procedures, and policies. Face-to-face assessments,
12 casework, and follow-up of reports of self-neglect by the
13 provider agencies designated to receive reports of
14 self-neglect shall be subject to sufficient appropriation for
15 statewide implementation of assessments, casework, and
16 follow-up of reports of self-neglect. In the absence of
17 sufficient appropriation for statewide implementation of
18 assessments, casework, and follow-up of reports of
19 self-neglect, the designated adult protective services
20 provider agency shall refer all reports of self-neglect to the
21 appropriate agency or agencies as designated by the Department
22 for any follow-up. The assessment shall include, but not be
23 limited to, a visit to the residence of the eligible adult who
24 is the subject of the report and shall include interviews or
25 consultations regarding the allegations with service agencies,

1 immediate family members, and individuals who may have
2 knowledge of the eligible adult's circumstances based on the
3 consent of the eligible adult in all instances, except where
4 the provider agency is acting in the best interest of an
5 eligible adult who is unable to seek assistance for himself or
6 herself and where there are allegations against a caregiver who
7 has assumed responsibilities in exchange for compensation. If,
8 after the assessment, the provider agency determines that the
9 case is substantiated it shall develop a service care plan for
10 the eligible adult and may report its findings at any time
11 during the case to the appropriate law enforcement agency in
12 accord with established law and Department protocols,
13 procedures, and policies. In developing a case plan, the
14 provider agency may consult with any other appropriate provider
15 of services, and such providers shall be immune from civil or
16 criminal liability on account of such acts. The plan shall
17 include alternative suggested or recommended services which
18 are appropriate to the needs of the eligible adult and which
19 involve the least restriction of the eligible adult's
20 activities commensurate with his or her needs. Only those
21 services to which consent is provided in accordance with
22 Section 9 of this Act shall be provided, contingent upon the
23 availability of such services.

24 (b) A provider agency shall refer evidence of crimes
25 against an eligible adult to the appropriate law enforcement
26 agency according to Department policies. A referral to law

1 enforcement may be made at intake or any time during the case.
2 Where a provider agency has reason to believe the death of an
3 eligible adult may be the result of abuse or neglect, the
4 agency shall immediately report the matter to the ~~coroner or~~
5 medical examiner and shall cooperate fully with any subsequent
6 investigation.

7 (c) If any person other than the alleged victim refuses to
8 allow the provider agency to begin an investigation, interferes
9 with the provider agency's ability to conduct an investigation,
10 or refuses to give access to an eligible adult, the appropriate
11 law enforcement agency must be consulted regarding the
12 investigation.

13 (Source: P.A. 101-496, eff. 1-1-20.)

14 (320 ILCS 20/8) (from Ch. 23, par. 6608)

15 Sec. 8. Access to records. All records concerning reports
16 of abuse, neglect, financial exploitation, or self-neglect and
17 all records generated as a result of such reports shall be
18 confidential and shall not be disclosed except as specifically
19 authorized by this Act or other applicable law. In accord with
20 established law and Department protocols, procedures, and
21 policies, access to such records, but not access to the
22 identity of the person or persons making a report of alleged
23 abuse, neglect, financial exploitation, or self-neglect as
24 contained in such records, shall be provided, upon request, to
25 the following persons and for the following persons:

1 (1) Department staff, provider agency staff, other
2 aging network staff, and regional administrative agency
3 staff, including staff of the Chicago Department on Aging
4 while that agency is designated as a regional
5 administrative agency, in the furtherance of their
6 responsibilities under this Act;

7 (1.5) A representative of the public guardian acting in
8 the course of investigating the appropriateness of
9 guardianship for the eligible adult or while pursuing a
10 petition for guardianship of the eligible adult pursuant to
11 the Probate Act of 1975;

12 (2) A law enforcement agency or State's Attorney's
13 office investigating known or suspected abuse, neglect,
14 financial exploitation, or self-neglect. Where a provider
15 agency has reason to believe that the death of an eligible
16 adult may be the result of abuse or neglect, including any
17 reports made after death, the agency shall immediately
18 provide the appropriate law enforcement agency with all
19 records pertaining to the eligible adult;

20 (2.5) A law enforcement agency, fire department
21 agency, or fire protection district having proper
22 jurisdiction pursuant to a written agreement between a
23 provider agency and the law enforcement agency, fire
24 department agency, or fire protection district under which
25 the provider agency may furnish to the law enforcement
26 agency, fire department agency, or fire protection

1 district a list of all eligible adults who may be at
2 imminent risk of abuse, neglect, financial exploitation,
3 or self-neglect;

4 (3) A physician who has before him or her or who is
5 involved in the treatment of an eligible adult whom he or
6 she reasonably suspects may be abused, neglected,
7 financially exploited, or self-neglected or who has been
8 referred to the Adult Protective Services Program;

9 (4) An eligible adult reported to be abused, neglected,
10 financially exploited, or self-neglected, or such adult's
11 authorized guardian or agent, unless such guardian or agent
12 is the abuser or the alleged abuser;

13 (4.5) An executor or administrator of the estate of an
14 eligible adult who is deceased;

15 (5) In cases regarding abuse, neglect, or financial
16 exploitation, a court or a guardian ad litem, upon its or
17 his or her finding that access to such records may be
18 necessary for the determination of an issue before the
19 court. However, such access shall be limited to an in
20 camera inspection of the records, unless the court
21 determines that disclosure of the information contained
22 therein is necessary for the resolution of an issue then
23 pending before it;

24 (5.5) In cases regarding self-neglect, a guardian ad
25 litem;

26 (6) A grand jury, upon its determination that access to

1 such records is necessary in the conduct of its official
2 business;

3 (7) Any person authorized by the Director, in writing,
4 for audit or bona fide research purposes;

5 (8) A ~~coroner or~~ medical examiner who has reason to
6 believe that an eligible adult has died as the result of
7 abuse, neglect, financial exploitation, or self-neglect.
8 The provider agency shall immediately provide the ~~coroner~~
9 ~~or~~ medical examiner with all records pertaining to the
10 eligible adult;

11 (8.5) A ~~coroner or~~ medical examiner having proper
12 jurisdiction, pursuant to a written agreement between a
13 provider agency and the ~~coroner or~~ medical examiner, under
14 which the provider agency may furnish to the office of the
15 ~~coroner or~~ medical examiner a list of all eligible adults
16 who may be at imminent risk of death as a result of abuse,
17 neglect, financial exploitation, or self-neglect;

18 (9) Department of Financial and Professional
19 Regulation staff and members of the Illinois Medical
20 Disciplinary Board or the Social Work Examining and
21 Disciplinary Board in the course of investigating alleged
22 violations of the Clinical Social Work and Social Work
23 Practice Act by provider agency staff or other licensing
24 bodies at the discretion of the Director of the Department
25 on Aging;

26 (9-a) Department of Healthcare and Family Services

1 staff and provider agency staff when that Department is
2 funding services to the eligible adult, including access to
3 the identity of the eligible adult;

4 (9-b) Department of Human Services staff and provider
5 agency staff when that Department is funding services to
6 the eligible adult or is providing reimbursement for
7 services provided by the abuser or alleged abuser,
8 including access to the identity of the eligible adult;

9 (10) Hearing officers in the course of conducting an
10 administrative hearing under this Act; parties to such
11 hearing shall be entitled to discovery as established by
12 rule;

13 (11) A caregiver who challenges placement on the
14 Registry shall be given the statement of allegations in the
15 abuse report and the substantiation decision in the final
16 investigative report; and

17 (12) The Illinois Guardianship and Advocacy Commission
18 and the agency designated by the Governor under Section 1
19 of the Protection and Advocacy for Persons with
20 Developmental Disabilities Act shall have access, through
21 the Department, to records, including the findings,
22 pertaining to a completed or closed investigation of a
23 report of suspected abuse, neglect, financial
24 exploitation, or self-neglect of an eligible adult.

25 (Source: P.A. 98-49, eff. 7-1-13; 98-1039, eff. 8-25-14;
26 99-143, eff. 7-27-15; 99-287, eff. 1-1-16; 99-547, eff.

1 7-15-16; 99-642, eff. 7-28-16.)

2 (320 ILCS 20/15)

3 Sec. 15. Fatality review teams.

4 (a) State policy.

5 (1) Both the State and the community maintain a
6 commitment to preventing the abuse, neglect, and financial
7 exploitation of at-risk adults. This includes a charge to
8 bring perpetrators of crimes against at-risk adults to
9 justice and prevent untimely deaths in the community.

10 (2) When an at-risk adult dies, the response to the
11 death by the community, law enforcement, and the State must
12 include an accurate and complete determination of the cause
13 of death, and the development and implementation of
14 measures to prevent future deaths from similar causes.

15 (3) Multidisciplinary and multi-agency reviews of
16 deaths can assist the State and counties in developing a
17 greater understanding of the incidence and causes of
18 premature deaths and the methods for preventing those
19 deaths, improving methods for investigating deaths, and
20 identifying gaps in services to at-risk adults.

21 (4) Access to information regarding the deceased
22 person and his or her family by multidisciplinary and
23 multi-agency fatality review teams is necessary in order to
24 fulfill their purposes and duties.

25 (a-5) Definitions. As used in this Section:

1 "Advisory Council" means the Illinois Fatality Review
2 Team Advisory Council.

3 "Review Team" means a regional interagency fatality
4 review team.

5 (b) The Director, in consultation with the Advisory
6 Council, law enforcement, and other professionals who work in
7 the fields of investigating, treating, or preventing abuse or
8 neglect of at-risk adults, shall appoint members to a minimum
9 of one review team in each of the Department's planning and
10 service areas. Each member of a review team shall be appointed
11 for a 2-year term and shall be eligible for reappointment upon
12 the expiration of the term. A review team's purpose in
13 conducting review of at-risk adult deaths is: (i) to assist
14 local agencies in identifying and reviewing suspicious deaths
15 of adult victims of alleged, suspected, or substantiated abuse
16 or neglect in domestic living situations; (ii) to facilitate
17 communications between officials responsible for autopsies and
18 inquests and persons involved in reporting or investigating
19 alleged or suspected cases of abuse, neglect, or financial
20 exploitation of at-risk adults and persons involved in
21 providing services to at-risk adults; (iii) to evaluate means
22 by which the death might have been prevented; and (iv) to
23 report its findings to the appropriate agencies and the
24 Advisory Council and make recommendations that may help to
25 reduce the number of at-risk adult deaths caused by abuse and
26 neglect and that may help to improve the investigations of

1 deaths of at-risk adults and increase prosecutions, if
2 appropriate.

3 (b-5) Each such team shall be composed of representatives
4 of entities and individuals including, but not limited to:

5 (1) the Department on Aging;

6 (2) ~~coroners or~~ medical examiners ~~(or both)~~;

7 (3) State's Attorneys;

8 (4) local police departments;

9 (5) forensic units;

10 (6) local health departments;

11 (7) a social service or health care agency that
12 provides services to persons with mental illness, in a
13 program whose accreditation to provide such services is
14 recognized by the Division of Mental Health within the
15 Department of Human Services;

16 (8) a social service or health care agency that
17 provides services to persons with developmental
18 disabilities, in a program whose accreditation to provide
19 such services is recognized by the Division of
20 Developmental Disabilities within the Department of Human
21 Services;

22 (9) a local hospital, trauma center, or provider of
23 emergency medicine;

24 (10) providers of services for eligible adults in
25 domestic living situations; and

26 (11) a physician, psychiatrist, or other health care

1 provider knowledgeable about abuse and neglect of at-risk
2 adults.

3 (c) A review team shall review cases of deaths of at-risk
4 adults occurring in its planning and service area (i) involving
5 blunt force trauma or an undetermined manner or suspicious
6 cause of death; (ii) if requested by the deceased's attending
7 physician or an emergency room physician; (iii) upon referral
8 by a health care provider; (iv) upon referral by a ~~coroner or~~
9 medical examiner; (v) constituting an open or closed case from
10 an adult protective services agency, law enforcement agency,
11 State's Attorney's office, or the Department of Human Services'
12 Office of the Inspector General that involves alleged or
13 suspected abuse, neglect, or financial exploitation; or (vi)
14 upon referral by a law enforcement agency or State's Attorney's
15 office. If such a death occurs in a planning and service area
16 where a review team has not yet been established, the Director
17 shall request that the Advisory Council or another review team
18 review that death. A team may also review deaths of at-risk
19 adults if the alleged abuse or neglect occurred while the
20 person was residing in a domestic living situation.

21 A review team shall meet not less than 4 times a year to
22 discuss cases for its possible review. Each review team, with
23 the advice and consent of the Department, shall establish
24 criteria to be used in discussing cases of alleged, suspected,
25 or substantiated abuse or neglect for review and shall conduct
26 its activities in accordance with any applicable policies and

1 procedures established by the Department.

2 (c-5) The Illinois Fatality Review Team Advisory Council,
3 consisting of one member from each review team in Illinois,
4 shall be the coordinating and oversight body for review teams
5 and activities in Illinois. The Director may appoint to the
6 Advisory Council any ex-officio members deemed necessary.
7 Persons with expertise needed by the Advisory Council may be
8 invited to meetings. The Advisory Council must select from its
9 members a chairperson and a vice-chairperson, each to serve a
10 2-year term. The chairperson or vice-chairperson may be
11 selected to serve additional, subsequent terms. The Advisory
12 Council must meet at least 4 times during each calendar year.

13 The Department may provide or arrange for the staff support
14 necessary for the Advisory Council to carry out its duties. The
15 Director, in cooperation and consultation with the Advisory
16 Council, shall appoint, reappoint, and remove review team
17 members.

18 The Advisory Council has, but is not limited to, the
19 following duties:

20 (1) To serve as the voice of review teams in Illinois.

21 (2) To oversee the review teams in order to ensure that
22 the review teams' work is coordinated and in compliance
23 with State statutes and the operating protocol.

24 (3) To ensure that the data, results, findings, and
25 recommendations of the review teams are adequately used in
26 a timely manner to make any necessary changes to the

1 policies, procedures, and State statutes in order to
2 protect at-risk adults.

3 (4) To collaborate with the Department in order to
4 develop any legislation needed to prevent unnecessary
5 deaths of at-risk adults.

6 (5) To ensure that the review teams' review processes
7 are standardized in order to convey data, findings, and
8 recommendations in a usable format.

9 (6) To serve as a link with review teams throughout the
10 country and to participate in national review team
11 activities.

12 (7) To provide the review teams with the most current
13 information and practices concerning at-risk adult death
14 review and related topics.

15 (8) To perform any other functions necessary to enhance
16 the capability of the review teams to reduce and prevent
17 at-risk adult fatalities.

18 The Advisory Council may prepare an annual report, in
19 consultation with the Department, using aggregate data
20 gathered by review teams and using the review teams'
21 recommendations to develop education, prevention, prosecution,
22 or other strategies designed to improve the coordination of
23 services for at-risk adults and their families.

24 In any instance where a review team does not operate in
25 accordance with established protocol, the Director, in
26 consultation and cooperation with the Advisory Council, must

1 take any necessary actions to bring the review team into
2 compliance with the protocol.

3 (d) Any document or oral or written communication shared
4 within or produced by the review team relating to a case
5 discussed or reviewed by the review team is confidential and is
6 not admissible as evidence in any civil or criminal proceeding,
7 except for use by a State's Attorney's office in prosecuting a
8 criminal case against a caregiver. Those records and
9 information are, however, subject to discovery or subpoena, and
10 are admissible as evidence, to the extent they are otherwise
11 available to the public.

12 Any document or oral or written communication provided to a
13 review team by an individual or entity, and created by that
14 individual or entity solely for the use of the review team, is
15 confidential, is not subject to disclosure to or discoverable
16 by another party, and is not admissible as evidence in any
17 civil or criminal proceeding, except for use by a State's
18 Attorney's office in prosecuting a criminal case against a
19 caregiver. Those records and information are, however, subject
20 to discovery or subpoena, and are admissible as evidence, to
21 the extent they are otherwise available to the public.

22 Each entity or individual represented on the fatality
23 review team may share with other members of the team
24 information in the entity's or individual's possession
25 concerning the decedent who is the subject of the review or
26 concerning any person who was in contact with the decedent, as

1 well as any other information deemed by the entity or
2 individual to be pertinent to the review. Any such information
3 shared by an entity or individual with other members of the
4 review team is confidential. The intent of this paragraph is to
5 permit the disclosure to members of the review team of any
6 information deemed confidential or privileged or prohibited
7 from disclosure by any other provision of law. Release of
8 confidential communication between domestic violence advocates
9 and a domestic violence victim shall follow subsection (d) of
10 Section 227 of the Illinois Domestic Violence Act of 1986 which
11 allows for the waiver of privilege afforded to guardians,
12 executors, or administrators of the estate of the domestic
13 violence victim. This provision relating to the release of
14 confidential communication between domestic violence advocates
15 and a domestic violence victim shall exclude adult protective
16 service providers.

17 A ~~coroner's or~~ medical examiner's office may share with the
18 review team medical records that have been made available to
19 the ~~coroner's or~~ medical examiner's office in connection with
20 that office's investigation of a death.

21 Members of a review team and the Advisory Council are not
22 subject to examination, in any civil or criminal proceeding,
23 concerning information presented to members of the review team
24 or the Advisory Council or opinions formed by members of the
25 review team or the Advisory Council based on that information.
26 A person may, however, be examined concerning information

1 provided to a review team or the Advisory Council.

2 (d-5) Meetings of the review teams and the Advisory Council
3 may be closed to the public under the Open Meetings Act.
4 Records and information provided to a review team and the
5 Advisory Council, and records maintained by a team or the
6 Advisory Council, are exempt from release under the Freedom of
7 Information Act.

8 (e) A review team's recommendation in relation to a case
9 discussed or reviewed by the review team, including, but not
10 limited to, a recommendation concerning an investigation or
11 prosecution, may be disclosed by the review team upon the
12 completion of its review and at the discretion of a majority of
13 its members who reviewed the case.

14 (e-5) The State shall indemnify and hold harmless members
15 of a review team and the Advisory Council for all their acts,
16 omissions, decisions, or other conduct arising out of the scope
17 of their service on the review team or Advisory Council, except
18 those involving willful or wanton misconduct. The method of
19 providing indemnification shall be as provided in the State
20 Employee Indemnification Act.

21 (f) The Department, in consultation with ~~coroners,~~ medical
22 examiners~~,~~ and law enforcement agencies, shall use aggregate
23 data gathered by and recommendations from the Advisory Council
24 and the review teams to create an annual report and may use
25 those data and recommendations to develop education,
26 prevention, prosecution, or other strategies designed to

1 improve the coordination of services for at-risk adults and
2 their families. The Department or other State or county agency,
3 in consultation with ~~coroners,~~ medical examiners, and law
4 enforcement agencies, also may use aggregate data gathered by
5 the review teams to create a database of at-risk individuals.

6 (g) The Department shall adopt such rules and regulations
7 as it deems necessary to implement this Section.

8 (Source: P.A. 98-49, eff. 7-1-13; 98-1039, eff. 8-25-14; 99-78,
9 eff. 7-20-15; 99-530, eff. 1-1-17.)

10 Section 165. The Abused and Neglected Child Reporting Act
11 is amended by changing Sections 4 and 4.1 as follows:

12 (325 ILCS 5/4)

13 Sec. 4. Persons required to report; privileged
14 communications; transmitting false report.

15 (a) The following persons are required to immediately
16 report to the Department when they have reasonable cause to
17 believe that a child known to them in their professional or
18 official capacities may be an abused child or a neglected
19 child:

20 (1) Medical personnel, including any: physician
21 licensed to practice medicine in any of its branches
22 (medical doctor or doctor of osteopathy); resident;
23 intern; medical administrator or personnel engaged in the
24 examination, care, and treatment of persons; psychiatrist;

1 surgeon; dentist; dental hygienist; chiropractic
2 physician; podiatric physician; physician assistant;
3 emergency medical technician; acupuncturist; registered
4 nurse; licensed practical nurse; advanced practice
5 registered nurse; genetic counselor; respiratory care
6 practitioner; home health aide; or certified nursing
7 assistant.

8 (2) Social services and mental health personnel,
9 including any: licensed professional counselor; licensed
10 clinical professional counselor; licensed social worker;
11 licensed clinical social worker; licensed psychologist or
12 assistant working under the direct supervision of a
13 psychologist; associate licensed marriage and family
14 therapist; licensed marriage and family therapist; field
15 personnel of the Departments of Healthcare and Family
16 Services, Public Health, Human Services, Human Rights, or
17 Children and Family Services; supervisor or administrator
18 of the General Assistance program established under
19 Article VI of the Illinois Public Aid Code; social services
20 administrator; or substance abuse treatment personnel.

21 (3) Crisis intervention personnel, including any:
22 crisis line or hotline personnel; or domestic violence
23 program personnel.

24 (4) Education personnel, including any: school
25 personnel (including administrators and certified and
26 non-certified school employees); personnel of institutions

1 of higher education; educational advocate assigned to a
2 child in accordance with the School Code; member of a
3 school board or the Chicago Board of Education or the
4 governing body of a private school (but only to the extent
5 required under subsection (d)); or truant officer.

6 (5) Recreation or athletic program or facility
7 personnel.

8 (6) Child care personnel, including any: early
9 intervention provider as defined in the Early Intervention
10 Services System Act; director or staff assistant of a
11 nursery school or a child day care center; or foster
12 parent, homemaker, or child care worker.

13 (7) Law enforcement personnel, including any: law
14 enforcement officer; field personnel of the Department of
15 Juvenile Justice; field personnel of the Department of
16 Corrections; probation officer; or animal control officer
17 or field investigator of the Department of Agriculture's
18 Bureau of Animal Health and Welfare.

19 (8) Any funeral home director; funeral home director
20 and embalmer; funeral home employee; ~~coroner~~; or medical
21 examiner.

22 (9) Any member of the clergy.

23 (10) Any physician, physician assistant, registered
24 nurse, licensed practical nurse, medical technician,
25 certified nursing assistant, licensed social worker,
26 licensed clinical social worker, or licensed professional

1 counselor of any office, clinic, or any other physical
2 location that provides abortions, abortion referrals, or
3 contraceptives.

4 (b) When 2 or more persons who work within the same
5 workplace and are required to report under this Act share a
6 reasonable cause to believe that a child may be an abused or
7 neglected child, one of those reporters may be designated to
8 make a single report. The report shall include the names and
9 contact information for the other mandated reporters sharing
10 the reasonable cause to believe that a child may be an abused
11 or neglected child. The designated reporter must provide
12 written confirmation of the report to those mandated reporters
13 within 48 hours. If confirmation is not provided, those
14 mandated reporters are individually responsible for
15 immediately ensuring a report is made. Nothing in this Section
16 precludes or may be used to preclude any person from reporting
17 child abuse or child neglect.

18 (c) (1) As used in this Section, "a child known to them in
19 their professional or official capacities" means:

20 (A) the mandated reporter comes into contact with the
21 child in the course of the reporter's employment or
22 practice of a profession, or through a regularly scheduled
23 program, activity, or service;

24 (B) the mandated reporter is affiliated with an agency,
25 institution, organization, school, school district,
26 regularly established church or religious organization, or

1 other entity that is directly responsible for the care,
2 supervision, guidance, or training of the child; or

3 (C) a person makes a specific disclosure to the
4 mandated reporter that an identifiable child is the victim
5 of child abuse or child neglect, and the disclosure happens
6 while the mandated reporter is engaged in his or her
7 employment or practice of a profession, or in a regularly
8 scheduled program, activity, or service.

9 (2) Nothing in this Section requires a child to come before
10 the mandated reporter in order for the reporter to make a
11 report of suspected child abuse or child neglect.

12 (d) If an allegation is raised to a school board member
13 during the course of an open or closed school board meeting
14 that a child who is enrolled in the school district of which he
15 or she is a board member is an abused child as defined in
16 Section 3 of this Act, the member shall direct or cause the
17 school board to direct the superintendent of the school
18 district or other equivalent school administrator to comply
19 with the requirements of this Act concerning the reporting of
20 child abuse. For purposes of this paragraph, a school board
21 member is granted the authority in his or her individual
22 capacity to direct the superintendent of the school district or
23 other equivalent school administrator to comply with the
24 requirements of this Act concerning the reporting of child
25 abuse.

26 Notwithstanding any other provision of this Act, if an

1 employee of a school district has made a report or caused a
2 report to be made to the Department under this Act involving
3 the conduct of a current or former employee of the school
4 district and a request is made by another school district for
5 the provision of information concerning the job performance or
6 qualifications of the current or former employee because he or
7 she is an applicant for employment with the requesting school
8 district, the general superintendent of the school district to
9 which the request is being made must disclose to the requesting
10 school district the fact that an employee of the school
11 district has made a report involving the conduct of the
12 applicant or caused a report to be made to the Department, as
13 required under this Act. Only the fact that an employee of the
14 school district has made a report involving the conduct of the
15 applicant or caused a report to be made to the Department may
16 be disclosed by the general superintendent of the school
17 district to which the request for information concerning the
18 applicant is made, and this fact may be disclosed only in cases
19 where the employee and the general superintendent have not been
20 informed by the Department that the allegations were unfounded.
21 An employee of a school district who is or has been the subject
22 of a report made pursuant to this Act during his or her
23 employment with the school district must be informed by that
24 school district that if he or she applies for employment with
25 another school district, the general superintendent of the
26 former school district, upon the request of the school district

1 to which the employee applies, shall notify that requesting
2 school district that the employee is or was the subject of such
3 a report.

4 (e) Whenever such person is required to report under this
5 Act in his capacity as a member of the staff of a medical or
6 other public or private institution, school, facility or
7 agency, or as a member of the clergy, he shall make report
8 immediately to the Department in accordance with the provisions
9 of this Act and may also notify the person in charge of such
10 institution, school, facility or agency, or church, synagogue,
11 temple, mosque, or other religious institution, or his
12 designated agent that such report has been made. Under no
13 circumstances shall any person in charge of such institution,
14 school, facility or agency, or church, synagogue, temple,
15 mosque, or other religious institution, or his designated agent
16 to whom such notification has been made, exercise any control,
17 restraint, modification or other change in the report or the
18 forwarding of such report to the Department.

19 (f) In addition to the persons required to report suspected
20 cases of child abuse or child neglect under this Section, any
21 other person may make a report if such person has reasonable
22 cause to believe a child may be an abused child or a neglected
23 child.

24 (g) The privileged quality of communication between any
25 professional person required to report and his patient or
26 client shall not apply to situations involving abused or

1 neglected children and shall not constitute grounds for failure
2 to report as required by this Act or constitute grounds for
3 failure to share information or documents with the Department
4 during the course of a child abuse or neglect investigation. If
5 requested by the professional, the Department shall confirm in
6 writing that the information or documents disclosed by the
7 professional were gathered in the course of a child abuse or
8 neglect investigation.

9 The reporting requirements of this Act shall not apply to
10 the contents of a privileged communication between an attorney
11 and his or her client or to confidential information within the
12 meaning of Rule 1.6 of the Illinois Rules of Professional
13 Conduct relating to the legal representation of an individual
14 client.

15 A member of the clergy may claim the privilege under
16 Section 8-803 of the Code of Civil Procedure.

17 (h) Any office, clinic, or any other physical location that
18 provides abortions, abortion referrals, or contraceptives
19 shall provide to all office personnel copies of written
20 information and training materials about abuse and neglect and
21 the requirements of this Act that are provided to employees of
22 the office, clinic, or physical location who are required to
23 make reports to the Department under this Act, and instruct
24 such office personnel to bring to the attention of an employee
25 of the office, clinic, or physical location who is required to
26 make reports to the Department under this Act any reasonable

1 suspicion that a child known to him or her in his or her
2 professional or official capacity may be an abused child or a
3 neglected child.

4 (i) Any person who enters into employment on and after July
5 1, 1986 and is mandated by virtue of that employment to report
6 under this Act, shall sign a statement on a form prescribed by
7 the Department, to the effect that the employee has knowledge
8 and understanding of the reporting requirements of this Act. On
9 and after January 1, 2019, the statement shall also include
10 information about available mandated reporter training
11 provided by the Department. The statement shall be signed prior
12 to commencement of the employment. The signed statement shall
13 be retained by the employer. The cost of printing,
14 distribution, and filing of the statement shall be borne by the
15 employer.

16 (j) Persons required to report child abuse or child neglect
17 as provided under this Section must complete an initial
18 mandated reporter training within 3 months of their date of
19 engagement in a professional or official capacity as a mandated
20 reporter, or within the time frame of any other applicable
21 State law that governs training requirements for a specific
22 profession, and at least every 3 years thereafter. The initial
23 requirement only applies to the first time they engage in their
24 professional or official capacity. In lieu of training every 3
25 years, medical personnel, as listed in paragraph (1) of
26 subsection (a), must meet the requirements described in

1 subsection (k).

2 The trainings shall be in-person or web-based, and shall
3 include, at a minimum, information on the following topics: (i)
4 indicators for recognizing child abuse and child neglect, as
5 defined under this Act; (ii) the process for reporting
6 suspected child abuse and child neglect in Illinois as required
7 by this Act and the required documentation; (iii) responding to
8 a child in a trauma-informed manner; and (iv) understanding the
9 response of child protective services and the role of the
10 reporter after a call has been made. Child-serving
11 organizations are encouraged to provide in-person annual
12 trainings.

13 The mandated reporter training shall be provided through
14 the Department, through an entity authorized to provide
15 continuing education for professionals licensed through the
16 Department of Financial and Professional Regulation, the State
17 Board of Education, the Illinois Law Enforcement Training
18 Standards Board, or the Department of State Police, or through
19 an organization approved by the Department to provide mandated
20 reporter training. The Department must make available a free
21 web-based training for reporters.

22 Each mandated reporter shall report to his or her employer
23 and, when applicable, to his or her licensing or certification
24 board that he or she received the mandated reporter training.
25 The mandated reporter shall maintain records of completion.

26 Beginning January 1, 2021, if a mandated reporter receives

1 licensure from the Department of Financial and Professional
2 Regulation or the State Board of Education, and his or her
3 profession has continuing education requirements, the training
4 mandated under this Section shall count toward meeting the
5 licensee's required continuing education hours.

6 (k)(1) Medical personnel, as listed in paragraph (1) of
7 subsection (a), who work with children in their professional or
8 official capacity, must complete mandated reporter training at
9 least every 6 years. Such medical personnel, if licensed, must
10 attest at each time of licensure renewal on their renewal form
11 that they understand they are a mandated reporter of child
12 abuse and neglect, that they are aware of the process for
13 making a report, that they know how to respond to a child in a
14 trauma-informed manner, and that they are aware of the role of
15 child protective services and the role of a reporter after a
16 call has been made.

17 (2) In lieu of repeated training, medical personnel, as
18 listed in paragraph (1) of subsection (a), who do not work with
19 children in their professional or official capacity, may
20 instead attest each time at licensure renewal on their renewal
21 form that they understand they are a mandated reporter of child
22 abuse and neglect, that they are aware of the process for
23 making a report, that they know how to respond to a child in a
24 trauma-informed manner, and that they are aware of the role of
25 child protective services and the role of a reporter after a
26 call has been made. Nothing in this paragraph precludes medical

1 personnel from completing mandated reporter training and
2 receiving continuing education credits for that training.

3 (l) The Department shall provide copies of this Act, upon
4 request, to all employers employing persons who shall be
5 required under the provisions of this Section to report under
6 this Act.

7 (m) Any person who knowingly transmits a false report to
8 the Department commits the offense of disorderly conduct under
9 subsection (a) (7) of Section 26-1 of the Criminal Code of 2012.
10 A violation of this provision is a Class 4 felony.

11 Any person who knowingly and willfully violates any
12 provision of this Section other than a second or subsequent
13 violation of transmitting a false report as described in the
14 preceding paragraph, is guilty of a Class A misdemeanor for a
15 first violation and a Class 4 felony for a second or subsequent
16 violation; except that if the person acted as part of a plan or
17 scheme having as its object the prevention of discovery of an
18 abused or neglected child by lawful authorities for the purpose
19 of protecting or insulating any person or entity from arrest or
20 prosecution, the person is guilty of a Class 4 felony for a
21 first offense and a Class 3 felony for a second or subsequent
22 offense (regardless of whether the second or subsequent offense
23 involves any of the same facts or persons as the first or other
24 prior offense).

25 (n) A child whose parent, guardian or custodian in good
26 faith selects and depends upon spiritual means through prayer

1 alone for the treatment or cure of disease or remedial care may
2 be considered neglected or abused, but not for the sole reason
3 that his parent, guardian or custodian accepts and practices
4 such beliefs.

5 (o) A child shall not be considered neglected or abused
6 solely because the child is not attending school in accordance
7 with the requirements of Article 26 of the School Code, as
8 amended.

9 (p) Nothing in this Act prohibits a mandated reporter who
10 reasonably believes that an animal is being abused or neglected
11 in violation of the Humane Care for Animals Act from reporting
12 animal abuse or neglect to the Department of Agriculture's
13 Bureau of Animal Health and Welfare.

14 (q) A home rule unit may not regulate the reporting of
15 child abuse or neglect in a manner inconsistent with the
16 provisions of this Section. This Section is a limitation under
17 subsection (i) of Section 6 of Article VII of the Illinois
18 Constitution on the concurrent exercise by home rule units of
19 powers and functions exercised by the State.

20 (r) For purposes of this Section "child abuse or neglect"
21 includes abuse or neglect of an adult resident as defined in
22 this Act.

23 (Source: P.A. 100-513, eff. 1-1-18; 100-1071, eff. 1-1-19;
24 101-564, eff. 1-1-20.)

25 (325 ILCS 5/4.1) (from Ch. 23, par. 2054.1)

1 Sec. 4.1. Any person required to report under this Act who
2 has reasonable cause to suspect that a child has died as a
3 result of abuse or neglect shall also immediately report his
4 suspicion to the appropriate medical examiner ~~or coroner~~. Any
5 other person who has reasonable cause to believe that a child
6 has died as a result of abuse or neglect may report his
7 suspicion to the appropriate medical examiner ~~or coroner~~. The
8 medical examiner ~~or coroner~~ shall investigate the report and
9 communicate his apparent gross findings, orally, immediately
10 upon completion of the gross autopsy, but in all cases within
11 72 hours and within 21 days in writing, to the local law
12 enforcement agency, the appropriate State's attorney, the
13 Department and, if the institution making the report is a
14 hospital, the hospital. The child protective investigator
15 assigned to the death investigation shall have the right to
16 require a copy of the completed autopsy report from the ~~coroner~~
17 ~~or~~ medical examiner.

18 (Source: P.A. 85-193.)

19 Section 170. The Abused and Neglected Child Reporting Act
20 is amended by changing Sections 7.9, 11.1, and 11.9 as follows:

21 (325 ILCS 5/7.9) (from Ch. 23, par. 2057.9)

22 Sec. 7.9. The Department shall prepare, print, and
23 distribute initial, preliminary, and final reporting forms to
24 each Child Protective Service Unit. Initial written reports

1 from the reporting source shall contain the following
2 information to the extent known at the time the report is made:
3 (1) the names and addresses of the child and his parents or
4 other persons responsible for his welfare; (1.5) the name and
5 address of the school that the child attends (or the school
6 that the child last attended, if the report is written during
7 the summer when school is not in session), and the name of the
8 school district in which the school is located, if applicable;
9 (2) the child's age, sex, and race; (3) the nature and extent
10 of the child's abuse or neglect, including any evidence of
11 prior injuries, abuse, or neglect of the child or his siblings;
12 (4) the names of the persons apparently responsible for the
13 abuse or neglect; (5) family composition, including names,
14 ages, sexes, and races of other children in the home; (6) the
15 name of the person making the report, his occupation, and where
16 he can be reached; (7) the actions taken by the reporting
17 source, including the taking of photographs and x-rays, placing
18 the child in temporary protective custody, or notifying the
19 medical examiner ~~or coroner~~; and (8) any other information the
20 person making the report believes might be helpful in the
21 furtherance of the purposes of this Act.

22 (Source: P.A. 92-295, eff. 1-1-02; 92-651, eff. 7-11-02.)

23 (325 ILCS 5/11.1) (from Ch. 23, par. 2061.1)

24 Sec. 11.1. Access to records.

25 (a) A person shall have access to the records described in

1 Section 11 only in furtherance of purposes directly connected
2 with the administration of this Act or the Intergovernmental
3 Missing Child Recovery Act of 1984. Those persons and purposes
4 for access include:

5 (1) Department staff in the furtherance of their
6 responsibilities under this Act, or for the purpose of
7 completing background investigations on persons or
8 agencies licensed by the Department or with whom the
9 Department contracts for the provision of child welfare
10 services.

11 (2) A law enforcement agency investigating known or
12 suspected child abuse or neglect, known or suspected
13 involvement with child pornography, known or suspected
14 criminal sexual assault, known or suspected criminal
15 sexual abuse, or any other sexual offense when a child is
16 alleged to be involved.

17 (3) The Department of State Police when administering
18 the provisions of the Intergovernmental Missing Child
19 Recovery Act of 1984.

20 (4) A physician who has before him a child whom he
21 reasonably suspects may be abused or neglected.

22 (5) A person authorized under Section 5 of this Act to
23 place a child in temporary protective custody when such
24 person requires the information in the report or record to
25 determine whether to place the child in temporary
26 protective custody.

1 (6) A person having the legal responsibility or
2 authorization to care for, treat, or supervise a child, or
3 a parent, prospective adoptive parent, foster parent,
4 guardian, or other person responsible for the child's
5 welfare, who is the subject of a report.

6 (7) Except in regard to harmful or detrimental
7 information as provided in Section 7.19, any subject of the
8 report, and if the subject of the report is a minor, his
9 guardian or guardian ad litem.

10 (8) A court, upon its finding that access to such
11 records may be necessary for the determination of an issue
12 before such court; however, such access shall be limited to
13 in camera inspection, unless the court determines that
14 public disclosure of the information contained therein is
15 necessary for the resolution of an issue then pending
16 before it.

17 (8.1) A probation officer or other authorized
18 representative of a probation or court services department
19 conducting an investigation ordered by a court under the
20 Juvenile Court Act of 1987.

21 (9) A grand jury, upon its determination that access to
22 such records is necessary in the conduct of its official
23 business.

24 (10) Any person authorized by the Director, in writing,
25 for audit or bona fide research purposes.

26 (11) Law enforcement agencies, ~~coroners~~ or medical

1 examiners, physicians, courts, school superintendents and
2 child welfare agencies in other states who are responsible
3 for child abuse or neglect investigations or background
4 investigations.

5 (12) The Department of Professional Regulation, the
6 State Board of Education and school superintendents in
7 Illinois, who may use or disclose information from the
8 records as they deem necessary to conduct investigations or
9 take disciplinary action, as provided by law.

10 (13) A ~~coroner or~~ medical examiner who has reason to
11 believe that a child has died as the result of abuse or
12 neglect.

13 (14) The Director of a State-operated facility when an
14 employee of that facility is the perpetrator in an
15 indicated report.

16 (15) The operator of a licensed child care facility or
17 a facility licensed by the Department of Human Services (as
18 successor to the Department of Alcoholism and Substance
19 Abuse) in which children reside when a current or
20 prospective employee of that facility is the perpetrator in
21 an indicated child abuse or neglect report, pursuant to
22 Section 4.3 of the Child Care Act of 1969.

23 (16) Members of a multidisciplinary team in the
24 furtherance of its responsibilities under subsection (b)
25 of Section 7.1. All reports concerning child abuse and
26 neglect made available to members of such

1 multidisciplinary teams and all records generated as a
2 result of such reports shall be confidential and shall not
3 be disclosed, except as specifically authorized by this Act
4 or other applicable law. It is a Class A misdemeanor to
5 permit, assist or encourage the unauthorized release of any
6 information contained in such reports or records. Nothing
7 contained in this Section prevents the sharing of reports
8 or records relating or pertaining to the death of a minor
9 under the care of or receiving services from the Department
10 of Children and Family Services and under the jurisdiction
11 of the juvenile court with the juvenile court, the State's
12 Attorney, and the minor's attorney.

13 (17) The Department of Human Services, as provided in
14 Section 17 of the Rehabilitation of Persons with
15 Disabilities Act.

16 (18) Any other agency or investigative body, including
17 the Department of Public Health and a local board of
18 health, authorized by State law to conduct an investigation
19 into the quality of care provided to children in hospitals
20 and other State regulated care facilities.

21 (19) The person appointed, under Section 2-17 of the
22 Juvenile Court Act of 1987, as the guardian ad litem of a
23 minor who is the subject of a report or records under this
24 Act; or the person appointed, under Section 5-610 of the
25 Juvenile Court Act of 1987, as the guardian ad litem of a
26 minor who is in the custody or guardianship of the

1 Department or who has an open intact family services case
2 with the Department and who is the subject of a report or
3 records made pursuant to this Act.

4 (20) The Department of Human Services, as provided in
5 Section 10 of the Early Intervention Services System Act,
6 and the operator of a facility providing early intervention
7 services pursuant to that Act, for the purpose of
8 determining whether a current or prospective employee who
9 provides or may provide direct services under that Act is
10 the perpetrator in an indicated report of child abuse or
11 neglect filed under this Act.

12 (b) Nothing contained in this Act prevents the sharing or
13 disclosure of information or records relating or pertaining to
14 juveniles subject to the provisions of the Serious Habitual
15 Offender Comprehensive Action Program when that information is
16 used to assist in the early identification and treatment of
17 habitual juvenile offenders.

18 (c) To the extent that persons or agencies are given access
19 to information pursuant to this Section, those persons or
20 agencies may give this information to and receive this
21 information from each other in order to facilitate an
22 investigation conducted by those persons or agencies.

23 (Source: P.A. 100-158, eff. 1-1-18; 101-43, eff. 1-1-20.)

24 (325 ILCS 5/11.9)

25 Sec. 11.9. Child Death Investigation Task Force;

1 establishment.

2 (a) The Department of Children and Family Services shall,
3 from funds appropriated by the General Assembly to the
4 Department for this purpose, or from funds that may otherwise
5 be provided for this purpose from other public or private
6 sources, establish a Child Death Investigation Task Force to
7 operate in the Southern Region of the State and in other
8 regions at the discretion of the Director of the Department.
9 The Child Death Investigation Task Force shall develop and
10 implement a plan for the investigation of sudden, unexpected,
11 or unexplained child fatalities or near fatalities of children
12 under 18 years of age occurring within that region, as may be
13 further defined in Department rule and procedure. The plan must
14 include provisions for local or State law enforcement agencies,
15 the Department, hospitals, and medical examiners ~~coroners~~ to
16 promptly notify the Task Force of a sudden, unexpected, or
17 unexplained child fatality or near fatality of a child, and for
18 the Task Force to review and investigate the notification. The
19 investigation shall include coordination among members of a
20 multidisciplinary team, including local or State law
21 enforcement agencies, the Department, hospitals, medical
22 examiners ~~coroners~~, the appropriate State's Attorney's Office,
23 and the appropriate children's advocacy center. The plan must
24 also include provisions for training members of each
25 multidisciplinary team on the various components of the
26 investigation of fatalities or near fatalities of children. The

1 Task Force shall maintain case tracking and related case
2 information for activations. Information shall be shared and
3 reviewed by the Task Force's Board of Directors. The plan must
4 be submitted in writing and approved by the Board of Directors.

5 (b) The Child Death Investigation Task Force shall be
6 governed by a Board of Directors composed of, but not limited
7 to, an approved representative from each of the following
8 agencies or groups: the Department of Children and Family
9 Services, the Southern Illinois Police Chiefs' Association,
10 the Illinois Coroners and Medical Examiners Association, the
11 Illinois State's Attorneys Association, the Illinois Sheriffs'
12 Association, the Illinois State Police, the Child Advocacy
13 Centers of Illinois, and the Illinois Law Enforcement Training
14 Standards Board. The Board of Directors shall have the
15 authority to organize itself and adopt bylaws and to appoint,
16 assign, and elect members and leaders, and shall determine the
17 voting rights of its members. The Board of Directors shall
18 determine all major policies and establish all necessary
19 principles and procedures of the Task Force. The Board of
20 Directors shall meet 4 times a year or as called for in the
21 bylaws of the organization.

22 (c) The State shall indemnify and hold harmless members of
23 the Child Death Investigation Task Force and the Board of
24 Directors for all their acts, omissions, decisions, or other
25 conduct arising out of the scope of their service on the Task
26 Force or Board, except those involving willful or wanton

1 misconduct. The method of providing indemnification shall be as
2 provided in the State Employee Indemnification Act.

3 (Source: P.A. 100-733, eff. 1-1-19.)

4 Section 175. The Mental Health and Developmental
5 Disabilities Code is amended by changing Section 5-100 as
6 follows:

7 (405 ILCS 5/5-100) (from Ch. 91 1/2, par. 5-100)

8 Sec. 5-100. Written notice of the death of a recipient of
9 services which occurs at a mental health or developmental
10 disabilities facility, or the death of a recipient of services
11 who has not been discharged from a mental health or
12 developmental disabilities facility but whose death occurs
13 elsewhere, shall within 10 days of the death of a recipient be
14 mailed to the Department of Public Health which, for the
15 primary purpose of monitoring patterns of abuse and neglect of
16 recipients of services, shall make such notices available to
17 the Guardianship and Advocacy Commission and to the agency
18 designated by the Governor under Section 1 of "An Act in
19 relation to the protection and advocacy of the rights of
20 persons with developmental disabilities, and amending Acts
21 therein named", approved September 20, 1985. Such notice shall
22 include the name of the recipient, the name and address of the
23 facility at which the death occurred, the recipient's age, the
24 nature of the recipient's condition, including any evidence of

1 the previous injuries or disabilities, or relevant medical
2 conditions or any other information which might be helpful in
3 establishing the cause of death.

4 Written notice of the death of a recipient of services who
5 was admitted by court order, and the cause thereof shall, in
6 all cases, be mailed by the facility director to the court
7 entering the original admission order, and if possible, to the
8 same judge, and the time, place and alleged cause of such death
9 shall be entered upon the docket. Such notice must be mailed
10 within 10 days following the death of the recipient.

11 In the event of a sudden or mysterious death of any
12 recipient of services at any public or private facility, a
13 medical examiner's ~~coroner's~~ inquest shall be held as provided
14 by law in other cases.

15 In cases where the deceased person was a recipient or
16 client of any state facility, and the fees for holding an
17 inquest cannot be collected out of his estate, such fees shall
18 be paid by the Department.

19 (Source: P.A. 88-380.)

20 Section 180. The Developmental Disability and Mental
21 Health Safety Act is amended by changing Sections 15 and 20 as
22 follows:

23 (405 ILCS 82/15)

24 Sec. 15. Mortality Review Process.

1 (a) The Department of Human Services shall develop an
2 independent team of experts from the academic, private, and
3 public sectors to examine all deaths at facilities and
4 community agencies.

5 (b) The Secretary of Human Services, in consultation with
6 the Director of Public Health, shall appoint members to the
7 independent team of experts, which shall consist of at least
8 one member from each of the following categories:

9 1. Physicians experienced in providing medical care to
10 individuals with developmental disabilities.

11 2. Physicians experienced in providing medical care to
12 individuals with mental illness.

13 3. Registered nurses experienced in providing medical
14 care to individuals with developmental disabilities.

15 4. Registered nurses experienced in providing medical
16 care to individuals with mental illness.

17 5. Psychiatrists.

18 6. Psychologists.

19 7. Representatives of the Department of Human Services
20 who are not employed at the facility at which the death
21 occurred.

22 8. Representatives of the Department of Public Health.

23 9. Representatives of the agency designated by the
24 Governor pursuant to the Protection and Advocacy for
25 Persons with Developmental Disabilities Act.

26 10. State's Attorneys or State's Attorneys'

1 representatives.

2 11. Medical examiners ~~Coroners~~ or forensic
3 pathologists.

4 12. Representatives of local hospitals, trauma
5 centers, or providers of emergency medical services.

6 13. Other categories of persons, as the Secretary of
7 Human Services may see fit.

8 The independent team of experts may make recommendations to
9 the Secretary of Human Services concerning additional
10 appointments. Each team member must have demonstrated
11 experience and an interest in investigating, treating, or
12 preventing the deaths of individuals with disabilities. The
13 Secretary of Human Services shall appoint additional teams if
14 the Secretary or the existing team determines that more teams
15 are necessary to accomplish the purposes of this Act. The
16 members of a team shall be appointed for 2-year staggered terms
17 and shall be eligible for reappointment upon the expiration of
18 their terms. Each independent team shall select a Chairperson
19 from among its members.

20 (c) The independent team of experts shall examine the
21 deaths of all individuals who have died while under the care of
22 a facility or community agency.

23 (d) The purpose of the independent team of experts'
24 examination of such deaths is to do the following:

25 1. Review the cause and manner of the individual's
26 death.

1 2. Review all actions taken by the facility, State
2 agencies, or other entities to address the cause or causes
3 of death and the adequacy of medical care and treatment.

4 3. Evaluate the means, if any, by which the death might
5 have been prevented.

6 4. Report its observations and conclusions to the
7 Secretary of Human Services and make recommendations that
8 may help to reduce the number of unnecessary deaths.

9 5. Promote continuing education for professionals
10 involved in investigating and preventing the unnecessary
11 deaths of individuals under the care of a facility or
12 community agency.

13 6. Make specific recommendations to the Secretary of
14 Human Services concerning the prevention of unnecessary
15 deaths of individuals under the care of facilities and
16 community agencies, including changes in policies and
17 practices that will prevent harm to individuals with
18 disabilities, and the establishment of protocols for
19 investigating the deaths of these individuals.

20 (e) The independent team of experts must examine the cases
21 submitted to it on a quarterly basis. The team shall meet at
22 least once in each calendar quarter if there are cases to be
23 examined. The Department of Human Services shall forward cases
24 within 90 days after completion of a review or an investigation
25 into the death of an individual residing at a facility or
26 community agency.

1 (f) Within 90 days after receiving recommendations made by
2 the independent team of experts under subsection (d) of this
3 Section, the Secretary of Human Services must review those
4 recommendations, as feasible and appropriate, and shall
5 respond to the team in writing to explain the implementation of
6 those recommendations.

7 (g) The Secretary of Human Services shall establish
8 protocols governing the operation of the independent team.
9 Those protocols shall include the creation of sub-teams to
10 review the case records or portions of the case records and
11 report to the full team. The members of a sub-team shall be
12 composed of team members specially qualified to examine those
13 records. In any instance in which the independent team does not
14 operate in accordance with established protocol, the Secretary
15 of Human Services shall take any necessary actions to bring the
16 team into compliance with the protocol.

17 (Source: P.A. 99-143, eff. 7-27-15.)

18 (405 ILCS 82/20)

19 Sec. 20. Independent team of experts' access to
20 information.

21 (a) The Secretary of Human Services shall provide to the
22 independent team of experts, on the request of the team
23 Chairperson, all records and information in the Department's
24 possession that are relevant to the team's examination of a
25 death of the sort described in subsection (c) of Section 10,

1 including records and information concerning previous reports
2 or investigations of any matter, as determined by the team.

3 (b) The independent team shall have access to all records
4 and information that are relevant to its review of a death and
5 in the possession of a State or local governmental agency or
6 other entity. These records and information shall include,
7 without limitation, death certificates, all relevant medical
8 and mental health records, records of law enforcement agency
9 investigations, records of ~~coroner or~~ medical examiner
10 investigations, records of the Department of Corrections and
11 Department of Juvenile Justice concerning a person's parole,
12 aftercare release, records of a probation and court services
13 department, and records of a social services agency that
14 provided services to the person who died.

15 (Source: P.A. 98-558, eff. 1-1-14.)

16 Section 185. The Crematory Regulation Act is amended by
17 changing Sections 35 and 94 as follows:

18 (410 ILCS 18/35)

19 (Section scheduled to be repealed on January 1, 2021)

20 Sec. 35. Cremation procedures.

21 (a) Human remains shall not be cremated within 24 hours
22 after the time of death, as indicated on the Medical Examiner's
23 ~~Medical Examiner's/Coroner's~~ Certificate of Death. In any
24 death, the human remains shall not be cremated by the crematory

1 authority until a cremation permit has been received from the
2 ~~coroner or~~ medical examiner of the county in which the death
3 occurred and the crematory authority has received a cremation
4 authorization form, executed by an authorizing agent, in
5 accordance with the provisions of Section 15 of this Act. In no
6 instance, however, shall the lapse of time between the death
7 and the cremation be less than 24 hours, unless (i) it is known
8 the deceased has an infectious or dangerous disease and that
9 the time requirement is waived in writing by the medical
10 examiner ~~or coroner~~ where the death occurred or (ii) because of
11 a religious requirement.

12 (b) Except as set forth in subsection (a) of this Section,
13 a crematory authority shall have the right to schedule the
14 actual cremation to be performed at its own convenience, at any
15 time after the human remains have been delivered to the
16 crematory authority, unless the crematory authority has
17 received specific instructions to the contrary on the cremation
18 authorization form.

19 (c) No crematory authority shall cremate human remains when
20 it has actual knowledge that human remains contain a pacemaker
21 or any other material or implant that may be potentially
22 hazardous to the person performing the cremation.

23 (d) No crematory authority shall refuse to accept human
24 remains for cremation because such human remains are not
25 embalmed.

26 (e) Whenever a crematory authority is unable or

1 unauthorized to cremate human remains immediately upon taking
2 custody of the remains, the crematory authority shall place the
3 human remains in a holding facility in accordance with the
4 crematory authority's rules and regulations. The crematory
5 authority must notify the authorizing agent of the reasons for
6 delay in cremation if a properly authorized cremation is not
7 performed within any time period expressly contemplated in the
8 authorization.

9 (f) A crematory authority shall not accept a casket or
10 alternative container from which there is any evidence of the
11 leakage of body fluids.

12 (g) The casket or the alternative container shall be
13 cremated with the human remains or destroyed, unless the
14 crematory authority has notified the authorizing agent to the
15 contrary on the cremation authorization form and obtained the
16 written consent of the authorizing agent.

17 (h) The simultaneous cremation of the human remains of more
18 than one person within the same cremation chamber, without the
19 prior written consent of the authorizing agent, is prohibited
20 except for common cremation pursuant to Section 11.4 of the
21 Hospital Licensing Act. Nothing in this subsection, however,
22 shall prevent the simultaneous cremation within the same
23 cremation chamber of body parts delivered to the crematory
24 authority from multiple sources, or the use of cremation
25 equipment that contains more than one cremation chamber.

26 (i) No unauthorized person shall be permitted in the

1 holding facility or cremation room while any human remains are
2 being held there awaiting cremation, being cremated, or being
3 removed from the cremation chamber.

4 (j) A crematory authority shall not remove any dental gold,
5 body parts, organs, or any item of value prior to or subsequent
6 to a cremation without previously having received specific
7 written authorization from the authorizing agent and written
8 instructions for the delivery of these items to the authorizing
9 agent. Under no circumstances shall a crematory authority
10 profit from making or assisting in any removal of valuables.

11 (k) Upon the completion of each cremation, and insofar as
12 is practicable, all of the recoverable residue of the cremation
13 process shall be removed from the cremation chamber.

14 (l) If all of the recovered cremated remains will not fit
15 within the receptacle that has been selected, the remainder of
16 the cremated remains shall be returned to the authorizing agent
17 or the agent's designee in a separate container. The crematory
18 authority shall not return to an authorizing agent or the
19 agent's designee more or less cremated remains than were
20 removed from the cremation chamber.

21 (m) A crematory authority shall not knowingly represent to
22 an authorizing agent or the agent's designee that a temporary
23 container or urn contains the cremated remains of a specific
24 decedent when it does not.

25 (n) Cremated remains shall be shipped only by a method that
26 has an internal tracing system available and that provides a

1 receipt signed by the person accepting delivery.

2 (o) A crematory authority shall maintain an identification
3 system that shall ensure that it shall be able to identify the
4 human remains in its possession throughout all phases of the
5 cremation process.

6 (Source: P.A. 96-338, eff. 1-1-10.)

7 (410 ILCS 18/94)

8 (Section scheduled to be repealed on January 1, 2021)

9 Sec. 94. Summary suspension of a license. The Comptroller
10 may summarily suspend a license of a licensed crematory without
11 a hearing, simultaneously with the institution of proceedings
12 for a hearing provided for in this Act, if the Comptroller
13 finds that evidence in the Comptroller's possession indicates
14 that the licensee's continued practice would constitute an
15 imminent danger to the public. In the event that the
16 Comptroller summarily suspends the license of a licensed
17 crematory without a hearing, a hearing must be commenced within
18 30 days after the suspension has occurred and concluded as
19 expeditiously as practical. In the event of a summary
20 suspension, the county ~~coroner or~~ medical examiner responsible
21 for the area where the crematory is located shall make
22 arrangements to dispose of any bodies in the suspended
23 licensee's possession after consulting with the authorizing
24 agents for those bodies.

25 (Source: P.A. 96-863, eff. 3-1-12; 97-679, eff. 2-6-12.)

1 Section 190. The Toxicological Laboratory Service Act is
2 amended by changing Section 1 as follows:

3 (410 ILCS 60/1) (from Ch. 111 1/2, par. 201)

4 Sec. 1. The Department of Public Health is authorized to
5 establish and operate a toxicological laboratory service for
6 the purpose of testing specimens submitted by medical examiners
7 ~~coroners~~, physicians and law enforcement officers in their
8 efforts to determine whether poisonous, biologically
9 infectious or radioactive substances have been involved in
10 deaths, accidents, or illness; providing technical assistance
11 and advice on the safe handling of such specimens; and for the
12 further purpose of testing samples of water, air, and other
13 substances to determine the radioactive or chemical
14 ingredients of pollutants or industrial wastes which are or may
15 be emptied into, or found in the streams, waters and atmosphere
16 of this State, and for similar purposes.

17 (Source: P.A. 86-853.)

18 Section 195. The Autopsy Act is amended by changing Section
19 5 as follows:

20 (410 ILCS 505/5) (from Ch. 31, par. 45)

21 Sec. 5. Nothing in this Act shall be construed to
22 contravene or supersede the provisions of Division 3-3 of the

1 Counties Code ~~"An Act to revise the law in relation to~~
2 ~~coroners", approved February 6, 1874, as amended.~~

3 (Source: Laws 1965, p. 2996.)

4 Section 200. The Cadaver Act is amended by changing Section
5 1 as follows:

6 (410 ILCS 510/1) (from Ch. 144, par. 1551)

7 Sec. 1. Superintendents of penitentiaries, houses of
8 correction and bridewells, hospitals, state charitable
9 institutions and county homes, medical examiners ~~coroners~~,
10 sheriffs, jailors, funeral directors and all other state,
11 county, town and city officers, in whose custody is the body of
12 any deceased person, required to be buried at public expense,
13 shall, in the absence of disposition of such body, or any part
14 thereof by will or other written instrument, give permission to
15 any physician or surgeon licensed in Illinois, or to any
16 medical college or school, or other institution of higher
17 science education or school of mortuary science, public or
18 private, of any city, town or county, upon his or their receipt
19 in writing and request therefor, to receive and remove free of
20 public charge or expense, after having given proper notice to
21 relatives or guardians of the deceased, the bodies of such
22 deceased persons about to be buried at public expense, to be by
23 him or them used within the state, for advancement of medical,
24 anatomical, biological or mortuary science. Preference shall

1 be given to medical colleges or schools, public or private and
2 such bodies to be distributed to and among the same, equitably,
3 the number assigned to each, being in proportion to the
4 students of each college or school: except, if any person
5 claiming to be, and satisfying the proper authorities that he
6 is of kindred of the deceased asks to have the body for burial,
7 it shall, in the absence of other disposition of such body, or
8 any part thereof by will, court order or other written
9 instrument, be surrendered for interment. Any medical college
10 or school, or other institution of higher science education or
11 school of mortuary science, public and private, or any officers
12 of the same, that receive the bodies of deceased persons for
13 the purposes of scientific study, under the provisions of this
14 Act, shall furnish the same to students of medicine, surgery
15 and biological or mortuary sciences, who are under their
16 instruction, at a price not exceeding the sum of \$5 for each
17 and every such deceased body so furnished.

18 (Source: Laws 1965, p. 1980.)

19 Section 205. The Vital Records Act is amended by changing
20 Sections 18, 20, 21, 21.7, and 25.5 as follows:

21 (410 ILCS 535/18) (from Ch. 111 1/2, par. 73-18)

22 Sec. 18. (1) Each death which occurs in this State shall be
23 registered by filing a death certificate with the local
24 registrar of the district in which the death occurred or the

1 body was found, within 7 days after such death (within 5 days
2 if the death occurs prior to January 1, 1989) and prior to
3 cremation or removal of the body from the State, except when
4 death is subject to investigation by the ~~coroner or~~ medical
5 examiner.

6 (a) For the purposes of this Section, if the place of
7 death is unknown, a death certificate shall be filed in the
8 registration district in which a dead body is found, which
9 shall be considered the place of death.

10 (b) When a death occurs on a moving conveyance, the
11 place where the body is first removed from the conveyance
12 shall be considered the place of death and a death
13 certificate shall be filed in the registration district in
14 which such place is located.

15 (c) The funeral director who first assumes custody of a
16 dead body shall be responsible for filing a completed death
17 certificate. He shall obtain the personal data from the
18 next of kin or the best qualified person or source
19 available; he shall enter on the certificate the name,
20 relationship, and address of his informant; he shall enter
21 the date, place, and method of final disposition; he shall
22 affix his own signature and enter his address; and shall
23 present the certificate to the person responsible for
24 completing the medical certification of cause of death. The
25 person responsible for completing the medical
26 certification of cause of death must note the presence of

1 methicillin-resistant staphylococcus aureus, clostridium
2 difficile, or vancomycin-resistant enterococci if it is a
3 contributing factor to or the cause of death. Additional
4 multi-drug resistant organisms (MDROs) may be added to this
5 list by the Department by rule.

6 (2) The medical certification shall be completed and signed
7 within 48 hours after death by the physician in charge of the
8 patient's care for the illness or condition which resulted in
9 death, except when death is subject to the ~~coroner's or~~ medical
10 examiner's investigation. In the absence of the physician or
11 with his approval, the medical certificate may be completed and
12 signed by his associate physician, the chief medical officer of
13 the institution in which death occurred or by the physician who
14 performed an autopsy upon the decedent.

15 (3) When a death occurs without medical attendance, or when
16 it is otherwise subject to the ~~coroner's or~~ medical examiner's
17 investigation, the ~~coroner or~~ medical examiner shall be
18 responsible for the completion of a ~~coroner's or~~ medical
19 examiner's certificate of death and shall sign the medical
20 certification within 48 hours after death, except as provided
21 by regulation in special problem cases. If the decedent was
22 under the age of 18 years at the time of his or her death, and
23 the death was due to injuries suffered as a result of a motor
24 vehicle backing over a child, or if the death occurred due to
25 the power window of a motor vehicle, the ~~coroner or~~ medical
26 examiner must send a copy of the medical certification, with

1 information documenting that the death was due to a vehicle
2 backing over the child or that the death was caused by a power
3 window of a vehicle, to the Department of Children and Family
4 Services. The Department of Children and Family Services shall
5 (i) collect this information for use by Child Death Review
6 Teams and (ii) compile and maintain this information as part of
7 its Annual Child Death Review Team Report to the General
8 Assembly.

9 (3.5) The medical certification of cause of death shall
10 expressly provide an opportunity for the person completing the
11 certification to indicate that the death was caused in whole or
12 in part by a dementia-related disease, Parkinson's Disease, or
13 Parkinson-Dementia Complex.

14 (4) When the deceased was a veteran of any war of the
15 United States, the funeral director shall prepare a
16 "Certificate of Burial of U. S. War Veteran", as prescribed and
17 furnished by the Illinois Department of Veterans' Affairs, and
18 submit such certificate to the Illinois Department of Veterans'
19 Affairs monthly.

20 (5) When a death is presumed to have occurred in this State
21 but the body cannot be located, a death certificate may be
22 prepared by the State Registrar upon receipt of an order of a
23 court of competent jurisdiction which includes the finding of
24 facts required to complete the death certificate. Such death
25 certificate shall be marked "Presumptive" and shall show on its
26 face the date of the registration and shall identify the court

1 and the date of the judgment.

2 (Source: P.A. 96-1000, eff. 7-2-10; 97-376, eff. 8-15-11.)

3 (410 ILCS 535/20) (from Ch. 111 1/2, par. 73-20)

4 Sec. 20. Fetal death; place of registration.

5 (1) Each fetal death which occurs in this State after a
6 gestation period of 20 completed weeks (and when the mother
7 elects in writing to arrange for the burial or cremation of the
8 fetus under Section 11.4 of the Hospital Licensing Act) or more
9 shall be registered with the local or subregistrar of the
10 district in which the delivery occurred within 7 days after the
11 delivery and before removal of the fetus from the State, except
12 as provided by regulation in special problem cases.

13 (a) For the purposes of this Section, if the place of
14 fetal death is unknown, a fetal death certificate shall be
15 filed in the registration district in which a dead fetus is
16 found, which shall be considered the place of fetal death.

17 (b) When a fetal death occurs on a moving conveyance,
18 the city, village, township, or road district in which the
19 fetus is first removed from the conveyance shall be
20 considered the place of delivery and a fetal death
21 certificate shall be filed in the registration district in
22 which the place is located.

23 (c) The funeral director or person acting as such who
24 first assumes custody of a fetus shall file the
25 certificate. The personal data shall be obtained from the

1 best qualified person or source available. The name,
2 relationship, and address of the informant shall be entered
3 on the certificate. The date, place, and method of final
4 disposition of the fetus shall be recorded over the
5 personal signature and address of the funeral director
6 responsible for the disposition. The certificate shall be
7 presented to the person responsible for completing the
8 medical certification of the cause of death.

9 (2) The medical certification shall be completed and signed
10 within 24 hours after delivery by the physician in attendance
11 at or after delivery, except when investigation is required
12 under Division 3-3 of Article 3 of the Counties Code and except
13 as provided by regulation in special problem cases.

14 (3) When a fetal death occurs without medical attendance
15 upon the mother at or after the delivery, or when investigation
16 is required under Division 3-3 of Article 3 of the Counties
17 Code, the medical examiner ~~coroner~~ shall be responsible for the
18 completion of the fetal death certificate and shall sign the
19 medical certification within 24 hours after the delivery or the
20 finding of the fetus, except as provided by regulation in
21 special problem cases.

22 (Source: P.A. 92-348, eff. 1-1-02.)

23 (410 ILCS 535/21) (from Ch. 111 1/2, par. 73-21)

24 Sec. 21. (1) The funeral director or person acting as such
25 who first assumes custody of a dead body or fetus shall make a

1 written report to the registrar of the district in which death
2 occurred or in which the body or fetus was found within 24
3 hours after taking custody of the body or fetus on a form
4 prescribed and furnished by the State Registrar and in
5 accordance with the rules promulgated by the State Registrar.
6 Except as specified in paragraph (2) of this Section, the
7 written report shall serve as a permit to transport, bury or
8 entomb the body or fetus within this State, provided that the
9 funeral director or person acting as such shall certify that
10 the physician in charge of the patient's care for the illness
11 or condition which resulted in death has been contacted and has
12 affirmatively stated that he will sign the medical certificate
13 of death or the fetal death certificate. If a funeral director
14 fails to file written reports under this Section in a timely
15 manner, the local registrar may suspend the funeral director's
16 privilege of filing written reports by mail. In a county with a
17 population greater than 3,000,000, if a funeral director or
18 person acting as such interrs or entombs a dead body without
19 having previously certified that the physician in charge of the
20 patient's care for the illness or condition that resulted in
21 death has been contacted and has affirmatively stated that he
22 or she will sign the medical certificate of death, then that
23 funeral director or person acting as such is responsible for
24 payment of the specific costs incurred by the county medical
25 examiner in disinterring and reinterring or reentombing the
26 dead body.

1 (2) The written report as specified in paragraph (1) of
2 this Section shall not serve as a permit to:

3 (a) Remove body or fetus from this State;

4 (b) Cremate the body or fetus; or

5 (c) Make disposal of any body or fetus in any manner
6 when death is subject to the ~~coroner's~~ or medical
7 examiner's investigation.

8 (3) In accordance with the provisions of paragraph (2) of
9 this Section the funeral director or person acting as such who
10 first assumes custody of a dead body or fetus shall obtain a
11 permit for disposition of such dead human body prior to final
12 disposition or removal from the State of the body or fetus.
13 Such permit shall be issued by the registrar of the district
14 where death occurred or the body or fetus was found. No such
15 permit shall be issued until a properly completed certificate
16 of death has been filed with the registrar. The registrar shall
17 insure the issuance of a permit for disposition within an
18 expedited period of time to accommodate Sunday or holiday
19 burials of decedents whose time of death and religious tenets
20 or beliefs necessitate Sunday or holiday burials.

21 (4) A permit which accompanies a dead body or fetus brought
22 into this State shall be authority for final disposition of the
23 body or fetus in this State, except in municipalities where
24 local ordinance requires the issuance of a local permit prior
25 to disposition.

26 (5) A permit for disposition of a dead human body shall be

1 required prior to disinterment of a dead body or fetus, and
2 when the disinterred body is to be shipped by a common carrier.
3 Such permit shall be issued to a licensed funeral director or
4 person acting as such, upon proper application, by the local
5 registrar of the district in which disinterment is to be made.
6 In the case of disinterment, proper application shall include a
7 statement providing the name and address of any surviving
8 spouse of the deceased, or, if none, any surviving children of
9 the deceased, or if no surviving spouse or children, a parent,
10 brother, or sister of the deceased. The application shall
11 indicate whether the applicant is one of these parties and, if
12 so, whether the applicant is a surviving spouse or a surviving
13 child. Prior to the issuance of a permit for disinterment, the
14 local registrar shall, by certified mail, notify the surviving
15 spouse, unless he or she is the applicant, or if there is no
16 surviving spouse, all surviving children except for the
17 applicant, of the application for the permit. The person or
18 persons notified shall have 30 days from the mailing of the
19 notice to object by obtaining an injunction enjoining the
20 issuance of the permit. After the 30-day period has expired,
21 the local registrar shall issue the permit unless he or she has
22 been enjoined from doing so or there are other statutory
23 grounds for refusal. The notice to the spouse or surviving
24 children shall inform the person or persons being notified of
25 the right to seek an injunction within 30 days. Notwithstanding
26 any other provision of this subsection (5), a court may order

1 issuance of a permit for disinterment without notice or prior
2 to the expiration of the 30-day period where the petition is
3 made by an agency of any governmental unit and good cause is
4 shown for disinterment without notice or for the early order.
5 Nothing in this subsection (5) limits the authority of the City
6 of Chicago to acquire property or otherwise exercise its powers
7 under the O'Hare Modernization Act or requires that City, or
8 any person acting on behalf of that City, to obtain a permit
9 under this subsection (5) when exercising powers under the
10 O'Hare Modernization Act. The Illinois Department of
11 Transportation, and any person acting on its behalf under a
12 public-private agreement entered into in accordance with the
13 Public-Private Agreements for the South Suburban Airport Act,
14 is exempt from this subsection (5), provided that the Illinois
15 Department of Transportation, or any such person, takes
16 reasonable steps to comply with the provisions of this
17 subsection (5) so long as compliance does not interfere with
18 the design, development, operation, or maintenance of the South
19 Suburban Airport or the exercise of their powers under the
20 Public-Private Agreements for the South Suburban Airport Act.
21 (Source: P.A. 98-109, eff. 7-25-13.)

22 (410 ILCS 535/21.7)

23 Sec. 21.7. Temporary removal of a dead body. No permit for
24 transportation signed by the local registrar is required prior
25 to transporting a dead human body out of the State of Illinois,

1 at the direction of a federally designated organ procurement
2 organization, for the purpose of organ or tissue donation. The
3 dead human body being transported for the purpose of organ or
4 tissue donation shall be accompanied by a self-issued permit in
5 accordance with rules adopted by the Department of Public
6 Health. This self-issued permit shall be completed by an
7 Illinois-licensed funeral director and embalmer or
8 Illinois-licensed funeral director and shall serve as
9 notification to the county medical examiner ~~or coroner~~ of the
10 jurisdiction or county in which the death occurred that the
11 dead human body is being transported out of Illinois for a
12 period not to exceed 36 hours. This Section applies only to
13 instances in which the dead human body is to be returned to
14 Illinois prior to disposition. This Section does not affect any
15 rights or responsibilities held by county medical examiners ~~or~~
16 ~~coroners~~ under the Local Governmental and Governmental
17 Employees Tort Immunity Act. The Department of Public Health
18 shall adopt rules to implement this Section.

19 (Source: P.A. 99-262, eff. 1-1-16.)

20 (410 ILCS 535/25.5)

21 Sec. 25.5. Death Certificate Surcharge Fund. The
22 additional \$2 fee for certified copies of death certificates
23 and fetal death certificates must be deposited into the Death
24 Certificate Surcharge Fund, a special fund created in the State
25 treasury. Beginning 30 days after the effective date of this

1 amendatory Act of the 92nd General Assembly and until January
2 1, 2003 and then beginning again on July 1, 2003 and until July
3 1, 2005, moneys in the Fund, subject to appropriation, may be
4 used by the Department for the purpose of implementing an
5 electronic reporting system for death registrations as
6 provided in Section 18.5 of this Act. Before the effective date
7 of this amendatory Act of the 92nd General Assembly, on and
8 after January 1, 2003 and until July 1, 2003, and on and after
9 July 1, 2005, moneys in the Fund, subject to appropriations,
10 may be used as follows: (i) 25% by the Medical Examiner ~~Coroner~~
11 Training Board for the purpose of training medical examiners
12 ~~coroners~~, deputy medical examiners ~~coroners~~, forensic
13 pathologists, and police officers for death investigations and
14 lodging and travel expenses relating to training, (ii) 25% for
15 grants by the Department of Public Health for distribution to
16 all local county ~~coroners~~ and medical examiners or officials
17 charged with the duties set forth under Division 3-3 of the
18 Counties Code, who have a different title, for equipment and
19 lab facilities, (iii) 25% by the Department of Public Health
20 for the purpose of setting up a statewide database of death
21 certificates and implementing an electronic reporting system
22 for death registrations pursuant to Section 18.5, and (iv) 25%
23 for a grant by the Department of Public Health to local
24 registrars.

25 (Source: P.A. 99-408, eff. 1-1-16.)

1 Section 210. The Environmental Protection Act is amended by
2 changing Section 56.8 as follows:

3 (415 ILCS 5/56.8)

4 (Section scheduled to be repealed on December 31, 2022)

5 Sec. 56.8. Pharmaceutical Disposal Task Force.

6 (a) The Pharmaceutical Disposal Task Force is created. The
7 Task Force shall coordinate a statewide public information
8 campaign to highlight the benefits of and opportunities to
9 properly dispose of pharmaceutical products. The campaign
10 shall be implemented by the Agency, in coordination with the
11 Department of Public Health and the Illinois State Board of
12 Education. The publicity of the campaign shall include, as
13 appropriate, opportunities to properly dispose of
14 pharmaceutical products provided by:

- 15 (1) local police departments and local governments,
16 (2) pharmacies,
17 (3) long-term hazardous waste facilities,
18 (4) hazardous-waste collection events,
19 (5) the Agency,
20 (6) the federal Drug Enforcement Administration, and
21 (7) other public or private efforts to properly dispose
22 of pharmaceuticals.

23 The campaign shall address students, seniors, and at-risk
24 populations and shall outline the public health benefits of
25 proper disposal of unused pharmaceutical products and the

1 dangers and risks of their improper disposal.

2 (b) The Task Force shall consist of the following members
3 appointed by the Director of the Agency:

4 (1) one representative of the Agency, who shall serve
5 as the chair of the Task Force;

6 (2) one representative of the Department of Public
7 Health;

8 (3) one representative of the Illinois State Board of
9 Education;

10 (4) one representative of a statewide organization
11 representing pharmacists;

12 (5) one representative of a statewide organization
13 representing agricultural interests;

14 (6) one representative of a statewide organization
15 representing environmental concerns;

16 (7) one representative of a statewide organization
17 representing physicians licensed to practice medicine in
18 all its branches;

19 (8) one representative of a statewide organization
20 representing medical examiners ~~coroners~~;

21 (9) one representative of a statewide organization
22 representing pharmaceutical manufacturers; and

23 (10) one representative of a statewide organization
24 representing retailers.

25 If a vacancy occurs in the Task Force membership, the
26 vacancy shall be filled in the same manner as the original

1 appointment. Task Force members shall not receive compensation
2 for their service on the Task Force. The Agency shall provide
3 the Task Force with administrative and other support.

4 (c) This Section is repealed on December 31, 2022.

5 (Source: P.A. 100-925, eff. 1-1-19.)

6 Section 215. The Fire Investigation Act is amended by
7 changing Section 6 as follows:

8 (425 ILCS 25/6) (from Ch. 127 1/2, par. 6)

9 Sec. 6. Investigation and record of fires; Office of the
10 State Fire Marshal.

11 (a) The chief of the fire department shall investigate the
12 cause, origin and circumstances of every fire occurring in a
13 municipality or fire protection district, or in any area or on
14 any property which is furnished fire protection by the fire
15 department of such municipality or fire protection district, by
16 which property has been destroyed or damaged, and shall
17 especially make investigation as to whether such fire was the
18 result of carelessness or design. Such investigation shall be
19 begun within two days, not including Sunday, of the occurrence
20 of such fire, and the Office shall have the right to supervise
21 and direct such investigation whenever it deems it expedient or
22 necessary. The officer making investigation of fires occurring
23 in cities, villages, towns, fire protection districts or
24 townships shall forthwith notify the Office and shall by the

1 15th of the month following the occurrence of the fire, furnish
2 to the Office a statement of all facts relating to the cause
3 and origin of the fire, and such other information as may be
4 called for in a format approved or on forms provided by the
5 Office.

6 (b) In every case in which a fire is determined to be a
7 contributing factor in a death, the medical examiner ~~coroner~~ of
8 the county where the death occurred shall report the death to
9 the Office as provided in Section 3-3013 of the Counties Code.

10 (c) The Office shall keep a record of all fires occurring
11 in the State, together with all facts, statistics and
12 circumstances, including the origin of the fires, which may be
13 determined by the investigations provided by this act; such
14 record shall at all times be open to the public inspection, and
15 such portions of it as the State Director of Insurance may deem
16 necessary shall be transcribed and forwarded to him within
17 fifteen days from the first of January of each year.

18 (d) In addition to the reporting of fires, the chief of the
19 fire department shall furnish to the Office such other
20 information as the State Fire Marshal deems of importance to
21 the fire services.

22 (Source: P.A. 101-82, eff. 1-1-20.)

23 Section 220. The Illinois Vehicle Code is amended by
24 changing Sections 6-117, 11-413, 11-414, 11-501.7, and 12-215
25 as follows:

1 (625 ILCS 5/6-117) (from Ch. 95 1/2, par. 6-117)

2 Sec. 6-117. Records to be kept by the Secretary of State.

3 (a) The Secretary of State shall file every application for
4 a license or permit accepted under this Chapter, and shall
5 maintain suitable indexes thereof. The records of the Secretary
6 of State shall indicate the action taken with respect to such
7 applications.

8 (b) The Secretary of State shall maintain appropriate
9 records of all licenses and permits refused, cancelled,
10 disqualified, revoked, or suspended and of the revocation,
11 suspension, and disqualification of driving privileges of
12 persons not licensed under this Chapter, and such records shall
13 note the reasons for such action.

14 (c) The Secretary of State shall maintain appropriate
15 records of convictions reported under this Chapter. Records of
16 conviction may be maintained in a computer processible medium.

17 (d) The Secretary of State may also maintain appropriate
18 records of any accident reports received.

19 (e) The Secretary of State shall also maintain appropriate
20 records of any disposition of supervision or records relative
21 to a driver's referral to a driver remedial or rehabilitative
22 program, as required by the Secretary of State or the courts.
23 Such records shall only be available for use by the Secretary,
24 the driver licensing administrator of any other state, law
25 enforcement agencies, the courts, and the affected driver or,

1 upon proper verification, such affected driver's attorney.

2 (f) The Secretary of State shall also maintain or contract
3 to maintain appropriate records of all photographs and
4 signatures obtained in the process of issuing any driver's
5 license, permit, or identification card. The record shall be
6 confidential and shall not be disclosed except to those
7 entities listed under Section 6-110.1 of this Code.

8 (g) The Secretary of State may establish a First Person
9 Consent organ and tissue donor registry in compliance with
10 subsection (b-1) of Section 5-20 of the Illinois Anatomical
11 Gift Act, as follows:

12 (1) The Secretary shall offer, to each applicant for
13 issuance or renewal of a driver's license or identification
14 card who is 16 years of age or older, the opportunity to
15 have his or her name included in the First Person Consent
16 organ and tissue donor registry. The Secretary must advise
17 the applicant or licensee that he or she is under no
18 compulsion to have his or her name included in the
19 registry. An individual who agrees to having his or her
20 name included in the First Person Consent organ and tissue
21 donor registry has given full legal consent to the donation
22 of any of his or her organs or tissue upon his or her
23 death. A brochure explaining this method of executing an
24 anatomical gift must be given to each applicant for
25 issuance or renewal of a driver's license or identification
26 card. The brochure must advise the applicant or licensee

1 (i) that he or she is under no compulsion to have his or
2 her name included in this registry and (ii) that he or she
3 may wish to consult with family, friends, or clergy before
4 doing so.

5 (2) The Secretary of State may establish additional
6 methods by which an individual may have his or her name
7 included in the First Person Consent organ and tissue donor
8 registry.

9 (3) When an individual has agreed to have his or her
10 name included in the First Person Consent organ and tissue
11 donor registry, the Secretary of State shall note that
12 agreement in the First Person consent organ and tissue
13 donor registry. Representatives of federally designated
14 organ procurement agencies and tissue banks and the offices
15 of Illinois county ~~coroners~~ and medical examiners may
16 inquire of the Secretary of State whether a potential organ
17 donor's name is included in the First Person Consent organ
18 and tissue donor registry, and the Secretary of State may
19 provide that information to the representative.

20 (4) An individual may withdraw his or her consent to be
21 listed in the First Person Consent organ and tissue donor
22 registry maintained by the Secretary of State by notifying
23 the Secretary of State in writing, or by any other means
24 approved by the Secretary, of the individual's decision to
25 have his or her name removed from the registry.

26 (5) The Secretary of State may undertake additional

1 efforts, including education and awareness activities, to
2 promote organ and tissue donation.

3 (6) In the absence of gross negligence or willful
4 misconduct, the Secretary of State and his or her employees
5 are immune from any civil or criminal liability in
6 connection with an individual's consent to be listed in the
7 organ and tissue donor registry.

8 (Source: P.A. 100-41, eff. 1-1-18.)

9 (625 ILCS 5/11-413) (from Ch. 95 1/2, par. 11-413)

10 Sec. 11-413. Medical examiners ~~Coroners~~ to report. All
11 medical examiners ~~coroners~~ shall on or before the 10th day of
12 each month report in writing to the Administrator the death of
13 any person within their respective jurisdiction, during the
14 preceding calendar month, as the result of a traffic accident
15 giving the time and place of the accident and the circumstances
16 relating thereto.

17 (Source: P.A. 83-831.)

18 (625 ILCS 5/11-414) (from Ch. 95 1/2, par. 11-414)

19 Sec. 11-414. Department to tabulate and analyze motor
20 vehicle accident reports. The Department shall tabulate and may
21 analyze all written motor vehicle accident reports received in
22 compliance with this Code and shall publish annually or at more
23 frequent intervals motor vehicle accident data. The
24 Department:

1 1. (blank);

2 2. shall, upon written request, make available to the
3 public motor vehicle accident data that shall be
4 distributed under Sections 11-412 and 11-417 of this Code;

5 3. may conduct special investigations of motor vehicle
6 accidents and may solicit supplementary reports from
7 drivers, owners, police departments, sheriffs, medical
8 examiners ~~coroners~~, or any other individual. Failure of any
9 individual to submit a supplementary report subjects such
10 individual to the same penalties for failure to report as
11 designated under Section 11-406.

12 (Source: P.A. 100-96, eff. 1-1-18.)

13 (625 ILCS 5/11-501.7) (from Ch. 95 1/2, par. 11-501.7)

14 Sec. 11-501.7. (a) As a condition of probation or discharge
15 of a person convicted of a violation of Section 11-501 of this
16 Code, who was less than 21 years of age at the time of the
17 offense, or a person adjudicated delinquent pursuant to the
18 Juvenile Court Act of 1987, for violation of Section 11-501 of
19 this Code, the Court may order the offender to participate in
20 the Youthful Intoxicated Drivers' Visitation Program. The
21 Program shall consist of a supervised visitation as provided by
22 this Section by the person to at least one of the following, to
23 the extent that personnel and facilities are available:

24 (1) A State or private rehabilitation facility that
25 cares for victims of motor vehicle accidents involving

1 persons under the influence of alcohol.

2 (2) A facility which cares for advanced alcoholics to
3 observe persons in the terminal stages of alcoholism, under
4 the supervision of appropriately licensed medical
5 personnel.

6 (3) If approved by the medical examiner ~~coroner~~ of the
7 county where the person resides, the county medical
8 examiner's ~~coroner's~~ office or the county morgue to observe
9 appropriate victims of motor vehicle accidents involving
10 persons under the influence of alcohol, under the
11 supervision of the medical examiner ~~coroner~~ or deputy
12 medical examiner ~~coroner~~.

13 (b) The Program shall be operated by the appropriate
14 probation authorities of the courts of the various circuits.
15 The youthful offender ordered to participate in the Program
16 shall bear all costs associated with participation in the
17 Program. A parent or guardian of the offender may assume the
18 obligation of the offender to pay the costs of the Program. The
19 court may waive the requirement that the offender pay the costs
20 of participation in the Program upon a finding of indigency.

21 (c) As used in this Section, "appropriate victims" means
22 victims whose condition is determined by the visit supervisor
23 to demonstrate the results of motor vehicle accidents involving
24 persons under the influence of alcohol without being
25 excessively gruesome or traumatic to the observer.

26 (d) Any visitation shall include, before any observation of

1 victims or persons with disabilities, a comprehensive
2 counseling session with the visitation supervisor at which the
3 supervisor shall explain and discuss the experiences which may
4 be encountered during the visitation in order to ascertain
5 whether the visitation is appropriate.

6 (Source: P.A. 101-81, eff. 7-12-19.)

7 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

8 Sec. 12-215. Oscillating, rotating or flashing lights on
9 motor vehicles. Except as otherwise provided in this Code:

10 (a) The use of red or white oscillating, rotating or
11 flashing lights, whether lighted or unlighted, is prohibited
12 except on:

13 1. Law enforcement vehicles of State, Federal or local
14 authorities;

15 2. A vehicle operated by a police officer or county
16 medical examiner ~~coroner~~ and designated or authorized by
17 local authorities, in writing, as a law enforcement
18 vehicle; however, such designation or authorization must
19 be carried in the vehicle;

20 2.1. A vehicle operated by a fire chief, deputy fire
21 chief, or assistant fire chief who has completed an
22 emergency vehicle operation training course approved by
23 the Office of the State Fire Marshal and designated or
24 authorized by local authorities, in writing, as a fire
25 department, fire protection district, or township fire

1 department vehicle; however, the designation or
2 authorization must be carried in the vehicle, and the
3 lights may be visible or activated only when responding to
4 a bona fide emergency;

5 3. Vehicles of local fire departments and State or
6 federal firefighting vehicles;

7 4. Vehicles which are designed and used exclusively as
8 ambulances or rescue vehicles; furthermore, such lights
9 shall not be lighted except when responding to an emergency
10 call for and while actually conveying the sick or injured;

11 4.5. Vehicles which are occasionally used as rescue
12 vehicles that have been authorized for use as rescue
13 vehicles by a volunteer EMS provider, provided that the
14 operator of the vehicle has successfully completed an
15 emergency vehicle operation training course recognized by
16 the Department of Public Health; furthermore, the lights
17 shall not be lighted except when responding to an emergency
18 call for the sick or injured;

19 5. Tow trucks licensed in a state that requires such
20 lights; furthermore, such lights shall not be lighted on
21 any such tow truck while the tow truck is operating in the
22 State of Illinois;

23 6. Vehicles of the Illinois Emergency Management
24 Agency, vehicles of the Office of the Illinois State Fire
25 Marshal, vehicles of the Illinois Department of Public
26 Health, vehicles of the Illinois Department of

1 Corrections, and vehicles of the Illinois Department of
2 Juvenile Justice;

3 7. Vehicles operated by a local or county emergency
4 management services agency as defined in the Illinois
5 Emergency Management Agency Act;

6 8. School buses operating alternately flashing head
7 lamps as permitted under Section 12-805 of this Code;

8 9. Vehicles that are equipped and used exclusively as
9 organ transplant vehicles when used in combination with
10 blue oscillating, rotating, or flashing lights;
11 furthermore, these lights shall be lighted only when the
12 transportation is declared an emergency by a member of the
13 transplant team or a representative of the organ
14 procurement organization;

15 10. Vehicles of the Illinois Department of Natural
16 Resources that are used for mine rescue and explosives
17 emergency response;

18 11. Vehicles of the Illinois Department of
19 Transportation identified as Emergency Traffic Patrol; the
20 lights shall not be lighted except when responding to an
21 emergency call or when parked or stationary while engaged
22 in motor vehicle assistance or at the scene of the
23 emergency; and

24 12. Vehicles of the Illinois State Toll Highway
25 Authority with a gross vehicle weight rating of 9,000
26 pounds or more and those identified as Highway Emergency

1 Lane Patrol; the lights shall not be lighted except when
2 responding to an emergency call or when parked or
3 stationary while engaged in motor vehicle assistance or at
4 the scene of the emergency.

5 (b) The use of amber oscillating, rotating or flashing
6 lights, whether lighted or unlighted, is prohibited except on:

7 1. Second division vehicles designed and used for
8 towing or hoisting vehicles; furthermore, such lights
9 shall not be lighted except as required in this paragraph
10 1; such lights shall be lighted when such vehicles are
11 actually being used at the scene of an accident or
12 disablement; if the towing vehicle is equipped with a flat
13 bed that supports all wheels of the vehicle being
14 transported, the lights shall not be lighted while the
15 vehicle is engaged in towing on a highway; if the towing
16 vehicle is not equipped with a flat bed that supports all
17 wheels of a vehicle being transported, the lights shall be
18 lighted while the towing vehicle is engaged in towing on a
19 highway during all times when the use of headlights is
20 required under Section 12-201 of this Code; in addition,
21 these vehicles may use white oscillating, rotating, or
22 flashing lights in combination with amber oscillating,
23 rotating, or flashing lights as provided in this paragraph;

24 2. Motor vehicles or equipment of the State of
25 Illinois, the Illinois State Toll Highway Authority, local
26 authorities and contractors; furthermore, such lights

1 shall not be lighted except while such vehicles are engaged
2 in maintenance or construction operations within the
3 limits of construction projects;

4 3. Vehicles or equipment used by engineering or survey
5 crews; furthermore, such lights shall not be lighted except
6 while such vehicles are actually engaged in work on a
7 highway;

8 4. Vehicles of public utilities, municipalities, or
9 other construction, maintenance or automotive service
10 vehicles except that such lights shall be lighted only as a
11 means for indicating the presence of a vehicular traffic
12 hazard requiring unusual care in approaching, overtaking
13 or passing while such vehicles are engaged in maintenance,
14 service or construction on a highway;

15 5. Oversized vehicle or load; however, such lights
16 shall only be lighted when moving under permit issued by
17 the Department under Section 15-301 of this Code;

18 6. The front and rear of motorized equipment owned and
19 operated by the State of Illinois or any political
20 subdivision thereof, which is designed and used for removal
21 of snow and ice from highways;

22 6.1. The front and rear of motorized equipment or
23 vehicles that (i) are not owned by the State of Illinois or
24 any political subdivision of the State, (ii) are designed
25 and used for removal of snow and ice from highways and
26 parking lots, and (iii) are equipped with a snow plow that

1 is 12 feet in width; these lights may not be lighted except
2 when the motorized equipment or vehicle is actually being
3 used for those purposes on behalf of a unit of government;

4 7. Fleet safety vehicles registered in another state,
5 furthermore, such lights shall not be lighted except as
6 provided for in Section 12-212 of this Code;

7 8. Such other vehicles as may be authorized by local
8 authorities;

9 9. Law enforcement vehicles of State or local
10 authorities when used in combination with red oscillating,
11 rotating or flashing lights;

12 9.5. Propane delivery trucks;

13 10. Vehicles used for collecting or delivering mail for
14 the United States Postal Service provided that such lights
15 shall not be lighted except when such vehicles are actually
16 being used for such purposes;

17 10.5. Vehicles of the Office of the Illinois State Fire
18 Marshal, provided that such lights shall not be lighted
19 except for when such vehicles are engaged in work for the
20 Office of the Illinois State Fire Marshal;

21 11. Any vehicle displaying a slow-moving vehicle
22 emblem as provided in Section 12-205.1;

23 12. All trucks equipped with self-compactors or
24 roll-off hoists and roll-on containers for garbage,
25 recycling, or refuse hauling. Such lights shall not be
26 lighted except when such vehicles are actually being used

1 for such purposes;

2 13. Vehicles used by a security company, alarm
3 responder, control agency, or the Illinois Department of
4 Corrections;

5 14. Security vehicles of the Department of Human
6 Services; however, the lights shall not be lighted except
7 when being used for security related purposes under the
8 direction of the superintendent of the facility where the
9 vehicle is located; and

10 15. Vehicles of union representatives, except that the
11 lights shall be lighted only while the vehicle is within
12 the limits of a construction project.

13 (c) The use of blue oscillating, rotating or flashing
14 lights, whether lighted or unlighted, is prohibited except on:

15 1. Rescue squad vehicles not owned by a fire department
16 and vehicles owned or operated by a:

17 voluntary firefighter;

18 paid firefighter;

19 part-paid firefighter;

20 call firefighter;

21 member of the board of trustees of a fire
22 protection district;

23 paid or unpaid member of a rescue squad;

24 paid or unpaid member of a voluntary ambulance
25 unit; or

26 paid or unpaid members of a local or county

1 emergency management services agency as defined in the
2 Illinois Emergency Management Agency Act, designated
3 or authorized by local authorities, in writing, and
4 carrying that designation or authorization in the
5 vehicle.

6 However, such lights are not to be lighted except when
7 responding to a bona fide emergency or when parked or
8 stationary at the scene of a fire, rescue call, ambulance
9 call, or motor vehicle accident.

10 Any person using these lights in accordance with this
11 subdivision (c)1 must carry on his or her person an
12 identification card or letter identifying the bona fide
13 member of a fire department, fire protection district,
14 rescue squad, ambulance unit, or emergency management
15 services agency that owns or operates that vehicle. The
16 card or letter must include:

17 (A) the name of the fire department, fire
18 protection district, rescue squad, ambulance unit, or
19 emergency management services agency;

20 (B) the member's position within the fire
21 department, fire protection district, rescue squad,
22 ambulance unit, or emergency management services
23 agency;

24 (C) the member's term of service; and

25 (D) the name of a person within the fire
26 department, fire protection district, rescue squad,

1 ambulance unit, or emergency management services
2 agency to contact to verify the information provided.

3 2. Police department vehicles in cities having a
4 population of 500,000 or more inhabitants.

5 3. Law enforcement vehicles of State or local
6 authorities when used in combination with red oscillating,
7 rotating or flashing lights.

8 4. Vehicles of local fire departments and State or
9 federal firefighting vehicles when used in combination
10 with red oscillating, rotating or flashing lights.

11 5. Vehicles which are designed and used exclusively as
12 ambulances or rescue vehicles when used in combination with
13 red oscillating, rotating or flashing lights; furthermore,
14 such lights shall not be lighted except when responding to
15 an emergency call.

16 6. Vehicles that are equipped and used exclusively as
17 organ transport vehicles when used in combination with red
18 oscillating, rotating, or flashing lights; furthermore,
19 these lights shall only be lighted when the transportation
20 is declared an emergency by a member of the transplant team
21 or a representative of the organ procurement organization.

22 7. Vehicles of the Illinois Emergency Management
23 Agency, vehicles of the Office of the Illinois State Fire
24 Marshal, vehicles of the Illinois Department of Public
25 Health, vehicles of the Illinois Department of
26 Corrections, and vehicles of the Illinois Department of

1 Juvenile Justice, when used in combination with red
2 oscillating, rotating, or flashing lights.

3 8. Vehicles operated by a local or county emergency
4 management services agency as defined in the Illinois
5 Emergency Management Agency Act, when used in combination
6 with red oscillating, rotating, or flashing lights.

7 9. Vehicles of the Illinois Department of Natural
8 Resources that are used for mine rescue and explosives
9 emergency response, when used in combination with red
10 oscillating, rotating, or flashing lights.

11 (c-1) In addition to the blue oscillating, rotating, or
12 flashing lights permitted under subsection (c), and
13 notwithstanding subsection (a), a vehicle operated by a
14 voluntary firefighter, a voluntary member of a rescue squad, or
15 a member of a voluntary ambulance unit may be equipped with
16 flashing white headlights and blue grill lights, which may be
17 used only in responding to an emergency call or when parked or
18 stationary at the scene of a fire, rescue call, ambulance call,
19 or motor vehicle accident.

20 (c-2) In addition to the blue oscillating, rotating, or
21 flashing lights permitted under subsection (c), and
22 notwithstanding subsection (a), a vehicle operated by a paid or
23 unpaid member of a local or county emergency management
24 services agency as defined in the Illinois Emergency Management
25 Agency Act, may be equipped with white oscillating, rotating,
26 or flashing lights to be used in combination with blue

1 oscillating, rotating, or flashing lights, if authorization by
2 local authorities is in writing and carried in the vehicle.

3 (d) The use of a combination of amber and white
4 oscillating, rotating or flashing lights, whether lighted or
5 unlighted, is prohibited except on second division vehicles
6 designed and used for towing or hoisting vehicles or motor
7 vehicles or equipment of the State of Illinois, local
8 authorities, contractors, and union representatives;
9 furthermore, such lights shall not be lighted on second
10 division vehicles designed and used for towing or hoisting
11 vehicles or vehicles of the State of Illinois, local
12 authorities, and contractors except while such vehicles are
13 engaged in a tow operation, highway maintenance, or
14 construction operations within the limits of highway
15 construction projects, and shall not be lighted on the vehicles
16 of union representatives except when those vehicles are within
17 the limits of a construction project.

18 (e) All oscillating, rotating or flashing lights referred
19 to in this Section shall be of sufficient intensity, when
20 illuminated, to be visible at 500 feet in normal sunlight.

21 (f) Nothing in this Section shall prohibit a manufacturer
22 of oscillating, rotating or flashing lights or his
23 representative or authorized vendor from temporarily mounting
24 such lights on a vehicle for demonstration purposes only. If
25 the lights are not covered while the vehicle is operated upon a
26 highway, the vehicle shall display signage indicating that the

1 vehicle is out of service or not an emergency vehicle. The
2 signage shall be displayed on all sides of the vehicle in
3 letters at least 2 inches tall and one-half inch wide. A
4 vehicle authorized to have oscillating, rotating, or flashing
5 lights mounted for demonstration purposes may not activate the
6 lights while the vehicle is operated upon a highway.

7 (g) Any person violating the provisions of subsections (a),
8 (b), (c) or (d) of this Section who without lawful authority
9 stops or detains or attempts to stop or detain another person
10 shall be guilty of a Class 2 felony.

11 (h) Except as provided in subsection (g) above, any person
12 violating the provisions of subsections (a) or (c) of this
13 Section shall be guilty of a Class A misdemeanor.

14 (Source: P.A. 100-62, eff. 8-11-17; 101-56, eff. 1-1-20.)

15 Section 225. The Boat Registration and Safety Act is
16 amended by changing Section 6-1 as follows:

17 (625 ILCS 45/6-1) (from Ch. 95 1/2, par. 316-1)

18 Sec. 6-1. Collisions, accidents, and casualties; reports.

19 A. The operator of a vessel involved in a collision,
20 accident, or other casualty, so far as he can without serious
21 danger to his own vessel, crew, passengers and guests, if any,
22 shall render to other persons affected by the collision,
23 accident, or other casualty assistance as may be practicable
24 and as may be necessary in order to save them from or minimize

1 any danger caused by the collision, accident, or other
2 casualty, and also shall give his name, address, and
3 identification of his vessel to any person injured and to the
4 owner of any property damaged in the collision, accident, or
5 other casualty.

6 If the collision, accident, or other casualty has resulted
7 in the death of or personal injury to any person, failure to
8 comply with this subsection A is a Class A misdemeanor.

9 A-1. Any person who has failed to stop or to comply with
10 the requirements of subsection A must, as soon as possible but
11 in no case later than one hour after the collision, accident,
12 or other casualty, or, if hospitalized and incapacitated from
13 reporting at any time during that period, as soon as possible
14 but in no case later than one hour after being discharged from
15 the hospital, report the date, place, and approximate time of
16 the collision, accident, or other casualty, the watercraft
17 operator's name and address, the identification number of the
18 watercraft, if any, and the names of all other occupants of the
19 watercraft, at a police station or sheriff's office near the
20 location where the collision, accident, or other casualty
21 occurred. A report made as required under this subsection A-1
22 may not be used, directly or indirectly, as a basis for the
23 prosecution of any violation of subsection A.

24 As used in this Section, personal injury means any injury
25 requiring treatment beyond first aid.

26 Any person failing to comply with this subsection A-1 is

1 guilty of a Class 4 felony if the collision, accident, or other
2 casualty does not result in the death of any person. Any person
3 failing to comply with this subsection A-1 when the collision,
4 accident, or other casualty results in the death of any person
5 is guilty of a Class 2 felony, for which the person, if
6 sentenced to a term of imprisonment, shall be sentenced to a
7 term of not less than 3 years and not more than 14 years.

8 B. In the case of collision, accident, or other casualty
9 involving a vessel, the operator, if the collision, accident,
10 or other casualty results in death or injury to a person or
11 damage to property in excess of \$2000, or there is a complete
12 loss of the vessel, shall file with the Department a full
13 description of the collision, accident, or other casualty,
14 including information as the Department may by regulation
15 require. Reports of the accidents must be filed with the
16 Department on a Department Accident Report form within 5 days.

17 C. Reports of accidents resulting in personal injury, where
18 a person sustains an injury requiring medical attention beyond
19 first aid, must be filed with the Department on a Department
20 Accident Report form within 5 days. Accidents that result in
21 loss of life shall be reported to the Department on a
22 Department form within 48 hours.

23 D. All required accident reports and supplemental reports
24 are without prejudice to the individual reporting, and are for
25 the confidential use of the Department, except that the
26 Department may disclose the identity of a person involved in an

1 accident when the identity is not otherwise known or when the
2 person denies his presence at the accident. No report to the
3 Department may be used as evidence in any trial, civil or
4 criminal, arising out of an accident, except that the
5 Department must furnish upon demand of any person who has or
6 claims to have made a report or upon demand of any court a
7 certificate showing that a specified accident report has or has
8 not been made to the Department solely to prove a compliance or
9 a failure to comply with the requirements that a report be made
10 to the Department.

11 E. (1) Every ~~coroner or~~ medical examiner shall on or before
12 the 10th day of each month report in writing to the
13 Department the circumstances surrounding the death of any
14 person that has occurred as the result of a boating
15 accident within the examiner's jurisdiction during the
16 preceding calendar month.

17 (2) Within 6 hours after a death resulting from a
18 boating accident, but in any case not more than 12 hours
19 after the occurrence of the boating accident, a blood
20 specimen of at least 10 cc shall be withdrawn from the body
21 of the decedent by the ~~coroner or~~ medical examiner or by a
22 qualified person at the direction of the physician. All
23 morticians shall obtain a release from the ~~coroner or~~
24 medical examiner prior to proceeding with embalming any
25 body coming under the scope of this Section. The blood so
26 drawn shall be forwarded to a laboratory approved by the

1 Department of State Police for analysis of the alcoholic
2 content of the blood specimen. The ~~coroner~~ or medical
3 examiner causing the blood to be withdrawn shall be
4 notified of the results of each analysis made and shall
5 forward the results of each analysis to the Department. The
6 Department shall keep a record of all examinations to be
7 used for statistical purposes only. The cumulative results
8 of the examinations, without identifying the individuals
9 involved, shall be disseminated and made public by the
10 Department.

11 (Source: P.A. 93-782, eff. 1-1-05; 94-214, eff. 1-1-06.)

12 Section 230. The Attorney Act is amended by changing
13 Section 10 as follows:

14 (705 ILCS 205/10) (from Ch. 13, par. 10)

15 Sec. 10. No medical examiner ~~coroner~~, sheriff or deputy
16 sheriff shall be permitted to practice as an attorney or
17 counselor at law in the county in which he is commissioned or
18 appointed, nor shall any clerk or deputy clerk of a court be
19 permitted to practice as an attorney or counselor at law in the
20 court in which he is such clerk or deputy clerk, and no person
21 shall be permitted or suffered to enter his name on the roll or
22 record, to be kept as aforesaid, by the clerk of the Supreme
23 Court, or do any official act appertaining to the office of an
24 attorney or counselor at law, until he has taken the oath

1 hereinbefore required; and the person administering such oath
2 shall certify the same on the license, which certificate shall
3 be a sufficient voucher to the clerk of the Supreme Court to
4 enter or insert, or permit to be entered or inserted, on the
5 roll of attorneys or counselors at law, the name of the person
6 of whom such certificate is made.

7 (Source: Laws 1967, p. 3675.)

8 Section 235. The Jury Act is amended by changing Section 20
9 as follows:

10 (705 ILCS 305/20) (from Ch. 78, par. 20)

11 Sec. 20. (a) It shall be the duty of the clerk of the court
12 at the commencement of each week at which any cause is to be
13 tried by a jury to write the name of each petit juror summoned
14 and retained for that week on a separate ticket, and put the
15 whole into a box or other place for safekeeping; and as often
16 as it shall be necessary to impanel a jury, the clerk, sheriff
17 or medical examiner ~~coroner~~ shall, in the presence of the
18 court, draw by chance 12 names (or 14 where alternate jurors
19 are required) out of such box or other place, which shall
20 designate the persons to be sworn on the jury, and in the same
21 manner for the second jury, in their turn, as the court may
22 order and direct. The attorney for any party litigant in any
23 cause assigned to jury trial shall have the right to be present
24 in person at the time and place when the random selection of

1 jurors for trial of said cause is drawn by lot to be assigned
2 to the trial judge for voir dire examination; a party litigant
3 whose attorney is present at the selection process waives any
4 objection to the selection procedure unless the same is
5 asserted prior to the time any prospective juror is called for
6 voir dire examination.

7 (b) Notwithstanding the provisions of subsection (a),
8 names of jurors may be randomly drawn by computer.

9 (Source: P.A. 86-1053.)

10 Section 240. The Jury Commission Act is amended by changing
11 Section 8 as follows:

12 (705 ILCS 310/8) (from Ch. 78, par. 31)

13 Sec. 8. In such manner as may be prescribed by rules to be
14 adopted by majority vote of the said judges, the jury
15 administrator or the jury commissioners shall also:

16 (a) From time to time prepare a secondary list to be known
17 as the active jury list, containing such number of names taken
18 from the general jury list as shall be appointed by the said
19 rules, and in addition thereto, such other lists, to be known
20 as period jury lists, as the said rules may require. Such
21 period jury lists, if provided for, shall contain the names of
22 prospective jurors who shall have indicated, either before or
23 after being summoned for jury duty, at what time of the year
24 they could most conveniently serve. The active jury list and,

1 except as to the names of persons certified back by the clerk
2 of the court as provided in Section 10 of this act, the period
3 jury lists, shall be prepared by selecting every twentieth
4 name, or other whole number rate necessary to obtain the number
5 required, or, in counties having a population greater than
6 1,000,000, in a manner prescribed by the judge in charge of
7 jury selection, from the general jury list;

8 (b) Make the active jury list and, except as to the names
9 of persons certified back by the clerk of the court as provided
10 in Section 10 of this Act, the period jury lists, available for
11 the clerks of the circuit court to draw therefrom by lot, as
12 hereinafter required, providing for the purpose such devices or
13 mechanisms as the said rules shall prescribe;

14 (c) See that at least 2 jury commissioners, one jury
15 commissioner and a judge of the circuit court of the county, or
16 a jury administrator shall be present at any such drawing,
17 along with the clerk of the said jury commissioners, if there
18 be one, except that if the names are to be drawn by computer no
19 jury commissioner need be present at any drawing by computer;

20 (d) Provide for the manner of selection of jurors to be
21 provided to medical examiners ~~coroners~~ pursuant to Section
22 3-3013 of the Counties Code ~~Section 10 of "An Act to revise the~~
23 ~~law in relation to coroners", approved July 1, 1874, as~~
24 ~~amended~~; provided that such manner of selection shall be, to
25 the extent practicable, similar to the manner in which petit
26 and grand jurors are selected; and

1 (e) Perform such other duties in relation to the selection
2 of electors for jury service and their appearance for such
3 service as are prescribed by this act or may be prescribed by
4 the said rules or procedures established by the chief judge of
5 the circuit.

6 (Source: P.A. 90-482, eff. 1-1-98.)

7 Section 245. The Juvenile Court Act of 1987 is amended by
8 changing Sections 2-6, 2-15, 3-17, 4-14, and 5-525 as follows:

9 (705 ILCS 405/2-6) (from Ch. 37, par. 802-6)

10 Sec. 2-6. Duty of officer. (1) A law enforcement officer
11 who takes a minor into custody under Section 2-5 shall
12 immediately make a reasonable attempt to notify the parent or
13 other person legally responsible for the minor's care or the
14 person with whom the minor resides that the minor has been
15 taken into custody and where he or she is being held.

16 (a) A law enforcement officer who takes a minor into
17 custody with a warrant shall without unnecessary delay take the
18 minor to the nearest juvenile police officer designated for
19 such purposes in the county of venue.

20 (b) A law enforcement officer who takes a minor into
21 custody without a warrant shall place the minor in temporary
22 protective custody and shall immediately notify the Department
23 of Children and Family Services by contacting either the
24 central register established under 7.7 of the Abused and

1 Neglected Child Reporting Act or the nearest Department of
2 Children and Family Services office. If there is reasonable
3 cause to suspect that a minor has died as a result of abuse or
4 neglect, the law enforcement officer shall immediately report
5 such suspected abuse or neglect to the appropriate medical
6 examiner ~~or coroner~~.

7 (Source: P.A. 85-601.)

8 (705 ILCS 405/2-15) (from Ch. 37, par. 802-15)

9 Sec. 2-15. Summons.

10 (1) When a petition is filed, the clerk of the court shall
11 issue a summons with a copy of the petition attached. The
12 summons shall be directed to the minor's legal guardian or
13 custodian and to each person named as a respondent in the
14 petition, except that summons need not be directed to a minor
15 respondent under 8 years of age for whom the court appoints a
16 guardian ad litem if the guardian ad litem appears on behalf of
17 the minor in any proceeding under this Act.

18 (2) The summons must contain a statement that the minor or
19 any of the respondents is entitled to have an attorney present
20 at the hearing on the petition, and that the clerk of the court
21 should be notified promptly if the minor or any other
22 respondent desires to be represented by an attorney but is
23 financially unable to employ counsel.

24 (3) The summons shall be issued under the seal of the
25 court, attested in and signed with the name of the clerk of the

1 court, dated on the day it is issued, and shall require each
2 respondent to appear and answer the petition on the date set
3 for the adjudicatory hearing. The summons shall contain a
4 notice that the parties will not be entitled to further written
5 notices or publication notices of proceedings in this case,
6 including the filing of an amended petition or a motion to
7 terminate parental rights, except as required by Supreme Court
8 Rule 11.

9 (4) The summons may be served by any county sheriff,
10 medical examiner ~~coroner~~ or probation officer, even though the
11 officer is the petitioner. The return of the summons with
12 endorsement of service by the officer is sufficient proof
13 thereof.

14 (5) Service of a summons and petition shall be made by: (a)
15 leaving a copy thereof with the person summoned at least 3 days
16 before the time stated therein for appearance; (b) leaving a
17 copy at his or her usual place of abode with some person of the
18 family or a person residing there, of the age of 10 years or
19 upwards, and informing that person of the contents thereof,
20 provided the officer or other person making service shall also
21 send a copy of the summons in a sealed envelope with postage
22 fully prepaid, addressed to the person summoned at his usual
23 place of abode, at least 3 days before the time stated therein
24 for appearance; or (c) leaving a copy thereof with the guardian
25 or custodian of a minor, at least 3 days before the time stated
26 therein for appearance. If the guardian or custodian is an

1 agency of the State of Illinois, proper service may be made by
2 leaving a copy of the summons and petition with any
3 administrative employee of such agency designated by such
4 agency to accept service of summons and petitions. The
5 certificate of the officer or affidavit of the person that he
6 has sent the copy pursuant to this Section is sufficient proof
7 of service.

8 (6) When a parent or other person, who has signed a written
9 promise to appear and bring the minor to court or who has
10 waived or acknowledged service, fails to appear with the minor
11 on the date set by the court, a bench warrant may be issued for
12 the parent or other person, the minor, or both.

13 (7) The appearance of the minor's legal guardian or
14 custodian, or a person named as a respondent in a petition, in
15 any proceeding under this Act shall constitute a waiver of
16 service of summons and submission to the jurisdiction of the
17 court, except that the filing of a motion authorized under
18 Section 2-301 of the Code of Civil Procedure does not
19 constitute an appearance under this subsection. A copy of the
20 summons and petition shall be provided to the person at the
21 time of his appearance.

22 (8) Notice to a parent who has appeared or been served with
23 summons personally or by certified mail, and for whom an order
24 of default has been entered on the petition for wardship and
25 has not been set aside shall be provided in accordance with
26 Supreme Court Rule 11. Notice to a parent who was served by

1 publication and for whom an order of default has been entered
2 on the petition for wardship and has not been set aside shall
3 be provided in accordance with this Section and Section 2-16.

4 (Source: P.A. 101-146, eff. 1-1-20.)

5 (705 ILCS 405/3-17) (from Ch. 37, par. 803-17)

6 Sec. 3-17. Summons. (1) When a petition is filed, the clerk
7 of the court shall issue a summons with a copy of the petition
8 attached. The summons shall be directed to the minor's legal
9 guardian or custodian and to each person named as a respondent
10 in the petition, except that summons need not be directed to a
11 minor respondent under 8 years of age for whom the court
12 appoints a guardian ad litem if the guardian ad litem appears
13 on behalf of the minor in any proceeding under this Act.

14 (2) The summons must contain a statement that the minor or
15 any of the respondents is entitled to have an attorney present
16 at the hearing on the petition, and that the clerk of the court
17 should be notified promptly if the minor or any other
18 respondent desires to be represented by an attorney but is
19 financially unable to employ counsel.

20 (3) The summons shall be issued under the seal of the
21 court, attested to and signed with the name of the clerk of the
22 court, dated on the day it is issued, and shall require each
23 respondent to appear and answer the petition on the date set
24 for the adjudicatory hearing.

25 (4) The summons may be served by any county sheriff,

1 medical examiner ~~coroner~~ or probation officer, even though the
2 officer is the petitioner. The return of the summons with
3 endorsement of service by the officer is sufficient proof
4 thereof.

5 (5) Service of a summons and petition shall be made by: (a)
6 leaving a copy thereof with the person summoned at least 3 days
7 before the time stated therein for appearance; (b) leaving a
8 copy at his usual place of abode with some person of the
9 family, of the age of 10 years or upwards, and informing that
10 person of the contents thereof, provided the officer or other
11 person making service shall also send a copy of the summons in
12 a sealed envelope with postage fully prepaid, addressed to the
13 person summoned at his usual place of abode, at least 3 days
14 before the time stated therein for appearance; or (c) leaving a
15 copy thereof with the guardian or custodian of a minor, at
16 least 3 days before the time stated therein for appearance. If
17 the guardian or custodian is an agency of the State of
18 Illinois, proper service may be made by leaving a copy of the
19 summons and petition with any administrative employee of such
20 agency designated by such agency to accept service of summons
21 and petitions. The certificate of the officer or affidavit of
22 the person that he has sent the copy pursuant to this Section
23 is sufficient proof of service.

24 (6) When a parent or other person, who has signed a written
25 promise to appear and bring the minor to court or who has
26 waived or acknowledged service, fails to appear with the minor

1 on the date set by the court, a bench warrant may be issued for
2 the parent or other person, the minor, or both.

3 (7) The appearance of the minor's legal guardian or
4 custodian, or a person named as a respondent in a petition, in
5 any proceeding under this Act shall constitute a waiver of
6 service of summons and submission to the jurisdiction of the
7 court. A copy of the summons and petition shall be provided to
8 the person at the time of his appearance.

9 (Source: P.A. 86-441.)

10 (705 ILCS 405/4-14) (from Ch. 37, par. 804-14)

11 Sec. 4-14. Summons. (1) When a petition is filed, the clerk
12 of the court shall issue a summons with a copy of the petition
13 attached. The summons shall be directed to the minor's legal
14 guardian or custodian and to each person named as a respondent
15 in the petition, except that summons need not be directed to a
16 minor respondent under 8 years of age for whom the court
17 appoints a guardian ad litem if the guardian ad litem appears
18 on behalf of the minor in any proceeding under this Act.

19 (2) The summons must contain a statement that the minor or
20 any of the respondents is entitled to have an attorney present
21 at the hearing on the petition, and that the clerk of the court
22 should be notified promptly if the minor or any other
23 respondent desires to be represented by an attorney but is
24 financially unable to employ counsel.

25 (3) The summons shall be issued under the seal of the

1 court, attested to and signed with the name of the clerk of the
2 court, dated on the day it is issued, and shall require each
3 respondent to appear and answer the petition on the date set
4 for the adjudicatory hearing.

5 (4) The summons may be served by any county sheriff,
6 medical examiner ~~coroner~~ or probation officer, even though the
7 officer is the petitioner. The return of the summons with
8 endorsement of service by the officer is sufficient proof
9 thereof.

10 (5) Service of a summons and petition shall be made by: (a)
11 leaving a copy thereof with the person summoned at least 3 days
12 before the time stated therein for appearance; (b) leaving a
13 copy at his usual place of abode with some person of the
14 family, of the age of 10 years or upwards, and informing that
15 person of the contents thereof, provided that the officer or
16 other person making service shall also send a copy of the
17 summons in a sealed envelope with postage fully prepaid,
18 addressed to the person summoned at his usual place of abode,
19 at least 3 days before the time stated therein for appearance;
20 or (c) leaving a copy thereof with the guardian or custodian of
21 a minor, at least 3 days before the time stated therein for
22 appearance. If the guardian or custodian is an agency of the
23 State of Illinois, proper service may be made by leaving a copy
24 of the summons and petition with any administrative employee of
25 such agency designated by such agency to accept service of
26 summons and petitions. The certificate of the officer or

1 affidavit of the person that he has sent the copy pursuant to
2 this Section is sufficient proof of service.

3 (6) When a parent or other person, who has signed a written
4 promise to appear and bring the minor to court or who has
5 waived or acknowledged service, fails to appear with the minor
6 on the date set by the court, a bench warrant may be issued for
7 the parent or other person, the minor, or both.

8 (7) The appearance of the minor's legal guardian or
9 custodian, or a person named as a respondent in a petition, in
10 any proceeding under this Act shall constitute a waiver of
11 service of summons and submission to the jurisdiction of the
12 court. A copy of the summons and petition shall be provided to
13 the person at the time of his appearance.

14 (Source: P.A. 86-441.)

15 (705 ILCS 405/5-525)

16 Sec. 5-525. Service.

17 (1) Service by summons.

18 (a) Upon the commencement of a delinquency
19 prosecution, the clerk of the court shall issue a summons
20 with a copy of the petition attached. The summons shall be
21 directed to the minor's parent, guardian or legal custodian
22 and to each person named as a respondent in the petition,
23 except that summons need not be directed (i) to a minor
24 respondent under 8 years of age for whom the court appoints
25 a guardian ad litem if the guardian ad litem appears on

1 behalf of the minor in any proceeding under this Act, or
2 (ii) to a parent who does not reside with the minor, does
3 not make regular child support payments to the minor, to
4 the minor's other parent, or to the minor's legal guardian
5 or custodian pursuant to a support order, and has not
6 communicated with the minor on a regular basis.

7 (b) The summons must contain a statement that the minor
8 is entitled to have an attorney present at the hearing on
9 the petition, and that the clerk of the court should be
10 notified promptly if the minor desires to be represented by
11 an attorney but is financially unable to employ counsel.

12 (c) The summons shall be issued under the seal of the
13 court, attested in and signed with the name of the clerk of
14 the court, dated on the day it is issued, and shall require
15 each respondent to appear and answer the petition on the
16 date set for the adjudicatory hearing.

17 (d) The summons may be served by any law enforcement
18 officer, medical examiner ~~coroner~~ or probation officer,
19 even though the officer is the petitioner. The return of
20 the summons with endorsement of service by the officer is
21 sufficient proof of service.

22 (e) Service of a summons and petition shall be made by:
23 (i) leaving a copy of the summons and petition with the
24 person summoned at least 3 days before the time stated in
25 the summons for appearance; (ii) leaving a copy at his or
26 her usual place of abode with some person of the family, of

1 the age of 10 years or upwards, and informing that person
2 of the contents of the summons and petition, provided, the
3 officer or other person making service shall also send a
4 copy of the summons in a sealed envelope with postage fully
5 prepaid, addressed to the person summoned at his or her
6 usual place of abode, at least 3 days before the time
7 stated in the summons for appearance; or (iii) leaving a
8 copy of the summons and petition with the guardian or
9 custodian of a minor, at least 3 days before the time
10 stated in the summons for appearance. If the guardian or
11 legal custodian is an agency of the State of Illinois,
12 proper service may be made by leaving a copy of the summons
13 and petition with any administrative employee of the agency
14 designated by the agency to accept the service of summons
15 and petitions. The certificate of the officer or affidavit
16 of the person that he or she has sent the copy pursuant to
17 this Section is sufficient proof of service.

18 (f) When a parent or other person, who has signed a
19 written promise to appear and bring the minor to court or
20 who has waived or acknowledged service, fails to appear
21 with the minor on the date set by the court, a bench
22 warrant may be issued for the parent or other person, the
23 minor, or both.

24 (2) Service by certified mail or publication.

25 (a) If service on individuals as provided in subsection
26 (1) is not made on any respondent within a reasonable time

1 or if it appears that any respondent resides outside the
2 State, service may be made by certified mail. In that case
3 the clerk shall mail the summons and a copy of the petition
4 to that respondent by certified mail marked for delivery to
5 addressee only. The court shall not proceed with the
6 adjudicatory hearing until 5 days after the mailing. The
7 regular return receipt for certified mail is sufficient
8 proof of service.

9 (b) If service upon individuals as provided in
10 subsection (1) is not made on any respondents within a
11 reasonable time or if any person is made a respondent under
12 the designation of "All Whom It May Concern", or if service
13 cannot be made because the whereabouts of a respondent are
14 unknown, service may be made by publication. The clerk of
15 the court as soon as possible shall cause publication to be
16 made once in a newspaper of general circulation in the
17 county where the action is pending. Service by publication
18 is not required in any case when the person alleged to have
19 legal custody of the minor has been served with summons
20 personally or by certified mail, but the court may not
21 enter any order or judgment against any person who cannot
22 be served with process other than by publication unless
23 service by publication is given or unless that person
24 appears. Failure to provide service by publication to a
25 non-custodial parent whose whereabouts are unknown shall
26 not deprive the court of jurisdiction to proceed with a

1 trial or a plea of delinquency by the minor. When a minor
 2 has been detained or sheltered under Section 5-501 of this
 3 Act and summons has not been served personally or by
 4 certified mail within 20 days from the date of the order of
 5 court directing such detention or shelter care, the clerk
 6 of the court shall cause publication. Service by
 7 publication shall be substantially as follows:

8 "A, B, C, D, (here giving the names of the named
 9 respondents, if any) and to All Whom It May Concern (if
 10 there is any respondent under that designation):

11 Take notice that on (insert date) a petition was
 12 filed under the Juvenile Court Act of 1987 by in
 13 the circuit court of county entitled 'In the
 14 interest of, a minor', and that in courtroom
 15 at on (insert date) at the hour of, or as
 16 soon thereafter as this cause may be heard, an
 17 adjudicatory hearing will be held upon the petition to
 18 have the child declared to be a ward of the court under
 19 that Act. The court has authority in this proceeding to
 20 take from you the custody and guardianship of the
 21 minor.

22 Now, unless you appear at the hearing and show
 23 cause against the petition, the allegations of the
 24 petition may stand admitted as against you and each of
 25 you, and an order or judgment entered.

26

1 Clerk

2 Dated (insert the date of publication)"

3 (c) The clerk shall also at the time of the publication
4 of the notice send a copy of the notice by mail to each of
5 the respondents on account of whom publication is made at
6 his or her last known address. The certificate of the clerk
7 that he or she has mailed the notice is evidence of that
8 mailing. No other publication notice is required. Every
9 respondent notified by publication under this Section must
10 appear and answer in open court at the hearing. The court
11 may not proceed with the adjudicatory hearing until 10 days
12 after service by publication on any custodial parent,
13 guardian or legal custodian of a minor alleged to be
14 delinquent.

15 (d) If it becomes necessary to change the date set for
16 the hearing in order to comply with this Section, notice of
17 the resetting of the date must be given, by certified mail
18 or other reasonable means, to each respondent who has been
19 served with summons personally or by certified mail.

20 (3) Once jurisdiction has been established over a
21 party, further service is not required and notice of any
22 subsequent proceedings in that prosecution shall be made in
23 accordance with provisions of Section 5-530.

24 (4) The appearance of the minor's parent, guardian or
25 legal custodian, or a person named as a respondent in a
26 petition, in any proceeding under this Act shall constitute

1 a waiver of service and submission to the jurisdiction of
2 the court. A copy of the petition shall be provided to the
3 person at the time of his or her appearance.

4 (Source: P.A. 90-590, eff. 1-1-99; 91-357, eff. 7-29-99.)

5 Section 250. The Criminal Code of 2012 is amended by
6 changing Sections 9-3.5, 12-20.5, 12-20.6, 31-4, and 33-3.2 as
7 follows:

8 (720 ILCS 5/9-3.5)

9 Sec. 9-3.5. Concealment of death.

10 (a) For purposes of this Section, "conceal" means the
11 performing of some act or acts for the purpose of preventing or
12 delaying the discovery of a death. "Conceal" means something
13 more than simply withholding knowledge or failing to disclose
14 information.

15 (b) A person commits the offense of concealment of death
16 when he or she knowingly conceals the death of any other person
17 who died by other than homicidal means.

18 (c) A person commits the offense of concealment of death
19 when he or she knowingly moves the body of a dead person from
20 its place of death, with the intent of concealing information
21 regarding the place or manner of death of that person, or the
22 identity of any person with information regarding the death of
23 that person. This subsection shall not apply to any movement of
24 the body of a dead person by medical personnel, fire fighters,

1 law enforcement officers, ~~coroners~~, medical examiners, or
2 licensed funeral directors, or by any person acting at the
3 direction of medical personnel, fire fighters, law enforcement
4 officers, ~~coroners~~, medical examiners, or licensed funeral
5 directors.

6 (d) Sentence. Concealment of death is a Class 4 felony.
7 (Source: P.A. 96-1361, eff. 1-1-11; 97-333, eff. 8-12-11.)

8 (720 ILCS 5/12-20.5)

9 Sec. 12-20.5. Dismembering a human body.

10 (a) A person commits dismembering a human body when he or
11 she knowingly dismembers, severs, separates, dissects, or
12 mutilates any body part of a deceased's body.

13 (b) This Section does not apply to:

14 (1) an anatomical gift made in accordance with the
15 Illinois Anatomical Gift Act;

16 (2) (blank);

17 (3) the purchase or sale of drugs, reagents, or other
18 substances made from human body parts, for the use in
19 medical or scientific research, treatment, or diagnosis;

20 (4) persons employed by a county medical examiner's
21 office ~~or coroner's~~ office acting within the scope of their
22 employment while performing an autopsy;

23 (5) the acts of a licensed funeral director or embalmer
24 while performing acts authorized by the Funeral Directors
25 and Embalmers Licensing Code;

1 (6) the acts of emergency medical personnel or
2 physicians performed in good faith and according to the
3 usual and customary standards of medical practice in an
4 attempt to resuscitate a life; or

5 (7) physicians licensed to practice medicine in all of
6 its branches or holding a visiting professor, physician, or
7 resident permit under the Medical Practice Act of 1987,
8 performing acts in accordance with usual and customary
9 standards of medical practice, or a currently enrolled
10 student in an accredited medical school in furtherance of
11 his or her education at the accredited medical school.

12 (c) It is not a defense to a violation of this Section that
13 the decedent died due to natural, accidental, or suicidal
14 causes.

15 (d) Sentence. Dismembering a human body is a Class X
16 felony.

17 (Source: P.A. 95-331, eff. 8-21-07; 96-1551, eff. 7-1-11.)

18 (720 ILCS 5/12-20.6)

19 Sec. 12-20.6. Abuse of a corpse.

20 (a) In this Section:

21 "Corpse" means the dead body of a human being.

22 "Sexual conduct" has the meaning ascribed to the term in
23 Section 11-0.1 of this Code.

24 (b) A person commits abuse of a corpse if he or she
25 intentionally:

1 (1) engages in sexual conduct with a corpse or
2 involving a corpse; or

3 (2) removes or carries away a corpse and is not
4 authorized by law to do so.

5 (c) Sentence.

6 (1) A person convicted of violating paragraph (1) of
7 subsection (b) of this Section is guilty of a Class 2
8 felony.

9 (2) A person convicted of violating paragraph (2) of
10 subsection (b) of this Section is guilty of a Class 4
11 felony.

12 (d) Paragraph (2) of subsection (b) of this Section does
13 not apply to:

14 (1) persons employed by a county medical examiner's
15 office ~~or coroner's office~~ acting within the scope of their
16 employment;

17 (2) the acts of a licensed funeral director or embalmer
18 while performing acts authorized by the Funeral Directors
19 and Embalmers Licensing Code;

20 (3) cemeteries and cemetery personnel while performing
21 acts pursuant to a bona fide request from the involved
22 cemetery consumer or his or her heirs, or pursuant to an
23 interment or disinterment permit or a court order, or as
24 authorized under Section 14.5 of the Cemetery Protection
25 Act, or any other actions legally authorized for cemetery
26 employees;

1 (4) the acts of emergency medical personnel or
2 physicians performed in good faith and according to the
3 usual and customary standards of medical practice in an
4 attempt to resuscitate a life;

5 (5) physicians licensed to practice medicine in all of
6 its branches or holding a visiting professor, physician, or
7 resident permit under the Medical Practice Act of 1987,
8 performing acts in accordance with usual and customary
9 standards of medical practice, or a currently enrolled
10 student in an accredited medical school in furtherance of
11 his or her education at the accredited medical school; or

12 (6) removing or carrying away a corpse by the
13 employees, independent contractors, or other persons
14 designated by the federally designated organ procurement
15 agency engaged in the organ and tissue procurement process.

16 (Source: P.A. 97-1072, eff. 8-24-12.)

17 (720 ILCS 5/31-4) (from Ch. 38, par. 31-4)

18 Sec. 31-4. Obstructing justice.

19 (a) A person obstructs justice when, with intent to prevent
20 the apprehension or obstruct the prosecution or defense of any
21 person, he or she knowingly commits any of the following acts:

22 (1) Destroys, alters, conceals or disguises physical
23 evidence, plants false evidence, furnishes false
24 information; or

25 (2) Induces a witness having knowledge material to the

1 subject at issue to leave the State or conceal himself or
2 herself; or

3 (3) Possessing knowledge material to the subject at
4 issue, he or she leaves the State or conceals himself; or

5 (4) If a parent, legal guardian, or caretaker of a
6 child under 13 years of age reports materially false
7 information to a law enforcement agency, medical examiner,
8 ~~coroner~~, State's Attorney, or other governmental agency
9 during an investigation of the disappearance or death of a
10 child under circumstances described in subsection (a) or
11 (b) of Section 10-10 of this Code.

12 (b) Sentence.

13 (1) Obstructing justice is a Class 4 felony, except as
14 provided in paragraph (2) of this subsection (b).

15 (2) Obstructing justice in furtherance of streetgang
16 related or gang-related activity, as defined in Section 10
17 of the Illinois Streetgang Terrorism Omnibus Prevention
18 Act, is a Class 3 felony.

19 (Source: P.A. 97-1079, eff. 1-1-13.)

20 (720 ILCS 5/33-3.2)

21 Sec. 33-3.2. Solicitation misconduct (local government).

22 (a) An employee of a chief executive officer of a local
23 government commits solicitation misconduct (local government)
24 when, at any time, he or she knowingly solicits or receives
25 contributions, as that term is defined in Section 9-1.4 of the

1 Election Code, from a person engaged in a business or activity
2 over which the person has regulatory authority.

3 (b) For the purpose of this Section, "chief executive
4 officer of a local government" means an executive officer of a
5 county, township or municipal government or any administrative
6 subdivision under jurisdiction of the county, township, or
7 municipal government including but not limited to: chairman or
8 president of a county board or commission, mayor or village
9 president, township supervisor, county executive, municipal
10 manager, assessor, auditor, clerk, medical examiner ~~coroner~~,
11 recorder, sheriff or State's Attorney; "employee of a chief
12 executive officer of a local government" means a full-time or
13 part-time salaried employee, full-time or part-time salaried
14 appointee, or any contractual employee of any office, board,
15 commission, agency, department, authority, administrative
16 unit, or corporate outgrowth under the jurisdiction of a chief
17 executive officer of a local government; and "regulatory
18 authority" means having the responsibility to investigate,
19 inspect, license, or enforce regulatory measures necessary to
20 the requirements of any State, local, or federal statute or
21 regulation relating to the business or activity.

22 (c) An employee of a chief executive officer of a local
23 government, including one who does not have regulatory
24 authority, commits a violation of this Section if that employee
25 knowingly acts in concert with an employee of a chief executive
26 officer of a local government who does have regulatory

1 authority to solicit or receive contributions in violation of
2 this Section.

3 (d) Solicitation misconduct (local government) is a Class A
4 misdemeanor. An employee of a chief executive officer of a
5 local government convicted of committing solicitation
6 misconduct (local government) forfeits his or her employment.

7 (e) An employee of a chief executive officer of a local
8 government who is discharged, demoted, suspended, threatened,
9 harassed, or in any other manner discriminated against in the
10 terms and conditions of employment because of lawful acts done
11 by the employee or on behalf of the employee or others in
12 furtherance of the enforcement of this Section shall be
13 entitled to all relief necessary to make the employee whole.

14 (f) Any person who knowingly makes a false report of
15 solicitation misconduct (local government) to the State
16 Police, the Attorney General, a State's Attorney, or any law
17 enforcement official is guilty of a Class C misdemeanor.

18 (Source: P.A. 92-853, eff. 8-28-02.)

19 Section 255. The Code of Criminal Procedure of 1963 is
20 amended by changing Sections 107-15, 107-16, 115-5.1, 115-17,
21 and 119-5 as follows:

22 (725 ILCS 5/107-15)

23 Sec. 107-15. Fresh pursuit. When the fact that a felony has
24 been committed comes to the knowledge of a sheriff or medical

1 examiner ~~coroner~~, fresh pursuit shall be forthwith made after
2 every person guilty of the felony, by the sheriff, medical
3 examiner ~~coroner~~, and all other persons who is by any one of
4 them commanded or summoned for that purpose; every such officer
5 who does not do his or her duty in the premises is guilty of a
6 Class B misdemeanor.

7 (Source: P.A. 89-234, eff. 1-1-96.)

8 (725 ILCS 5/107-16)

9 Sec. 107-16. Apprehension of offender. It is the duty of
10 every sheriff, medical examiner ~~coroner~~, and every marshal,
11 policeman, or other officer of an incorporated city, town, or
12 village, having the power of a sheriff, when a criminal offense
13 or breach of the peace is committed or attempted in his or her
14 presence, forthwith to apprehend the offender and bring him or
15 her before a judge, to be dealt with according to law; to
16 suppress all riots and unlawful assemblies, and to keep the
17 peace, and without delay to serve and execute all warrants and
18 other process to him or her lawfully directed.

19 (Source: P.A. 89-234, eff. 1-1-96.)

20 (725 ILCS 5/115-5.1) (from Ch. 38, par. 115-5.1)

21 Sec. 115-5.1. In any civil or criminal action the records
22 of the medical examiner's ~~coroner's~~ medical or laboratory
23 examiner summarizing and detailing the performance of his or
24 her official duties in performing medical examinations upon

1 deceased persons or autopsies, or both, and kept in the
2 ordinary course of business of the medical examiner's ~~coroner's~~
3 office, duly certified by the county ~~coroner or chief~~
4 ~~supervisory coroner's pathologist or~~ medical examiner, or his
5 or her designee, shall be received as competent evidence in any
6 court of this State, to the extent permitted by this Section.
7 These reports, specifically including but not limited to the
8 pathologist's protocol, autopsy reports and toxicological
9 reports, shall be public documents and thereby may be
10 admissible as prima facie evidence of the facts, findings,
11 opinions, diagnoses and conditions stated therein.

12 A duly certified medical examiner's ~~coroner's~~ protocol or
13 autopsy report, or both, complying with the requirements of
14 this Section may be duly admitted into evidence as an exception
15 to the hearsay rule as prima facie proof of the cause of death
16 of the person to whom it relates. The records referred to in
17 this Section shall be limited to the records of the results of
18 post-mortem examinations of the findings of autopsy and
19 toxicological laboratory examinations.

20 Persons who prepare reports or records offered in evidence
21 hereunder may be subpoenaed as witnesses in civil or criminal
22 cases upon the request of either party to the cause. However,
23 if such person is dead, the county medical examiner ~~coroner~~ or
24 a duly authorized official of the medical examiner's ~~coroner's~~
25 office may testify to the fact that the examining pathologist,
26 toxicologist or other medical or laboratory examiner is

1 deceased and that the offered report or record was prepared by
2 such deceased person. The witness must further attest that the
3 medical report or record was prepared in the ordinary and usual
4 course of the deceased person's duty or employment in
5 conformity with the provisions of this Section.

6 (Source: P.A. 82-783.)

7 (725 ILCS 5/115-17)

8 Sec. 115-17. Clerk; issuance of subpoenas. It is the duty
9 of the clerk of the court to issue subpoenas, either on the
10 part of the people or of the accused, directed to the sheriff
11 or medical examiner ~~coroner~~ of any county of this State. An
12 attorney admitted to practice in the State of Illinois, as an
13 officer of the court, may also issue subpoenas in a pending
14 action. A witness who is duly subpoenaed who neglects or
15 refuses to attend any court, under the requisitions of the
16 subpoena, shall be proceeded against and punished for contempt
17 of the court. Attachments against witnesses who live in a
18 different county from that where the subpoena is returnable may
19 be served in the same manner as warrants are directed to be
20 served out of the county from which they issue.

21 (Source: P.A. 96-485, eff. 1-1-10.)

22 (725 ILCS 5/119-5) (from Ch. 38, par. 119-5)

23 Sec. 119-5. Execution of Death Sentence.

24 (a) (1) A defendant sentenced to death shall be executed by

1 an intravenous administration of a lethal quantity of an
2 ultrashort-acting barbiturate in combination with a
3 chemical paralytic agent and potassium chloride or other
4 equally effective substances sufficient to cause death
5 until death is pronounced by a medical examiner ~~coroner who~~
6 ~~is not a licensed physician.~~

7 (2) If the execution of the sentence of death as
8 provided in paragraph (1) is held illegal or
9 unconstitutional by a reviewing court of competent
10 jurisdiction, the sentence of death shall be carried out by
11 electrocution.

12 (b) In pronouncing the sentence of death the court shall
13 set the date of the execution which shall be not less than 60
14 nor more than 90 days from the date sentence is pronounced.

15 (c) A sentence of death shall be executed at a Department
16 of Corrections facility.

17 (d) The warden of the penitentiary shall supervise such
18 execution, which shall be conducted in the presence of 6
19 witnesses who shall certify the execution of the sentence. The
20 certification shall be filed with the clerk of the court that
21 imposed the sentence.

22 (d-5) The Department of Corrections shall not request,
23 require, or allow a health care practitioner licensed in
24 Illinois, including but not limited to physicians and nurses,
25 regardless of employment, to participate in an execution.

26 (e) Except as otherwise provided in this subsection (e),

1 the identity of executioners and other persons who participate
2 or perform ancillary functions in an execution and information
3 contained in records that would identify those persons shall
4 remain confidential, shall not be subject to disclosure, and
5 shall not be admissible as evidence or be discoverable in any
6 action of any kind in any court or before any tribunal, board,
7 agency, or person. In order to protect the confidentiality of
8 persons participating in an execution, the Director of
9 Corrections may direct that the Department make payments in
10 cash for such services. In confidential investigations by the
11 Department of Professional Regulation, the Department of
12 Corrections shall disclose the names and license numbers of
13 health care practitioners participating or performing
14 ancillary functions in an execution to the Department of
15 Professional Regulation and the Department of Professional
16 Regulation shall forward those names and license numbers to the
17 appropriate disciplinary boards.

18 (f) The amendatory changes to this Section made by this
19 amendatory Act of 1991 are severable under Section 1.31 of the
20 Statute on Statutes.

21 (g) (Blank).

22 (h) Notwithstanding any other provision of law, any
23 pharmaceutical supplier is authorized to dispense drugs to the
24 Director of Corrections or his or her designee, without
25 prescription, in order to carry out the provisions of this
26 Section.

1 (i) The amendatory changes to this Section made by this
2 amendatory Act of the 93rd General Assembly are severable under
3 Section 1.31 of the Statute on Statutes.

4 (Source: P.A. 93-379, eff. 7-24-03.)

5 Section 260. The County Jail Act is amended by changing
6 Section 8 as follows:

7 (730 ILCS 125/8) (from Ch. 75, par. 108)

8 Sec. 8. The Sheriff may be imprisoned in the jail of his
9 county, and for the time he is so imprisoned, the medical
10 examiner ~~coroner~~ shall be warden of the jail, and perform all
11 the duties of the sheriff in regard thereto, and shall, by
12 himself and his sureties, be answerable for the faithful
13 discharge of his duties as such warden.

14 (Source: P.A. 83-1073.)

15 Section 265. The Department of Juvenile Justice Mortality
16 Review Team Act is amended by changing Sections 20 and 35 as
17 follows:

18 (730 ILCS 195/20)

19 Sec. 20. Reviews of youth deaths.

20 (a) A mortality review team shall review every death of a
21 youth that occurs within a facility of the Department or as the
22 result of an act or incident occurring within a facility of the

1 Department, including deaths resulting from suspected illness,
2 injury, or self-harm or from an unknown cause.

3 (b) If the medical examiner ~~coroner~~ of the county in which
4 a youth died determines that the youth's death was the direct
5 or proximate result of alleged or suspected criminal activity,
6 the mortality review team's investigation shall be in addition
7 to any criminal investigation of the death but shall be limited
8 to a review of systems and practices of the Department. In the
9 course of conducting its review, the team shall obtain
10 assurance from law enforcement officials that acts taken in
11 furtherance of the review will not impair any criminal
12 investigation or prosecution.

13 (c) A mortality review team's purpose in conducting a
14 review of a youth death is to do the following:

15 (1) Assist in determining the cause and manner of the
16 youth's death, if requested.

17 (2) Evaluate any means by which the death might have
18 been prevented, including, but not limited to, the
19 evaluation of the Department's systems for the following:

20 (A) Training.

21 (B) Assessment and referral for services.

22 (C) Communication.

23 (D) Housing.

24 (E) Supervision of youth.

25 (F) Intervention in critical incidents.

26 (G) Reporting.

1 (H) Follow-up and mortality review following
2 critical incidents or youth deaths.

3 (3) Recommend continuing education and training for
4 Department staff.

5 (4) Make specific recommendations to the Director
6 concerning the prevention of deaths of youth in the
7 Department's custody.

8 (d) A mortality review team shall review a youth death as
9 soon as practicable and not later than within 90 days after a
10 law enforcement agency's completion of its investigation if the
11 death is the result of alleged or suspected criminal activity.
12 If there has been no investigation by a law enforcement agency,
13 the mortality review team shall review a youth's death within
14 90 days after obtaining the information necessary to complete
15 the review from the ~~coroner~~, pathologist, medical examiner, or
16 law enforcement agency, depending on the nature of the case.
17 The team shall meet as needed in person or via teleconference
18 or video conference following appointment of the team members.
19 When necessary and upon request of the team, the Director may
20 extend the deadline for a review up to an additional 90 days.

21 (Source: P.A. 96-1378, eff. 7-29-10.)

22 (730 ILCS 195/35)

23 Sec. 35. Team access to information.

24 (a) The Department shall provide to a mortality review
25 team, on the request of the team's chairperson, all records and

1 information in the Department's possession that are relevant to
2 the team's review of a youth death.

3 (b) The mortality review team shall have access to all
4 records and information that are relevant to its review of a
5 youth death and in the possession of a State or local
6 governmental agency, including, without limitation, birth
7 certificates, all relevant medical and mental health records,
8 records of law enforcement agency investigations, records of
9 ~~coroner~~ or medical examiner investigations, records of a
10 probation and court services department regarding the youth,
11 and records of a social services agency that provided services
12 to the youth or the youth's family.

13 (c) Each appointed member of a mortality review team shall
14 sign an acknowledgement upon appointment and before
15 participating in meetings or review of records acknowledging
16 the confidentiality of information obtained in the course of
17 the team's review and containing the member's agreement not to
18 reproduce or distribute confidential information obtained in
19 the course of the review.

20 (Source: P.A. 96-1378, eff. 7-29-10.)

21 Section 270. The Unified Code of Corrections is amended by
22 changing Sections 3-2-2, 3-9-6, and 3-13-4 as follows:

23 (730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)

24 Sec. 3-2-2. Powers and duties of the Department.

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

4 (a) To accept persons committed to it by the courts of
5 this State for care, custody, treatment and
6 rehabilitation, and to accept federal prisoners and aliens
7 over whom the Office of the Federal Detention Trustee is
8 authorized to exercise the federal detention function for
9 limited purposes and periods of time.

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

25 (b-1) To create and implement, on January 1, 2002, a
26 pilot program to establish the effectiveness of

1 pupillometer technology (the measurement of the pupil's
2 reaction to light) as an alternative to a urine test for
3 purposes of screening and evaluating persons committed to
4 its custody who have alcohol or drug problems. The pilot
5 program shall require the pupillometer technology to be
6 used in at least one Department of Corrections facility.
7 The Director may expand the pilot program to include an
8 additional facility or facilities as he or she deems
9 appropriate. A minimum of 4,000 tests shall be included in
10 the pilot program. The Department must report to the
11 General Assembly on the effectiveness of the program by
12 January 1, 2003.

13 (b-5) To develop, in consultation with the Department
14 of State Police, a program for tracking and evaluating each
15 inmate from commitment through release for recording his or
16 her gang affiliations, activities, or ranks.

17 (c) To maintain and administer all State correctional
18 institutions and facilities under its control and to
19 establish new ones as needed. Pursuant to its power to
20 establish new institutions and facilities, the Department
21 may, with the written approval of the Governor, authorize
22 the Department of Central Management Services to enter into
23 an agreement of the type described in subsection (d) of
24 Section 405-300 of the Department of Central Management
25 Services Law (20 ILCS 405/405-300). The Department shall
26 designate those institutions which shall constitute the

1 State Penitentiary System.

2 Pursuant to its power to establish new institutions and
3 facilities, the Department may authorize the Department of
4 Central Management Services to accept bids from counties
5 and municipalities for the construction, remodeling or
6 conversion of a structure to be leased to the Department of
7 Corrections for the purposes of its serving as a
8 correctional institution or facility. Such construction,
9 remodeling or conversion may be financed with revenue bonds
10 issued pursuant to the Industrial Building Revenue Bond Act
11 by the municipality or county. The lease specified in a bid
12 shall be for a term of not less than the time needed to
13 retire any revenue bonds used to finance the project, but
14 not to exceed 40 years. The lease may grant to the State
15 the option to purchase the structure outright.

16 Upon receipt of the bids, the Department may certify
17 one or more of the bids and shall submit any such bids to
18 the General Assembly for approval. Upon approval of a bid
19 by a constitutional majority of both houses of the General
20 Assembly, pursuant to joint resolution, the Department of
21 Central Management Services may enter into an agreement
22 with the county or municipality pursuant to such bid.

23 (c-5) To build and maintain regional juvenile
24 detention centers and to charge a per diem to the counties
25 as established by the Department to defray the costs of
26 housing each minor in a center. In this subsection (c-5),

1 "juvenile detention center" means a facility to house
2 minors during pendency of trial who have been transferred
3 from proceedings under the Juvenile Court Act of 1987 to
4 prosecutions under the criminal laws of this State in
5 accordance with Section 5-805 of the Juvenile Court Act of
6 1987, whether the transfer was by operation of law or
7 permissive under that Section. The Department shall
8 designate the counties to be served by each regional
9 juvenile detention center.

10 (d) To develop and maintain programs of control,
11 rehabilitation and employment of committed persons within
12 its institutions.

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

15 (d-10) To provide educational and visitation
16 opportunities to committed persons within its institutions
17 through temporary access to content-controlled tablets
18 that may be provided as a privilege to committed persons to
19 induce or reward compliance.

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

22 (f) To establish in cooperation with the Department of
23 Transportation to supply a sufficient number of prisoners
24 for use by the Department of Transportation to clean up the
25 trash and garbage along State, county, township, or
26 municipal highways as designated by the Department of

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

26 (g) To maintain records of persons committed to it and

1 to establish programs of research, statistics and
2 planning.

3 (h) To investigate the grievances of any person
4 committed to the Department and to inquire into any alleged
5 misconduct by employees or committed persons; and for these
6 purposes it may issue subpoenas and compel the attendance
7 of witnesses and the production of writings and papers, and
8 may examine under oath any witnesses who may appear before
9 it; to also investigate alleged violations of a parolee's
10 or releasee's conditions of parole or release; and for this
11 purpose it may issue subpoenas and compel the attendance of
12 witnesses and the production of documents only if there is
13 reason to believe that such procedures would provide
14 evidence that such violations have occurred.

15 If any person fails to obey a subpoena issued under
16 this subsection, the Director may apply to any circuit
17 court to secure compliance with the subpoena. The failure
18 to comply with the order of the court issued in response
19 thereto shall be punishable as contempt of court.

20 (i) To appoint and remove the chief administrative
21 officers, and administer programs of training and
22 development of personnel of the Department. Personnel
23 assigned by the Department to be responsible for the
24 custody and control of committed persons or to investigate
25 the alleged misconduct of committed persons or employees or
26 alleged violations of a parolee's or releasee's conditions

1 of parole shall be conservators of the peace for those
2 purposes, and shall have the full power of peace officers
3 outside of the facilities of the Department in the
4 protection, arrest, retaking and reconfining of committed
5 persons or where the exercise of such power is necessary to
6 the investigation of such misconduct or violations. This
7 subsection shall not apply to persons committed to the
8 Department of Juvenile Justice under the Juvenile Court Act
9 of 1987 on aftercare release.

10 (j) To cooperate with other departments and agencies
11 and with local communities for the development of standards
12 and programs for better correctional services in this
13 State.

14 (k) To administer all moneys and properties of the
15 Department.

16 (l) To report annually to the Governor on the committed
17 persons, institutions and programs of the Department.

18 (l-5) (Blank).

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

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

25 (o) To administer the distribution of funds from the
26 State Treasury to reimburse counties where State penal

1 institutions are located for the payment of assistant
2 state's attorneys' salaries under Section 4-2001 of the
3 Counties Code.

4 (p) To exchange information with the Department of
5 Human Services and the Department of Healthcare and Family
6 Services for the purpose of verifying living arrangements
7 and for other purposes directly connected with the
8 administration of this Code and the Illinois Public Aid
9 Code.

10 (q) To establish a diversion program.

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

18 Elements of the program shall include, but shall not be
19 limited to, the following:

20 (1) The staff of a diversion facility shall provide
21 supervision in accordance with required objectives set
22 by the facility.

23 (2) Participants shall be required to maintain
24 employment.

25 (3) Each participant shall pay for room and board
26 at the facility on a sliding-scale basis according to

1 the participant's income.

2 (4) Each participant shall:

3 (A) provide restitution to victims in
4 accordance with any court order;

5 (B) provide financial support to his
6 dependents; and

7 (C) make appropriate payments toward any other
8 court-ordered obligations.

9 (5) Each participant shall complete community
10 service in addition to employment.

11 (6) Participants shall take part in such
12 counseling, educational and other programs as the
13 Department may deem appropriate.

14 (7) Participants shall submit to drug and alcohol
15 screening.

16 (8) The Department shall promulgate rules
17 governing the administration of the program.

18 (r) To enter into intergovernmental cooperation
19 agreements under which persons in the custody of the
20 Department may participate in a county impact
21 incarceration program established under Section 3-6038 or
22 3-15003.5 of the Counties Code.

23 (r-5) (Blank).

24 (r-10) To systematically and routinely identify with
25 respect to each streetgang active within the correctional
26 system: (1) each active gang; (2) every existing inter-gang

1 affiliation or alliance; and (3) the current leaders in
2 each gang. The Department shall promptly segregate leaders
3 from inmates who belong to their gangs and allied gangs.
4 "Segregate" means no physical contact and, to the extent
5 possible under the conditions and space available at the
6 correctional facility, prohibition of visual and sound
7 communication. For the purposes of this paragraph (r-10),
8 "leaders" means persons who:

9 (i) are members of a criminal streetgang;

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

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

20 "Streetgang", "gang", and "streetgang related" have the
21 meanings ascribed to them in Section 10 of the Illinois
22 Streetgang Terrorism Omnibus Prevention Act.

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

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

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

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

23 (u-5) To issue an order, whenever a person committed to
24 the Department absconds or absents himself or herself,
25 without authority to do so, from any facility or program to
26 which he or she is assigned. The order shall be certified

1 by the Director, the Supervisor of the Apprehension Unit,
2 or any person duly designated by the Director, with the
3 seal of the Department affixed. The order shall be directed
4 to all sheriffs, medical examiners ~~coroners~~, and police
5 officers, or to any particular person named in the order.
6 Any order issued pursuant to this subdivision (1) (u-5)
7 shall be sufficient warrant for the officer or person named
8 in the order to arrest and deliver the committed person to
9 the proper correctional officials and shall be executed the
10 same as criminal process.

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

13 (2) The Department of Corrections shall by January 1, 1998,
14 consider building and operating a correctional facility within
15 100 miles of a county of over 2,000,000 inhabitants, especially
16 a facility designed to house juvenile participants in the
17 impact incarceration program.

18 (3) When the Department lets bids for contracts for medical
19 services to be provided to persons committed to Department
20 facilities by a health maintenance organization, medical
21 service corporation, or other health care provider, the bid may
22 only be let to a health care provider that has obtained an
23 irrevocable letter of credit or performance bond issued by a
24 company whose bonds have an investment grade or higher rating
25 by a bond rating organization.

26 (4) When the Department lets bids for contracts for food or

1 commissary services to be provided to Department facilities,
2 the bid may only be let to a food or commissary services
3 provider that has obtained an irrevocable letter of credit or
4 performance bond issued by a company whose bonds have an
5 investment grade or higher rating by a bond rating
6 organization.

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

21 (Source: P.A. 100-198, eff. 1-1-18; 100-863, eff. 8-14-18;
22 101-235, eff. 1-1-20.)

23 (730 ILCS 5/3-9-6) (from Ch. 38, par. 1003-9-6)

24 Sec. 3-9-6. Unauthorized Absence. Whenever a person
25 committed to the Department of Juvenile Justice absconds or

1 absents himself or herself without authority to do so, from any
2 facility or program to which he or she is assigned, he or she
3 may be held in custody for return to the proper correctional
4 official by the authorities or whomsoever directed, when an
5 order is certified by the Director of Juvenile Justice or a
6 person duly designated by the Director, with the seal of the
7 Department of Juvenile Justice attached. The person so
8 designated by the Director of Juvenile Justice with such seal
9 attached may be one or more persons and the appointment shall
10 be made as a ministerial one with no recordation or notice
11 necessary as to the designated appointees. The order shall be
12 directed to all sheriffs, medical examiners ~~coroners~~, police
13 officers, keepers or custodians of jails or other detention
14 facilities whether in or out of the State of Illinois, or to
15 any particular person named in the order.

16 (Source: P.A. 94-696, eff. 6-1-06.)

17 (730 ILCS 5/3-13-4) (from Ch. 38, par. 1003-13-4)

18 Sec. 3-13-4. Rules and Sanctions.)

19 (a) The Department shall establish rules governing release
20 status and shall provide written copies of such rules to both
21 the committed person on work or day release and to the employer
22 or other person responsible for the individual. Such employer
23 or other responsible person shall agree to abide by such rules,
24 notify the Department of any violation thereof by the
25 individual on release status, and notify the Department of the

1 discharge of the person from work or other programs.

2 (b) If a committed person violates any rule, the Department
3 may impose sanctions appropriate to the violation. The
4 Department shall provide sanctions for unauthorized absences
5 which shall include prosecution for escape under Section 3-6-4.

6 (c) An order certified by the Director, Assistant Director,
7 or the Supervisor of the Apprehension Unit, or a person duly
8 designated by him or her, with the seal of the Department of
9 Corrections attached and directed to all sheriffs, medical
10 examiners ~~coroners~~, police officers, or to any particular
11 persons named in the order shall be sufficient warrant for the
12 officer or person named therein to arrest and deliver the
13 violator to the proper correctional official. Such order shall
14 be executed the same as criminal processes.

15 In the event that a work-releasee is arrested for another
16 crime, the sheriff or police officer shall hold the releasee in
17 custody until he notifies the nearest Office of Field Services
18 or any of the above-named persons designated in this Section to
19 certify the particular process or warrant.

20 (d) Not less than 15 days prior to any person being placed
21 in a work release facility, the Department of Corrections shall
22 provide to the State's Attorney and Sheriff of the county in
23 which the work release center is located, relevant identifying
24 information concerning the person to be placed in the work
25 release facility. Such information shall include, but not be
26 limited to, such identifying information as name, age, physical

1 description, photograph, the offense, and the sentence for
2 which the person is serving time in the Department of
3 Corrections, and like information. The Department of
4 Corrections shall, in addition, give written notice not less
5 than 15 days prior to the placement to the State's Attorney of
6 the county from which the offender was originally sentenced.
7 (Source: P.A. 97-1083, eff. 8-24-12.)

8 Section 275. The Department of Juvenile Justice Mortality
9 Review Team Act is amended by changing Section 15 as follows:

10 (730 ILCS 195/15)

11 Sec. 15. Mortality review teams; establishment.

12 (a) Upon the occurrence of the death of any youth in the
13 Department's custody, the Director shall appoint members and a
14 chairperson to a mortality review team. The Director shall make
15 the appointments within 30 days after the youth's death.

16 (b) Each mortality review team shall consist of at least
17 one member from each of the following categories:

18 (1) Pediatrician or other physician.

19 (2) Representative of the Department.

20 (3) State's Attorney or State's Attorney
21 representative.

22 (4) Representative of a local law enforcement agency.

23 (5) Psychologist or psychiatrist.

24 (6) Representative of a local health department.

1 (7) Designee of the Board of Education of the
2 Department of Juvenile Justice School District created
3 under Section 13-40 of the School Code.

4 (8) Medical examiner ~~Coroner~~ or forensic pathologist.

5 (9) Representative of a juvenile justice advocacy
6 organization.

7 (10) Representative of a local hospital, trauma
8 center, or provider of emergency medical services.

9 (11) Representative of the Department of State Police.

10 (12) Representative of the Office of the Governor's
11 Executive Inspector General.

12 A mortality review team may make recommendations to the
13 Director concerning additional appointments.

14 (c) Each mortality review team member must have
15 demonstrated experience or an interest in welfare of youth in
16 State custody.

17 (d) The mortality review teams shall be funded in the
18 Department's annual budget to provide for the travel expenses
19 of team members and professional services engaged by the team.

20 (e) If a death of a youth in the Department's custody
21 occurs while a prior youth death is under review by a team
22 pursuant to this Act, the Director may request that the team
23 review the subsequent death.

24 (f) Upon the conclusion of all reporting required under
25 Sections 20, 25, and 30 with respect to a death reviewed by a
26 team, all appointments to the team shall expire.

1 (Source: P.A. 96-1378, eff. 7-29-10.)

2 Section 280. The Code of Civil Procedure is amended by
3 changing Sections 2-202, 4-110, 8-2201, 10-110, 11-106,
4 12-201, 12-204, and 12-205 and changing the heading of Part 22
5 of Article VIII as follows:

6 (735 ILCS 5/2-202) (from Ch. 110, par. 2-202)

7 Sec. 2-202. Persons authorized to serve process; place of
8 service; failure to make return.

9 (a) Process shall be served by a sheriff, or if the sheriff
10 is disqualified, by a medical examiner ~~coroner~~ of some county
11 of the State. In matters where the county or State is an
12 interested party, process may be served by a special
13 investigator appointed by the State's Attorney of the county,
14 as defined in Section 3-9005 of the Counties Code. A sheriff of
15 a county with a population of less than 2,000,000 may employ
16 civilian personnel to serve process. In counties with a
17 population of less than 2,000,000, process may be served,
18 without special appointment, by a person who is licensed or
19 registered as a private detective under the Private Detective,
20 Private Alarm, Private Security, Fingerprint Vendor, and
21 Locksmith Act of 2004 or by a registered employee of a private
22 detective agency certified under that Act as defined in Section
23 (a-5). A private detective or licensed employee must supply the
24 sheriff of any county in which he serves process with a copy of

1 his license or certificate; however, the failure of a person to
2 supply the copy shall not in any way impair the validity of
3 process served by the person. The court may, in its discretion
4 upon motion, order service to be made by a private person over
5 18 years of age and not a party to the action. It is not
6 necessary that service be made by a sheriff or medical examiner
7 ~~coroner~~ of the county in which service is made. If served or
8 sought to be served by a sheriff or medical examiner ~~coroner~~,
9 he or she shall endorse his or her return thereon, and if by a
10 private person the return shall be by affidavit.

11 (a-5) Upon motion and in its discretion, the court may
12 appoint as a special process server a private detective agency
13 certified under the Private Detective, Private Alarm, Private
14 Security, Fingerprint Vendor, and Locksmith Act of 2004. Under
15 the appointment, any employee of the private detective agency
16 who is registered under that Act may serve the process. The
17 motion and the order of appointment must contain the number of
18 the certificate issued to the private detective agency by the
19 Department of Professional Regulation under the Private
20 Detective, Private Alarm, Private Security, Fingerprint
21 Vendor, and Locksmith Act of 2004. A private detective or
22 private detective agency shall send, one time only, a copy of
23 his, her, or its individual private detective license or
24 private detective agency certificate to the county sheriff in
25 each county in which the detective or detective agency or his,
26 her, or its employees serve process, regardless of size of the

1 population of the county. As long as the license or certificate
2 is valid and meets the requirements of the Department of
3 Financial and Professional Regulation, a new copy of the
4 current license or certificate need not be sent to the sheriff.
5 A private detective agency shall maintain a list of its
6 registered employees. Registered employees shall consist of:

7 (1) an employee who works for the agency holding a
8 valid Permanent Employee Registration Card;

9 (2) a person who has applied for a Permanent Employee
10 Registration Card, has had his or her fingerprints
11 processed and cleared by the Department of State Police and
12 the FBI, and as to whom the Department of Financial and
13 Professional Regulation website shows that the person's
14 application for a Permanent Employee Registration Card is
15 pending;

16 (3) a person employed by a private detective agency who
17 is exempt from a Permanent Employee Registration Card
18 requirement because the person is a current peace officer;
19 and

20 (4) a private detective who works for a private
21 detective agency as an employee.

22 A detective agency shall maintain this list and forward it to
23 any sheriff's department that requests this list within 5
24 business days after the receipt of the request.

25 (b) Summons may be served upon the defendants wherever they
26 may be found in the State, by any person authorized to serve

1 process. An officer may serve summons in his or her official
2 capacity outside his or her county, but fees for mileage
3 outside the county of the officer cannot be taxed as costs. The
4 person serving the process in a foreign county may make return
5 by mail.

6 (c) If any sheriff, medical examiner ~~coroner~~, or other
7 person to whom any process is delivered, neglects or refuses to
8 make return of the same, the plaintiff may petition the court
9 to enter a rule requiring the sheriff, medical examiner
10 ~~coroner~~, or other person, to make return of the process on a
11 day to be fixed by the court, or to show cause on that day why
12 that person should not be attached for contempt of the court.
13 The plaintiff shall then cause a written notice of the rule to
14 be served on the sheriff, medical examiner ~~coroner~~, or other
15 person. If good and sufficient cause be not shown to excuse the
16 officer or other person, the court shall adjudge him or her
17 guilty of a contempt, and shall impose punishment as in other
18 cases of contempt.

19 (d) If process is served by a sheriff, medical examiner
20 ~~coroner~~, or special investigator appointed by the State's
21 Attorney, the court may tax the fee of the sheriff, medical
22 examiner ~~coroner~~, or State's Attorney's special investigator
23 as costs in the proceeding. If process is served by a private
24 person or entity, the court may establish a fee therefor and
25 tax such fee as costs in the proceedings.

26 (e) In addition to the powers stated in Section 8.1a of the

1 Housing Authorities Act, in counties with a population of
2 3,000,000 or more inhabitants, members of a housing authority
3 police force may serve process for eviction actions commenced
4 by that housing authority and may execute eviction orders for
5 that housing authority.

6 (f) In counties with a population of 3,000,000 or more,
7 process may be served, with special appointment by the court,
8 by a private process server or a law enforcement agency other
9 than the county sheriff in proceedings instituted under Article
10 IX of this Code as a result of a lessor or lessor's assignee
11 declaring a lease void pursuant to Section 11 of the Controlled
12 Substance and Cannabis Nuisance Act.

13 (Source: P.A. 99-169, eff. 7-28-15; 100-173, eff. 1-1-18.)

14 (735 ILCS 5/4-110) (from Ch. 110, par. 4-110)

15 Sec. 4-110. Order for attachment. The order for attachment
16 required in the preceding section shall be directed to the
17 sheriff (and, for purpose only of service of summons, to any
18 person authorized to serve summons), or in case the sheriff is
19 interested, or otherwise disqualified or prevented from
20 acting, to the medical examiner ~~coroner~~ of the county in which
21 the action is commenced, and shall be made returnable on a
22 return day designated by the plaintiff, which day shall not be
23 less than 10 days or more than 60 days after its date. Such
24 order shall order the officer to attach so much of the estate,
25 real or personal, of the defendant, to be found in the county,

1 as shall be of value sufficient to satisfy the debt and costs,
2 according to the affidavit, but in case any specific property
3 of the defendant, found in the county, shall be described in
4 the order, then the officer shall attach the described property
5 only, and no other property. Such estate or property shall be
6 so attached in the possession of the officer to secure, or so
7 to provide, that the same may be liable to further proceedings
8 thereupon, according to law. The order shall also direct that
9 the officer summon the defendant to appear and answer the
10 complaint of the plaintiff in court at a specified time or, at
11 defendant's option, to appear at any time prior thereto and
12 move the court to set a hearing on the order for the attachment
13 or affidavit; and that the officer also summon any specified
14 garnishees, to be and appear in court at a specified time to
15 answer to what may be held by them for the defendant.

16 (Source: P.A. 83-707.)

17 (735 ILCS 5/Art. VIII Pt. 22 heading)

18 Part 22. Medical examiner's ~~Coroner's~~ records

19 (735 ILCS 5/8-2201) (from Ch. 110, par. 8-2201)

20 Sec. 8-2201. Admissibility of medical examiner's ~~coroner's~~
21 records. In actions or proceedings for the recovery of damages
22 arising from or growing out of injuries caused by the
23 negligence of any person, firm or corporation resulting in the
24 death of any person or for the collection of a policy of

1 insurance, neither the medical examiner's ~~coroner's~~ verdict
2 returned upon the inquisition, nor a copy thereof, shall be
3 admissible as evidence to prove or establish any of the facts
4 in controversy in such action or proceeding.

5 (Source: P.A. 82-280.)

6 (735 ILCS 5/10-110) (from Ch. 110, par. 10-110)

7 Sec. 10-110. Service of order. The habeas corpus order may
8 be served by the sheriff, medical examiner ~~coroner~~ or any
9 person appointed for that purpose by the court which entered
10 the order; if served by a person not an officer, he or she
11 shall have the same power, and be liable to the same penalty
12 for non-performance of his or her duty, as though he or she
13 were sheriff.

14 (Source: P.A. 83-707.)

15 (735 ILCS 5/11-106) (from Ch. 110, par. 11-106)

16 Sec. 11-106. Injunctive relief on Saturday, Sunday or legal
17 holiday. When an application is made on a Saturday, Sunday,
18 legal holiday or on a day when courts are not in session for
19 injunctive relief and there is filed with the complaint an
20 affidavit of the plaintiff, or his, her or their agent or
21 attorney, stating that the benefits of injunctive relief will
22 be lost or endangered, or irremediable damage occasioned unless
23 such injunctive relief is immediately granted, and stating the
24 bases for such alleged consequence, and if it appears to the

1 court from such affidavit that the benefits of injunctive
2 relief will be lost or endangered, or irreparable damage
3 occasioned unless such injunctive relief is immediately
4 granted, and if the plaintiff otherwise is entitled to such
5 relief under the law, the court may grant injunctive relief on
6 a Saturday, Sunday, legal holiday, or on a day when courts are
7 not in session; and it shall be lawful for the clerk to
8 certify, and for the sheriff or medical examiner ~~coroner~~ to
9 serve such order for injunctive relief on a Saturday, Sunday,
10 legal holiday or on a day when courts are not in session as on
11 any other day, and all affidavits and bonds made and
12 proceedings had in such case shall have the same force and
13 effect as if made or had on any other day.

14 (Source: P.A. 98-756, eff. 7-16-14.)

15 (735 ILCS 5/12-201) (from Ch. 110, par. 12-201)

16 Sec. 12-201. Procedure. (a) Whenever a judgment or order of
17 attachment, entered by any court, shall be levied by any
18 sheriff or medical examiner ~~coroner~~ upon any personal property,
19 and such property is claimed by any person other than the
20 judgment debtor or defendant in such attachment, or is claimed
21 by the judgment debtor or defendant in attachment as exempt
22 from levy or attachment by virtue of the exemption laws of the
23 State, by giving to the sheriff or medical examiner ~~coroner~~
24 notice, in writing, of his or her claim, and intention to
25 prosecute the same, it shall be the duty of such sheriff or

1 medical examiner ~~coroner~~ to notify the circuit court of such
2 claim.

3 (b) The court shall thereupon cause the proceeding to be
4 entered of record, and the claimant shall be made plaintiff in
5 the proceeding, and the judgment creditor or plaintiff in
6 attachment shall be made defendant in such proceeding.

7 (c) The clerk of the circuit court shall thereupon issue a
8 notice, directed to the judgment creditor or plaintiff in
9 attachment, notifying him or her of such claim, and of the time
10 and place of trial, which time shall be not more than 10 days
11 nor less than 5 days from the date of such notice.

12 (d) Such notice shall be served in the same manner as
13 provided for the service of summons in other civil cases, at
14 least 5 days before the day of trial; and if such notice is
15 served less than 5 days before the day of trial, the trial
16 shall, on demand of either party, be continued for a period not
17 exceeding 10 days.

18 (e) In case return is made on such notice that the judgment
19 creditor or plaintiff in attachment cannot be found, the
20 proceeding shall be continued for a period not exceeding 90
21 days, and the judgment creditor or plaintiff in attachment
22 shall be notified of such proceeding by publication as in other
23 civil cases.

24 (f) If the judgment creditor or plaintiff in attachment, or
25 his or her attorney, shall at least 5 days before the day of
26 trial, file with the clerk of the circuit court his or her

1 appearance in such proceeding, then it shall not be necessary
2 to notify such person as above provided.

3 (Source: P.A. 82-280.)

4 (735 ILCS 5/12-204) (from Ch. 110, par. 12-204)

5 Sec. 12-204. Trial and judgment. The court or the jury
6 shall determine the rights of the parties and the court shall
7 enter judgment accordingly, and the court shall direct the
8 sheriff or medical examiner ~~coroner~~ as to the disposition of
9 the property in the possession of the sheriff or medical
10 examiner ~~coroner~~. In case the property appears to belong to the
11 claimant, when the claimant is any person other than the
12 judgment debtor or the defendant in the attachment, or in case
13 the property is found to be exempt from enforcement of a
14 judgment thereon or attachment, when the claimant is the
15 judgment debtor or the defendant in the attachment, judgment
16 shall be entered against the judgment creditor or plaintiff in
17 the attachment for the costs, and the property levied on shall
18 be released, and in case it further appears that such claimant
19 is entitled to the immediate possession of such property, the
20 court shall order that such property be delivered to such
21 claimant. If it appears that the property does not belong to
22 the claimant, or is not exempt from the enforcement of a
23 judgment thereon or attachment, as the case may be, judgment
24 shall be entered against the claimant for costs, and an order
25 shall be entered that the sheriff or medical examiner ~~coroner~~

1 proceed to sell the property levied on. The judgment in such
2 cases shall be a complete indemnity to the sheriff or medical
3 examiner ~~coroner~~ in selling or restoring any such property, as
4 the case may be.

5 (Source: P.A. 82-280.)

6 (735 ILCS 5/12-205) (from Ch. 110, par. 12-205)

7 Sec. 12-205. Costs. If the judgment is entered in favor of
8 the claimant as to part of the property, and in favor of
9 another party as to part, then the court shall in its
10 discretion apportion the costs; and the sheriff, medical
11 examiner ~~coroner~~ and clerk of the court shall be entitled to
12 the same fees as are allowed by law for similar services.

13 (Source: P.A. 82-280.)

14 Section 285. The Mental Health and Developmental
15 Disabilities Confidentiality Act is amended by changing
16 Section 10 as follows:

17 (740 ILCS 110/10) (from Ch. 91 1/2, par. 810)

18 Sec. 10. (a) Except as provided herein, in any civil,
19 criminal, administrative, or legislative proceeding, or in any
20 proceeding preliminary thereto, a recipient, and a therapist on
21 behalf and in the interest of a recipient, has the privilege to
22 refuse to disclose and to prevent the disclosure of the
23 recipient's record or communications.

1 (1) Records and communications may be disclosed in a
2 civil, criminal or administrative proceeding in which the
3 recipient introduces his mental condition or any aspect of
4 his services received for such condition as an element of
5 his claim or defense, if and only to the extent the court
6 in which the proceedings have been brought, or, in the case
7 of an administrative proceeding, the court to which an
8 appeal or other action for review of an administrative
9 determination may be taken, finds, after in camera
10 examination of testimony or other evidence, that it is
11 relevant, probative, not unduly prejudicial or
12 inflammatory, and otherwise clearly admissible; that other
13 satisfactory evidence is demonstrably unsatisfactory as
14 evidence of the facts sought to be established by such
15 evidence; and that disclosure is more important to the
16 interests of substantial justice than protection from
17 injury to the therapist-recipient relationship or to the
18 recipient or other whom disclosure is likely to harm.
19 Except in a criminal proceeding in which the recipient, who
20 is accused in that proceeding, raises the defense of
21 insanity, no record or communication between a therapist
22 and a recipient shall be deemed relevant for purposes of
23 this subsection, except the fact of treatment, the cost of
24 services and the ultimate diagnosis unless the party
25 seeking disclosure of the communication clearly
26 establishes in the trial court a compelling need for its

1 production. However, for purposes of this Act, in any
2 action brought or defended under the Illinois Marriage and
3 Dissolution of Marriage Act, or in any action in which pain
4 and suffering is an element of the claim, mental condition
5 shall not be deemed to be introduced merely by making such
6 claim and shall be deemed to be introduced only if the
7 recipient or a witness on his behalf first testifies
8 concerning the record or communication.

9 (2) Records or communications may be disclosed in a
10 civil proceeding after the recipient's death when the
11 recipient's physical or mental condition has been
12 introduced as an element of a claim or defense by any party
13 claiming or defending through or as a beneficiary of the
14 recipient, provided the court finds, after in camera
15 examination of the evidence, that it is relevant,
16 probative, and otherwise clearly admissible; that other
17 satisfactory evidence is not available regarding the facts
18 sought to be established by such evidence; and that
19 disclosure is more important to the interests of
20 substantial justice than protection from any injury which
21 disclosure is likely to cause.

22 (3) In the event of a claim made or an action filed by
23 a recipient, or, following the recipient's death, by any
24 party claiming as a beneficiary of the recipient for injury
25 caused in the course of providing services to such
26 recipient, the therapist and other persons whose actions

1 are alleged to have been the cause of injury may disclose
2 pertinent records and communications to an attorney or
3 attorneys engaged to render advice about and to provide
4 representation in connection with such matter and to
5 persons working under the supervision of such attorney or
6 attorneys, and may testify as to such records or
7 communication in any administrative, judicial or discovery
8 proceeding for the purpose of preparing and presenting a
9 defense against such claim or action.

10 (4) Records and communications made to or by a
11 therapist in the course of examination ordered by a court
12 for good cause shown may, if otherwise relevant and
13 admissible, be disclosed in a civil, criminal, or
14 administrative proceeding in which the recipient is a party
15 or in appropriate pretrial proceedings, provided such
16 court has found that the recipient has been as adequately
17 and as effectively as possible informed before submitting
18 to such examination that such records and communications
19 would not be considered confidential or privileged. Such
20 records and communications shall be admissible only as to
21 issues involving the recipient's physical or mental
22 condition and only to the extent that these are germane to
23 such proceedings.

24 (5) Records and communications may be disclosed in a
25 proceeding under the Probate Act of 1975, to determine a
26 recipient's competency or need for guardianship, provided

1 that the disclosure is made only with respect to that
2 issue.

3 (6) Records and communications may be disclosed to a
4 court-appointed therapist, psychologist, or psychiatrist
5 for use in determining a person's fitness to stand trial if
6 the records were made within the 180-day period immediately
7 preceding the date of the therapist's, psychologist's or
8 psychiatrist's court appointment. These records and
9 communications shall be admissible only as to the issue of
10 the person's fitness to stand trial. Records and
11 communications may be disclosed when such are made during
12 treatment which the recipient is ordered to undergo to
13 render him fit to stand trial on a criminal charge,
14 provided that the disclosure is made only with respect to
15 the issue of fitness to stand trial.

16 (7) Records and communications of the recipient may be
17 disclosed in any civil or administrative proceeding
18 involving the validity of or benefits under a life,
19 accident, health or disability insurance policy or
20 certificate, or Health Care Service Plan Contract,
21 insuring the recipient, but only if and to the extent that
22 the recipient's mental condition, or treatment or services
23 in connection therewith, is a material element of any claim
24 or defense of any party, provided that information sought
25 or disclosed shall not be redisclosed except in connection
26 with the proceeding in which disclosure is made.

1 (8) Records or communications may be disclosed when
2 such are relevant to a matter in issue in any action
3 brought under this Act and proceedings preliminary
4 thereto, provided that any information so disclosed shall
5 not be utilized for any other purpose nor be redisclosed
6 except in connection with such action or preliminary
7 proceedings.

8 (9) Records and communications of the recipient may be
9 disclosed in investigations of and trials for homicide when
10 the disclosure relates directly to the fact or immediate
11 circumstances of the homicide.

12 (10) Records and communications of a deceased
13 recipient shall be disclosed to a medical examiner ~~coroner~~
14 conducting a preliminary investigation into the
15 recipient's death under Section 3-3013 of the Counties
16 Code.

17 (11) Records and communications of a recipient shall be
18 disclosed in a proceeding where a petition or motion is
19 filed under the Juvenile Court Act of 1987 and the
20 recipient is named as a parent, guardian, or legal
21 custodian of a minor who is the subject of a petition for
22 wardship as described in Section 2-3 of that Act or a minor
23 who is the subject of a petition for wardship as described
24 in Section 2-4 of that Act alleging the minor is abused,
25 neglected, or dependent or the recipient is named as a
26 parent of a child who is the subject of a petition,

1 supplemental petition, or motion to appoint a guardian with
2 the power to consent to adoption under Section 2-29 of the
3 Juvenile Court Act of 1987.

4 (12) Records and communications of a recipient may be
5 disclosed when disclosure is necessary to collect sums or
6 receive third party payment representing charges for
7 mental health or developmental disabilities services
8 provided by a therapist or agency to a recipient; however,
9 disclosure shall be limited to information needed to pursue
10 collection, and the information so disclosed may not be
11 used for any other purposes nor may it be redisclosed
12 except in connection with collection activities. Whenever
13 records are disclosed pursuant to this subdivision (12),
14 the recipient of the records shall be advised in writing
15 that any person who discloses mental health records and
16 communications in violation of this Act may be subject to
17 civil liability pursuant to Section 15 of this Act or to
18 criminal penalties pursuant to Section 16 of this Act or
19 both.

20 (b) Before a disclosure is made under subsection (a), any
21 party to the proceeding or any other interested person may
22 request an in camera review of the record or communications to
23 be disclosed. The court or agency conducting the proceeding may
24 hold an in camera review on its own motion. When, contrary to
25 the express wish of the recipient, the therapist asserts a
26 privilege on behalf and in the interest of a recipient, the

1 court may require that the therapist, in an in camera hearing,
2 establish that disclosure is not in the best interest of the
3 recipient. The court or agency may prevent disclosure or limit
4 disclosure to the extent that other admissible evidence is
5 sufficient to establish the facts in issue. The court or agency
6 may enter such orders as may be necessary in order to protect
7 the confidentiality, privacy, and safety of the recipient or of
8 other persons. Any order to disclose or to not disclose shall
9 be considered a final order for purposes of appeal and shall be
10 subject to interlocutory appeal.

11 (c) A recipient's records and communications may be
12 disclosed to a duly authorized committee, commission or
13 subcommittee of the General Assembly which possesses subpoena
14 and hearing powers, upon a written request approved by a
15 majority vote of the committee, commission or subcommittee
16 members. The committee, commission or subcommittee may request
17 records only for the purposes of investigating or studying
18 possible violations of recipient rights. The request shall
19 state the purpose for which disclosure is sought.

20 The facility shall notify the recipient, or his guardian,
21 and therapist in writing of any disclosure request under this
22 subsection within 5 business days after such request. Such
23 notification shall also inform the recipient, or guardian, and
24 therapist of their right to object to the disclosure within 10
25 business days after receipt of the notification and shall
26 include the name, address and telephone number of the

1 committee, commission or subcommittee member or staff person
2 with whom an objection shall be filed. If no objection has been
3 filed within 15 business days after the request for disclosure,
4 the facility shall disclose the records and communications to
5 the committee, commission or subcommittee. If an objection has
6 been filed within 15 business days after the request for
7 disclosure, the facility shall disclose the records and
8 communications only after the committee, commission or
9 subcommittee has permitted the recipient, guardian or
10 therapist to present his objection in person before it and has
11 renewed its request for disclosure by a majority vote of its
12 members.

13 Disclosure under this subsection shall not occur until all
14 personally identifiable data of the recipient and provider are
15 removed from the records and communications. Disclosure under
16 this subsection shall not occur in any public proceeding.

17 (d) No party to any proceeding described under paragraphs
18 (1), (2), (3), (4), (7), or (8) of subsection (a) of this
19 Section, nor his or her attorney, shall serve a subpoena
20 seeking to obtain access to records or communications under
21 this Act unless the subpoena is accompanied by a written order
22 issued by a judge or by the written consent under Section 5 of
23 this Act of the person whose records are being sought,
24 authorizing the disclosure of the records or the issuance of
25 the subpoena. No such written order shall be issued without
26 written notice of the motion to the recipient and the treatment

1 provider. Prior to issuance of the order, each party or other
2 person entitled to notice shall be permitted an opportunity to
3 be heard pursuant to subsection (b) of this Section. In the
4 absence of the written consent under Section 5 of this Act of
5 the person whose records are being sought, no person shall
6 comply with a subpoena for records or communications under this
7 Act, unless the subpoena is accompanied by a written order
8 authorizing the issuance of the subpoena or the disclosure of
9 the records. Each subpoena issued by a court or administrative
10 agency or served on any person pursuant to this subsection (d)
11 shall include the following language: "No person shall comply
12 with a subpoena for mental health records or communications
13 pursuant to Section 10 of the Mental Health and Developmental
14 Disabilities Confidentiality Act, 740 ILCS 110/10, unless the
15 subpoena is accompanied by a written order that authorizes the
16 issuance of the subpoena and the disclosure of records or
17 communications or by the written consent under Section 5 of
18 that Act of the person whose records are being sought."

19 (e) When a person has been transported by a peace officer
20 to a mental health facility, then upon the request of a peace
21 officer, if the person is allowed to leave the mental health
22 facility within 48 hours of arrival, excluding Saturdays,
23 Sundays, and holidays, the facility director shall notify the
24 local law enforcement authority prior to the release of the
25 person. The local law enforcement authority may re-disclose the
26 information as necessary to alert the appropriate enforcement

1 or prosecuting authority.

2 (f) A recipient's records and communications shall be
3 disclosed to the Inspector General of the Department of Human
4 Services within 10 business days of a request by the Inspector
5 General (i) in the course of an investigation authorized by the
6 Department of Human Services Act and applicable rule or (ii)
7 during the course of an assessment authorized by the Abuse of
8 Adults with Disabilities Intervention Act and applicable rule.
9 The request shall be in writing and signed by the Inspector
10 General or his or her designee. The request shall state the
11 purpose for which disclosure is sought. Any person who
12 knowingly and willfully refuses to comply with such a request
13 is guilty of a Class A misdemeanor. A recipient's records and
14 communications shall also be disclosed pursuant to subsection
15 (s) of Section 1-17 of the Department of Human Services Act in
16 testimony at Health Care Worker Registry hearings or
17 preliminary proceedings when such are relevant to the matter in
18 issue, provided that any information so disclosed shall not be
19 utilized for any other purpose nor be redisclosed except in
20 connection with such action or preliminary proceedings.

21 (Source: P.A. 99-78, eff. 7-20-15; 100-432, eff. 8-25-17.)

22 Section 290. The Illinois Anatomical Gift Act is amended by
23 changing Sections 5-20 and 5-45 as follows:

24 (755 ILCS 50/5-20) (was 755 ILCS 50/5)

1 Sec. 5-20. Manner of executing anatomical gifts.

2 (a) A donor may make an anatomical gift:

3 (1) by authorizing a statement or symbol indicating
4 that the donor has made an anatomical gift to be imprinted
5 on the donor's driver's license or identification card;

6 (2) in a will;

7 (3) during a terminal illness or injury of the donor,
8 by any form of communication addressed to at least 2
9 adults, at least one of whom is a disinterested witness; or

10 (4) as provided in subsection (b) and (b-1) of this
11 Section.

12 (b) A donor or other person authorized to make an
13 anatomical gift under subsection (a) of Section 5-5 may make a
14 gift by a donor card or other record signed by the donor or
15 other person making the gift or by authorizing that a statement
16 or symbol indicating that the donor has made an anatomical gift
17 be included on a donor registry. If the donor or other person
18 is physically unable to sign a record, the record may be signed
19 by another individual at the direction of the donor or other
20 person and must:

21 (1) be witnessed by at least 2 adults, at least one of
22 whom is a disinterested witness, who have signed at the
23 request of the donor or the other person; and

24 (2) state that it has been signed and witnessed as
25 provided in paragraph (1) of this subsection (b).

26 (b-1) A gift under Section 5-5 (a) may also be made by an

1 individual consenting to have his or her name included in the
2 First Person Consent organ and tissue donor registry maintained
3 by the Secretary of State under Section 6-117 of the Illinois
4 Vehicle Code. An individual's consent to have his or her name
5 included in the First Person Consent organ and tissue donor
6 registry constitutes full legal authority for the donation of
7 any of his or her organs or tissue for purposes of
8 transplantation, therapy, or research. Consenting to be
9 included in the First Person Consent organ and tissue donor
10 registry is effective without regard to the presence or
11 signature of witnesses.

12 (b-5) Revocation, suspension, expiration, or cancellation
13 of a driver's license or identification card upon which an
14 anatomical gift is indicated does not invalidate the gift.

15 (b-10) An anatomical gift made by will takes effect upon
16 the donor's death whether or not the will is probated.
17 Invalidation of the will after the donor's death does not
18 invalidate the gift.

19 (c) The anatomical gift may be made to a specified donee or
20 without specifying a donee. If the gift is made to a specified
21 donee who is not available at the time and place of death, then
22 if made for the purpose of transplantation, it shall be
23 effectuated in accordance with Section 5-25.

24 (d) The donee or other person authorized to accept the gift
25 pursuant to Section 5-12 may employ or authorize any qualified
26 technician, surgeon, or physician to perform the recovery.

1 (e) A person authorized to make an anatomical gift under
2 subsection (b) of Section 5-5 may make an anatomical gift by a
3 document of gift signed by the person making the gift or by
4 that person's oral communication that is electronically
5 recorded or is contemporaneously reduced to a record and signed
6 by the individual receiving the oral communication.

7 (e-5) An anatomical gift by a person authorized under
8 subsection (b) of Section 5-5 may be amended or revoked orally
9 or in a record by a member of a prior class who is reasonably
10 available for the giving of authorization or refusal. If more
11 than one member of the prior class is reasonably available for
12 the giving of authorization or refusal, the gift made by a
13 person authorized under subsection (b) of Section 5-5 may be:

14 (1) amended only if a majority of the class members
15 reasonably available for the giving of authorization or
16 refusal agree to the amending of the gift; or

17 (2) revoked only if a majority of the class members
18 reasonably available for the giving of authorization or
19 refusal agree to the revoking of the gift or if they are
20 equally divided as to whether to revoke the gift.

21 (e-10) A revocation under subsection (e-5) is effective
22 only if, before an incision has been made to remove a part from
23 the donor's body or before invasive procedures have been
24 commenced to prepare the recipient, the procurement
25 organization, non-transplant anatomic bank, transplant
26 hospital, or physician or technician knows of the revocation.

1 (f) When there is a suitable candidate for organ donation
2 and a donation or consent to donate has not yet been given,
3 procedures to preserve the decedent's body for possible organ
4 and tissue donation may be implemented under the authorization
5 of the applicable organ procurement organization, at its own
6 expense, prior to making a donation request pursuant to Section
7 5-25. If the organ procurement organization does not locate a
8 person authorized to consent to donation or consent to donation
9 is denied, then procedures to preserve the decedent's body
10 shall be ceased and no donation shall be made. The organ
11 procurement organization shall respect the religious tenets of
12 the decedent, if known, such as a pause after death, before
13 initiating preservation services. Nothing in this Section
14 shall be construed to authorize interference with the medical
15 examiner ~~coroner~~ in carrying out an investigation or autopsy.

16 (Source: P.A. 100-41, eff. 1-1-18.)

17 (755 ILCS 50/5-45) (was 755 ILCS 50/8)

18 Sec. 5-45. Rights and Duties at Death.

19 (a) The donee may accept or reject the anatomical gift. If
20 the donee accepts a gift of the entire body, he may, subject to
21 the terms of the gift, authorize embalming and the use of the
22 body in funeral services, unless a person named in subsection
23 (b) of Section 5-5 has requested, prior to the final
24 disposition by the donee, that the remains of said body be
25 returned to his or her custody for the purpose of final

1 disposition. Such request shall be honored by the donee if the
2 terms of the gift are silent on how final disposition is to
3 take place. If the gift is of a part of the body, the donee or
4 technician designated by him upon the death of the donor and
5 prior to embalming, shall cause the part to be removed without
6 unnecessary mutilation and without undue delay in the release
7 of the body for the purposes of final disposition. After
8 removal of the part, custody of the remainder of the body vests
9 in the surviving spouse, next of kin, or other persons under
10 obligation to dispose of the body, in the order of priority
11 listed in subsection (b) of Section 5-5.

12 (b) The time of death shall be determined by a physician
13 who attends the donor at his death, or, if none, the physician
14 who certifies the death. The physician shall not participate in
15 the procedures for removing or transplanting a part.

16 (c) A person who acts or attempts in good faith to act in
17 accordance with this Act, the Illinois Vehicle Code, the AIDS
18 Confidentiality Act, or the applicable anatomical gift law of
19 another state is not liable for the act in a civil action,
20 criminal prosecution, or administrative proceeding. Neither
21 the person making an anatomical gift nor the donor's estate is
22 liable for any injury or damage that results from the making or
23 use of the gift. In determining whether an anatomical gift has
24 been made, amended, or revoked under this Act, a person may
25 rely upon representations of an individual listed in item (2),
26 (3), (4), (5), (6), (7), or (8) of subsection (b) of Section

1 5-5 relating to the individual's relationship to the donor or
2 prospective donor unless the person knows that the
3 representation is untrue. Any person that participates in good
4 faith and according to the usual and customary standards of
5 medical practice in the preservation, removal, or
6 transplantation of any part of a decedent's body pursuant to an
7 anatomical gift made by the decedent under Section 5-20 or
8 pursuant to an anatomical gift made by an individual as
9 authorized by subsection (b) of Section 5-5 shall have immunity
10 from liability, civil, criminal, or otherwise, that might
11 result by reason of such actions. For the purpose of any
12 proceedings, civil or criminal, the validity of an anatomical
13 gift executed pursuant to Section 5-20 shall be presumed and
14 the good faith of any person participating in the removal or
15 transplantation of any part of a decedent's body pursuant to an
16 anatomical gift made by the decedent or by another individual
17 authorized by the Act shall be presumed.

18 (d) This Act is subject to the provisions of Division 3-3
19 of the Counties Code ~~"An Act to revise the law in relation to~~
20 ~~coroners", approved February 6, 1874, as now or hereafter~~
21 ~~amended~~, to the laws of this State prescribing powers and
22 duties with respect to autopsies, and to the statutes, rules,
23 and regulations of this State with respect to the
24 transportation and disposition of deceased human bodies.

25 (e) If the donee is provided information, or determines
26 through independent examination, that there is evidence that

1 the anatomical gift was exposed to the human immunodeficiency
2 virus (HIV) or any other identified causative agent of acquired
3 immunodeficiency syndrome (AIDS), the donee may reject the gift
4 and shall treat the information and examination results as a
5 confidential medical record; the donee may disclose only the
6 results confirming HIV exposure, and only to the physician of
7 the deceased donor. The donor's physician shall determine
8 whether the person who executed the gift should be notified of
9 the confirmed positive test result.

10 (Source: P.A. 98-172, eff. 1-1-14.)

11 Section 295. The Disposition of Remains Act is amended by
12 changing Section 5 as follows:

13 (755 ILCS 65/5)

14 Sec. 5. Right to control disposition; priority. Unless a
15 decedent has left directions in writing for the disposition or
16 designated an agent to direct the disposition of the decedent's
17 remains as provided in Section 65 of the Crematory Regulation
18 Act or in subsection (a) of Section 40 of this Act, the
19 following persons, in the priority listed, have the right to
20 control the disposition, including cremation, of the
21 decedent's remains and are liable for the reasonable costs of
22 the disposition:

23 (1) the person designated in a written instrument that
24 satisfies the provisions of Sections 10 and 15 of this Act;

1 (2) any person serving as executor or legal
2 representative of the decedent's estate and acting
3 according to the decedent's written instructions contained
4 in the decedent's will;

5 (3) the individual who was the spouse of the decedent
6 at the time of the decedent's death;

7 (4) the sole surviving competent adult child of the
8 decedent, or if there is more than one surviving competent
9 adult child of the decedent, the majority of the surviving
10 competent adult children; however, less than one-half of
11 the surviving adult children shall be vested with the
12 rights and duties of this Section if they have used
13 reasonable efforts to notify all other surviving competent
14 adult children of their instructions and are not aware of
15 any opposition to those instructions on the part of more
16 than one-half of all surviving competent adult children;

17 (5) the surviving competent parents of the decedent; if
18 one of the surviving competent parents is absent, the
19 remaining competent parent shall be vested with the rights
20 and duties of this Act after reasonable efforts have been
21 unsuccessful in locating the absent surviving competent
22 parent;

23 (6) the surviving competent adult person or persons
24 respectively in the next degrees of kindred or, if there is
25 more than one surviving competent adult person of the same
26 degree of kindred, the majority of those persons; less than

1 the majority of surviving competent adult persons of the
2 same degree of kindred shall be vested with the rights and
3 duties of this Act if those persons have used reasonable
4 efforts to notify all other surviving competent adult
5 persons of the same degree of kindred of their instructions
6 and are not aware of any opposition to those instructions
7 on the part of one-half or more of all surviving competent
8 adult persons of the same degree of kindred;

9 (6.5) any recognized religious, civic, community, or
10 fraternal organization willing to assume legal and
11 financial responsibility;

12 (7) in the case of indigents or any other individuals
13 whose final disposition is the responsibility of the State
14 or any of its instrumentalities, a public administrator,
15 medical examiner, ~~coroner~~, State appointed guardian, or
16 any other public official charged with arranging the final
17 disposition of the decedent;

18 (8) in the case of individuals who have donated their
19 bodies to science, or whose death occurred in a nursing
20 home or other private institution and the institution is
21 charged with making arrangements for the final disposition
22 of the decedent, a representative of the institution; or

23 (9) any other person or organization that is willing to
24 assume legal and financial responsibility.

25 As used in Section, "adult" means any individual who has
26 reached his or her eighteenth birthday.

1 Notwithstanding provisions to the contrary, in the case of
2 decedents who die while serving as members of the United States
3 Armed Forces, the Illinois National Guard, or the United States
4 Reserve Forces, as defined in Section 1481 of Title 10 of the
5 United States Code, and who have executed the required U.S.
6 Department of Defense Record of Emergency Data Form (DD Form
7 93), or successor form, the person designated in such form to
8 direct disposition of the decedent's remains shall have the
9 right to control the disposition, including cremation, of the
10 decedent's remains.

11 (Source: P.A. 100-526, eff. 6-1-18.)

12 Section 300. The Disposition of Remains of the Indigent Act
13 is amended by changing Sections 5 and 10 as follows:

14 (755 ILCS 66/5)

15 (Section scheduled to be repealed on December 31, 2022)

16 Sec. 5. Purpose. The General Assembly recognizes:

17 (1) that each individual in the State regardless of his
18 or her economic situation is entitled to a dignified
19 disposition of his or her remains;

20 (2) that it is a matter of public concern and interest
21 that the preparation, care, and final disposition of a
22 deceased human body be attended to with appropriate
23 observance and understanding;

24 (3) that it is a matter of public concern and interest

1 that there is a due regard and respect for the reverent
2 care of the human body, for those bereaved, and the overall
3 spiritual dignity of every person;

4 (4) that the provision of cadavers and other human
5 materials is a much-needed service for the advancement of
6 medical, mortuary, and other sciences;

7 (5) that there is a critical shortage of cadavers
8 necessary for the advancement of medical, mortuary, and
9 other sciences;

10 (6) that the State has, in the past, paid for the
11 burial and funeral of indigent individuals;

12 (7) that payment for such services is not now
13 consistent with the needs or demands of the current State
14 budget;

15 (8) that the State has had a long-standing policy that
16 government officials who have custody of a body of any
17 deceased person shall transfer such custody to any State
18 medical college, school, or other institution of higher
19 science education or school of mortuary science for
20 advancement of medical, anatomical, biological, or
21 mortuary science; and

22 (9) that current law provides that any county medical
23 examiner ~~coroner~~ may donate bodies not claimed by family
24 members or friends.

25 (Source: P.A. 100-526, eff. 6-1-18.)

1 (755 ILCS 66/10)

2 (Section scheduled to be repealed on December 31, 2022)

3 Sec. 10. Indigent funeral and burial.

4 (a) If private funds are not available to pay funeral and
5 burial costs and a request is made for those costs to an
6 official of State or local government by an appropriate family
7 member, executor, or agent empowered to direct the disposition
8 of the decedent's remains, the official shall inform the
9 appropriate family member, executor, or agent empowered to
10 direct the disposition of the decedent's remains of the option
11 to donate the remains for use in the advancement of medical
12 science subject to any written directive of a will or other
13 written instrument identified in Section 65 of the Crematory
14 Regulation Act or in subsection (a) of Section 40 of the
15 Disposition of Remains Act.

16 (b) The appropriate family member, executor, or agent
17 empowered to direct the disposition of the decedent's remains
18 is responsible for authorizing the use of such remains in
19 accordance with the process of the specific qualified medical
20 science institution.

21 (c) If funds are not otherwise available for burial or the
22 cadaver has not been claimed by a family member or other
23 responsible person, the medical examiner ~~coroner~~ with custody
24 may donate the cadaver for medical science purposes pursuant to
25 Section 3-3034 of the Counties Code.

26 (Source: P.A. 100-526, eff. 6-1-18.)

1 Section 305. The Revised Uniform Unclaimed Property Act is
2 amended by changing Section 15-705 as follows:

3 (765 ILCS 1026/15-705)

4 Sec. 15-705. Exceptions to the sale of tangible property.
5 The administrator shall dispose of tangible property
6 identified by this Section in accordance with this Section.

7 (a) Military medals or decorations. The administrator may
8 not sell a medal or decoration awarded for military service in
9 the armed forces of the United States. Instead, the
10 administrator, with the consent of the respective organization
11 under paragraph (1), agency under paragraph (2), or entity
12 under paragraph (3), may deliver a medal or decoration to be
13 held in custody for the owner, to:

14 (1) a military veterans organization qualified under
15 Section 501(c)(19) of the Internal Revenue Code;

16 (2) the agency that awarded the medal or decoration; or

17 (3) a governmental entity.

18 After delivery, the administrator is not responsible for
19 the safekeeping of the medal or decoration.

20 (b) Property with historical value. Property that the
21 administrator reasonably believes may have historical value
22 may be, at his or her discretion, loaned to an accredited
23 museum in the United States where it will be kept until such
24 time as the administrator orders it to be returned to his or

1 her custody.

2 (c) Human remains. If human remains are delivered to the
3 administrator under this Act, the administrator shall deliver
4 those human remains to the medical examiner ~~coroner~~ of the
5 county in which the human remains were abandoned for
6 disposition under Section 3-3034 of the Counties Code. The only
7 human remains that may be delivered to the administrator under
8 this Act and that the administrator may receive are those that
9 are reported and delivered as contents of a safe deposit box.

10 (d) Evidence in a criminal investigation. Property that may
11 have been used in the commission of a crime or that may assist
12 in the investigation of a crime, as determined after consulting
13 with the Department of State Police, shall be delivered to the
14 Department of State Police or other appropriate law enforcement
15 authority to allow law enforcement to determine whether a
16 criminal investigation should take place. Any such property
17 delivered to a law enforcement authority shall be held in
18 accordance with existing statutes and rules related to the
19 gathering, retention, and release of evidence.

20 (e) Firearms.

21 (1) The administrator, in cooperation with the
22 Department of State Police, shall develop a procedure to
23 determine whether a firearm delivered to the administrator
24 under this Act has been stolen or used in the commission of
25 a crime. The Department of State Police shall determine the
26 appropriate disposition of a firearm that has been stolen

1 or used in the commission of a crime. The administrator
2 shall attempt to return a firearm that has not been stolen
3 or used in the commission of a crime to the rightful owner
4 if the Department of State Police determines that the owner
5 may lawfully possess the firearm.

6 (2) If the administrator is unable to return a firearm
7 to its owner, the administrator shall transfer custody of
8 the firearm to the Department of State Police. Legal title
9 to a firearm transferred to the Department of State Police
10 under this subsection (e) is vested in the Department of
11 State Police by operation of law if:

12 (i) the administrator cannot locate the owner of
13 the firearm;

14 (ii) the owner of the firearm may not lawfully
15 possess the firearm;

16 (iii) the apparent owner does not respond to notice
17 published under Section 15-503 of this Act; or

18 (iv) the apparent owner responds to notice
19 published under Section 15-502 and states that he or
20 she no longer claims an interest in the firearm.

21 (3) With respect to a firearm whose title is
22 transferred to the Department of State Police under this
23 subsection (e), the Department of State Police may:

24 (i) retain the firearm for use by the crime
25 laboratory system, for training purposes, or for any
26 other application as deemed appropriate by the

1 Department;

2 (ii) transfer the firearm to the Illinois State
3 Museum if the firearm has historical value; or

4 (iii) destroy the firearm if it is not retained
5 pursuant to subparagraph (i) or transferred pursuant
6 to subparagraph (ii).

7 As used in this subsection, "firearm" has the meaning
8 provided in the Firearm Owners Identification Card Act.

9 (Source: P.A. 100-22, eff. 1-1-18.)

10 Section 310. The Employee Arbitration Act is amended by
11 changing Section 8 as follows:

12 (820 ILCS 35/8) (from Ch. 10, par. 30)

13 Sec. 8. Any notice or process issued by the Department of
14 Labor shall be served by any sheriff or medical examiner
15 ~~coroner~~ to whom it is directed or in whose hands it is placed
16 for service.

17 (Source: Laws 1967, p. 3673.)

18 Section 315. The Workers' Occupational Diseases Act is
19 amended by changing Section 12 as follows:

20 (820 ILCS 310/12) (from Ch. 48, par. 172.47)

21 Sec. 12. (a) An employee entitled to receive disability
22 payments shall be required, if requested by the employer, to

1 submit himself, at the expense of the employer, for examination
2 to a duly qualified medical practitioner or surgeon selected by
3 the employer, at any time and place reasonably convenient for
4 the employee, either within or without the State of Illinois,
5 for the purpose of determining the nature, extent and probable
6 duration of the occupational disease and the disability
7 therefrom suffered by the employee, and for the purpose of
8 ascertaining the amount of compensation which may be due the
9 employee from time to time for disability according to the
10 provisions of this Act. An employee may also be required to
11 submit himself for examination by medical experts under
12 subsection (c) of Section 19.

13 An employer requesting such an examination, of an employee
14 residing within the State of Illinois, shall deliver to the
15 employee with the notice of the time and place of examination
16 sufficient money to defray the necessary expense of travel by
17 the most convenient means to and from the place of examination,
18 and the cost of meals necessary during the trip, and if the
19 examination or travel to and from the place of examination
20 causes any loss of working time on the part of the employee,
21 the employer shall reimburse him for such loss of wages upon
22 the basis of his average daily wage. Such examination shall be
23 made in the presence of a duly qualified medical practitioner
24 or surgeon provided and paid for by the employee, if such
25 employee so desires.

26 In all cases where the examination is made by a physician

1 or surgeon engaged by the employer, and the employee has no
2 physician or surgeon present at such examination, it shall be
3 the duty of the physician or surgeon making the examination at
4 the instance of the employer to deliver to the employee, or his
5 representative, a statement in writing of the examination and
6 findings to the same extent that said physician or surgeon
7 reports to the employer and the same shall be an exact copy of
8 that furnished to the employer, said copy to be furnished the
9 employee, or his representative as soon as practicable but not
10 later than the time the case is set for hearing. Such delivery
11 shall be made in person either to the employee or his
12 representative, or by registered mail to either, and the
13 receipt of either shall be proof of such delivery. If such
14 physician or surgeon refuses to furnish the employee with such
15 statement to the same extent as that furnished the employer
16 said physician or surgeon shall not be permitted to testify at
17 the hearing next following said examination.

18 If the employee refuses so to submit himself to examination
19 or unnecessarily obstructs the same, his right to compensation
20 payment shall be temporarily suspended until such examination
21 shall have taken place, and no compensation shall be payable
22 under this Act for such period.

23 It shall be the duty of physicians or surgeons treating an
24 employee who is likely to die, and treating him at the instance
25 of the employer, to have called in another physician or surgeon
26 to be designated and paid for by either the employee or by the

1 person or persons who would become his beneficiary or
2 beneficiaries, to make an examination before the death of such
3 employee.

4 In all cases where the examination is made by a physician
5 or surgeon engaged by the employee, and the employer has no
6 physician or surgeon present at such examination, it shall be
7 the duty of the physician or surgeon making the examination at
8 the instance of the employee, to deliver to the employer, or
9 his representative, a statement in writing of the condition and
10 extent of the examination and findings to the same extent that
11 said physician or surgeon reports to the employee and the same
12 shall be an exact copy of that furnished to the employee, said
13 copy to be furnished the employer, or his representative, as
14 soon as practicable but not later than the time the case is set
15 for hearing. Such delivery shall be made in person either to
16 the employer, or his representative, or by registered mail to
17 either, and the receipt of either shall be proof of such
18 delivery. If such physician or surgeon refuses to furnish the
19 employer with such statement to the same extent as that
20 furnished the employee, said physician or surgeon shall not be
21 permitted to testify at the hearing next following said
22 examination.

23 (b) Whenever, after the death of an employee, any party in
24 interest files an application for adjustment of claim under
25 this Act, and it appears that an autopsy may disclose material
26 evidence as to whether or not such death was due to the

1 inhalation of silica or asbestos dust, the commission, upon
2 petition of either party, may order an autopsy at the expense
3 of the party requesting same, and if such autopsy is so
4 ordered, the commission shall designate a competent
5 pathologist to perform the same, and shall give the parties in
6 interest such reasonable notice of the time and place thereof
7 as will afford a reasonable opportunity to witness such autopsy
8 in person or by a representative.

9 It shall be the duty of such pathologist to perform such
10 autopsy as, in his best judgment, is required to ascertain the
11 cause of death. Such pathologist shall make a complete written
12 report of all his findings to the commission (including
13 laboratory results described as such, if any). The said report
14 of the pathologist shall contain his findings on post-mortem
15 examination and said report shall not contain any conclusion of
16 the said pathologist based upon the findings so reported.

17 Said report shall be placed on file with the commission,
18 and shall be a public record. Said report, or a certified copy
19 thereof, may be introduced by either party on any hearing as
20 evidence of the findings therein stated, but shall not be
21 conclusive evidence of such findings, and either party may
22 rebut any part thereof.

23 Where an autopsy has been performed at any time with the
24 express or implied consent of any interested party, and without
25 some opposing party, if known or reasonably ascertainable,
26 having reasonable notice of and reasonable opportunity of

1 witnessing the same, all evidence obtained by such autopsy
2 shall be barred upon objection at any hearing. This paragraph
3 shall not apply to autopsies by a medical examiner, deputy
4 medical examiner, or, as directed by a medical examiner, a
5 physician duly licensed to practice medicine in all of its
6 branches ~~coroner's physician~~ in the discharge of his official
7 duties.

8 (Source: P.A. 94-277, eff. 7-20-05.)

9 Section 320. The Unemployment Insurance Act is amended by
10 changing Section 2500 as follows:

11 (820 ILCS 405/2500) (from Ch. 48, par. 740)

12 Sec. 2500. Director not required to pay costs. Neither the
13 Director nor the State of Illinois shall be required to furnish
14 any bond, or to make a deposit for or pay any costs of any court
15 or the fees of any of its officers in any judicial proceedings
16 in pursuance to the provisions of this Act; provided, further,
17 that whenever enforcement or collection of any judgment
18 liability created by this Act, is levied by any sheriff or
19 medical examiner ~~coroner~~ upon any personal property, and such
20 property is claimed by any person other than the defendant or
21 is claimed by the defendant as exempt from levy by virtue of
22 the exemption laws of this State, then it shall be the duty of
23 the person making such claim to give notice in writing of his
24 or her claim and of his or her intention to prosecute the same,

1 to the sheriff or medical examiner ~~coroner~~ within 10 days after
2 the making of the levy; on receiving such notice the sheriff or
3 medical examiner ~~coroner~~ shall proceed in accordance with the
4 provisions of Part 2 of Article XII of the Code of Civil
5 Procedure, as amended; the giving of such notice within the 10
6 day period shall be a condition precedent to any judicial
7 action against the sheriff or medical examiner ~~coroner~~ for
8 wrongfully levying, seizing or selling the property and any
9 such person who fails to give such notice within the time shall
10 be forever barred from bringing any judicial action against
11 such sheriff or medical examiner ~~coroner~~ for injury or damages
12 to or conversion of the property.

13 (Source: P.A. 83-1362.)

14 Section 900. The State Mandates Act is amended by adding
15 Section 8.44 as follows:

16 (30 ILCS 805/8.44 new)

17 Sec. 8.44. Exempt mandate. Notwithstanding Sections 6 and 8
18 of this Act, no reimbursement by the State is required for the
19 implementation of any mandate created by this amendatory Act of
20 the 101st General Assembly.

21 Section 999. Effective date. This Act takes effect on
22 December 1, 2021, except Section 5-566 of the Civil
23 Administrative Code of Illinois, Section 3-3000 of the Counties
24 Code, Section 37 of the Coroner Training Board Act, and this

1 Section take effect upon becoming law.

1

INDEX

2

Statutes amended in order of appearance

3 5 ILCS 70/1.08 from Ch. 1, par. 1009
4 5 ILCS 140/7 from Ch. 116, par. 207
5 10 ILCS 5/18A-218.10
6 10 ILCS 5/2A-18 rep.
7 20 ILCS 5/5-565 was 20 ILCS 5/6.06
8 20 ILCS 5/5-566 new
9 20 ILCS 105/4.04 from Ch. 23, par. 6104.04
10 20 ILCS 515/15
11 20 ILCS 515/20
12 20 ILCS 515/25
13 20 ILCS 515/40
14 20 ILCS 1305/1-17
15 20 ILCS 2310/2310-236
16 20 ILCS 2310/2310-335 was 20 ILCS 2310/55.43
17 20 ILCS 2605/2605-40 was 20 ILCS 2605/55a-4
18 20 ILCS 2605/2605-380 was 20 ILCS 2605/55a-8
19 20 ILCS 2630/9 from Ch. 38, par. 206-9
20 20 ILCS 2630/9.5
21 20 ILCS 3440/3 from Ch. 127, par. 2663
22 35 ILCS 120/5d from Ch. 120, par. 444d
23 35 ILCS 200/19-55
24 35 ILCS 200/21-355
25 35 ILCS 200/21-385

1	35 ILCS 200/22-15	
2	35 ILCS 200/22-20	
3	35 ILCS 516/300	
4	35 ILCS 516/330	
5	35 ILCS 516/375	
6	35 ILCS 516/380	
7	40 ILCS 5/7-145.1	
8	50 ILCS 705/10.11	
9	50 ILCS 707/15	
10	50 ILCS 722/15	
11	50 ILCS 722/20	
12	50 ILCS 722/25	
13	55 ILCS 5/1-4009	from Ch. 34, par. 1-4009
14	55 ILCS 5/Div. 3-3 heading	
15	55 ILCS 5/3-3000 new	
16	55 ILCS 5/3-3001	from Ch. 34, par. 3-3001
17	55 ILCS 5/3-3002.5 new	
18	55 ILCS 5/3-3003	from Ch. 34, par. 3-3003
19	55 ILCS 5/3-3004	from Ch. 34, par. 3-3004
20	55 ILCS 5/3-3007	from Ch. 34, par. 3-3007
21	55 ILCS 5/3-3008	from Ch. 34, par. 3-3008
22	55 ILCS 5/3-3009	from Ch. 34, par. 3-3009
23	55 ILCS 5/3-3010	from Ch. 34, par. 3-3010
24	55 ILCS 5/3-3012	from Ch. 34, par. 3-3012
25	55 ILCS 5/3-3013	from Ch. 34, par. 3-3013
26	55 ILCS 5/3-3013.3 new	

1	55 ILCS 5/3-3013.5 new	
2	55 ILCS 5/3-3014	from Ch. 34, par. 3-3014
3	55 ILCS 5/3-3015	from Ch. 34, par. 3-3015
4	55 ILCS 5/3-3016.5	
5	55 ILCS 5/3-3017	from Ch. 34, par. 3-3017
6	55 ILCS 5/3-3018	from Ch. 34, par. 3-3018
7	55 ILCS 5/3-3019	from Ch. 34, par. 3-3019
8	55 ILCS 5/3-3020	from Ch. 34, par. 3-3020
9	55 ILCS 5/3-3021	from Ch. 34, par. 3-3021
10	55 ILCS 5/3-3022	from Ch. 34, par. 3-3022
11	55 ILCS 5/3-3024	from Ch. 34, par. 3-3024
12	55 ILCS 5/3-3025	from Ch. 34, par. 3-3025
13	55 ILCS 5/3-3026	from Ch. 34, par. 3-3026
14	55 ILCS 5/3-3027	from Ch. 34, par. 3-3027
15	55 ILCS 5/3-3028	from Ch. 34, par. 3-3028
16	55 ILCS 5/3-3029	from Ch. 34, par. 3-3029
17	55 ILCS 5/3-3031	from Ch. 34, par. 3-3031
18	55 ILCS 5/3-3032	from Ch. 34, par. 3-3032
19	55 ILCS 5/3-3033	from Ch. 34, par. 3-3033
20	55 ILCS 5/3-3034	from Ch. 34, par. 3-3034
21	55 ILCS 5/3-3035	from Ch. 34, par. 3-3035
22	55 ILCS 5/3-3036	from Ch. 34, par. 3-3036
23	55 ILCS 5/3-3037	from Ch. 34, par. 3-3037
24	55 ILCS 5/3-3038	from Ch. 34, par. 3-3038
25	55 ILCS 5/3-3040	from Ch. 34, par. 3-3040
26	55 ILCS 5/3-3041	from Ch. 34, par. 3-3041

1	55 ILCS 5/3-3042	from Ch. 34, par. 3-3042
2	55 ILCS 5/3-3043	from Ch. 34, par. 3-3043
3	55 ILCS 5/3-3045	
4	55 ILCS 5/3-3046 new	
5	55 ILCS 5/3-14002	from Ch. 34, par. 3-14002
6	55 ILCS 5/4-6001	from Ch. 34, par. 4-6001
7	55 ILCS 5/4-6002	from Ch. 34, par. 4-6002
8	55 ILCS 5/Div. 4-7 heading	
9	55 ILCS 5/4-7001	from Ch. 34, par. 4-7001
10	55 ILCS 5/4-11002	from Ch. 34, par. 4-11002
11	55 ILCS 5/5-1085.5	
12	55 ILCS 5/5-1106	from Ch. 34, par. 5-1106
13	55 ILCS 5/3-3002 rep.	
14	55 ILCS 5/3-3011 rep.	
15	55 ILCS 5/3-3039 rep.	
16	55 ILCS 5/3-3044 rep.	
17	55 ILCS 135/1	
18	55 ILCS 135/5	
19	55 ILCS 135/10	
20	55 ILCS 135/20	
21	55 ILCS 135/25	
22	55 ILCS 135/30	
23	55 ILCS 135/35	
24	55 ILCS 135/37 new	
25	70 ILCS 605/5-7	from Ch. 42, par. 5-7
26	210 ILCS 28/15	

1	210 ILCS 28/20	
2	210 ILCS 28/25	
3	210 ILCS 30/4	from Ch. 111 1/2, par. 4164
4	210 ILCS 46/2-208	
5	210 ILCS 47/2-208	
6	210 ILCS 85/6.09a	
7	210 ILCS 85/7	from Ch. 111 1/2, par. 148
8	210 ILCS 150/18	
9	225 ILCS 705/10.03	from Ch. 96 1/2, par. 1003
10	225 ILCS 705/10.04	from Ch. 96 1/2, par. 1004
11	225 ILCS 710/15	from Ch. 96 1/2, par. 4222
12	225 ILCS 710/16	from Ch. 96 1/2, par. 4223
13	320 ILCS 20/2	from Ch. 23, par. 6602
14	320 ILCS 20/3	from Ch. 23, par. 6603
15	320 ILCS 20/5	from Ch. 23, par. 6605
16	320 ILCS 20/8	from Ch. 23, par. 6608
17	320 ILCS 20/15	
18	325 ILCS 5/4	
19	325 ILCS 5/4.1	from Ch. 23, par. 2054.1
20	325 ILCS 5/7.9	from Ch. 23, par. 2057.9
21	325 ILCS 5/11.1	from Ch. 23, par. 2061.1
22	325 ILCS 5/11.9	
23	405 ILCS 5/5-100	from Ch. 91 1/2, par. 5-100
24	405 ILCS 82/15	
25	405 ILCS 82/20	
26	410 ILCS 18/35	

1	410 ILCS 18/94	
2	410 ILCS 60/1	from Ch. 111 1/2, par. 201
3	410 ILCS 505/5	from Ch. 31, par. 45
4	410 ILCS 510/1	from Ch. 144, par. 1551
5	410 ILCS 535/18	from Ch. 111 1/2, par. 73-18
6	410 ILCS 535/20	from Ch. 111 1/2, par. 73-20
7	410 ILCS 535/21	from Ch. 111 1/2, par. 73-21
8	410 ILCS 535/21.7	
9	410 ILCS 535/25.5	
10	415 ILCS 5/56.8	
11	425 ILCS 25/6	from Ch. 127 1/2, par. 6
12	625 ILCS 5/6-117	from Ch. 95 1/2, par. 6-117
13	625 ILCS 5/11-413	from Ch. 95 1/2, par. 11-413
14	625 ILCS 5/11-414	from Ch. 95 1/2, par. 11-414
15	625 ILCS 5/11-501.7	from Ch. 95 1/2, par. 11-501.7
16	625 ILCS 5/12-215	from Ch. 95 1/2, par. 12-215
17	625 ILCS 45/6-1	from Ch. 95 1/2, par. 316-1
18	705 ILCS 205/10	from Ch. 13, par. 10
19	705 ILCS 305/20	from Ch. 78, par. 20
20	705 ILCS 310/8	from Ch. 78, par. 31
21	705 ILCS 405/2-6	from Ch. 37, par. 802-6
22	705 ILCS 405/2-15	from Ch. 37, par. 802-15
23	705 ILCS 405/3-17	from Ch. 37, par. 803-17
24	705 ILCS 405/4-14	from Ch. 37, par. 804-14
25	705 ILCS 405/5-525	
26	720 ILCS 5/9-3.5	

1	720 ILCS 5/12-20.5	
2	720 ILCS 5/12-20.6	
3	720 ILCS 5/31-4	from Ch. 38, par. 31-4
4	720 ILCS 5/33-3.2	
5	725 ILCS 5/107-15	
6	725 ILCS 5/107-16	
7	725 ILCS 5/115-5.1	from Ch. 38, par. 115-5.1
8	725 ILCS 5/115-17	
9	725 ILCS 5/119-5	from Ch. 38, par. 119-5
10	730 ILCS 125/8	from Ch. 75, par. 108
11	730 ILCS 195/20	
12	730 ILCS 195/35	
13	730 ILCS 5/3-2-2	from Ch. 38, par. 1003-2-2
14	730 ILCS 5/3-9-6	from Ch. 38, par. 1003-9-6
15	730 ILCS 5/3-13-4	from Ch. 38, par. 1003-13-4
16	730 ILCS 195/15	
17	735 ILCS 5/2-202	from Ch. 110, par. 2-202
18	735 ILCS 5/4-110	from Ch. 110, par. 4-110
19	735 ILCS 5/Art. VIII Pt.	
20	22 heading	
21	735 ILCS 5/8-2201	from Ch. 110, par. 8-2201
22	735 ILCS 5/10-110	from Ch. 110, par. 10-110
23	735 ILCS 5/11-106	from Ch. 110, par. 11-106
24	735 ILCS 5/12-201	from Ch. 110, par. 12-201
25	735 ILCS 5/12-204	from Ch. 110, par. 12-204
26	735 ILCS 5/12-205	from Ch. 110, par. 12-205

1	740 ILCS 110/10	from Ch. 91 1/2, par. 810
2	755 ILCS 50/5-20	was 755 ILCS 50/5
3	755 ILCS 50/5-45	was 755 ILCS 50/8
4	755 ILCS 65/5	
5	755 ILCS 66/5	
6	755 ILCS 66/10	
7	765 ILCS 1026/15-705	
8	820 ILCS 35/8	from Ch. 10, par. 30
9	820 ILCS 310/12	from Ch. 48, par. 172.47
10	820 ILCS 405/2500	from Ch. 48, par. 740
11	30 ILCS 805/8.44 new	