



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB1735

Introduced 2/17/2021, 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.

LRB102 03913 AWJ 13928 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
18 disclosure under this Section, but also contains information
19 that is not exempt from disclosure, the public body may elect
20 to redact the information that is exempt. The public body
21 shall make the remaining information available for inspection

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

3 (a) Information specifically prohibited from
4 disclosure by federal or State law or rules and
5 regulations 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
12 more law enforcement agencies regarding the physical or
13 mental status of one or more individual subjects.

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

1 (d) Records in the possession of any public body
2 created in the course of administrative enforcement
3 proceedings, and any law enforcement or correctional
4 agency for law enforcement purposes, but only to the
5 extent that disclosure would:

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

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

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

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

1 request;

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

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

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

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

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

24 (e-5) Records requested by persons committed to the
25 Department of Corrections, Department of Human Services
26 Division of Mental Health, or a county jail if those

1 materials are available in the library of the correctional
2 institution or facility or jail where the inmate is
3 confined.

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

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

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

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

1 to, a victim's home address, home telephone number, work
2 or school address, work telephone number, social security
3 number, or any other identifying information, except as
4 may be relevant to a requester's current or potential case
5 or claim.

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

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

23 (g) Trade secrets and commercial or financial
24 information obtained from a person or business where the
25 trade secrets or commercial or financial information are
26 furnished under a claim that they are proprietary,

1 privileged, or confidential, and that disclosure of the
2 trade secrets or commercial or financial information would
3 cause competitive harm to the person or business, and only
4 insofar as the claim directly applies to the records
5 requested.

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

21 Nothing contained in this paragraph (g) shall be
22 construed to prevent a person or business from consenting
23 to disclosure.

24 (h) Proposals and bids for any contract, grant, or
25 agreement, including information which if it were
26 disclosed would frustrate procurement or give an advantage

1 to any person proposing to enter into a contractor
2 agreement with the body, until an award or final selection
3 is made. Information prepared by or for the body in
4 preparation of a bid solicitation shall be exempt until an
5 award or final selection is made.

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

17 (j) The following information pertaining to
18 educational matters:

19 (i) test questions, scoring keys and other
20 examination data used to administer an academic
21 examination;

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

26 (iii) information concerning a school or

1 university's adjudication of student disciplinary
2 cases, but only to the extent that disclosure would
3 unavoidably reveal the identity of the student; and

4 (iv) course materials or research materials used
5 by faculty members.

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

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

22 (m) Communications between a public body and an
23 attorney or auditor representing the public body that
24 would not be subject to discovery in litigation, and
25 materials prepared or compiled by or for a public body in
26 anticipation of a criminal, civil, or administrative

1 proceeding upon the request of an attorney advising the
2 public body, and materials prepared or compiled with
3 respect to internal audits of public bodies.

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

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

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

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

25 (r) The records, documents, and information relating
26 to real estate purchase negotiations until those

1 negotiations have been completed or otherwise terminated.
2 With regard to a parcel involved in a pending or actually
3 and reasonably contemplated eminent domain proceeding
4 under the Eminent Domain Act, records, documents, and
5 information relating to that parcel shall be exempt except
6 as may be allowed under discovery rules adopted by the
7 Illinois Supreme Court. The records, documents, and
8 information relating to a real estate sale shall be exempt
9 until a sale is consummated.

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

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

25 (u) Information that would disclose or might lead to
26 the disclosure of secret or confidential information,

1 codes, algorithms, programs, or private keys intended to
2 be used to create electronic or digital signatures under
3 the Electronic Commerce Security Act.

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

18 (w) (Blank).

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

24 (y) Information contained in or related to proposals,
25 bids, or negotiations related to electric power
26 procurement under Section 1-75 of the Illinois Power

1 Agency Act and Section 16-111.5 of the Public Utilities
2 Act that is determined to be confidential and proprietary
3 by the Illinois Power Agency or by the Illinois Commerce
4 Commission.

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

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

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

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

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

25 (ee) The names, addresses, or other personal
26 information of persons who are minors and are also

1 participants and registrants in programs of park
2 districts, forest preserve districts, conservation
3 districts, recreation agencies, and special recreation
4 associations.

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

11 (gg) Confidential information described in Section
12 1-100 of the Illinois Independent Tax Tribunal Act of
13 2012.

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

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

1 to the Department of Human Services or the Department of
2 Corrections.

3 (jj) Confidential information described in Section
4 5-535 of the Civil Administrative Code of Illinois.

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

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

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

18 (1.5) Any information exempt from disclosure under the
19 Judicial Privacy Act shall be redacted from public records
20 prior to disclosure under this Act.

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

1 for purposes of this Act.

2 (3) This Section does not authorize withholding of
3 information or limit the availability of records to the
4 public, except as stated in this Section or otherwise provided
5 in this Act.

6 (Source: P.A. 100-26, eff. 8-4-17; 100-201, eff. 8-18-17;
7 100-732, eff. 8-3-18; 101-434, eff. 1-1-20; 101-452, eff.
8 1-1-20; 101-455, eff. 8-23-19; revised 9-27-19.)

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

11 (10 ILCS 5/18A-218.10)

12 Sec. 18A-218.10. Definitions relating to provisional
13 ballots.

14 (a) As used in this Article:

15 "Citywide or villagewide office" means an office
16 elected by the electors of an entire municipality.

17 "Correct precinct" means the precinct containing the
18 addresses at which the provisional voter resides and at
19 which he or she is registered to vote.

20 "Countywide office" means the offices of Clerk,
21 Sheriff, State's Attorney, Circuit Court Clerk, Recorder,
22 Auditor, County Board President, County Board Member or
23 County Commissioner in those counties that elect those
24 officers countywide, ~~Coroner~~, Regional Superintendent of

1 Schools, Sanitary District Commissioners or Trustees,
2 Assessor, Board of Review Members in those counties that
3 elect those officers countywide, and Treasurer.

4 "Election authority" means either the County Clerk,
5 County Board of Election Commissioners, or Municipal Board
6 of Election Commissioners, as the case may be.

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

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

24 "Leading established political party" means one of the
25 two political parties whose candidates for Governor at the
26 most recent 3 gubernatorial elections received either the

1 highest or second highest average number of votes. The
2 first leading political party is the party whose candidate
3 for Governor received the highest average number of votes
4 in the 3 most recent gubernatorial elections and the
5 second leading political party is the party whose
6 candidate for Governor received the second highest average
7 number of votes in the 3 most recent gubernatorial
8 elections.

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

11 "Persons entitled to vote provisionally" or
12 "provisional voter" means a person claiming to be a
13 registered voter who is entitled by Section 18A-5 of this
14 Code to vote a provisional ballot under the following
15 circumstances:

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

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

24 (3) A federal or State court order extends the
25 time for closing the polls beyond the time period
26 established by State law and the person votes during

1 the extended time period.

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

6 (5) The voter's name appears on the list of voters
7 who voted during the early voting period, but the
8 voter claims not to have voted during the early voting
9 period.

10 (6) The voter received a vote by mail ballot but
11 did not return the vote by mail ballot to the election
12 authority, and failed to surrender it to the election
13 judges.

14 (7) The voter attempted to register to vote on
15 election day, but failed to provide the necessary
16 documentation.

17 "Representative district" means the district from
18 which an Illinois State Representative is elected to serve
19 the residents.

20 "Statewide office" means the Constitutional offices of
21 Governor and Lt. Governor running jointly, Secretary of
22 State, Attorney General, Comptroller, and Treasurer.

23 "Township office" means an office elected by the
24 electors of an entire township.

25 (b) Procedures for Voting Provisionally in the Polling
26 Place.

1 (1) If any of the 7 reasons cited in the definition of
2 provisional voter in subsection (a) for casting a
3 provisional ballot exists, an election judge must accept
4 any information provided by a person who casts a
5 provisional ballot that the person believes supports his
6 or her claim that he or she is a duly registered voter and
7 qualified to vote in the election. However, if the
8 person's residence address is outside the precinct
9 boundaries, the election judge shall inform the person of
10 that fact, give the person the appropriate telephone
11 number of the election authority in order to locate the
12 polling place assigned to serve that address (or consult
13 any alternative tools provided by the election authority
14 for determining a voter's correct precinct polling place)
15 and instruct the person to go to the proper polling place
16 to vote.

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

25 (3) In the event that a provisional ballot is
26 mistakenly cast in a precinct other than the precinct that

1 contains the voter's address of registration (if the voter
2 believed he or she registered in the precinct in which he
3 or she voted provisionally, and the election judges should
4 have, but did not direct the voter to vote in the correct
5 precinct), Section 218.20 shall apply.

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

7 (10 ILCS 5/2A-18 rep.)

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

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

13 (20 ILCS 5/5-565) (was 20 ILCS 5/6.06)

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

15 (a) The General Assembly declares it to be the public
16 policy of this State that all citizens of Illinois are
17 entitled to lead healthy lives. Governmental public health has
18 a specific responsibility to ensure that a public health
19 system is in place to allow the public health mission to be
20 achieved. The public health system is the collection of
21 public, private, and voluntary entities as well as individuals
22 and informal associations that contribute to the public's
23 health within the State. To develop a public health system

1 requires certain core functions to be performed by government.
2 The State Board of Health is to assume the leadership role in
3 advising the Director in meeting the following functions:

- 4 (1) Needs assessment.
- 5 (2) Statewide health objectives.
- 6 (3) Policy development.
- 7 (4) Assurance of access to necessary services.

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

25 The terms of Board of Health members shall be 3 years,
26 except that members shall continue to serve on the Board of

1 Health until a replacement is appointed. Upon the effective
2 date of Public Act 93-975 (January 1, 2005) ~~this amendatory~~
3 ~~Act of the 93rd General Assembly~~, in the appointment of the
4 Board of Health members appointed to vacancies or positions
5 with terms expiring on or before December 31, 2004, the
6 Governor shall appoint up to 6 members to serve for terms of 3
7 years; up to 6 members to serve for terms of 2 years; and up to
8 5 members to serve for a term of one year, so that the term of
9 no more than 6 members expire in the same year. All members
10 shall be legal residents of the State of Illinois. The duties
11 of the Board shall include, but not be limited to, the
12 following:

13 (1) To advise the Department of ways to encourage
14 public understanding and support of the Department's
15 programs.

16 (2) To evaluate all boards, councils, committees,
17 authorities, and bodies advisory to, or an adjunct of, the
18 Department of Public Health or its Director for the
19 purpose of recommending to the Director one or more of the
20 following:

21 (i) The elimination of bodies whose activities are
22 not consistent with goals and objectives of the
23 Department.

24 (ii) The consolidation of bodies whose activities
25 encompass compatible programmatic subjects.

26 (iii) The restructuring of the relationship

1 between the various bodies and their integration
2 within the organizational structure of the Department.

3 (iv) The establishment of new bodies deemed
4 essential to the functioning of the Department.

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

7 (4) To advise the Director regarding public health
8 policy, and to make health policy recommendations
9 regarding priorities to the Governor through the Director.

10 (5) To present public health issues to the Director
11 and to make recommendations for the resolution of those
12 issues.

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

15 (7) To make recommendations to the Governor through
16 the Director regarding the coordination of State public
17 health activities with other State and local public health
18 agencies and organizations.

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

22 (9) To review the final draft of all proposed
23 administrative rules, other than emergency or peremptory
24 ~~preemptory~~ rules and those rules that another advisory
25 body must approve or review within a statutorily defined
26 time period, of the Department after September 19, 1991

1 (the effective date of Public Act 87-633). The Board shall
2 review the proposed rules within 90 days of submission by
3 the Department. The Department shall take into
4 consideration any comments and recommendations of the
5 Board regarding the proposed rules prior to submission to
6 the Secretary of State for initial publication. If the
7 Department disagrees with the recommendations of the
8 Board, it shall submit a written response outlining the
9 reasons for not accepting the recommendations.

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

22 (10) To deliver to the Governor for presentation to
23 the General Assembly a State Health Improvement Plan. The
24 first 3 such plans shall be delivered to the Governor on
25 January 1, 2006, January 1, 2009, and January 1, 2016 and
26 then every 5 years thereafter.

1 The Plan shall recommend priorities and strategies to
2 improve the public health system and the health status of
3 Illinois residents, taking into consideration national
4 health objectives and system standards as frameworks for
5 assessment.

6 The Plan shall also take into consideration priorities
7 and strategies developed at the community level through
8 the Illinois Project for Local Assessment of Needs (IPLAN)
9 and any regional health improvement plans that may be
10 developed. The Plan shall focus on prevention as a key
11 strategy for long-term health improvement in Illinois.

12 The Plan shall examine and make recommendations on the
13 contributions and strategies of the public and private
14 sectors for improving health status and the public health
15 system in the State. In addition to recommendations on
16 health status improvement priorities and strategies for
17 the population of the State as a whole, the Plan shall make
18 recommendations regarding priorities and strategies for
19 reducing and eliminating health disparities in Illinois;
20 including racial, ethnic, gender, age, socio-economic, and
21 geographic disparities.

22 The Director of the Illinois Department of Public
23 Health shall appoint a Planning Team that includes a range
24 of public, private, and voluntary sector stakeholders and
25 participants in the public health system. This Team shall
26 include: the directors of State agencies with public

1 health responsibilities (or their designees), including,l
2 but not limited to,l the Illinois Departments of Public
3 Health and Department of Human Services, representatives
4 of local health departments, representatives of local
5 community health partnerships, and individuals with
6 expertise who represent an array of organizations and
7 constituencies engaged in public health improvement and
8 prevention.

9 The State Board of Health shall hold at least 3 public
10 hearings addressing drafts of the Plan in representative
11 geographic areas of the State. Members of the Planning
12 Team shall receive no compensation for their services, but
13 may be reimbursed for their necessary expenses.

14 Upon the delivery of each State Health Improvement
15 Plan, the Governor shall appoint a SHIP Implementation
16 Coordination Council that includes a range of public,
17 private, and voluntary sector stakeholders and
18 participants in the public health system. The Council
19 shall include the directors of State agencies and entities
20 with public health system responsibilities (or their
21 designees), including,l but not limited to,l the Department
22 of Public Health, Department of Human Services, Department
23 of Healthcare and Family Services, Environmental
24 Protection Agency, Illinois State Board of Education,
25 Department on Aging, Illinois Violence Prevention
26 Authority, Department of Agriculture, Department of

1 Insurance, Department of Financial and Professional
2 Regulation, Department of Transportation, and Department
3 of Commerce and Economic Opportunity and the Chair of the
4 State Board of Health. The Council shall include
5 representatives of local health departments and
6 individuals with expertise who represent an array of
7 organizations and constituencies engaged in public health
8 improvement and prevention, including non-profit public
9 interest groups, health issue groups, faith community
10 groups, health care providers, businesses and employers,
11 academic institutions, and community-based organizations.
12 The Governor shall endeavor to make the membership of the
13 Council representative of the racial, ethnic, gender,
14 socio-economic, and geographic diversity of the State. The
15 Governor shall designate one State agency representative
16 and one other non-governmental member as co-chairs of the
17 Council. The Governor shall designate a member of the
18 Governor's office to serve as liaison to the Council and
19 one or more State agencies to provide or arrange for
20 support to the Council. The members of the SHIP
21 Implementation Coordination Council for each State Health
22 Improvement Plan shall serve until the delivery of the
23 subsequent State Health Improvement Plan, whereupon a new
24 Council shall be appointed. Members of the SHIP Planning
25 Team may serve on the SHIP Implementation Coordination
26 Council if so appointed by the Governor.

1 The SHIP Implementation Coordination Council shall
2 coordinate the efforts and engagement of the public,
3 private, and voluntary sector stakeholders and
4 participants in the public health system to implement each
5 SHIP. The Council shall serve as a forum for collaborative
6 action; coordinate existing and new initiatives; develop
7 detailed implementation steps, with mechanisms for action;
8 implement specific projects; identify public and private
9 funding sources at the local, State and federal level;
10 promote public awareness of the SHIP; advocate for the
11 implementation of the SHIP; and develop an annual report
12 to the Governor, General Assembly, and public regarding
13 the status of implementation of the SHIP. The Council
14 shall not, however, have the authority to direct any
15 public or private entity to take specific action to
16 implement the SHIP.

17 (11) Upon the request of the Governor, to recommend to
18 the Governor candidates for Director of Public Health when
19 vacancies occur in the position.

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

24 (13) (Blank).

25 Upon appointment, the Board shall elect a chairperson from
26 among its members.

1 Members of the Board shall receive compensation for their
2 services at the rate of \$150 per day, not to exceed \$10,000 per
3 year, as designated by the Director for each day required for
4 transacting the business of the Board and shall be reimbursed
5 for necessary expenses incurred in the performance of their
6 duties. The Board shall meet from time to time at the call of
7 the Department, at the call of the chairperson, or upon the
8 request of 3 of its members, but shall not meet less than 4
9 times per year.

10 (b) (Blank).

11 (c) An Advisory Board on Necropsy Service to Medical
12 Examiners Coroners, which shall counsel and advise with the
13 Director on the administration of the Autopsy Act. The
14 Advisory Board shall consist of 11 members, including a senior
15 citizen age 60 or over, appointed by the Governor, one of whom
16 shall be designated as chairman by a majority of the members of
17 the Board. In the appointment of the first Board the Governor
18 shall appoint 3 members to serve for terms of 1 year, 3 for
19 terms of 2 years, and 3 for terms of 3 years. The members first
20 appointed under Public Act 83-1538 shall serve for a term of 3
21 years. All members appointed thereafter shall be appointed for
22 terms of 3 years, except that when an appointment is made to
23 fill a vacancy, the appointment shall be for the remaining
24 term of the position vacant. The members of the Board shall be
25 citizens of the State of Illinois. In the appointment of
26 members of the Advisory Board the Governor shall appoint 3

1 members who shall be persons licensed to practice medicine and
2 surgery in the State of Illinois, at least 2 of whom shall have
3 received post-graduate training in the field of pathology; 3
4 members who are medical examiners ~~duly elected coroners~~ in
5 this State; and 5 members who shall have interest and
6 abilities in the field of forensic medicine but who shall be
7 neither persons licensed to practice any branch of medicine in
8 this State nor medical examiners ~~coroners~~. In the appointment
9 of medical and medical examiner ~~coroner~~ members of the Board,
10 the Governor shall invite nominations from recognized medical
11 and medical examiner ~~coroners~~ organizations in this State
12 respectively. Board members, while serving on business of the
13 Board, shall receive actual necessary travel and subsistence
14 expenses while so serving away from their places of residence.
15 (Source: P.A. 98-463, eff. 8-16-13; 99-527, eff. 1-1-17;
16 revised 7-17-19.)

17 (20 ILCS 5/5-566 new)

18 Sec. 5-566. Transition to Advisory Board on Necropsy
19 Service to Medical Examiners. No later than November 30, 2021,
20 the Governor shall appoint 3 medical examiners to the Board
21 under subsection (c) of Section 5-565, designating for each
22 appointment which coroner on the Board is being replaced, from
23 the medical examiners appointed under subsection (a) of
24 Section 3-3000 of the Counties Code. The terms of the medical
25 examiners appointed under this Section shall expire at the

1 same time of the coroner whom each medical examiner replaced.
2 If all 3 medical examiners are not appointed to the Board under
3 this Section on or before November 30, 2021, the coroner or
4 coroners on the Board who have not yet been replaced with a
5 medical examiner on November 30, 2021 shall continue as Board
6 members until medical examiners are appointed and qualified to
7 replace them.

8 Section 30. The Illinois Act on the Aging is amended by
9 changing Section 4.04 as follows:

10 (20 ILCS 105/4.04) (from Ch. 23, par. 6104.04)

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

1 (a) Long Term Care Ombudsman Program. The Department shall
2 establish a Long Term Care Ombudsman Program, through the
3 Office of State Long Term Care Ombudsman ("the Office"), in
4 accordance with the provisions of the Older Americans Act of
5 1965, as now or hereafter amended. The Long Term Care
6 Ombudsman Program is authorized, subject to sufficient
7 appropriations, to advocate on behalf of older persons and
8 persons with disabilities residing in their own homes or
9 community-based settings, relating to matters which may
10 adversely affect the health, safety, welfare, or rights of
11 such individuals.

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

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

15 (i) Enter any long term care facility or assisted
16 living or shared housing establishment or supportive
17 living facility;

18 (ii) Communicate privately and without restriction
19 with any resident, regardless of age, who consents to
20 the communication;

21 (iii) Seek consent to communicate privately and
22 without restriction with any participant or resident,
23 regardless of age;

24 (iv) Inspect the clinical and other records of a
25 participant or resident, regardless of age, with the
26 express written consent of the participant or

1 resident;

2 (v) Observe all areas of the long term care
3 facility or supportive living facilities, assisted
4 living or shared housing establishment except the
5 living area of any resident who protests the
6 observation; and

7 (vi) Subject to permission of the participant or
8 resident requesting services or his or her
9 representative, enter a home or community-based
10 setting.

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

26 (2.5) "Assisted living establishment" and "shared

1 housing establishment" have the meanings given those terms
2 in Section 10 of the Assisted Living and Shared Housing
3 Act.

4 (2.7) "Supportive living facility" means a facility
5 established under Section 5-5.01a of the Illinois Public
6 Aid Code.

7 (2.8) "Community-based setting" means any place of
8 abode other than an individual's private home.

9 (3) "State Long Term Care Ombudsman" means any person
10 employed by the Department to fulfill the requirements of
11 the Office of State Long Term Care Ombudsman as required
12 under the Older Americans Act of 1965, as now or hereafter
13 amended, and Departmental policy.

14 (3.1) "Ombudsman" means any designated representative
15 of the State Long Term Care Ombudsman Program; provided
16 that the representative, whether he is paid for or
17 volunteers his ombudsman services, shall be qualified and
18 designated by the Office to perform the duties of an
19 ombudsman as specified by the Department in rules and in
20 accordance with the provisions of the Older Americans Act
21 of 1965, as now or hereafter amended.

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

25 (i) A medical assistance waiver administered by
26 the State.

1 (ii) A managed care organization providing care
2 coordination and other services to seniors and persons
3 with disabilities.

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

7 (c) Ombudsman; rules. The Office of State Long Term Care
8 Ombudsman shall be composed of at least one full-time
9 ombudsman and shall include a system of designated regional
10 long term care ombudsman programs. Each regional program shall
11 be designated by the State Long Term Care Ombudsman as a
12 subdivision of the Office and any representative of a regional
13 program shall be treated as a representative of the Office.

14 The Department, in consultation with the Office, shall
15 promulgate administrative rules in accordance with the
16 provisions of the Older Americans Act of 1965, as now or
17 hereafter amended, to establish the responsibilities of the
18 Department and the Office of State Long Term Care Ombudsman
19 and the designated regional Ombudsman programs. The
20 administrative rules shall include the responsibility of the
21 Office and designated regional programs to investigate and
22 resolve complaints made by or on behalf of residents of long
23 term care facilities, supportive living facilities, and
24 assisted living and shared housing establishments, and
25 participants residing in their own homes or community-based
26 settings, including the option to serve residents and

1 participants under the age of 60, relating to actions,
2 inaction, or decisions of providers, or their representatives,
3 of such facilities and establishments, of public agencies, or
4 of social services agencies, which may adversely affect the
5 health, safety, welfare, or rights of such residents and
6 participants. The Office and designated regional programs may
7 represent all residents and participants, but are not required
8 by this Act to represent persons under 60 years of age, except
9 to the extent required by federal law. When necessary and
10 appropriate, representatives of the Office shall refer
11 complaints to the appropriate regulatory State agency. The
12 Department, in consultation with the Office, shall cooperate
13 with the Department of Human Services and other State agencies
14 in providing information and training to designated regional
15 long term care ombudsman programs about the appropriate
16 assessment and treatment (including information about
17 appropriate supportive services, treatment options, and
18 assessment of rehabilitation potential) of the participants
19 they serve.

20 The State Long Term Care Ombudsman and all other
21 ombudsmen, as defined in paragraph (3.1) of subsection (b)
22 must submit to background checks under the Health Care Worker
23 Background Check Act and receive training, as prescribed by
24 the Illinois Department on Aging, before visiting facilities,
25 private homes, or community-based settings. The training must
26 include information specific to assisted living

1 establishments, supportive living facilities, shared housing
2 establishments, private homes, and community-based settings
3 and to the rights of residents and participants guaranteed
4 under the corresponding Acts and administrative rules.

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

7 (1) In collaboration with the Attorney General, create
8 a Consumer Choice Information Report form to be completed
9 by all licensed long term care facilities to aid
10 Illinoisans and their families in making informed choices
11 about long term care. The Office shall create a Consumer
12 Choice Information Report for each type of licensed long
13 term care facility. The Office shall collaborate with the
14 Attorney General and the Department of Human Services to
15 create a Consumer Choice Information Report form for
16 facilities licensed under the ID/DD Community Care Act or
17 the MC/DD Act.

18 (2) Develop a database of Consumer Choice Information
19 Reports completed by licensed long term care facilities
20 that includes information in the following consumer
21 categories:

22 (A) Medical Care, Services, and Treatment.

23 (B) Special Services and Amenities.

24 (C) Staffing.

25 (D) Facility Statistics and Resident Demographics.

26 (E) Ownership and Administration.

1 (F) Safety and Security.

2 (G) Meals and Nutrition.

3 (H) Rooms, Furnishings, and Equipment.

4 (I) Family, Volunteer, and Visitation Provisions.

5 (3) Make this information accessible to the public,
6 including on the Internet by means of a hyperlink labeled
7 "Resident's Right to Know" on the Office's World Wide Web
8 home page. Information about facilities licensed under the
9 ID/DD Community Care Act or the MC/DD Act shall be made
10 accessible to the public by the Department of Human
11 Services, including on the Internet by means of a
12 hyperlink labeled "Resident's and Families' Right to Know"
13 on the Department of Human Services' "For Customers"
14 website.

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

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

20 (6) Include in the Office's Consumer Choice
21 Information Report for each type of licensed long term
22 care facility additional information on each licensed long
23 term care facility in the State of Illinois, including
24 information regarding each facility's compliance with the
25 relevant State and federal statutes, rules, and standards;
26 customer satisfaction surveys; and information generated

1 from quality measures developed by the Centers for
2 Medicare and Medicaid Services.

3 (d) Access and visitation rights.

4 (1) In accordance with subparagraphs (A) and (E) of
5 paragraph (3) of subsection (c) of Section 1819 and
6 subparagraphs (A) and (E) of paragraph (3) of subsection
7 (c) of Section 1919 of the Social Security Act, as now or
8 hereafter amended (42 U.S.C. 1395i-3 (c) (3) (A) and (E) and
9 42 U.S.C. 1396r (c) (3) (A) and (E)), and Section 712 of the
10 Older Americans Act of 1965, as now or hereafter amended
11 (42 U.S.C. 3058f), a long term care facility, supportive
12 living facility, assisted living establishment, and shared
13 housing establishment must:

14 (i) permit immediate access to any resident,
15 regardless of age, by a designated ombudsman;

16 (ii) permit representatives of the Office, with
17 the permission of the resident's legal representative
18 or legal guardian, to examine a resident's clinical
19 and other records, regardless of the age of the
20 resident, and if a resident is unable to consent to
21 such review, and has no legal guardian, permit
22 representatives of the Office appropriate access, as
23 defined by the Department, in consultation with the
24 Office, in administrative rules, to the resident's
25 records; and

26 (iii) permit a representative of the Program to

1 communicate privately and without restriction with any
2 participant who consents to the communication
3 regardless of the consent of, or withholding of
4 consent by, a legal guardian or an agent named in a
5 power of attorney executed by the participant.

6 (2) Each long term care facility, supportive living
7 facility, assisted living establishment, and shared
8 housing establishment shall display, in multiple,
9 conspicuous public places within the facility accessible
10 to both visitors and residents and in an easily readable
11 format, the address and phone number of the Office of the
12 Long Term Care Ombudsman, in a manner prescribed by the
13 Office.

14 (e) Immunity. An ombudsman or any representative of the
15 Office participating in the good faith performance of his or
16 her official duties shall have immunity from any liability
17 (civil, criminal or otherwise) in any proceedings (civil,
18 criminal or otherwise) brought as a consequence of the
19 performance of his official duties.

20 (f) Business offenses.

21 (1) No person shall:

22 (i) Intentionally prevent, interfere with, or
23 attempt to impede in any way any representative of the
24 Office in the performance of his official duties under
25 this Act and the Older Americans Act of 1965; or

26 (ii) Intentionally retaliate, discriminate

1 against, or effect reprisals against any long term
2 care facility resident or employee for contacting or
3 providing information to any representative of the
4 Office.

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

7 (3) The State Long Term Care Ombudsman shall notify
8 the State's Attorney of the county in which the long term
9 care facility, supportive living facility, or assisted
10 living or shared housing establishment is located, or the
11 Attorney General, of any violations of this Section.

12 (g) Confidentiality of records and identities. The
13 Department shall establish procedures for the disclosure by
14 the State Ombudsman or the regional ombudsmen entities of
15 files maintained by the program. The procedures shall provide
16 that the files and records may be disclosed only at the
17 discretion of the State Long Term Care Ombudsman or the person
18 designated by the State Ombudsman to disclose the files and
19 records, and the procedures shall prohibit the disclosure of
20 the identity of any complainant, resident, participant,
21 witness, or employee of a long term care provider unless:

22 (1) the complainant, resident, participant, witness,
23 or employee of a long term care provider or his or her
24 legal representative consents to the disclosure and the
25 consent is in writing;

26 (2) the complainant, resident, participant, witness,

1 or employee of a long term care provider gives consent
2 orally; and the consent is documented contemporaneously in
3 writing in accordance with such requirements as the
4 Department shall establish; or

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

6 (h) Legal representation. The Attorney General shall
7 provide legal representation to any representative of the
8 Office against whom suit or other legal action is brought in
9 connection with the performance of the representative's
10 official duties, in accordance with the State Employee
11 Indemnification Act.

12 (i) Treatment by prayer and spiritual means. Nothing in
13 this Act shall be construed to authorize or require the
14 medical supervision, regulation or control of remedial care or
15 treatment of any resident in a long term care facility
16 operated exclusively by and for members or adherents of any
17 church or religious denomination the tenets and practices of
18 which include reliance solely upon spiritual means through
19 prayer for healing.

20 (j) The Long Term Care Ombudsman Fund is created as a
21 special fund in the State treasury to receive moneys for the
22 express purposes of this Section. All interest earned on
23 moneys in the fund shall be credited to the fund. Moneys
24 contained in the fund shall be used to support the purposes of
25 this Section.

26 (k) Each Regional Ombudsman may, in accordance with rules

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

18 (Source: P.A. 98-380, eff. 8-16-13; 98-989, eff. 1-1-15;
19 99-180, eff. 7-29-15; 99-712, eff. 8-5-16.)

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

22 (20 ILCS 515/15)

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

24 (a) The Inspector General of the Department, in

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

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

14 (1) Pediatrician or other physician knowledgeable
15 about child abuse and neglect.

16 (2) Representative of the Department.

17 (3) State's attorney or State's attorney's
18 representative.

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

20 (5) Psychologist or psychiatrist.

21 (6) Representative of a local health department.

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

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

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

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

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

4 (12) Representative of the Department of Public
5 Health.

6 Each child death review team may make recommendations to
7 the Inspector General of the Department concerning additional
8 appointments. In the event of a disagreement, the Executive
9 Council's decision shall control.

10 Each child death review team member must have demonstrated
11 experience and an interest in investigating, treating, or
12 preventing child abuse or neglect.

13 (c) Each child death review team shall select a
14 chairperson and vice-chairperson from among its members. The
15 chairperson shall also serve on the Illinois Child Death
16 Review Teams Executive Council. The vice-chairperson may also
17 serve on the Illinois Child Death Review Teams Executive
18 Council, but shall not have a vote on child death review team
19 business unless the chairperson is unable to attend a meeting.

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

22 (e) The Department shall provide at least one full-time
23 Statewide Department of Children and Family Services Liaison
24 who shall attend all child death review team meetings, all
25 Executive meetings, all Executive Council meetings, and
26 meetings between the Director and the Executive Council.

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

2 (20 ILCS 515/20)

3 Sec. 20. Reviews of child deaths.

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

7 (1) A youth in care.

8 (2) The subject of an open service case maintained by
9 the Department.

10 (3) The subject of a pending child abuse or neglect
11 investigation.

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

15 (5) Any other child whose death is reported to the
16 State central register as a result of alleged child abuse
17 or neglect which report is subsequently indicated.

18 A child death review team may, at its discretion, review
19 other sudden, unexpected, or unexplained child deaths, cases
20 of serious or fatal injuries to a child identified under the
21 Children's Advocacy Center Act, and all unfounded child death
22 cases.

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

25 (1) Assist in determining the cause and manner of the

1 child's death, when requested.

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

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

7 (4) Promote continuing education for professionals
8 involved in investigating, treating, and preventing child
9 abuse and neglect as a means of preventing child deaths
10 due to abuse or neglect.

11 (5) Make specific recommendations to the Director and
12 the Inspector General of the Department concerning the
13 prevention of child deaths due to abuse or neglect and the
14 establishment of protocols for investigating child deaths.

15 (c) A child death review team shall review a child death as
16 soon as practical and not later than 90 days following the
17 completion by the Department of the investigation of the death
18 under the Abused and Neglected Child Reporting Act. When there
19 has been no investigation by the Department, the child death
20 review team shall review a child's death within 90 days after
21 obtaining the information necessary to complete the review
22 from the ~~coroner,~~ pathologist, medical examiner, or law
23 enforcement agency, depending on the nature of the case. A
24 child death review team shall meet at least once in each
25 calendar quarter.

26 (d) The Director shall, within 90 days, review and reply

1 to recommendations made by a team under item (5) of subsection
2 (b). With respect to each recommendation made by a team, the
3 Director shall submit his or her reply both to the chairperson
4 of that team and to the chairperson of the Executive Council.
5 The Director's reply to each recommendation must include a
6 statement as to whether the Director intends to implement the
7 recommendation. The Director shall meet in person with the
8 Executive Council at least every 60 days to discuss
9 recommendations and the Department's responses.

10 The Director shall implement recommendations as feasible
11 and appropriate and shall respond in writing to explain the
12 implementation or nonimplementation of the recommendations.

13 (e) Within 90 days after the Director submits a reply with
14 respect to a recommendation as required by subsection (d), the
15 Director must submit an additional report that sets forth in
16 detail the way, if any, in which the Director will implement
17 the recommendation and the schedule for implementing the
18 recommendation. The Director shall submit this report to the
19 chairperson of the team that made the recommendation and to
20 the chairperson of the Executive Council.

21 (f) Within 180 days after the Director submits a report
22 under subsection (e) concerning the implementation of a
23 recommendation, the Director shall submit a further report to
24 the chairperson of the team that made the recommendation and
25 to the chairperson of the Executive Council. This report shall
26 set forth the specific changes in the Department's policies

1 and procedures that have been made in response to the
2 recommendation.

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

4 (20 ILCS 515/25)

5 Sec. 25. Team access to information.

6 (a) No later than 21 days prior to a child death review
7 team meeting, the Department shall provide to a child death
8 review team and its staff all records and information in the
9 Department's possession that are relevant to the team's review
10 of a child death, including records and information concerning
11 previous reports or investigations of suspected child abuse or
12 neglect, all records and information from the Statewide
13 Automated Child Welfare Information System or from any other
14 database maintained by the Department, and all documents,
15 including, but not limited to, police reports and medical
16 information.

17 (b) A child death review team shall have access to all
18 records and information that are relevant to its review of a
19 child death and in the possession of a State or local
20 governmental agency, including, but not limited to,
21 information gained through the Child Advocacy Center protocol
22 for cases of serious or fatal injury to a child. These records
23 and information include, without limitation, birth
24 certificates, all relevant medical and mental health records,
25 records of law enforcement agency investigations, records of

1 ~~coroner or~~ medical examiner investigations, records of the
2 Department of Corrections and Department of Juvenile Justice
3 concerning a person's parole or aftercare release, records of
4 a probation and court services department, and records of a
5 social services agency that provided services to the child or
6 the child's family.

7 (c) Child death review team staff must have full access to
8 the Statewide Automated Child Welfare Information System, any
9 other child welfare database maintained by the Department, and
10 any child death certificates held by the Office of Vital
11 Records within the Department of Public Health.

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

13 (20 ILCS 515/40)

14 Sec. 40. Illinois Child Death Review Teams Executive
15 Council.

16 (a) The Illinois Child Death Review Teams Executive
17 Council, consisting of the chairpersons of the 9 child death
18 review teams in Illinois, is the coordinating and oversight
19 body for child death review teams and activities in Illinois.
20 The vice-chairperson of a child death review team, as
21 designated by the chairperson, may serve as a back-up member
22 or an alternate member of the Executive Council, if the
23 chairperson of the child death review team is unavailable to
24 serve on the Executive Council. The Inspector General of the
25 Department, ex officio, is a non-voting member of the

1 Executive Council. The Inspector General of the Department may
2 appoint to the Executive Council any additional ex-officio
3 members deemed necessary. Persons with expertise needed by the
4 Executive Council may be invited to meetings. The Executive
5 Council must select from its members a chairperson and a
6 vice-chairperson, each to serve a 2-year, renewable term.

7 The Executive Council must meet at least 4 times during
8 each calendar year. At each such meeting, in addition to any
9 other matters under consideration, the Executive Council shall
10 review all replies and reports received from the Director
11 pursuant to subsections (d), (e), and (f) of Section 20 since
12 the Executive Council's previous meeting. The Executive
13 Council's review must include consideration of the Director's
14 proposed manner of and schedule for implementing each
15 recommendation made by a child death review team.

16 (b) The Department must provide or arrange for the staff
17 support necessary for the Executive Council to carry out its
18 duties. This includes a full-time Executive Director and
19 support staff person. The Inspector General of the Department,
20 in cooperation and consultation with the Executive Council,
21 shall appoint, reappoint, and remove team members. In the
22 event of a disagreement, the Executive Council's decision
23 shall control. From funds available, the Director may select
24 from a list of 2 or more candidates recommended by the
25 Executive Council to serve as the Child Death Review Teams
26 Executive Director. The Child Death Review Teams Executive

1 Director shall oversee the operations of the child death
2 review teams and shall report directly to the Executive
3 Council.

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

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

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

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

15 (4) To collaborate with the General Assembly, the
16 Department, and others in order to develop any legislation
17 needed to prevent child fatalities and to protect
18 children.

19 (5) To assist in the development of quarterly and
20 annual reports based on the work and the findings of the
21 teams.

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

25 (7) To serve as a link with child death review teams
26 throughout the country and to participate in national

1 child death review team activities.

2 (8) To develop an annual statewide symposium to update
3 the knowledge and skills of child death review team
4 members and to promote the exchange of information between
5 teams.

6 (9) To provide the child death review teams with the
7 most current information and practices concerning child
8 death review and related topics.

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

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

22 (1) The Governor.

23 (2) Each member of the Senate or the House of
24 Representatives, county ~~coroners~~ and medical examiners,
25 and State's Attorneys, in the sole discretion of the
26 Executive Council.

1 (3) Each member of each child death review team in the
2 State.

3 (d) In any instance when a child death review team does not
4 operate in accordance with established protocol, the Director,
5 in consultation and cooperation with the Executive Council,
6 must take any necessary actions to bring the team into
7 compliance with the protocol.

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

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

11 (20 ILCS 1305/1-17)

12 Sec. 1-17. Inspector General.

13 (a) Nature and purpose. It is the express intent of the
14 General Assembly to ensure the health, safety, and financial
15 condition of individuals receiving services in this State due
16 to mental illness, developmental disability, or both by
17 protecting those persons from acts of abuse, neglect, or both
18 by service providers. To that end, the Office of the Inspector
19 General for the Department of Human Services is created to
20 investigate and report upon allegations of the abuse, neglect,
21 or financial exploitation of individuals receiving services
22 within mental health facilities, developmental disabilities
23 facilities, and community agencies operated, licensed, funded,
24 or certified by the Department of Human Services, but not

1 licensed or certified by any other State agency.

2 (b) Definitions. The following definitions apply to this
3 Section:

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

11 "Agency" or "community agency" means (i) a community
12 agency licensed, funded, or certified by the Department, but
13 not licensed or certified by any other human services agency
14 of the State, to provide mental health service or
15 developmental disabilities service, or (ii) a program
16 licensed, funded, or certified by the Department, but not
17 licensed or certified by any other human services agency of
18 the State, to provide mental health service or developmental
19 disabilities service.

20 "Aggravating circumstance" means a factor that is
21 attendant to a finding and that tends to compound or increase
22 the culpability of the accused.

23 "Allegation" means an assertion, complaint, suspicion, or
24 incident involving any of the following conduct by an
25 employee, facility, or agency against an individual or
26 individuals: mental abuse, physical abuse, sexual abuse,

1 neglect, or financial exploitation.

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

3 "Deflection" means a situation in which an individual is
4 presented for admission to a facility or agency, and the
5 facility staff or agency staff do not admit the individual.
6 "Deflection" includes triage, redirection, and denial of
7 admission.

8 "Department" means the Department of Human Services.

9 "Developmental disability" means "developmental
10 disability" as defined in the Mental Health and Developmental
11 Disabilities Code.

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

19 "Employee" means any person who provides services at the
20 facility or agency on-site or off-site. The service
21 relationship can be with the individual or with the facility
22 or agency. Also, "employee" includes any employee or
23 contractual agent of the Department of Human Services or the
24 community agency involved in providing or monitoring or
25 administering mental health or developmental disability
26 services. This includes but is not limited to: owners,

1 operators, payroll personnel, contractors, subcontractors, and
2 volunteers.

3 "Facility" or "State-operated facility" means a mental
4 health facility or developmental disabilities facility
5 operated by the Department.

6 "Financial exploitation" means taking unjust advantage of
7 an individual's assets, property, or financial resources
8 through deception, intimidation, or conversion for the
9 employee's, facility's, or agency's own advantage or benefit.

10 "Finding" means the Office of Inspector General's
11 determination regarding whether an allegation is
12 substantiated, unsubstantiated, or unfounded.

13 "Health Care Worker Registry" or "Registry" means the
14 Health Care Worker Registry under the Health Care Worker
15 Background Check Act.

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

19 "Mental abuse" means the use of demeaning, intimidating,
20 or threatening words, signs, gestures, or other actions by an
21 employee about an individual and in the presence of an
22 individual or individuals that results in emotional distress
23 or maladaptive behavior, or could have resulted in emotional
24 distress or maladaptive behavior, for any individual present.

25 "Mental illness" means "mental illness" as defined in the
26 Mental Health and Developmental Disabilities Code.

1 "Mentally ill" means having a mental illness.

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

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

16 "Person with a developmental disability" means a person
17 having a developmental disability.

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

23 "Recommendation" means an admonition, separate from a
24 finding, that requires action by the facility, agency, or
25 Department to correct a systemic issue, problem, or deficiency
26 identified during an investigation.

1 "Required reporter" means any employee who suspects,
2 witnesses, or is informed of an allegation of any one or more
3 of the following: mental abuse, physical abuse, sexual abuse,
4 neglect, or financial exploitation.

5 "Secretary" means the Chief Administrative Officer of the
6 Department.

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

20 "Sexually explicit images" includes, but is not limited
21 to, any material which depicts nudity, sexual conduct, or
22 sado-masochistic abuse, or which contains explicit and
23 detailed verbal descriptions or narrative accounts of sexual
24 excitement, sexual conduct, or sado-masochistic abuse.

25 "Substantiated" means there is a preponderance of the
26 evidence to support the allegation.

1 "Unfounded" means there is no credible evidence to support
2 the allegation.

3 "Unsubstantiated" means there is credible evidence, but
4 less than a preponderance of evidence to support the
5 allegation.

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

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

18 (e) Powers and duties. The Inspector General shall
19 investigate reports of suspected mental abuse, physical abuse,
20 sexual abuse, neglect, or financial exploitation of
21 individuals in any mental health or developmental disabilities
22 facility or agency and shall have authority to take immediate
23 action to prevent any one or more of the following from
24 happening to individuals under its jurisdiction: mental abuse,
25 physical abuse, sexual abuse, neglect, or financial
26 exploitation. Upon written request of an agency of this State,

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

16 (f) Limitations. The Inspector General shall not conduct
17 an investigation within an agency or facility if that
18 investigation would be redundant to or interfere with an
19 investigation conducted by another State agency. The Inspector
20 General shall have no supervision over, or involvement in, the
21 routine programmatic, licensing, funding, or certification
22 operations of the Department. Nothing in this subsection
23 limits investigations by the Department that may otherwise be
24 required by law or that may be necessary in the Department's
25 capacity as central administrative authority responsible for
26 the operation of the State's mental health and developmental

1 disabilities facilities.

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

17 (h) Training programs. The Inspector General shall (i)
18 establish a comprehensive program to ensure that every person
19 authorized to conduct investigations receives ongoing training
20 relative to investigation techniques, communication skills,
21 and the appropriate means of interacting with persons
22 receiving treatment for mental illness, developmental
23 disability, or both mental illness and developmental
24 disability, and (ii) establish and conduct periodic training
25 programs for facility and agency employees concerning the
26 prevention and reporting of any one or more of the following:

1 mental abuse, physical abuse, sexual abuse, neglect, egregious
2 neglect, or financial exploitation. The Inspector General
3 shall further ensure (i) every person authorized to conduct
4 investigations at community agencies receives ongoing training
5 in Title 59, Parts 115, 116, and 119 of the Illinois
6 Administrative Code, and (ii) every person authorized to
7 conduct investigations shall receive ongoing training in Title
8 59, Part 50 of the Illinois Administrative Code. Nothing in
9 this Section shall be deemed to prevent the Office of
10 Inspector General from conducting any other training as
11 determined by the Inspector General to be necessary or
12 helpful.

13 (i) Duty to cooperate.

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

26 (2) Any employee who fails to cooperate with an Office

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

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

1 otherwise fails to respond to a subpoena or who knowingly
2 provides false information to the Office of the Inspector
3 General by subpoena during an investigation is guilty of a
4 Class A misdemeanor.

5 (k) Reporting allegations and deaths.

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

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

24 (i) Any death of an individual occurring within 14
25 calendar days after discharge or transfer of the
26 individual from a residential program or facility.

1 (ii) Any death of an individual occurring within
2 24 hours after deflection from a residential program
3 or facility.

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

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

12 (1) Reporting to law enforcement.

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

26 (2) Reporting allegations of adult students with

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

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

1 egregious neglect, or financial exploitation. The director of
2 the facility or agency shall be responsible for maintaining
3 the confidentiality of the investigative report consistent
4 with State and federal law. In a substantiated case, the
5 investigative report shall include any mitigating or
6 aggravating circumstances that were identified during the
7 investigation. If the case involves substantiated neglect, the
8 investigative report shall also state whether egregious
9 neglect was found. An investigative report may also set forth
10 recommendations. All investigative reports prepared by the
11 Office of the Inspector General shall be considered
12 confidential and shall not be released except as provided by
13 the law of this State or as required under applicable federal
14 law. Unsubstantiated and unfounded reports shall not be
15 disclosed except as allowed under Section 6 of the Abused and
16 Neglected Long Term Care Facility Residents Reporting Act. Raw
17 data used to compile the investigative report shall not be
18 subject to release unless required by law or a court order.
19 "Raw data used to compile the investigative report" includes,
20 but is not limited to, any one or more of the following: the
21 initial complaint, witness statements, photographs,
22 investigator's notes, police reports, or incident reports. If
23 the allegations are substantiated, the victim, the victim's
24 guardian, and the accused shall be provided with a redacted
25 copy of the investigative report. Death reports where there
26 was no allegation of abuse or neglect shall only be released

1 pursuant to applicable State or federal law or a valid court
2 order. Unredacted investigative reports, as well as raw data,
3 may be shared with a local law enforcement entity, a State's
4 Attorney's office, or a county medical examiner's ~~coroner's~~
5 office upon written request.

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

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

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

24 (3) Requests for reconsideration. The facility,
25 agency, victim or guardian, or the subject employee may
26 request that the Office of the Inspector General

1 reconsider the finding or findings or the recommendations.

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

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

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

1 (ii) training, (iii) provision of technical assistance
2 relative to administrative needs, licensure, or certification,
3 or (iv) the imposition of appropriate sanctions.

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

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

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

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

1 employee shall have the right to request that the
2 administrative law judge consider a stipulated disposition
3 of these proceedings.

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

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

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

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

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

1 (u) Quality Care Board. There is created, within the
2 Office of the Inspector General, a Quality Care Board to be
3 composed of 7 members appointed by the Governor with the
4 advice and consent of the Senate. One of the members shall be
5 designated as chairman by the Governor. Of the initial
6 appointments made by the Governor, 4 Board members shall each
7 be appointed for a term of 4 years and 3 members shall each be
8 appointed for a term of 2 years. Upon the expiration of each
9 member's term, a successor shall be appointed for a term of 4
10 years. In the case of a vacancy in the office of any member,
11 the Governor shall appoint a successor for the remainder of
12 the unexpired term.

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

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

1 The Board shall monitor and oversee the operations,
2 policies, and procedures of the Inspector General to ensure
3 the prompt and thorough investigation of allegations of
4 neglect and abuse. In fulfilling these responsibilities, the
5 Board may do the following:

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

10 (2) Review existing regulations relating to the
11 operation of facilities.

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

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

18 (v) Annual report. The Inspector General shall provide to
19 the General Assembly and the Governor, no later than January 1
20 of each year, a summary of reports and investigations made
21 under this Act for the prior fiscal year with respect to
22 individuals receiving mental health or developmental
23 disabilities services. The report shall detail the imposition
24 of sanctions, if any, and the final disposition of any
25 corrective or administrative action directed by the Secretary.
26 The summaries shall not contain any confidential or

1 identifying information of any individual, but shall include
2 objective data identifying any trends in the number of
3 reported allegations, the timeliness of the Office of the
4 Inspector General's investigations, and their disposition, for
5 each facility and Department-wide, for the most recent 3-year
6 time period. The report shall also identify, by facility, the
7 staff-to-patient ratios taking account of direct care staff
8 only. The report shall also include detailed recommended
9 administrative actions and matters for consideration by the
10 General Assembly.

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

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

25 (y) Nothing in this Section shall require a facility,
26 including its employees, agents, medical staff members, and

1 health care professionals, to provide a service to an
2 individual in contravention of that individual's stated or
3 implied objection to the provision of that service on the
4 ground that that service conflicts with the individual's
5 religious beliefs or practices, nor shall the failure to
6 provide a service to an individual be considered abuse under
7 this Section if the individual has objected to the provision
8 of that service based on his or her religious beliefs or
9 practices.

10 (Source: P.A. 100-313, eff. 8-24-17; 100-432, eff. 8-25-17;
11 100-863, eff. 8-14-18; 100-943, eff. 1-1-19; 100-991, eff.
12 8-20-18; 100-1098, eff. 8-26-18; 101-81, eff. 7-12-19.)

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

16 (20 ILCS 2310/2310-236)

17 Sec. 2310-236. Form of medical examiner's ~~coroner's~~
18 report; sudden unexpected infant death and sudden infant death
19 syndrome.

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

1 preliminary investigation:

2 (1) The date and time of death.

3 (2) The county of occurrence and the county of the
4 infant's residence.

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

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

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

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

14 (7) Any additional relevant details concerning the
15 sleep environment that the infant was placed in and what
16 environmental factors were present, to the extent that
17 those factors are ascertainable.

18 (8) Relevant details concerning health hazards present
19 in the sleep environment, to the extent that those health
20 hazards are ascertainable.

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

23 (10) Other information the Department may determine to
24 be relevant and conducive to understanding and recording
25 the circumstances of the infant's death.

26 (b) The Department shall publish current information

1 concerning sudden unexpected infant death and sudden infant
2 death syndrome.

3 (c) At least once every 5 years, the Department shall
4 review the form and determine whether updates need to be made
5 for effectiveness and relevancy.

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

7 (20 ILCS 2310/2310-335) (was 20 ILCS 2310/55.43)

8 Sec. 2310-335. Alzheimer's disease; exchange of
9 information; autopsies.

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

1 confidential communications between patients and therapists or
2 disclosure or exchange of information contained within a
3 therapist's personal notes.

4 (b) Any person identified as a victim of Alzheimer's
5 disease or a related disorder under the Alzheimer's Disease
6 Assistance Act shall be provided information regarding the
7 critical role that autopsies play in the diagnosis and in the
8 conduct of research into the cause and cure of Alzheimer's
9 disease and related disorders. The person, or the spouse or
10 guardian of the person, shall be encouraged to consent to an
11 autopsy upon the person's death.

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

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

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

1 (20 ILCS 2605/2605-40) (was 20 ILCS 2605/55a-4)
2 Sec. 2605-40. Division of Forensic Services. The Division
3 of Forensic Services shall exercise the following functions:

4 (1) (Blank).

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

7 (3) Provide assistance to local law enforcement
8 agencies through training, management, and consultant
9 services.

10 (4) (Blank).

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

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

24 (6.5) Establish administrative rules in order to set
25 forth standardized requirements for the disclosure of
26 toxicology results and other relevant documents related to

1 a toxicological analysis. These administrative rules are
2 to be adopted to produce uniform and sufficient
3 information to allow a proper, well-informed determination
4 of the admissibility of toxicology evidence and to ensure
5 that this evidence is presented competently. These
6 administrative rules are designed to provide a minimum
7 standard for compliance of toxicology evidence and is not
8 intended to limit the production and discovery of material
9 information. These administrative rules shall be submitted
10 by the Department of State Police into the rulemaking
11 process under the Illinois Administrative Procedure Act on
12 or before June 30, 2017.

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

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

20 (20 ILCS 2605/2605-380) (was 20 ILCS 2605/55a-8)
21 Sec. 2605-380. Dental records. The Department shall do the
22 following:

23 (1) Coordinate State participation in a national
24 central repository for dental records of missing persons
25 and unidentified dead bodies.

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

5 (3) Provide information from the file on possible
6 identifications resulting from the comparison of dental
7 records submitted with those records on file, to county
8 medical examiners, ~~coroners,~~ and law enforcement agencies.

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

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

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

19 (20 ILCS 2630/9) (from Ch. 38, par. 206-9)

20 Sec. 9. (a) Every county medical examiner ~~and coroner~~
21 shall, in every death investigation where the identity of a
22 dead body cannot be determined by visual means, fingerprints,
23 or other identifying data, have a qualified dentist, as
24 determined by the county medical examiner ~~or coroner,~~ conduct

1 a dental examination of the dead body. If the county medical
2 examiner ~~or coroner~~, with the aid of the dental examination
3 and other identifiers, is still unable to establish the
4 identity of the dead body, the medical examiner ~~or coroner~~
5 shall forthwith submit the dental records to the Department.

6 (b) If a person reported missing has not been found within
7 30 days, the law enforcement agency to whom the person was
8 reported missing shall, within the next 5 days, make all
9 necessary efforts to locate and request from the family or
10 next of kin of the missing person written consent to contact
11 and receive from the dentist of the missing person that
12 person's dental records and shall forthwith make every
13 reasonable effort to acquire such records. Within 5 days of
14 the receipt of the missing person's dental records, the law
15 enforcement agency shall submit such records to the
16 Department.

17 (c) The Department shall be the State central repository
18 for all dental records submitted pursuant to this Section. The
19 Department may promulgate rules for the form and manner of
20 submission of dental records, reporting of the location or
21 identification of persons for whom dental records have been
22 submitted and other procedures for program operations.

23 (d) When a person who has been reported missing is located
24 and that person's dental records have been submitted to the
25 Department, the law enforcement agency which submitted that
26 person's dental records to the Department shall report that

1 fact to the Department and the Department shall expunge the
2 dental records of that person from the Department's file. The
3 Department shall also expunge from its files the dental
4 records of those dead and missing persons who are positively
5 identified as a result of comparisons made with its files, the
6 files maintained by other states, territories, insular
7 possessions of the United States, or the United States.

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

9 (20 ILCS 2630/9.5)

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

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

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

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

4 Sec. 3. Any person who discovers human skeletal remains
5 subject to this Act shall promptly notify the medical examiner
6 ~~coroner~~. Any person who knowingly fails to report such a
7 discovery within 48 hours is guilty of a Class C misdemeanor,
8 unless such person has reasonable cause to believe that the
9 medical examiner ~~coroner~~ had already been so notified. If the
10 human skeletal remains appear to be from an unregistered
11 grave, the medical examiner ~~coroner~~ shall promptly notify the
12 Department of Natural Resources prior to their removal.
13 Nothing in this Act shall be construed to apply to human
14 skeletal remains subject to Division 3-3 of the Counties Code
15 ~~"An Act to revise the law in relation to coroners"~~.
16 (Source: P.A. 100-695, eff. 8-3-18.)

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

19 (35 ILCS 120/5d) (from Ch. 120, par. 444d)

20 Sec. 5d. The Department is not required to furnish any
21 bond nor to make a deposit for or pay any costs or fees of any
22 court or officer thereof in any judicial proceedings under
23 this Act. Whenever a certified copy of a judgment or order for

1 attachment, issued from any court for the enforcement or
2 collection of any liability created by this Act, is levied by
3 any sheriff or medical examiner ~~coroner~~ upon any personal
4 property, and such property is claimed by any person other
5 than the judgment debtor or the defendant in the attachment,
6 or is claimed by the judgment debtor or defendant in the
7 attachment as exempt from enforcement of a judgment thereon by
8 virtue of the exemption laws of this State, then the person
9 making such claim shall give notice in writing of his or her
10 claim and of his or her intention to prosecute the claim, to
11 the sheriff or medical examiner ~~coroner~~ within 10 days after
12 the making of the levy. On receiving such notice, the sheriff
13 or medical examiner ~~coroner~~ shall proceed in accordance with
14 Part 2 of Article XII of the Code of Civil Procedure, as
15 amended. The giving of such notice within the 10 day period is
16 a condition precedent to any judicial action against the
17 sheriff or medical examiner ~~coroner~~ for wrongfully levying,
18 seizing or selling the property and any such person who fails
19 to give such notice within that time is barred from bringing
20 any judicial action against such sheriff or medical examiner
21 ~~coroner~~ for injury or damages to or conversion of the
22 property.

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

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

1 (35 ILCS 200/19-55)

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

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

8 (35 ILCS 200/21-355)

9 Sec. 21-355. Amount of redemption. Any person desiring to
10 redeem shall deposit an amount specified in this Section with
11 the county clerk of the county in which the property is
12 situated, in legal money of the United States, or by cashier's
13 check, certified check, post office money order or money order
14 issued by a financial institution insured by an agency or
15 instrumentality of the United States, payable to the county
16 clerk of the proper county. The deposit shall be deemed timely
17 only if actually received in person at the county clerk's
18 office prior to the close of business as defined in Section
19 3-2007 of the Counties Code on or before the expiration of the
20 period of redemption or by United States mail with a post
21 office cancellation mark dated not less than one day prior to
22 the expiration of the period of redemption. The deposit shall
23 be in an amount equal to the total of the following:

24 (a) the certificate amount, which shall include all

1 tax principal, special assessments, interest and penalties
2 paid by the tax purchaser together with costs and fees of
3 sale and fees paid under Sections 21-295 and 21-315
4 through 21-335;

5 (b) the accrued penalty, computed through the date of
6 redemption as a percentage of the certificate amount, as
7 follows:

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

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

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

19 (4) if the redemption occurs after 18 months from
20 the date of sale and on or before the expiration of 24
21 months from the date of sale, the certificate amount
22 times 4 times the penalty bid at sale;

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

1 (6) if the redemption occurs after 30 months from
2 the date of sale and on or before the expiration of 36
3 months from the date of sale, the certificate amount
4 times 6 times the penalty bid at sale.

5 In the event that the property to be redeemed has
6 been purchased under Section 21-405, the penalty bid
7 shall be 12% per penalty period as set forth in
8 subparagraphs (1) through (6) of this subsection (b).
9 The changes to this subdivision (b)(6) made by this
10 amendatory Act of the 91st General Assembly are not a
11 new enactment, but declaratory of existing law.

12 (c) The total of all taxes, special assessments,
13 accrued interest on those taxes and special assessments
14 and costs charged in connection with the payment of those
15 taxes or special assessments, which have been paid by the
16 tax certificate holder on or after the date those taxes or
17 special assessments became delinquent together with 12%
18 penalty on each amount so paid for each year or portion
19 thereof intervening between the date of that payment and
20 the date of redemption. In counties with less than
21 3,000,000 inhabitants, however, a tax certificate holder
22 may not pay all or part of an installment of a subsequent
23 tax or special assessment for any year, nor shall any
24 tender of such a payment be accepted, until after the
25 second or final installment of the subsequent tax or
26 special assessment has become delinquent or until after

1 the holder of the certificate of purchase has filed a
2 petition for a tax deed under Section 22.30. The person
3 redeeming shall also pay the amount of interest charged on
4 the subsequent tax or special assessment and paid as a
5 penalty by the tax certificate holder. This amendatory Act
6 of 1995 applies to tax years beginning with the 1995
7 taxes, payable in 1996, and thereafter.

8 (d) Any amount paid to redeem a forfeiture occurring
9 subsequent to the tax sale together with 12% penalty
10 thereon for each year or portion thereof intervening
11 between the date of the forfeiture redemption and the date
12 of redemption from the sale.

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

15 (f) All fees paid to the county clerk under Section
16 22-5.

17 (g) All fees paid to the registrar of titles incident
18 to registering the tax certificate in compliance with the
19 Registered Titles (Torrens) Act.

20 (h) All fees paid to the circuit clerk and the
21 sheriff, a licensed or registered private detective, or
22 the medical examiner ~~coroner~~ in connection with the filing
23 of the petition for tax deed and service of notices under
24 Sections 22-15 through 22-30 and 22-40 in addition to (1)
25 a fee of \$35 if a petition for tax deed has been filed,
26 which fee shall be posted to the tax judgement, sale,

1 redemption, and forfeiture record, to be paid to the
2 purchaser or his or her assignee; (2) a fee of \$4 if a
3 notice under Section 22-5 has been filed, which fee shall
4 be posted to the tax judgment, sale, redemption, and
5 forfeiture record, to be paid to the purchaser or his or
6 her assignee; (3) all costs paid to record a lis pendens
7 notice in connection with filing a petition under this
8 Code; and (4) if a petition for tax deed has been filed,
9 all fees up to \$150 per redemption paid to a registered or
10 licensed title insurance company or title insurance agent
11 for a title search to identify all owners, parties
12 interested, and occupants of the property, to be paid to
13 the purchaser or his or her assignee. The fees in (1) and
14 (2) of this paragraph (h) shall be exempt from the posting
15 requirements of Section 21-360. The costs incurred in
16 causing notices to be served by a licensed or registered
17 private detective under Section 22-15, may not exceed the
18 amount that the sheriff would be authorized by law to
19 charge if those notices had been served by the sheriff.

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

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

24 (k) All costs and expenses of receivership under
25 Section 21-410, to the extent that these costs and
26 expenses exceed any income from the property in question,

1 if the costs and expenditures have been approved by the
2 court appointing the receiver and a certified copy of the
3 order or approval is filed and posted by the certificate
4 holder with the county clerk. Only actual costs expended
5 may be posted on the tax judgment, sale, redemption and
6 forfeiture record.

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

8 (35 ILCS 200/21-385)

9 Sec. 21-385. Extension of period of redemption. The
10 purchaser or his or her assignee of property sold for
11 nonpayment of general taxes or special assessments may extend
12 the period of redemption at any time before the expiration of
13 the original period of redemption, or thereafter prior to the
14 expiration of any extended period of redemption, for a period
15 which will expire not later than 3 years from the date of sale,
16 by filing with the county clerk of the county in which the
17 property is located a written notice to that effect describing
18 the property, stating the date of the sale and specifying the
19 extended period of redemption. Upon receiving the notice, the
20 county clerk shall stamp the date of receipt upon the notice.
21 If the notice is submitted as an electronic record, the county
22 clerk shall acknowledge receipt of the record and shall
23 provide confirmation in the same manner to the certificate
24 holder. The confirmation from the county clerk shall include
25 the date of receipt and shall serve as proof that the notice

1 was filed with the county clerk. The county clerk shall not be
2 required to extend the period of redemption unless the
3 purchaser or his or her assignee obtains this acknowledgement
4 of delivery. If prior to the expiration of the period of
5 redemption or extended period of redemption a petition for tax
6 deed has been filed under Section 22-30, upon application of
7 the petitioner, the court shall allow the purchaser or his or
8 her assignee to extend the period of redemption after
9 expiration of the original period or any extended period of
10 redemption, provided that any extension allowed will expire
11 not later than 3 years from the date of sale, unless the
12 certificate has been assigned to the county collector by order
13 of the court which ordered the property sold, in which case the
14 period of redemption shall be extended for such period as may
15 be designated by the holder of the certificate, such period
16 not to exceed 36 months from the date of the assignment to the
17 collector. If the period of redemption is extended, the
18 purchaser or his or her assignee must give the notices
19 provided for in Section 22-10 at the specified times prior to
20 the expiration of the extended period of redemption by causing
21 a sheriff (or if he or she is disqualified, a medical examiner
22 ~~coroner~~) of the county in which the property, or any part
23 thereof, is located to serve the notices as provided in
24 Sections 22-15 and 22-20. The notices may also be served as
25 provided in Sections 22-15 and 22-20 by a special process
26 server appointed by the court under Section 22-15.

1 (Source: P.A. 100-890, eff. 1-1-19; 100-975, eff. 8-19-18;
2 101-81, eff. 7-12-19.)

3 (35 ILCS 200/22-15)

4 Sec. 22-15. Service of notice. The purchaser or his or her
5 assignee shall give the notice required by Section 22-10 by
6 causing it to be published in a newspaper as set forth in
7 Section 22-20. In addition, the notice shall be served by a
8 sheriff (or if he or she is disqualified, by a medical examiner
9 ~~coroner~~) of the county in which the property, or any part
10 thereof, is located or, except in Cook County, by a person who
11 is licensed or registered as a private detective under the
12 Private Detective, Private Alarm, Private Security,
13 Fingerprint Vendor, and Locksmith Act of 2004 upon owners who
14 reside on any part of the property sold by leaving a copy of
15 the notice with those owners personally.

16 In counties of 3,000,000 or more inhabitants where a
17 taxing district is a petitioner for tax deed pursuant to
18 Section 21-90, in lieu of service by the sheriff or medical
19 examiner ~~coroner~~ the notice may be served by a special process
20 server appointed by the circuit court as provided in this
21 Section. The taxing district may move prior to filing one or
22 more petitions for tax deed for appointment of such a special
23 process server. The court, upon being satisfied that the
24 person named in the motion is at least 18 years of age and is
25 capable of serving notice as required under this Code, shall

1 enter an order appointing such person as a special process
2 server for a period of one year. The appointment may be renewed
3 for successive periods of one year each by motion and order,
4 and a copy of the original and any subsequent order shall be
5 filed in each tax deed case in which a notice is served by the
6 appointed person. Delivery of the notice to and service of the
7 notice by the special process server shall have the same force
8 and effect as its delivery to and service by the sheriff or
9 medical examiner ~~coroner~~.

10 The same form of notice shall also be served, in the manner
11 set forth under Sections 2-203, 2-204, 2-205, 2-205.1, and
12 2-211 of the Code of Civil Procedure, upon all other owners and
13 parties interested in the property, if upon diligent inquiry
14 they can be found in the county, and upon the occupants of the
15 property.

16 If the property sold has more than 4 dwellings or other
17 rental units, and has a managing agent or party who collects
18 rents, that person shall be deemed the occupant and shall be
19 served with notice instead of the occupants of the individual
20 units. If the property has no dwellings or rental units, but
21 economic or recreational activities are carried on therein,
22 the person directing such activities shall be deemed the
23 occupant. Holders of rights of entry and possibilities of
24 reverter shall not be deemed parties interested in the
25 property.

26 When a party interested in the property is a trustee,

1 notice served upon the trustee shall be deemed to have been
2 served upon any beneficiary or note holder thereunder unless
3 the holder of the note is disclosed of record.

4 When a judgment is a lien upon the property sold, the
5 holder of the lien shall be served with notice if the name of
6 the judgment debtor as shown in the transcript, certified copy
7 or memorandum of judgment filed of record is identical, as to
8 given name and surname, with the name of the party interested
9 as it appears of record.

10 If any owner or party interested, upon diligent inquiry
11 and effort, cannot be found or served with notice in the county
12 as provided in this Section, and the person in actual
13 occupancy and possession is tenant to, or in possession under
14 the owners or the parties interested in the property, then
15 service of notice upon the tenant, occupant or person in
16 possession shall be deemed service upon the owners or parties
17 interested.

18 If any owner or party interested, upon diligent inquiry
19 and effort cannot be found or served with notice in the county,
20 then the person making the service shall cause a copy of the
21 notice to be sent by registered or certified mail, return
22 receipt requested, to that party at his or her residence, if
23 ascertainable.

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

1 95-477).

2 (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08;
3 95-876, eff. 8-21-08.)

4 (35 ILCS 200/22-20)

5 Sec. 22-20. Proof of service of notice; publication of
6 notice. The sheriff or medical examiner ~~coroner~~ serving notice
7 under Section 22-15 shall endorse his or her return thereon
8 and file it with the Clerk of the Circuit Court and it shall be
9 a part of the court record. A private detective or a special
10 process server appointed under Section 22-15 shall make his or
11 her return by affidavit and shall file it with the Clerk of the
12 Circuit Court, where it shall be a part of the court record. If
13 a sheriff, private detective, special process server, or
14 medical examiner ~~coroner~~ to whom any notice is delivered for
15 service, neglects or refuses to make the return, the purchaser
16 or his or her assignee may petition the court to enter a rule
17 requiring the sheriff, private detective, 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, private
23 detective, special process server, or medical examiner
24 ~~coroner~~. If good and sufficient cause to excuse the sheriff,
25 private detective, special process server, or medical examiner

1 ~~owner~~ is not shown, the court shall adjudge him or her guilty
2 of a contempt, and shall proceed to punish him as in other
3 cases of contempt.

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

1 of the property, (d) the date upon which the property was sold,
2 (e) the taxes or special assessments for which it was sold and
3 (f) the date on which the period of redemption will expire. The
4 publication shall not include more than one property listed
5 and sold in one description, except as provided in Section
6 21-90, and except that when more than one property is owned by
7 one person, all of the parcels owned by that person may be
8 included in one notice.

9 The changes to this Section made by Public Act 95-477
10 apply only to matters in which a petition for tax deed is filed
11 on or after June 1, 2008 (the effective date of Public Act
12 95-477).

13 (Source: P.A. 95-195, eff. 1-1-08; 95-477, eff. 6-1-08;
14 95-876, eff. 8-21-08.)

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

18 (35 ILCS 516/300)

19 Sec. 300. Amount of redemption. Any person desiring to
20 redeem shall deposit an amount specified in this Section with
21 the county clerk of the county in which the mobile home is
22 situated, in legal money of the United States, or by cashier's
23 check, certified check, post office money order or money
24 order, issued by a financial institution insured by an agency

1 or instrumentality of the United States, payable to the county
2 clerk of the proper county. The deposit shall be deemed timely
3 only if actually received in person at the county clerk's
4 office prior to the close of business as defined in Section
5 3-2007 of the Counties Code on or before the expiration of the
6 period of redemption or by United States mail with a post
7 office cancellation mark dated not less than one day prior to
8 the expiration of the period of redemption. The deposit shall
9 be in an amount equal to the total of the following:

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

14 (b) the accrued penalty, computed through the date of
15 redemption as a percentage of the certificate amount, as
16 follows:

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

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

24 (3) if the redemption occurs after 12 months from
25 the date of sale and on or before the expiration of 18
26 months from the date of sale, the certificate amount

1 times 3 times the penalty bid at sale;

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

6 (5) if the redemption occurs after 24 months from
7 the date of sale and on or before the expiration of 30
8 months from the date of sale, the certificate amount
9 times 5 times the penalty bid at sale;

10 (6) if the redemption occurs after 30 months from
11 the date of sale and on or before the expiration of 36
12 months from the date of sale, the certificate amount
13 times 6 times the penalty bid at sale.

14 (c) The total of all taxes, accrued interest on those
15 taxes, and costs charged in connection with the payment of
16 those taxes, which have been paid by the tax certificate
17 holder on or after the date those taxes became delinquent
18 together with 12% penalty on each amount so paid for each
19 year or portion thereof intervening between the date of
20 that payment and the date of redemption. In counties with
21 less than 3,000,000 inhabitants, however, a tax
22 certificate holder may not pay the subsequent tax for any
23 year, nor shall any tender of such a payment be accepted,
24 until the subsequent tax has become delinquent or until
25 after the holder of the certificate of purchase has filed
26 a petition for a tax certificate of title under Section

1 390. The person redeeming shall also pay the amount of
2 interest charged on the subsequent tax and paid as a
3 penalty by the tax certificate holder.

4 (d) Any amount paid to redeem a forfeiture occurring
5 subsequent to the tax sale together with 12% penalty
6 thereon for each year or portion thereof intervening
7 between the date of the forfeiture redemption and the date
8 of redemption from the sale.

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

11 (f) All fees paid to the county clerk under Section
12 22-5.

13 (g) All fees paid to the circuit clerk and the sheriff
14 or medical examiner ~~coroner~~ in connection with the filing
15 of the petition for tax certificate of title and service
16 of notices under Sections 375 through 390 and 400 in
17 addition to (1) a fee of \$35 if a petition for tax
18 certificate of title has been filed, which fee shall be
19 posted to the tax judgement, sale, redemption, and
20 forfeiture record, to be paid to the purchaser or his or
21 her assignee; (2) a fee of \$4 if a notice under Section 365
22 has been filed, which fee shall be posted to the tax
23 judgment, sale, redemption, and forfeiture record, to be
24 paid to the purchaser or his or her assignee; and (3) all
25 costs paid to record a lis pendens notice in connection
26 with filing a petition under this Act. The fees in (1) and

1 (2) of this paragraph (g) shall be exempt from the posting
2 requirements of Section 305.

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

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

7 (j) All costs and expenses of receivership under
8 Section 350, to the extent that these costs and expenses
9 exceed any income from the mobile home in question, if the
10 costs and expenditures have been approved by the court
11 appointing the receiver and a certified copy of the order
12 or approval is filed and posted by the certificate holder
13 with the county clerk. Only actual costs expended may be
14 posted on the tax judgment, sale, redemption and
15 forfeiture record.

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

17 (35 ILCS 516/330)

18 Sec. 330. Extension of period of redemption. The purchaser
19 or his or her assignee of a mobile home sold for nonpayment of
20 taxes may extend the period of redemption at any time before
21 the expiration of the original period of redemption, or
22 thereafter prior to the expiration of any extended period of
23 redemption, for a period which will expire not later than 3
24 years from the date of sale, by filing with the county clerk of
25 the county in which the mobile home is located a written notice

1 to that effect describing the mobile home, stating the date of
2 the sale and specifying the extended period of redemption. If
3 prior to the expiration of the period of redemption or
4 extended period of redemption a petition for tax certificate
5 of title has been filed under Section 390, upon application of
6 the petitioner, the court shall allow the purchaser or his or
7 her assignee to extend the period of redemption after
8 expiration of the original period or any extended period of
9 redemption, provided that any extension allowed will expire
10 not later than 3 years from the date of sale. If the period of
11 redemption is extended, the purchaser or his or her assignee
12 must give the notices provided for in Section 370 at the
13 specified times prior to the expiration of the extended period
14 of redemption by causing a sheriff (or if he or she is
15 disqualified, a medical examiner ~~coroner~~) of the county in
16 which the mobile home, or any part thereof, is located to serve
17 the notices as provided in Sections 375 and 380. The notices
18 may also be served as provided in Sections 375 and 380 by a
19 special process server.

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

21 (35 ILCS 516/375)

22 Sec. 375. Service of notice. The purchaser or his or her
23 assignee shall give the notice required by Section 370 by
24 causing it to be published in a newspaper as set forth in
25 Section 380. In addition, the notice shall be served by a

1 process server or sheriff (or if he or she is disqualified, by
2 a medical examiner ~~coroner~~) of the county in which the mobile
3 home is located upon owners who reside in the mobile home sold
4 by leaving a copy of the notice with those owners personally.

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

9 (a) as to individuals, by (1) leaving a copy of the
10 notice with the person personally or (2) by leaving a copy
11 at his or her usual place of residence with a person of the
12 family, of the age of 13 years or more, and informing that
13 person of its contents. The person making the service
14 shall cause a copy of the notice to be sent by registered
15 or certified mail, return receipt requested, to that party
16 at his or her usual place of residence;

17 (b) as to public and private corporations, municipal,
18 governmental and quasi-municipal corporations,
19 partnerships, receivers and trustees of corporations, by
20 leaving a copy of the notice with the person designated by
21 the Civil Practice Law.

22 When a party interested in the mobile home is a trustee,
23 notice served upon the trustee shall be deemed to have been
24 served upon any beneficiary or note holder thereunder unless
25 the holder of the note is disclosed of record.

26 When a judgment is a lien upon the mobile home sold, the

1 holder of the lien shall be served with notice if the name of
2 the judgment debtor as shown in the transcript, certified copy
3 or memorandum of judgment filed of record is identical, as to
4 given name and surname, with the name of the party interested
5 as it appears of record.

6 If any owner or party interested, upon diligent inquiry
7 and effort, cannot be found or served with notice in the county
8 as provided in this Section, and the person in actual
9 occupancy and possession is tenant to, or in possession under
10 the owners or the parties interested in the mobile home, then
11 service of notice upon the tenant, occupant or person in
12 possession shall be deemed service upon the owners or parties
13 interested.

14 If any owner or party interested, upon diligent inquiry
15 and effort cannot be found or served with notice in the county,
16 then the person making the service shall cause a copy of the
17 notice to be sent by registered or certified mail, return
18 receipt requested, to that party at his or her residence, if
19 ascertainable.

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

21 (35 ILCS 516/380)

22 Sec. 380. Proof of service of notice; publication of
23 notice. The sheriff or medical examiner ~~coroner~~ serving notice
24 under Section 375 shall endorse his or her return thereon and
25 file it with the clerk of the circuit court and it shall be a

1 part of the court record. A special process server appointed
2 under Section 375 shall make his or her return by affidavit and
3 shall file it with the clerk of the circuit court, where it
4 shall be a part of the court record. If a sheriff, special
5 process server, or medical examiner ~~coroner~~ to whom any notice
6 is delivered for service, neglects or refuses to make the
7 return, the purchaser or his or her assignee may petition the
8 court to enter a rule requiring the sheriff, special process
9 server, or medical examiner ~~coroner~~ to make return of the
10 notice on a day to be fixed by the court, or to show cause on
11 that day why he or she should not be attached for contempt of
12 the court. The purchaser or assignee shall cause a written
13 notice of the rule to be served upon the sheriff, special
14 process server, or medical examiner ~~coroner~~. If good and
15 sufficient cause to excuse the sheriff, special process
16 server, or medical examiner ~~coroner~~ is not shown, the court
17 shall adjudge him or her guilty of contempt, and shall proceed
18 to punish him as in other cases of contempt.

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

1 in the county, then the notice shall be published in the
2 newspaper that is published nearest the county seat of the
3 county in which the mobile home is located. If the owners and
4 parties interested in the mobile home upon diligent inquiry
5 are unknown to the purchaser or his or her assignee, the
6 publication as to such owner or party interested, may be made
7 to unknown owners or parties interested. Any notice by
8 publication given under this Section shall be given 3 times at
9 any time after filing a petition for tax certificate of title,
10 but not less than 3 months nor more than 5 months prior to the
11 expiration of the period of redemption. The publication shall
12 contain (a) notice of the filing of the petition for tax
13 certificate of title, (b) the date on which the petitioner
14 intends to make application for an order on the petition that a
15 tax certificate of title issue, (c) a description of the
16 mobile home, (d) the date upon which the mobile home was sold,
17 (e) the taxes for which it was sold and (f) the date on which
18 the period of redemption will expire. The publication shall
19 not include more than one mobile home listed and sold in one
20 description, except as provided in Section 35, and except that
21 when more than one mobile home is owned by one person, all of
22 the mobile homes owned by that person may be included in one
23 notice.

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

25 Section 80. The Illinois Pension Code is amended by

1 changing Section 7-145.1 as follows:

2 (40 ILCS 5/7-145.1)

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

4 (a) The benefits provided in this Section and Section
5 7-145.2 are available only if, prior to the effective date of
6 this amendatory Act of the 97th General Assembly, the county
7 board has filed with the Board of the Fund a resolution or
8 ordinance expressly consenting to the availability of these
9 benefits for its elected county officers. The county board's
10 consent is irrevocable with respect to persons participating
11 in the program, but may be revoked at any time with respect to
12 persons who have not paid an additional optional contribution
13 under this Section before the date of revocation.

14 An elected county officer may elect to establish
15 alternative credits for an alternative annuity by electing in
16 writing before the effective date of this amendatory Act of
17 the 97th General Assembly to make additional optional
18 contributions in accordance with this Section and procedures
19 established by the board. These alternative credits are
20 available only for periods of service as an elected county
21 officer. The elected county officer may discontinue making the
22 additional optional contributions by notifying the Fund in
23 writing in accordance with this Section and procedures
24 established by the board.

25 Additional optional contributions for the alternative

1 annuity shall be as follows:

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

7 (2) For service as an elected county officer before
8 the option is elected, an additional contribution of 3% of
9 the salary for the applicable period of service, plus
10 interest at the effective rate from the date of service to
11 the date of payment, plus any additional amount required
12 by the county board under paragraph (3). All payments for
13 past service must be paid in full before credit is given.
14 Payment must be received by the Board while the member is
15 an active participant, except that one payment will be
16 permitted after termination of participation.

17 (3) With respect to service as an elected county
18 officer before the option is elected, if payment is made
19 after the county board has filed with the Board of the Fund
20 a resolution or ordinance requiring an additional
21 contribution under this paragraph, then the contribution
22 required under paragraph (2) shall include an amount to be
23 determined by the Fund, equal to the actuarial present
24 value of the additional employer cost that would otherwise
25 result from the alternative credits being established for
26 that service. A county board's resolution or ordinance

1 requiring additional contributions under this paragraph
2 (3) is irrevocable. Payment must be received by the Board
3 while the member is an active participant, except that one
4 payment will be permitted after termination of
5 participation.

6 No additional optional contributions may be made for any
7 period of service for which credit has been previously
8 forfeited by acceptance of a refund, unless the refund is
9 repaid in full with interest at the effective rate from the
10 date of refund to the date of repayment.

11 (b) In lieu of the retirement annuity otherwise payable
12 under this Article, an elected county officer who (1) has
13 elected to participate in the Fund and make additional
14 optional contributions in accordance with this Section, (2)
15 has held and made additional optional contributions with
16 respect to the same elected county office for at least 8 years,
17 and (3) has attained age 55 with at least 8 years of service
18 credit (or has attained age 50 with at least 20 years of
19 service as a sheriff's law enforcement employee) may elect to
20 have his retirement annuity computed as follows: 3% of the
21 participant's salary for each of the first 8 years of service
22 credit, plus 4% of that salary for each of the next 4 years of
23 service credit, plus 5% of that salary for each year of service
24 credit in excess of 12 years, subject to a maximum of 80% of
25 that salary.

26 This formula applies only to service in an elected county

1 office that the officer held for at least 8 years, and only to
2 service for which additional optional contributions have been
3 paid under this Section. If an elected county officer
4 qualifies to have this formula applied to service in more than
5 one elected county office, the qualifying service shall be
6 accumulated for purposes of determining the applicable accrual
7 percentages, but the salary used for each office shall be the
8 separate salary calculated for that office, as defined in
9 subsection (g).

10 To the extent that the elected county officer has service
11 credit that does not qualify for this formula, his retirement
12 annuity will first be determined in accordance with this
13 formula with respect to the service to which this formula
14 applies, and then in accordance with the remaining Sections of
15 this Article with respect to the service to which this formula
16 does not apply.

17 (c) In lieu of the disability benefits otherwise payable
18 under this Article, an elected county officer who (1) has
19 elected to participate in the Fund, and (2) has become
20 permanently disabled and as a consequence is unable to perform
21 the duties of his office, and (3) was making optional
22 contributions in accordance with this Section at the time the
23 disability was incurred, may elect to receive a disability
24 annuity calculated in accordance with the formula in
25 subsection (b). For the purposes of this subsection, an
26 elected county officer shall be considered permanently

1 disabled only if: (i) disability occurs while in service as an
2 elected county officer and is of such a nature as to prevent
3 him from reasonably performing the duties of his office at the
4 time; and (ii) the board has received a written certification
5 by at least 2 licensed physicians appointed by it stating that
6 the officer is disabled and that the disability is likely to be
7 permanent.

8 (d) Refunds of additional optional contributions shall be
9 made on the same basis and under the same conditions as
10 provided under Section 7-166, 7-167 and 7-168. Interest shall
11 be credited at the effective rate on the same basis and under
12 the same conditions as for other contributions.

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

18 (e) The plan of optional alternative benefits and
19 contributions shall be available to persons who are elected
20 county officers and active contributors to the Fund on or
21 after November 15, 1994 and elected to establish alternative
22 credit before the effective date of this amendatory Act of the
23 97th General Assembly. A person who was an elected county
24 officer and an active contributor to the Fund on November 15,
25 1994 but is no longer an active contributor may apply to make
26 additional optional contributions under this Section at any

1 time within 90 days after the effective date of this
2 amendatory Act of 1997; if the person is an annuitant, the
3 resulting increase in annuity shall begin to accrue on the
4 first day of the month following the month in which the
5 required payment is received by the Fund.

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

19 (g) For the purposes of this Section and Section 7-145.2,
20 the term "salary" means the final rate of earnings for the
21 elected county office held, calculated in a manner consistent
22 with Section 7-116, but for that office only. If an elected
23 county officer qualifies to have the formula in subsection (b)
24 applied to service in more than one elected county office, a
25 separate salary shall be calculated and applied with respect
26 to each such office.

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

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

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

18 Section 85. The Illinois Police Training Act is amended by
19 changing Section 10.11 as follows:

20 (50 ILCS 705/10.11)

21 Sec. 10.11. Training; death and homicide investigation.
22 The Illinois Law Enforcement Training ~~and~~ Standards Board
23 shall conduct or approve a training program in death and
24 homicide investigation for the training of law enforcement

1 officers of local government agencies. Only law enforcement
2 officers who successfully complete the training program may be
3 assigned as lead investigators in death and homicide
4 investigations. Satisfactory completion of the training
5 program shall be evidenced by a certificate issued to the law
6 enforcement officer by the Illinois Law Enforcement Training
7 ~~and~~ Standards Board.

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

19 (Source: P.A. 99-408, eff. 1-1-16; revised 11-16-20.)

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

22 (50 ILCS 707/15)

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

24 (a) The Board shall develop model rules for the use of

1 in-car video cameras to be adopted by law enforcement agencies
2 that receive grants under Section 10 of this Act. The rules
3 shall include all of the following requirements:

4 (1) Cameras must be installed in the law enforcement
5 agency vehicles.

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

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

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

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

18 (6) Law enforcement agencies that receive moneys under
19 this grant shall provide for storage of the video records
20 for a period of not less than 2 years.

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

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

3 (2) the number of cameras actually installed in law
4 enforcement agency vehicles;

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

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

14 (5) any other information relevant to the
15 administration of the program.

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

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

19 (50 ILCS 722/15)

20 Sec. 15. Reporting of unidentified persons and human
21 remains.

22 (a) Handling of death scene investigations.

23 (1) The Department of State Police shall provide
24 information to local law enforcement agencies about best

1 practices for handling death scene investigations.

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

7 (b) Law enforcement reports.

8 (1) Before performing any death scene investigation
9 deemed appropriate under the circumstances, the official
10 with custody of the human remains shall ensure that the
11 ~~coroner or~~ medical examiner of the county in which the
12 deceased was found has been notified.

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

17 (3) If the ~~coroner or~~ medical examiner with custody of
18 remains cannot determine whether or not the remains found
19 are human, the ~~coroner or~~ medical examiner shall notify
20 the Department of State Police of the existence of
21 possible human remains.

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

23 (50 ILCS 722/20)

24 Sec. 20. Unidentified persons or human remains
25 identification responsibilities.

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

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

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

17 (1) photographs of the human remains (prior to an
18 autopsy);

19 (2) dental and skeletal X-rays;

20 (3) photographs of items found on or with the human
21 remains;

22 (4) fingerprints from the remains;

23 (5) tissue samples suitable for DNA analysis;

24 (6) (blank); and

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

1 (c) No medical examiner ~~or coroner~~ or any other person
2 shall dispose of, or engage in actions that will materially
3 affect the unidentified human remains before the assisting law
4 enforcement agency or, ~~medical examiner, or coroner~~ obtains
5 items essential for human identification efforts listed in
6 subsection (b) of this Section.

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

8 (e) (Blank).

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

17 (f-5) Fingerprints from the unidentified remains,
18 including partial prints, shall be submitted to the Department
19 of State Police or other resource for the purpose of
20 attempting to identify the deceased. The ~~coroner or~~ medical
21 examiner shall cause a dental examination to be performed by a
22 forensic odontologist for the purpose of dental charting,
23 comparison to missing person records, or both. Tissue samples
24 collected for DNA analysis shall be submitted within 30 days
25 of the recovery of the remains to a National Missing and
26 Unidentified Persons System partner laboratory or other

1 resource where DNA profiles are entered into the National DNA
2 Index System upon completion of testing. Forensic
3 anthropological analysis of the remains shall also be
4 considered.

5 (g) (Blank).

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

20 (g-5) The assisting law enforcement agency or medical
21 examiner, ~~or coroner~~ shall obtain a National Crime Information
22 Center number from the Department of State Police to verify
23 entry and maintain this number within the unidentified human
24 remains case file. A National Crime Information Center
25 Unidentified Person record shall remain on file indefinitely
26 or until action is taken by the originating agency to clear or

1 cancel the record. The assisting law enforcement agency or
2 medical examiner, ~~or coroner~~ shall notify the Department of
3 State Police of necessary record modifications or cancellation
4 if identification is made.

5 (h) (Blank).

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

18 (i) Nothing in this Act shall be interpreted to preclude
19 any assisting law enforcement agency, medical examiner,
20 ~~coroner~~, or the Department of State Police from pursuing other
21 efforts to identify human remains including efforts to
22 publicize information, descriptions, or photographs related to
23 the investigation.

24 (j) For historic or prehistoric human skeletal remains
25 determined by an anthropologist to be older than 100 years,
26 jurisdiction shall be transferred to the Department of Natural

1 Resources for further investigation under the Archaeological
2 and Paleontological Resources Protection Act.

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

4 (50 ILCS 722/25)

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

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

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

21 Section 100. The Counties Code is amended by changing
22 Sections 1-4009, 3-3001, 3-3003, 3-3004, 3-3007, 3-3008,
23 3-3009, 3-3010, 3-3012, 3-3013, 3-3014, 3-3015, 3-3016.5,
24 3-3017, 3-3018, 3-3019, 3-3020, 3-3021, 3-3022, 3-3024,

1 3-3025, 3-3026, 3-3027, 3-3028, 3-3029, 3-3031, 3-3032,
2 3-3033, 3-3034, 3-3035, 3-3036, 3-3037, 3-3038, 3-3040,
3 3-3041, 3-3042, 3-3043, 3-3045, 3-14002, 4-6001, 4-6002,
4 4-7001, 4-11002, 5-1085.5, and 5-1106, by changing the
5 headings of Division 3-3 of Article 3 and Division 4-7 of
6 Article 4, and by adding Sections 3-3000, 3-3002.5, 3-3013.3,
7 3-3013.5, and 3-3046 as follows:

8 (55 ILCS 5/1-4009) (from Ch. 34, par. 1-4009)

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

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

21 (55 ILCS 5/Div. 3-3 heading)

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

23 (55 ILCS 5/3-3000 new)

1 Sec. 3-3000. Appointment of medical examiners; medical
2 examiner qualifications; discontinuance of the office of
3 coroner; references to coroner.

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

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

12 (c) On December 1, 2021:

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

19 (2) in counties in which another county officer is
20 performing the duties of the coroner, the powers and
21 duties of the coroner (as being performed by the county
22 officer) are transferred to the medical examiner;

23 (3) the personnel of the office of the coroner (if
24 any) shall be transferred to the office of the medical
25 examiner; the status and rights of such employees and the
26 county under any applicable collective bargaining

1 agreements or contracts, or under any pension, retirement,
2 or annuity plan shall not be affected by this amendatory
3 Act of the 102nd General Assembly;

4 (4) all books, records, papers, documents, property
5 (real and personal), contracts, causes of action, and
6 pending business pertaining to the powers, duties, rights,
7 and responsibilities transferred by this amendatory Act of
8 the 102nd General Assembly from the coroner to the medical
9 examiner, including, but not limited to, material in
10 electronic or magnetic format and necessary computer
11 hardware and software, shall be transferred to the medical
12 examiner;

13 (5) all unexpended appropriations and balances and
14 other funds available for use by the office of the coroner
15 shall be transferred for use by the office of the medical
16 examiner; unexpended balances so transferred shall be
17 expended only for the purpose for which the appropriations
18 were originally made;

19 (6) this amendatory Act of the 102nd General Assembly
20 does not affect any act done, ratified, or canceled or any
21 right occurring or established or any action or proceeding
22 had or commenced in an administrative, civil, or criminal
23 cause by the coroner before the effective date of this
24 amendatory Act of the 102nd General Assembly; such actions
25 or proceedings may be continued by the medical examiner;
26 and

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

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

17 (e) Two or more counties, by resolution of the respective
18 county board or board of county commissioners, may enter into
19 an agreement to appoint: (1) the same person to act as medical
20 examiner for those counties; and (2) the same persons to act as
21 deputy medical examiners and investigators for those counties.
22 A person appointed to act as medical examiner for more than one
23 county must meet the requirements of subsection (b) for all
24 counties.

25 (f) On and after December 1, 2021, references to "coroner"
26 in this Division or in any other provision of law shall mean

1 "medical examiner" except where the context requires
2 otherwise.

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

4 Sec. 3-3001. Commission; training; ~~duties performed by~~
5 ~~other county officer.~~

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

12 (b)(1) Within 30 days of assuming office, a medical
13 examiner appointed ~~coroner elected~~ to that office for the
14 first time shall apply for admission to the Medical Examiner
15 ~~Coroner~~ Training Board medical examiners ~~coroners~~ training
16 program. Completion of the training program shall be within 6
17 months of application. Any medical examiner ~~coroner~~ may direct
18 the chief deputy medical examiner ~~coroner~~ or a deputy medical
19 examiner ~~coroner~~, or both, to attend the training program,
20 provided the medical examiner ~~coroner~~ has completed the
21 training program. Satisfactory completion of the program shall
22 be evidenced by a certificate issued to the medical examiner
23 ~~coroner~~ by the Medical Examiner ~~Coroner~~ Training Board. All
24 medical examiners ~~coroners~~ shall complete the training program
25 at least once while serving as medical examiner ~~coroner~~.

1 (2) In developing the medical examiner ~~coroner~~ training
2 program, the Medical Examiner ~~Coroner~~ Training Board shall
3 consult with the Illinois Coroners and Medical Examiners
4 Association or other organization as approved by the Medical
5 Examiner ~~Coroner~~ Training Board.

6 (3) The Medical Examiner ~~Coroner~~ Training Board shall
7 notify the proper county board of the failure by a medical
8 examiner ~~coroner~~ to successfully complete this training
9 program.

10 (c) Every medical examiner ~~coroner~~ shall attend at least
11 24 hours of accredited continuing education for medical
12 examiners ~~coroners~~ in each calendar year.

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

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

20 (55 ILCS 5/3-3002.5 new)

21 Sec. 3-3002.5. Investigators.

22 (a) The medical examiner may appoint investigators,
23 subject to county board or board of county commissioners
24 appropriation, to assist the medical examiner in carrying out
25 the duties required by this Division. The medical examiner

1 shall determine the qualifications of an investigator, taking
2 into consideration a person's education, training, or
3 experience, and shall be solely responsible for determining
4 the duties assigned to the investigator.

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

11 (c) The medical examiner shall maintain a list of
12 investigators appointed under this Section and their
13 qualifications and shall file the list with all law
14 enforcement agencies in the county.

15 (d) An investigator appointed under subsection (a) shall
16 not:

17 (1) be an agent or employee of a funeral director or
18 funeral establishment;

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

21 (3) make funeral or burial arrangements without
22 approval of the next of kin or the individual responsible
23 for the funeral expenses.

24 (55 ILCS 5/3-3003) (from Ch. 34, par. 3-3003)

25 Sec. 3-3003. Office of medical examiner; compensation;

1 elderly and vulnerable adult death review team; removal of
2 medical examiner or deputy medical examiner ~~Duties of coroner.~~

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

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

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

20 (d) The medical examiner may establish an elderly and
21 vulnerable adult death review team, including developing
22 protocols to be used by the elderly and vulnerable adult death
23 review team in conducting a review of an elderly or vulnerable
24 adult death. If established, one member, except as otherwise
25 noted, of each of the following shall be allowed to
26 participate on the elderly and vulnerable adult death review

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

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

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

22 (55 ILCS 5/3-3004) (from Ch. 34, par. 3-3004)

23 Sec. 3-3004. Bond. Before entering upon the duties of his
24 or her office, he or she shall give bond, with 2 or more
25 sufficient sureties (or, if the county is self-insured, the

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

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

16 (55 ILCS 5/3-3007) (from Ch. 34, par. 3-3007)

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

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

22 (55 ILCS 5/3-3008) (from Ch. 34, par. 3-3008)

23 Sec. 3-3008. Medical examiner ~~Coroner~~ to act when sheriff
24 prejudiced. When it appears from the papers in a case that the

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

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

10 (55 ILCS 5/3-3009) (from Ch. 34, par. 3-3009)

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

1 examiner ~~coroner~~. The designation shall be in writing and
2 filed with the county clerk.

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

4 (55 ILCS 5/3-3010) (from Ch. 34, par. 3-3010)

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

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

17 (55 ILCS 5/3-3012) (from Ch. 34, par. 3-3012)

18 Sec. 3-3012. In-service training expenses. The medical
19 examiner ~~county coroner~~ may maintain a special fund, from
20 which the county board shall authorize payments by voucher
21 between board meetings, to pay necessary travel dues and other
22 expenses incurred in attending workshops, educational seminars
23 and organizational meetings for the purpose of providing
24 in-service training.

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

2 (55 ILCS 5/3-3013) (from Ch. 34, par. 3-3013)

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

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

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

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

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

23 (e) A death where the decedent was not attended by a
24 licensed physician; or

25 (f) A death of a prisoner in a county or municipal

1 jail;

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

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

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

24 In cases of accidental death involving a motor vehicle in
25 which the decedent was (1) the operator or a suspected
26 operator of a motor vehicle, or (2) a pedestrian 16 years of

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

22 In all other cases coming within the jurisdiction of the
23 medical examiner ~~coroner~~ and referred to in subparagraphs (a)
24 through (f) ~~(e)~~ above, blood, and whenever possible, urine
25 samples shall be analyzed for the presence of alcohol and
26 other drugs. When the medical examiner ~~coroner~~ suspects that

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

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

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

14 In all counties, in cases of apparent suicide, homicide,
15 or accidental death or in other cases, within the discretion
16 of the medical examiner ~~coroner~~, the medical examiner ~~coroner~~
17 may summon 8 persons of lawful age from those persons drawn for
18 petit jurors in the county. The summons shall command these
19 persons to present themselves personally at such a place and
20 time as the medical examiner ~~coroner~~ shall determine, and may
21 be in any form which the medical examiner ~~coroner~~ shall
22 determine and may incorporate any reasonable form of request
23 for acknowledgement which the medical examiner ~~coroner~~ deems
24 practical and provides a reliable proof of service. The
25 summons may be served by first class mail. From the 8 persons
26 so summoned, the medical examiner ~~coroner~~ shall select 6 to

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

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

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

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

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

1 other factors, the Department deems appropriate.

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

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

23 The Department of Public Health may adopt rules for record
24 keeping for medical examiner offices where necessary to
25 uniformly report on a public health issue, including those
26 issues mentioned in this Section.

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

4 As used in this Section:

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

7 "Licensed physician" means a person licensed under the
8 Medical Practice Act of 1987.

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

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

12 (55 ILCS 5/3-3013.3 new)

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

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

21 (b) If visual identification of a decedent is impossible
22 as a result of burns, decomposition, or other disfiguring
23 injuries or if the medical examiner is aware that the death is
24 the result of an accident that involved 2 or more individuals
25 who were approximately the same age, sex, height, weight, hair

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

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

19 (55 ILCS 5/3-3013.5 new)

20 Sec. 3-3013.5. Organ donation. If an investigation of the
21 cause and manner of death, regardless of whether the death
22 occurred in a hospital or not, is required under this Division
23 and the medical examiner or his or her designee has notice that
24 the body is of an individual that was a donor or that a gift of
25 all or a part of the body has been designated to be made under

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

15 (1) request to be present during the removal of the
16 donated organs; or

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

18 (55 ILCS 5/3-3014) (from Ch. 34, par. 3-3014)

19 Sec. 3-3014. Autopsy ~~to be performed by licensed~~
20 ~~physician~~; costs; reports. Any medical examination or autopsy
21 conducted pursuant to this Division shall be performed by the
22 medical examiner or deputy medical examiner or, as directed by
23 the medical examiner, a physician duly licensed to practice
24 medicine in all of its branches, and wherever possible by one
25 having special training in pathology. ~~In Class I counties,~~

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

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

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

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

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

22 A medical examiner or any person acting under the
23 authority of the medical examiner who performs the medical
24 examiner's duties for the retention of body parts shall not be
25 liable in a civil action as a result of an act or omission by
26 the person arising out of the person's good faith performance

1 of those duties unless that person's act or omission was the
2 result of that person's negligence.

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

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

7 (55 ILCS 5/3-3015) (from Ch. 34, par. 3-3015)

8 Sec. 3-3015. Circumstances under which autopsy to be
9 performed.

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

23 (b) The medical examiner ~~coroner~~ shall instruct involved
24 parties that embalming of the body is not to be conducted until
25 the toxicology samples are drawn. If a child dies from

1 suspicious or unexplained circumstances, the medical examiner
2 ~~coroner~~ shall secure the services of a pathologist. The
3 Department of Public Health shall provide medical examiners
4 ~~coroners~~ and pathologists with a child death autopsy protocol.

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

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

15 (55 ILCS 5/3-3016.5)

16 Sec. 3-3016.5. Sudden, unexpected death in epilepsy
17 (SUDEP).

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

25 (1) cause to be indicated on the death certificate

1 that SUDEP is the cause or suspected cause of death; and

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

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

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

15 (55 ILCS 5/3-3017) (from Ch. 34, par. 3-3017)

16 Sec. 3-3017. Cremation. In any death where the remains are
17 to be cremated, it shall be the duty of the funeral director or
18 person having custody of the dead body to obtain from the
19 medical examiner ~~coroner~~ a permit to cremate the body. The
20 medical examiner's ~~coroner's~~ permit to cremate shall be
21 presented to the local registrar in applying for the Permit
22 for Disposition of Dead Human Body provided for in Section 21
23 of the Vital Records Act, and the local registrar shall attach
24 the medical examiner's ~~coroner's~~ permit to cremate to the
25 Permit for Disposition of Dead Human Body which is issued. No

1 crematory shall cremate a dead human body unless a Permit for
2 Disposition of Dead Human Body with an attached medical
3 examiner's ~~coroner's~~ permit to cremate has been furnished to
4 authorize the cremation. Any person knowingly violating the
5 provisions of this Section is guilty of a Class A misdemeanor.

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

7 (55 ILCS 5/3-3018) (from Ch. 34, par. 3-3018)

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

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

14 (55 ILCS 5/3-3019) (from Ch. 34, par. 3-3019)

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

16 (a) No dead body which may be subject to the terms of this
17 Division, or the personal property of such a deceased person,
18 shall be handled, moved, disturbed, embalmed or removed from
19 the place of death by any person, except with the permission of
20 the medical examiner ~~coroner~~, unless the same shall be
21 necessary to protect such body or property from damage or
22 destruction, or unless necessary to protect life, safety, or
23 health. Any person knowingly violating the provisions of this
24 subsection ~~Section~~ is guilty of a Class A misdemeanor.

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

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

20 (55 ILCS 5/3-3020) (from Ch. 34, par. 3-3020)

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

24 (a) Every law enforcement official, funeral director,
25 ambulance attendant, hospital director or administrator or

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

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

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

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

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

16 (55 ILCS 5/3-3021) (from Ch. 34, par. 3-3021)

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

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

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

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

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

19 (55 ILCS 5/3-3022) (from Ch. 34, par. 3-3022)

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

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

24 (55 ILCS 5/3-3024) (from Ch. 34, par. 3-3024)

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

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

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

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

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

19 (55 ILCS 5/3-3025) (from Ch. 34, par. 3-3025)

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

1 deliver the same to the medical examiner ~~coroner~~. As part of
2 its verdict, the jury may make recommendations other than for
3 criminal prosecutions.

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

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

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

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

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

22 (55 ILCS 5/3-3027) (from Ch. 34, par. 3-3027)

23 Sec. 3-3027. Notice of inquest. The medical examiner
24 ~~coroner~~ shall make a reasonable attempt to notify the family

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

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

9 (55 ILCS 5/3-3028) (from Ch. 34, par. 3-3028)

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

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

20 (55 ILCS 5/3-3029) (from Ch. 34, par. 3-3029)

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

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

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

7 (55 ILCS 5/3-3031) (from Ch. 34, par. 3-3031)

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

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

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

15 (55 ILCS 5/3-3032) (from Ch. 34, par. 3-3032)

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

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

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

9 (55 ILCS 5/3-3033) (from Ch. 34, par. 3-3033)

10 Sec. 3-3033. Disposition of property. When any valuable
11 personal property, money or papers, are found upon or near the
12 body which is the subject of a medical examiner's ~~coroner's~~
13 investigation, inquiry or inquest is, ~~the coroner shall take~~
14 ~~charge of the same and deliver the same to those entitled to~~
15 ~~its care or possession; but if not claimed as provided in~~
16 Section 3-3019, ~~or if the same shall be necessary to defray the~~
17 ~~expenses of the burial,~~ the medical examiner ~~coroner~~ shall,
18 after giving 10 days' notice of the time and place of sale,
19 sell such property, and after deducting medical examiner's
20 ~~coroner's~~ fees and funeral expenses, deposit the proceeds
21 thereof, and the money and papers so found, with the county
22 treasurer, taking his receipt therefor, there to remain
23 subject to the order of the legal representatives of the
24 deceased, if claimed within 5 years thereafter, or if not
25 claimed within that time, to vest in the county.

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

2 (55 ILCS 5/3-3034) (from Ch. 34, par. 3-3034)

3 Sec. 3-3034. Disposition of body. After the inquest the
4 medical examiner ~~coroner~~ may deliver the body or human remains
5 of the deceased to the family of the deceased or, if there are
6 no family members to accept the body or the remains, then to
7 friends of the deceased, if there be any, but if not, the
8 medical examiner ~~coroner~~ shall cause the body or the remains
9 to be decently buried, cremated, or donated for medical
10 science purposes, the expenses to be paid from the property of
11 the deceased, if there is sufficient, if not, by the county.
12 The medical examiner ~~coroner~~ may not approve the cremation or
13 donation of the body if it is necessary to preserve the body
14 for law enforcement purposes. If the State Treasurer, pursuant
15 to the Revised Uniform Unclaimed Property Act, delivers human
16 remains to the medical examiner ~~coroner~~, the medical examiner
17 ~~coroner~~ shall cause the human remains to be disposed of as
18 provided in this Section. If the police department of any
19 municipality or county investigates abandoned cremated
20 remains, determines that they are human remains, and cannot
21 locate the owner of the remains, then the police shall deliver
22 the remains to the medical examiner ~~coroner~~, and the medical
23 examiner ~~coroner~~ shall cause the remains to be disposed of as
24 provided in this Section.

25 (Source: P.A. 100-22, eff. 1-1-18.)

1 (55 ILCS 5/3-3035) (from Ch. 34, par. 3-3035)

2 Sec. 3-3035. Liability of common carrier for burial
3 expenses. When any railroad, common carrier, airline or any
4 steamboat, barge, propeller or other vessel engaged in whole
5 or in part in carrying passengers for hire, brings the dead
6 body of any person into this State; or, wherever any person
7 dies upon any railroad car, airplane or any such steamboat,
8 barge, propeller or other vessel in this State, or any person
9 is killed by cars or machinery of any railroad company, or by
10 accident thereto, or by accident to or upon any such airplane,
11 steamboat, barge, propeller or other vessel, or by accident
12 thereto, or when the death occurs in or about any mine, mill or
13 manufactory, and such death shall have been caused by the
14 wrongful act, neglect or default of any such railroad company,
15 common carrier, airline, steamboat, barge, propeller or other
16 vessel owner, or of the owner of any mine, mill or manufactory,
17 the company or person owning or operating such railroad cars,
18 common carrier, airline, machinery, barge, steamboat,
19 propeller or other vessel, mine, mill or manufactory, shall be
20 liable to pay the expenses of the medical examiner's ~~coroner's~~
21 inquest upon and for the burial of the deceased, and the same
22 may be recovered in the name of the county, in any circuit
23 court.

24 (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
3 person 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.
24 In case any medical examiner ~~coroner~~ is called into the active

1 military service of the United States, the office of medical
2 examiner ~~coroner~~ shall not be deemed to be vacant during the
3 time such medical examiner ~~coroner~~ is in the active military
4 service of the United States, but the presiding officer of the
5 county board of the county, with the advice and consent of the
6 county board, shall appoint some competent and qualified
7 person to perform and discharge the duties of medical examiner
8 ~~coroner~~ in such county during the time such medical examiner
9 ~~coroner~~ is in the active military service of the United
10 States, and such person shall receive the same compensation as
11 provided by law for the medical examiner ~~coroner~~, apportioned
12 as to the time of service, and such appointment and all
13 authority thereunder shall cease upon the discharge of such
14 medical examiner ~~coroner~~ from the active military service of
15 the United States. Such appointee shall give a bond as
16 required of regularly appointed medical examiners ~~elected~~
17 ~~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
15 all of the duties of the medical examiner ~~coroner~~ in the name
16 of 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

1 from the time the vacancy occurs. ~~If the sheriff of the county~~
2 ~~is selected to perform the duties of the coroner and the~~
3 ~~sheriff 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
20 regulate medical examiners in a manner inconsistent with this
21 Division. This Division is a limitation under subsection (i)
22 of Section 6 of Article VII of the Illinois Constitution on the
23 concurrent exercise by home rule units of powers and functions
24 exercised 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,
19 the compensation of Medical Examiners ~~Coroners~~, County
20 Treasurers, County Clerks, Recorders and Auditors shall be
21 determined under this Section. The County Board in those
22 counties shall fix the amount of the necessary clerk hire,
23 stationery, fuel and other expenses of those officers. The
24 compensation of those officers shall be separate from the

1 necessary clerk hire, stationery, fuel and other expenses, and
2 such compensation (except for medical examiners ~~coroners~~ in
3 those counties with less than 2,000,000 population in which
4 the medical examiner's ~~coroner's~~ compensation is set in
5 accordance with Section 4-6002) shall be fixed within the
6 following limits:

7 To each such officer in counties containing less than
8 14,000 inhabitants, not less than \$13,500 per annum.

9 To each such officer in counties containing 14,000 or more
10 inhabitants, but less than 30,000 inhabitants, not less than
11 \$14,500 per annum.

12 To each such officer in counties containing 30,000 or more
13 inhabitants but less than 60,000 inhabitants, not less than
14 \$15,000 per annum.

15 To each such officer in counties containing 60,000 or more
16 inhabitants but less than 100,000 inhabitants, not less than
17 \$15,000 per annum.

18 To each such officer in counties containing 100,000 or
19 more inhabitants but less than 200,000 inhabitants, not less
20 than \$16,500 per annum.

21 To each such officer in counties containing 200,000 or
22 more inhabitants but less than 300,000 inhabitants, not less
23 than \$18,000 per annum.

24 To each such officer in counties containing 300,000 or
25 more inhabitants but less than 2,000,000 inhabitants, not less
26 than \$20,000 per annum.

1 (b) Those officers beginning a term of office before
2 December 1, 1990 shall be compensated at the rate of their base
3 salary. "Base salary" is the compensation paid for each of
4 those offices, respectively, before July 1, 1989.

5 (c) Those officers beginning a term of office on or after
6 December 1, 1990 shall be compensated as follows:

7 (1) Beginning December 1, 1990, base salary plus at
8 least 3% of base salary.

9 (2) Beginning December 1, 1991, base salary plus at
10 least 6% of base salary.

11 (3) Beginning December 1, 1992, base salary plus at
12 least 9% of base salary.

13 (4) Beginning December 1, 1993, base salary plus at
14 least 12% of base salary.

15 (d) In addition to but separate and apart from the
16 compensation provided in this Section, the county clerk of
17 each county, the recorder of each county, and the chief clerk
18 of each county board of election commissioners shall receive
19 an award as follows:

20 (1) \$4,500 per year after January 1, 1998;

21 (2) \$5,500 per year after January 1, 1999; and

22 (3) \$6,500 per year after January 1, 2000.

23 The total amount required for such awards each year shall be
24 appropriated by the General Assembly to the State Board of
25 Elections which shall distribute the awards in annual lump sum
26 payments to the several county clerks, recorders, and chief

1 election clerks. Beginning December 1, 1990, this annual
2 award, and any other award or stipend paid out of State funds
3 to county officers, shall not affect any other compensation
4 provided by law to be paid to county officers.

5 (e) Beginning December 1, 1990, no county board may reduce
6 or otherwise impair the compensation payable from county funds
7 to a county officer if the reduction or impairment is the
8 result of the county officer receiving an award or stipend
9 payable from State funds.

10 (f) The compensation, necessary clerk hire, stationery,
11 fuel and other expenses of the county auditor, as fixed by the
12 county board, shall be paid by the county.

13 (g) The population of all counties for the purpose of
14 fixing compensation, as herein provided, shall be based upon
15 the last Federal census immediately previous to the election
16 of the officer in question in each county.

17 (h) With respect to an auditor who takes office on or after
18 the effective date of this amendatory Act of the 95th General
19 Assembly, the auditor shall receive an annual stipend of
20 \$6,500 per year. The General Assembly shall appropriate the
21 total amount required for the stipend each year from the
22 Personal Property Tax Replacement Fund to the Department of
23 Revenue, and the Department of Revenue shall distribute the
24 awards in an annual lump sum payment to each county auditor.
25 The stipend shall be in addition to, but separate and apart
26 from, the compensation provided in this Section. No county

1 board may reduce or otherwise impair the compensation payable
2 from county funds to the auditor if the reduction or
3 impairment is the result of the auditor receiving an award or
4 stipend pursuant to this subsection.

5 (Source: P.A. 97-72, eff. 7-1-11.)

6 (55 ILCS 5/4-6002) (from Ch. 34, par. 4-6002)

7 Sec. 4-6002. Medical examiners ~~Coroners~~ in counties of
8 less than 2,000,000.

9 (a) The County Board, in all counties of less than
10 2,000,000 inhabitants, shall fix the compensation of medical
11 examiners ~~Coroners~~ within the limitations fixed by this
12 Division, and shall appropriate for their necessary clerk
13 hire, stationery, fuel, supplies, and other expenses. The
14 compensation of the medical examiners ~~Coroner~~ shall be fixed
15 separately from his necessary clerk hire, stationery, fuel and
16 other expenses, and such compensation shall be fixed within
17 the following limits:

18 To each medical examiner ~~Coroner~~ in counties containing
19 less than 5,000 inhabitants, not less than \$4,500 per annum.

20 To each medical examiner ~~Coroner~~ in counties containing
21 5,000 or more inhabitants but less than 14,000 inhabitants,
22 not less than \$6,000 per annum.

23 To each medical examiner ~~Coroner~~ in counties containing
24 14,000 or more inhabitants, but less than 30,000 inhabitants,
25 not less than \$9,000 per annum.

1 To each medical examiner ~~Coroner~~ in counties containing
2 30,000 or more inhabitants, but less than 60,000 inhabitants,
3 not less than \$14,000 per annum.

4 To each medical examiner ~~Coroner~~ in counties containing
5 60,000 or more inhabitants, but less than 100,000 inhabitants,
6 not less than \$15,000 per annum.

7 To each medical examiner ~~Coroner~~ in counties containing
8 100,000 or more inhabitants, but less than 200,000
9 inhabitants, not less than \$16,500 per annum.

10 To each medical examiner ~~Coroner~~ in counties containing
11 200,000 or more inhabitants, but less than 300,000
12 inhabitants, not less than \$18,000 per annum.

13 To each medical examiner ~~Coroner~~ in counties containing
14 300,000 or more inhabitants, but less than 2,000,000
15 inhabitants, not less than \$20,000 per annum.

16 The population of all counties for the purpose of fixing
17 compensation, as herein provided, shall be based upon the last
18 Federal census immediately previous to the election of the
19 medical examiner ~~Coroner~~ in question in each county. This
20 Section does not apply to a county which has abolished the
21 elective office of medical examiner ~~coroner~~.

22 (b) Those medical examiners ~~coroners~~ beginning a term of
23 office on or after December 1, 1990 shall be compensated as
24 follows:

25 (1) Beginning December 1, 1990, base salary plus at
26 least 3% of base salary.

1 (2) Beginning December 1, 1991, base salary plus at
2 least 6% of base salary.

3 (3) Beginning December 1, 1992, base salary plus at
4 least 9% of base salary.

5 (4) Beginning December 1, 1993, base salary plus at
6 least 12% of base salary.

7 "Base salary", as used in this subsection (b), means the
8 salary in effect before July 1, 1989.

9 (c) In addition to, but separate and apart from, the
10 compensation provided in this Section, subject to
11 appropriation, the medical examiner ~~coroner~~ of each county
12 shall receive an annual stipend of \$6,500 to be paid by the
13 Illinois Department of Revenue out of the Personal Property
14 Tax Replacement Fund if his or her term begins on or after
15 December 1, 2000.

16 (Source: P.A. 97-72, eff. 7-1-11.)

17 (55 ILCS 5/Div. 4-7 heading)

18 Division 4-7. Medical Examiner's ~~Coroner's~~ Fees

19 (55 ILCS 5/4-7001) (from Ch. 34, par. 4-7001)

20 Sec. 4-7001. Medical examiner's ~~Coroner's~~ fees. The fees
21 of the medical examiner's ~~coroner's~~ office shall be as
22 follows:

23 1. For a copy of a transcript of sworn testimony:
24 \$5.00 per page.

1 2. For a copy of an autopsy report (if not included in
2 transcript): \$50.00.

3 3. For a copy of the verdict of a medical examiner's
4 ~~coroner's~~ jury: \$5.00.

5 4. For a copy of a toxicology report: \$25.00.

6 5. For a print of or an electronic file containing a
7 picture obtained by the medical examiner ~~coroner~~: actual
8 cost or \$3.00, whichever is greater.

9 6. For each copy of miscellaneous reports, including
10 artist's drawings but not including police reports: actual
11 cost or \$25.00, whichever is greater.

12 7. For a ~~coroner's or~~ medical examiner's permit to
13 cremate a dead human body: \$50.00. The medical examiner
14 ~~coroner~~ may waive, at his or her discretion, the permit
15 fee if the medical examiner ~~coroner~~ determines that the
16 person is indigent and unable to pay the permit fee or
17 under other special circumstances.

18 All of which fees shall be certified by the court; in the
19 case of inmates of any State charitable or penal institution,
20 the fees shall be paid by the operating department or
21 commission, out of the State Treasury. The medical examiner
22 ~~coroner~~ shall file his or her claim in probate for his or her
23 fees and he or she shall render assistance to the State's
24 attorney in the collection of such fees out of the estate of
25 the deceased. In counties of less than 1,000,000 population,
26 the State's attorney shall collect such fees out of the estate

1 of the deceased.

2 Except as otherwise provided in this Section, whenever the
3 medical examiner ~~coroner~~ is required by law to perform any of
4 the duties of the office of the sheriff, the medical examiner
5 ~~coroner~~ is entitled to the like fees and compensation as are
6 allowed by law to the sheriff for the performance of similar
7 services.

8 Except as otherwise provided in this Section, whenever the
9 medical examiner ~~coroner~~ of any county is required to travel
10 in the performance of his or her duties, he or she shall
11 receive the same mileage fees as are authorized for the
12 sheriff of such county.

13 All fees under this Section collected by or on behalf of
14 the medical examiner's ~~coroner's~~ office shall be paid over to
15 the county treasurer and deposited into a special account in
16 the county treasury. Moneys in the special account shall be
17 used solely for the purchase of electronic and forensic
18 identification equipment or other related supplies and the
19 operating expenses of the medical examiner's ~~coroner's~~ office.

20 (Source: P.A. 96-1161, eff. 7-21-10.)

21 (55 ILCS 5/4-11002) (from Ch. 34, par. 4-11002)

22 Sec. 4-11002. Juror's fees on inquest. The fees of each
23 juror attending an inquest shall be fixed by the county board
24 at a sum not to exceed \$10 per inquest and not to exceed \$40
25 per day, payable out of the county treasury, upon the

1 certificate of the medical examiner or acting medical examiner
2 ~~coroner or acting coroner~~ of the county wherein the inquest
3 was held. Any juror may elect to waive the fees paid for
4 attending an inquest.

5 (Source: P.A. 97-840, eff. 1-1-13.)

6 (55 ILCS 5/5-1085.5)

7 Sec. 5-1085.5. Homicide and questionable death protocol.
8 Each county, except home rule counties, must establish a
9 written protocol to deal with homicides and questionable
10 deaths. The protocol must be promulgated by the Medical
11 Examiner ~~Coroner~~, Sheriff, State's Attorney, all fire
12 departments and fire protection districts located in the
13 county, and all police departments located in the county. The
14 protocol must include at least the following:

15 (a) the types of deaths that fall under the scope of
16 the protocol;

17 (b) the agencies concerned with the death;

18 (c) the area of responsibility for each agency
19 regarding the death; and

20 (d) uniform procedures concerning homicides and
21 questionable deaths.

22 If, prior to the effective date of this amendatory Act of
23 the 92nd General Assembly, a county has established a written
24 protocol that was agreed to by the agencies specified in this
25 Section to deal with homicides and questionable deaths, then

1 that protocol is deemed to satisfy the requirements of this
2 Section.

3 The protocol shall not interfere with reasonable attempts
4 to preserve life, attempt resuscitation, or provide necessary
5 medical services.

6 (Source: P.A. 92-802, eff. 1-1-03.)

7 (55 ILCS 5/5-1106) (from Ch. 34, par. 5-1106)

8 Sec. 5-1106. County offices, equipment and expenditures.
9 It shall be the duty of the county board of each county:

10 First--To erect or otherwise provide when necessary, and
11 the finances of the county will justify it, and keep in repair,
12 a suitable court house, jail and other necessary county
13 buildings, and to provide proper rooms and offices for the
14 accommodation of the county board, State's attorney, county
15 clerk, county treasurer, recorder and sheriff, and to provide
16 suitable furniture therefor. But in counties not under
17 township organization, no appropriations shall be made for the
18 erection of public buildings, without first submitting the
19 proposition to a vote of the people of the county, and the vote
20 shall be submitted in the same manner and under the same
21 restrictions as provided for in like cases in Section 5-2001;
22 and the votes therefor shall be "For taxation," specifying the
23 object, and those against shall be "Against taxation,"
24 specifying the object.

25 Second--To provide and keep in repair, when the finances

1 of the county permit, suitable fireproof safes or offices for
2 the county clerk, State's attorney, county treasurer, recorder
3 and sheriff.

4 Third--To provide reasonable and necessary expenses for
5 the use of the county board, county clerk, county treasurer,
6 recorder, sheriff, medical examiner ~~coroner~~, State's attorney,
7 superintendent of schools, judges and clerks of courts, and
8 supervisor of assessment.

9 Fourth--To cause to be published at the close of each
10 annual, regular or special meeting of the board, a brief
11 statement of the proceedings thereof in one or more newspapers
12 published in the county, in which shall be set forth the name
13 of every individual who shall have had any account audited and
14 allowed by the board and the amount of such claim as allowed,
15 and the amount claimed, and also their proceedings upon the
16 equalization of the assessment roll: Provided, that no
17 publication in a newspaper shall be required unless the same
18 can be done without unreasonable expense.

19 Fifth--To make out at its meeting in September, annually,
20 a full and accurate statement of the receipts and expenditures
21 of the preceding year, which statement shall contain a full
22 and correct description of each item, from whom and on what
23 account received, to whom paid, and on what account expended,
24 together with an accurate statement of the finances of the
25 county at the end of the fiscal year, including all debts and
26 liabilities of every description, and the assets and other

1 means to discharge the same; and within 30 days thereafter to
2 cause the same to be posted up at the court house door, and at
3 2 other places in the county, and published for one week in
4 some newspaper therein, if there is one, and the same can be
5 done without unreasonable expense.

6 Sixth--To provide proper rooms and offices, and for the
7 repair thereof, for the accommodation of the circuit court of
8 the county and for the clerks for such court, and to provide
9 suitable furnishings for such rooms and offices, and to
10 furnish fire proof safes, and the repair thereof, for the
11 offices of the clerks of the circuit court of the county. On or
12 before June 1, 2019, every facility that houses a circuit
13 court room shall include at least one lactation room or area
14 for members of the public to express breast milk in private
15 that is located outside the confines of a restroom and
16 includes, at minimum, a chair, a table, and an electrical
17 outlet, as well as a sink with running water where possible.
18 The court rooms and furnishings thereof shall meet with
19 reasonable minimum standards prescribed by the Supreme Court
20 of Illinois. Such standards shall be substantially the same as
21 those generally accepted in court rooms as to general
22 furnishings, arrangement of bench, tables and chairs,
23 cleanliness, convenience to litigants, decorations, lighting
24 and other such matters relating to the physical appearance of
25 the court room. The lactation rooms and areas shall also meet
26 with reasonable minimum standards prescribed by the Supreme

1 Court, which the Supreme Court is respectfully requested to
2 create, including requirements for posting of notice to the
3 public regarding location and access to lactation rooms and
4 areas, as well as requirements for the addition of a sink with
5 running water in the event of renovation to such facilities.
6 The Supreme Court is also respectfully requested to create
7 minimum standards for training of courthouse staff and
8 personnel regarding location and access to lactation rooms and
9 areas for all people present in the courthouse who need to use
10 lactation rooms and areas.

11 (Source: P.A. 100-947, eff. 1-1-19.)

12 (55 ILCS 5/3-3002 rep.)

13 (55 ILCS 5/3-3011 rep.)

14 (55 ILCS 5/3-3039 rep.)

15 (55 ILCS 5/3-3044 rep.)

16 Section 105. The Counties Code is amended by repealing
17 Sections 3-3002, 3-3011, 3-3039, and 3-3044.

18 Section 110. The Coroner Training Board Act is amended by
19 changing Sections 1, 5, 10, 20, 25, 30, and 35 and adding
20 Section 37 as follows:

21 (55 ILCS 135/1)

22 Sec. 1. Short title. This Act may be cited as the Medical
23 Examiner ~~Coroner~~ Training Board Act.

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

2 (55 ILCS 135/5)

3 Sec. 5. Definitions. As used in this Act:

4 "Board" means the Medical Examiner ~~Coroner~~ Training Board.

5 ~~"Coroner" means coroners and deputy coroners.~~

6 ~~"Coroner training school" means any school located within~~
7 ~~or outside the State of Illinois whether privately or publicly~~
8 ~~owned which offers a course in coroner training and has been~~
9 ~~approved by the Board.~~

10 "Forensic pathologist" means a board certified pathologist
11 by the American Board of Pathology.

12 "Local governmental agency" means any local governmental
13 unit or municipal corporation in this State. It does not
14 include the State of Illinois or any office, officer,
15 department, division, bureau, board, commission, or agency of
16 the State.

17 "Medical examiner" means medical examiners and deputy
18 medical examiners.

19 "Medical examiner training school" means any school
20 located within or outside the State of Illinois, whether
21 privately or publicly owned, which offers a course in medical
22 examiner training and has been approved by the Board.

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

24 (55 ILCS 135/10)

1 Sec. 10. Board; composition; appointments; tenure;
2 vacancies. The Board shall be composed of 5 members who shall
3 be appointed by the Governor as follows: 2 medical examiners
4 ~~coroners~~, one forensic pathologist from the Cook County
5 Medical Examiner's Office, one forensic pathologist from a
6 county other than Cook County, and one citizen of Illinois who
7 is not currently or was a medical examiner ~~coroner~~ or forensic
8 pathologist. The initial appointments by the Governor shall be
9 made on the first Monday of August in 2016 and the initial
10 appointments' terms shall be as follows: one coroner and one
11 forensic pathologist shall be for a period of one year, the
12 second coroner and the second forensic pathologist for 3
13 years, and the citizen for a period of 3 years. Their
14 successors, including those appointed under subsection (c) of
15 Section 37, shall be appointed in like manner for terms to
16 expire the first Monday of August each 3 years thereafter. All
17 members shall serve until their respective successors are
18 appointed and qualify. Vacancies shall be filled by the
19 Governor for the unexpired terms.

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

21 (55 ILCS 135/20)

22 Sec. 20. Powers of the Board. The Board has the following
23 powers and duties:

24 (a) To require units of local government to furnish such
25 reports and information as the Board deems necessary to fully

1 implement this Act.

2 (b) To establish by rule appropriate mandatory minimum
3 standards relating to the training of medical examiners
4 ~~coroners~~, including, but not limited to, Part 1760 of Chapter
5 V of Title 20 of the Illinois Administrative Code. The Board
6 shall consult with the Illinois Coroners and Medical Examiners
7 Association when adopting mandatory minimum standards.

8 (c) To provide appropriate certification to those medical
9 examiners ~~coroners~~ who successfully complete the prescribed
10 minimum standard basic training course.

11 (d) To review and approve annual training curriculum for
12 medical examiners ~~coroners~~.

13 (e) To review and approve applicants to ensure no
14 applicant is admitted to a medical examiner ~~coroner~~ training
15 school unless the applicant is a person of good character and
16 has not been convicted of a felony offense, any of the
17 misdemeanors in Sections 11-1.50, 11-6, 11-9.1, 11-14, 11-17,
18 11-19, 12-2, 12-15, 16-1, 17-1, 17-2, 28-3, 29-1, 31-1, 31-6,
19 31-7, 32-4a, or 32-7 of the Criminal Code of 1961 or the
20 Criminal Code of 2012, subdivision (a)(1) or (a)(2)(C) of
21 Section 11-14.3 of the Criminal Code of 1961 or the Criminal
22 Code of 2012, or subsection (a) of Section 17-32 of the
23 Criminal Code of 1961 or the Criminal Code of 2012, or Section
24 5 or 5.2 of the Cannabis Control Act, or a crime involving
25 moral turpitude under the laws of this State or any other state
26 which if committed in this State would be punishable as a

1 felony or a crime of moral turpitude. The Board may appoint
2 investigators who shall enforce the duties conferred upon the
3 Board by this Act.

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

5 (55 ILCS 135/25)

6 Sec. 25. Selection and certification of schools. The Board
7 shall select and certify medical examiner ~~coroner~~ training
8 schools within or outside the State of Illinois for the
9 purpose of providing basic training for medical examiners
10 ~~coroners~~ and of providing advanced or in-service training for
11 medical examiners ~~coroners~~, which schools may be either
12 publicly or privately owned and operated.

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

14 (55 ILCS 135/30)

15 Sec. 30. Death investigation training; waiver for
16 experience.

17 (a) The Board shall conduct or approve a training program
18 in death investigation for the training of medical examiners
19 ~~coroners~~. Only medical examiners ~~coroners~~ who successfully
20 complete the training program may be assigned as lead
21 investigators in a medical examiner's ~~coroner's~~
22 investigations. Satisfactory completion of the training
23 program shall be evidenced by a certificate issued to the
24 medical examiner ~~coroner~~ by the Board.

1 (b) The Board shall develop a process for waiver
2 applications sent from a medical examiner's ~~coroner's~~ office
3 for those medical examiners ~~coroners~~ whose prior training and
4 experience as a death or homicide investigator may qualify
5 them for a waiver. The Board may issue a waiver at its
6 discretion, based solely on the prior training and experience
7 of a medical examiner ~~coroner~~ as a death or homicide
8 investigator.

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

10 (55 ILCS 135/35)

11 Sec. 35. Acceptance of contributions and gifts. The Board
12 may accept contributions, capital grants, gifts, donations,
13 services or other financial assistance from any individual,
14 association, corporation, the United States of America and any
15 of its agencies or instrumentalities, or any other
16 organization having a legitimate interest in medical examiner
17 ~~coroner~~ training.

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

19 (55 ILCS 135/37 new)

20 Sec. 37. Transition into Medical Examiner Training Board.

21 (a) No later than 60 days after the effective date of this
22 amendatory Act of the 102nd General Assembly, the Board and
23 the Executive Director, if any, shall meet to discuss what
24 changes are necessary, as a result of this amendatory Act of

1 the 102nd General Assembly, to:

2 (1) reports or information furnished to the Board by
3 units of local government;

4 (2) rules that may be adopted for mandatory minimum
5 standards relating to the training of medical examiners;

6 (3) appropriate certification for medical examiners;

7 (4) annual training curriculum for medical examiners;

8 (5) death investigation training for medical
9 examiners; and

10 (6) selection and certification of schools for medical
11 examiner training.

12 (b) The Board shall implement changes necessary under
13 subsection (a) due to this amendatory Act of the 102nd General
14 Assembly so that appointment of medical examiners under
15 subsection (a) of Section 3-3000 of the Counties Code and
16 training of the medical examiners under Section 3-3001 of the
17 Counties Code are not delayed.

18 (c) No later than November 30, 2021, the Governor shall
19 appoint 2 medical examiners, designating for each appointment
20 which coroner on the Board is being replaced, from the medical
21 examiners appointed under subsection (a) of Section 3-3000 of
22 the Counties Code. The terms of the medical examiners
23 appointed under this subsection shall expire at the same time
24 of the coroner whom each medical examiner replaced. If both
25 medical examiners are not appointed to the Board under this
26 subsection on or before November 30, 2021, the coroner or

1 coroners on the Board who have not been replaced with a medical
2 examiner on November 30, 2021 shall continue as Board members
3 until medical examiners are appointed and qualified to replace
4 them.

5 Section 115. The Illinois Drainage Code is amended by
6 changing Section 5-7 as follows:

7 (70 ILCS 605/5-7) (from Ch. 42, par. 5-7)

8 Sec. 5-7. Original assessments - Right to jury. The
9 commissioners and any parties interested have the right to a
10 trial by jury upon all questions as to benefits and damages to
11 any lands and property affected, if a written demand for a jury
12 is filed on or before the date and hour fixed for hearing on
13 the assessment roll. If no demand for a jury trial is filed,
14 then all parties shall be deemed to have waived a jury, and the
15 court shall proceed to hear and determine all questions as to
16 benefits and damages to any lands and other property without a
17 jury. If a trial by jury is demanded by the commissioners or by
18 one or more interested parties, then the court shall submit to
19 the jury all questions as to benefits and damages to any and
20 all lands and property, even though a demand for a jury has not
21 been made by all of the parties interested.

22 If any lands or property are sought to be taken by the
23 exercise of the right of eminent domain, then the compensation
24 to be paid for any lands or property so sought to be taken

1 shall be fixed by a jury, unless a waiver of a trial by jury
2 has been filed by each owner of land or property sought to be
3 taken.

4 If a trial by jury is to be held, the jury may be drawn and
5 summoned in the manner now or hereafter provided for the
6 drawing and summoning of juries for the circuit court. If the
7 jury is not summoned as above provided, then the court may,
8 when the cause is set for trial, direct the clerk of the court
9 to issue a venire for not less than 12 nor more than 24
10 competent jurors, as the court shall direct, and deliver the
11 same to the sheriff or medical examiner ~~coroner~~, who shall
12 summon such jurors from the body of the county to appear before
13 the court at the time set for trial. The jury shall be
14 impaneled, and the parties shall be entitled to challenge
15 jurors as in other civil cases.

16 (Source: P.A. 84-886.)

17 Section 120. The Abuse Prevention Review Team Act is
18 amended by changing Sections 15, 20, and 25 as follows:

19 (210 ILCS 28/15)

20 Sec. 15. Residential health care facility resident sexual
21 assault and death review teams; establishment.

22 (a) The Director, in consultation with the Executive
23 Council and with law enforcement agencies and other
24 professionals who work in the field of investigating,

1 treating, or preventing nursing home resident abuse or neglect
2 in the State, shall appoint members to two residential health
3 care facility resident sexual assault and death review teams.
4 The Director shall appoint more teams if the Director or the
5 existing teams determine that more teams are necessary to
6 achieve the purposes of this Act. An Executive Council shall
7 be organized no later than when at least 4 teams are formed.
8 The members of a team shall be appointed for 2-year staggered
9 terms and shall be eligible for reappointment upon the
10 expiration of their terms.

11 (b) Each review team shall consist of at least one member
12 from each of the following categories:

13 (1) Geriatrician or other physician knowledgeable
14 about nursing home resident abuse and neglect.

15 (2) Representative of the Department.

16 (3) State's Attorney or State's Attorney's
17 representative.

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

19 (5) Representative of the Illinois Attorney General.

20 (6) Psychologist or psychiatrist.

21 (7) Representative of a local health department.

22 (8) Representative of a social service or health care
23 agency that provides services to persons with mental
24 illness, in a program whose accreditation to provide such
25 services is recognized by the Office of Mental Health
26 within the Department of Human Services.

1 (9) Representative of a social service or health care
2 agency that provides services to persons with
3 developmental disabilities, in a program whose
4 accreditation to provide such services is recognized by
5 the Office of Developmental Disabilities within the
6 Department of Human Services.

7 (10) Medical examiner ~~Coroner~~ or forensic pathologist.

8 (11) Representative of the local sub-state ombudsman.

9 (12) Representative of a nursing home resident
10 advocacy organization.

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

13 (14) Representative of an organization that represents
14 nursing homes.

15 Each review team may make recommendations to the Director
16 concerning additional appointments. Each review team member
17 must have demonstrated experience and an interest in
18 investigating, treating, or preventing nursing home resident
19 abuse or neglect.

20 (c) Each review team shall select a chairperson from among
21 its members. The chairperson shall also serve on the Illinois
22 Residential Health Care Facility Sexual Assault and Death
23 Review Teams Executive Council.

24 (Source: P.A. 93-577, eff. 8-21-03; 94-931, eff. 6-26-06.)

25 (210 ILCS 28/20)

1 Sec. 20. Reviews of nursing home resident sexual assaults
2 and deaths.

3 (a) Every case of sexual assault of a nursing home
4 resident that the Department determined to be valid shall be
5 reviewed by the review team for the region that has primary
6 case management responsibility.

7 (b) Every death of a nursing home resident shall be
8 reviewed by the review team for the region that has primary
9 case management responsibility, if the deceased resident is
10 one of the following:

11 (1) A person whose death is reviewed by the Department
12 during any regulatory activity, whether or not there were
13 any federal or State violations.

14 (2) A person about whose care the Department received
15 a complaint alleging that the resident's care violated
16 federal or State standards so as to contribute to the
17 resident's death.

18 (3) A resident whose death is referred to the
19 Department for investigation by a local ~~coroner,~~ medical
20 examiner, or law enforcement agency.

21 A review team may, at its discretion, review other sudden,
22 unexpected, or unexplained nursing home resident deaths. The
23 Department shall bring such deaths to the attention of the
24 teams when it determines that doing so will help to achieve the
25 purposes of this Act.

26 (c) A review team's purpose in conducting reviews of

1 resident sexual assaults and deaths is to do the following:

2 (1) Assist in determining the cause and manner of the
3 resident's assault or death, when requested.

4 (2) Evaluate means, if any, by which the assault or
5 death might have been prevented.

6 (3) Report its findings to the Director and make
7 recommendations that may help to reduce the number of
8 sexual assaults on and unnecessary deaths of nursing home
9 residents.

10 (4) Promote continuing education for professionals
11 involved in investigating, treating, and preventing
12 nursing home resident abuse and neglect as a means of
13 preventing sexual assaults and unnecessary deaths of
14 nursing home residents.

15 (5) Make specific recommendations to the Director
16 concerning the prevention of sexual assaults and
17 unnecessary deaths of nursing home residents and the
18 establishment of protocols for investigating resident
19 sexual assaults and deaths.

20 (d) A review team must review the sexual assault or death
21 cases submitted to it on a quarterly basis. The review team
22 must meet at least once in each calendar quarter if there are
23 cases to be reviewed. The Department shall forward cases
24 pursuant to subsections (a) and (b) of this Section within 120
25 days after completion of the investigation.

26 (e) Within 90 days after receiving recommendations made by

1 a review team under item (5) of subsection (c), the Director
2 must review those recommendations and respond to the review
3 team. The Director shall implement recommendations as feasible
4 and appropriate and shall respond to the review team in
5 writing to explain the implementation or nonimplementation of
6 the recommendations.

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

12 (Source: P.A. 93-577, eff. 8-21-03; 94-931, eff. 6-26-06.)

13 (210 ILCS 28/25)

14 Sec. 25. Review team access to information.

15 (a) The Department shall provide to a review team, on the
16 request of the review team chairperson, all records and
17 information in the Department's possession that are relevant
18 to the review team's review of a sexual assault or death
19 described in subsection (b) of Section 20, including records
20 and information concerning previous reports or investigations
21 of suspected abuse or neglect.

22 (b) A review team shall have access to all records and
23 information that are relevant to its review of a sexual
24 assault or death and in the possession of a State or local
25 governmental agency. These records and information include,

1 without limitation, death certificates, all relevant medical
2 and mental health records, records of law enforcement agency
3 investigations, records of ~~coroner~~ or medical examiner
4 investigations, records of the Department of Corrections and
5 Department of Juvenile Justice concerning a person's parole or
6 aftercare release, records of a probation and court services
7 department, and records of a social services agency that
8 provided services to the resident.

9 (Source: P.A. 98-558, eff. 1-1-14.)

10 Section 125. The Abused and Neglected Long Term Care
11 Facility Residents Reporting Act is amended by changing
12 Section 4 as follows:

13 (210 ILCS 30/4) (from Ch. 111 1/2, par. 4164)

14 Sec. 4. Any long term care facility administrator, agent
15 or employee or any physician, hospital, surgeon, dentist,
16 osteopath, chiropractor, podiatric physician, accredited
17 religious practitioner who provides treatment by spiritual
18 means alone through prayer in accordance with the tenets and
19 practices of the accrediting church, medical examiner ~~coroner~~,
20 social worker, social services administrator, registered
21 nurse, law enforcement officer, field personnel of the
22 Department of Healthcare and Family Services, field personnel
23 of the Illinois Department of Public Health and County or
24 Municipal Health Departments, personnel of the Department of

1 Human Services (acting as the successor to the Department of
2 Mental Health and Developmental Disabilities or the Department
3 of Public Aid), personnel of the Guardianship and Advocacy
4 Commission, personnel of the State Fire Marshal, local fire
5 department inspectors or other personnel, or personnel of the
6 Illinois Department on Aging, or its subsidiary Agencies on
7 Aging, or employee of a facility licensed under the Assisted
8 Living and Shared Housing Act, having reasonable cause to
9 believe any resident with whom they have direct contact has
10 been subjected to abuse or neglect shall immediately report or
11 cause a report to be made to the Department. Persons required
12 to make reports or cause reports to be made under this Section
13 include all employees of the State of Illinois who are
14 involved in providing services to residents, including
15 professionals providing medical or rehabilitation services and
16 all other persons having direct contact with residents; and
17 further include all employees of community service agencies
18 who provide services to a resident of a public or private long
19 term care facility outside of that facility. Any long term
20 care surveyor of the Illinois Department of Public Health who
21 has reasonable cause to believe in the course of a survey that
22 a resident has been abused or neglected and initiates an
23 investigation while on site at the facility shall be exempt
24 from making a report under this Section but the results of any
25 such investigation shall be forwarded to the central register
26 in a manner and form described by the Department.

1 The requirement of this Act shall not relieve any long
2 term care facility administrator, agent or employee of
3 responsibility to report the abuse or neglect of a resident
4 under Section 3-610 of the Nursing Home Care Act or under
5 Section 3-610 of the ID/DD Community Care Act or under Section
6 3-610 of the MC/DD Act or under Section 2-107 of the
7 Specialized Mental Health Rehabilitation Act of 2013.

8 In addition to the above persons required to report
9 suspected resident abuse and neglect, any other person may
10 make a report to the Department, or to any law enforcement
11 officer, if such person has reasonable cause to suspect a
12 resident has been abused or neglected.

13 This Section also applies to residents whose death occurs
14 from suspected abuse or neglect before being found or brought
15 to a hospital.

16 A person required to make reports or cause reports to be
17 made under this Section who fails to comply with the
18 requirements of this Section is guilty of a Class A
19 misdemeanor.

20 (Source: P.A. 98-104, eff. 7-22-13; 98-214, eff. 8-9-13;
21 98-756, eff. 7-16-14; 99-180, eff. 7-29-15.)

22 Section 130. The MC/DD Act is amended by changing Section
23 2-208 as follows:

24 (210 ILCS 46/2-208)

1 Sec. 2-208. Notice of imminent death, unusual incident,
2 abuse, or neglect.

3 (a) A facility shall immediately notify the identified
4 resident's next of kin, guardian, resident's representative,
5 and physician of the resident's death or when the resident's
6 death appears to be imminent. A facility shall immediately
7 notify the Department by telephone of a resident's death
8 within 24 hours after the resident's death. The facility shall
9 notify the Department of the death of a facility's resident
10 that does not occur in the facility immediately upon learning
11 of the death. A facility shall promptly notify the ~~coroner or~~
12 medical examiner of a resident's death in a manner and form to
13 be determined by the Department after consultation with the
14 ~~coroner or~~ medical examiner of the county in which the
15 facility is located. In addition to notice to the Department
16 by telephone, the Department shall require the facility to
17 submit written notification of the death of a resident within
18 72 hours after the death, including a report of any medication
19 errors or other incidents that occurred within 30 days of the
20 resident's death. A facility's failure to comply with this
21 Section shall constitute a Type "B" violation.

22 (b) A facility shall immediately notify the resident's
23 next of kin, guardian, or resident representative of any
24 unusual incident, abuse, or neglect involving the resident. A
25 facility shall immediately notify the Department by telephone
26 of any unusual incident, abuse, or neglect required to be

1 reported pursuant to State law or administrative rule. In
2 addition to notice to the Department by telephone, the
3 Department shall require the facility to submit written
4 notification of any unusual incident, abuse, or neglect within
5 one day after the unusual incident, abuse, or neglect
6 occurring. A facility's failure to comply with this Section
7 shall constitute a Type "B" violation. For purposes of this
8 Section, "unusual incident" means serious injury; unscheduled
9 hospital visit for treatment of serious injury; 9-1-1 calls
10 for emergency services directly relating to a resident threat;
11 or stalking of staff or person served that raises health or
12 safety concerns.

13 (Source: P.A. 99-180, eff. 7-29-15.)

14 Section 135. The ID/DD Community Care Act is amended by
15 changing Section 2-208 as follows:

16 (210 ILCS 47/2-208)

17 Sec. 2-208. Notice of imminent death, unusual incident,
18 abuse, or neglect.

19 (a) A facility shall immediately notify the identified
20 resident's next of kin, guardian, resident's representative,
21 and physician of the resident's death or when the resident's
22 death appears to be imminent. A facility shall immediately
23 notify the Department by telephone of a resident's death
24 within 24 hours after the resident's death. The facility shall

1 notify the Department of the death of a facility's resident
2 that does not occur in the facility immediately upon learning
3 of the death. A facility shall promptly notify the ~~coroner or~~
4 medical examiner of a resident's death in a manner and form to
5 be determined by the Department after consultation with the
6 ~~coroner or~~ medical examiner of the county in which the
7 facility is located. In addition to notice to the Department
8 by telephone, the Department shall require the facility to
9 submit written notification of the death of a resident within
10 72 hours after the death, including a report of any medication
11 errors or other incidents that occurred within 30 days of the
12 resident's death. A facility's failure to comply with this
13 Section shall constitute a Type "B" violation.

14 (b) A facility shall immediately notify the resident's
15 next of kin, guardian, or resident representative of any
16 unusual incident, abuse, or neglect involving the resident. A
17 facility shall immediately notify the Department by telephone
18 of any unusual incident, abuse, or neglect required to be
19 reported pursuant to State law or administrative rule. In
20 addition to notice to the Department by telephone, the
21 Department shall require the facility to submit written
22 notification of any unusual incident, abuse, or neglect within
23 one day after the unusual incident, abuse, or neglect
24 occurring. A facility's failure to comply with this Section
25 shall constitute a Type "B" violation. For purposes of this
26 Section, "unusual incident" means serious injury; unscheduled

1 hospital visit for treatment of serious injury; 9-1-1 calls
2 for emergency services directly relating to a resident threat;
3 or stalking of staff or person served that raises health or
4 safety concerns.

5 (Source: P.A. 96-339, eff. 7-1-10; 97-38, eff. 6-28-11.)

6 Section 140. The Hospital Licensing Act is amended by
7 changing Sections 6.09a and 7 as follows:

8 (210 ILCS 85/6.09a)

9 Sec. 6.09a. Report of death. Every hospital shall promptly
10 report the death of a person readily known to be, without an
11 investigation by the hospital, a resident of a facility
12 licensed under the ID/DD Community Care Act or the MC/DD Act,
13 to the ~~coroner or~~ medical examiner. The ~~coroner or~~ medical
14 examiner shall promptly respond to the report by accepting or
15 not accepting the body for investigation.

16 (Source: P.A. 99-180, eff. 7-29-15.)

17 (210 ILCS 85/7) (from Ch. 111 1/2, par. 148)

18 Sec. 7. (a) The Director after notice and opportunity for
19 hearing to the applicant or licensee may deny, suspend, or
20 revoke a permit to establish a hospital or deny, suspend, or
21 revoke a license to open, conduct, operate, and maintain a
22 hospital in any case in which he finds that there has been a
23 substantial failure to comply with the provisions of this Act,

1 the Hospital Report Card Act, or the Illinois Adverse Health
2 Care Events Reporting Law of 2005 or the standards, rules, and
3 regulations established by virtue of any of those Acts. The
4 Department may impose fines on hospitals, not to exceed \$500
5 per occurrence, for failing to (1) initiate a criminal
6 background check on a patient that meets the criteria for
7 hospital-initiated background checks or (2) report the death
8 of a person known to be a resident of a facility licensed under
9 the ID/DD Community Care Act or the MC/DD Act to the ~~coroner or~~
10 medical examiner within 24 hours as required by Section 6.09a
11 of this Act. In assessing whether to impose such a fine for
12 failure to initiate a criminal background check, the
13 Department shall consider various factors including, but not
14 limited to, whether the hospital has engaged in a pattern or
15 practice of failing to initiate criminal background checks.
16 Money from fines shall be deposited into the Long Term Care
17 Provider Fund.

18 (b) Such notice shall be effected by registered mail or by
19 personal service setting forth the particular reasons for the
20 proposed action and fixing a date, not less than 15 days from
21 the date of such mailing or service, at which time the
22 applicant or licensee shall be given an opportunity for a
23 hearing. Such hearing shall be conducted by the Director or by
24 an employee of the Department designated in writing by the
25 Director as Hearing Officer to conduct the hearing. On the
26 basis of any such hearing, or upon default of the applicant or

1 licensee, the Director shall make a determination specifying
2 his findings and conclusions. In case of a denial to an
3 applicant of a permit to establish a hospital, such
4 determination shall specify the subsection of Section 6 under
5 which the permit was denied and shall contain findings of fact
6 forming the basis of such denial. A copy of such determination
7 shall be sent by registered mail or served personally upon the
8 applicant or licensee. The decision denying, suspending, or
9 revoking a permit or a license shall become final 35 days after
10 it is so mailed or served, unless the applicant or licensee,
11 within such 35 day period, petitions for review pursuant to
12 Section 13.

13 (c) The procedure governing hearings authorized by this
14 Section shall be in accordance with rules promulgated by the
15 Department and approved by the Hospital Licensing Board. A
16 full and complete record shall be kept of all proceedings,
17 including the notice of hearing, complaint, and all other
18 documents in the nature of pleadings, written motions filed in
19 the proceedings, and the report and orders of the Director and
20 Hearing Officer. All testimony shall be reported but need not
21 be transcribed unless the decision is appealed pursuant to
22 Section 13. A copy or copies of the transcript may be obtained
23 by any interested party on payment of the cost of preparing
24 such copy or copies.

25 (d) The Director or Hearing Officer shall upon his own
26 motion, or on the written request of any party to the

1 proceeding, issue subpoenas requiring the attendance and the
2 giving of testimony by witnesses, and subpoenas duces tecum
3 requiring the production of books, papers, records, or
4 memoranda. All subpoenas and subpoenas duces tecum issued
5 under the terms of this Act may be served by any person of full
6 age. The fees of witnesses for attendance and travel shall be
7 the same as the fees of witnesses before the Circuit Court of
8 this State, such fees to be paid when the witness is excused
9 from further attendance. When the witness is subpoenaed at the
10 instance of the Director, or Hearing Officer, such fees shall
11 be paid in the same manner as other expenses of the Department,
12 and when the witness is subpoenaed at the instance of any other
13 party to any such proceeding the Department may require that
14 the cost of service of the subpoena or subpoena duces tecum and
15 the fee of the witness be borne by the party at whose instance
16 the witness is summoned. In such case, the Department in its
17 discretion, may require a deposit to cover the cost of such
18 service and witness fees. A subpoena or subpoena duces tecum
19 issued as aforesaid shall be served in the same manner as a
20 subpoena issued out of a court.

21 (e) Any Circuit Court of this State upon the application
22 of the Director, or upon the application of any other party to
23 the proceeding, may, in its discretion, compel the attendance
24 of witnesses, the production of books, papers, records, or
25 memoranda and the giving of testimony before the Director or
26 Hearing Officer conducting an investigation or holding a

1 hearing authorized by this Act, by an attachment for contempt,
2 or otherwise, in the same manner as production of evidence may
3 be compelled before the court.

4 (f) The Director or Hearing Officer, or any party in an
5 investigation or hearing before the Department, may cause the
6 depositions of witnesses within the State to be taken in the
7 manner prescribed by law for like depositions in civil actions
8 in courts of this State, and to that end compel the attendance
9 of witnesses and the production of books, papers, records, or
10 memoranda.

11 (Source: P.A. 99-180, eff. 7-29-15.)

12 Section 145. The Safe Pharmaceutical Disposal Act is
13 amended by changing Section 18 as follows:

14 (210 ILCS 150/18)

15 Sec. 18. Unused medications at the scene of a death.

16 (a) Notwithstanding any provision of law to the contrary,
17 the Department of State Police may by rule authorize State
18 Police officers to dispose of any unused medications found at
19 the scene of a death the State Police officer is
20 investigating. A State Police officer may only dispose of any
21 unused medications under this subsection after consulting with
22 any other investigating law enforcement agency to ensure that
23 the unused medications will not be needed as evidence in any
24 investigation. This Section shall not apply to any unused

1 medications a State Police officer takes into custody as part
2 of any investigation into a crime.

3 (b) Notwithstanding any provision of law to the contrary,
4 a local governmental agency may authorize police officers to
5 dispose of any unused medications found at the scene of a death
6 a police officer is investigating. A police officer may only
7 dispose of any unused medications under this subsection after
8 consulting with any other investigating law enforcement agency
9 to ensure that the unused medications will not be needed as
10 evidence in any investigation. This Section shall not apply to
11 any unused medications a police officer takes into custody as
12 part of any investigation into a crime.

13 (c) Notwithstanding any provision of law to the contrary,
14 a ~~coroner or~~ medical examiner may dispose of any unused
15 medications found at the scene of a death the ~~coroner or~~
16 medical examiner is investigating. A ~~coroner or~~ medical
17 examiner may only dispose of any unused medications under this
18 subsection after consulting with any investigating law
19 enforcement agency to ensure that the unused medications will
20 not be needed as evidence in any investigation.

21 (d) Any disposal under this Section shall be in accordance
22 with Section 17 of this Act or another State or federally
23 approved medication take-back program or location.

24 (e) This Section shall not apply to prescription drugs for
25 which the United States Food and Drug Administration created a
26 Risk Evaluation and Mitigation Strategy for under the Food and

1 Drug Administration Amendments Act of 2007.

2 (f) Nothing in this Section shall be construed to require
3 a search of the scene for unused medications.

4 (g) Prior to disposal of any medication collected as
5 evidence in a criminal investigation under this Section, a
6 State Police officer, police officer, ~~coroner,~~ or medical
7 examiner shall photograph the unused medication and its
8 container or packaging, if available; document the number or
9 amount of medication to be disposed; and include the
10 photographs and documentation in the police report, ~~coroner~~
11 ~~report,~~ or medical examiner report.

12 (h) If an autopsy is performed as part of a death
13 investigation, no medication seized under this Section shall
14 be disposed of until after a toxicology report is received by
15 the entity requesting the report.

16 (i) If a police officer, State Police officer, ~~coroner,~~ or
17 medical examiner is not present at the scene of a death, a
18 nurse may dispose of any unused medications found at the scene
19 of a death the nurse is present at while engaging in the
20 performance of his or her duties. A nurse may dispose of any
21 unused medications under this subsection only after consulting
22 with any investigating law enforcement agency to ensure that
23 the unused medications will not be needed as evidence in an
24 investigation.

25 (j) When an individual authorized to dispose of unused
26 medication under this Section disposes of unused medication

1 under this Section in good faith, the individual, and his or
2 her employer, employees, and agents, shall incur no criminal
3 liability or professional discipline.

4 (Source: P.A. 99-648, eff. 1-1-17; 100-345, eff. 8-25-17.)

5 Section 150. The Coal Mining Act is amended by changing
6 Sections 10.03 and 10.04 as follows:

7 (225 ILCS 705/10.03) (from Ch. 96 1/2, par. 1003)

8 Sec. 10.03. If any person is killed in or about a mine the
9 operator shall notify the medical examiner ~~coroner~~ of the
10 county, who shall hold an inquest concerning the cause of the
11 death. The State Mine Inspector may question or cross-question
12 any witness testifying at the inquest.

13 (Source: Laws 1953, p. 701.)

14 (225 ILCS 705/10.04) (from Ch. 96 1/2, par. 1004)

15 Sec. 10.04. The State Mine Inspector shall make a personal
16 investigation as to the nature and cause of all serious
17 accidents in mines under his supervision. He shall make a
18 record of the circumstances attending the accident, as
19 developed at the medical examiner's ~~coroner's~~ inquest and by
20 his own personal investigation. A copy of the record shall be
21 filed with the Department within 30 days following the
22 conclusion of the investigation, and the report shall
23 thereupon become a part of the records of the Department. To

1 enable the State Mine Inspector to make his investigation he
2 has the power to compel the attendance of witnesses, and to
3 administer oaths or affirmations to them.

4 (Source: P.A. 79-340.)

5 Section 155. The Fluorspar Mines Act is amended by
6 changing Sections 15 and 16 as follows:

7 (225 ILCS 710/15) (from Ch. 96 1/2, par. 4222)

8 Sec. 15. The superintendent shall post or cause to be
9 posted an emergency organization chart or plan in a
10 conspicuous place on each mine property designating the duties
11 of various employees and listing mine rescue stations,
12 hospitals, doctors, etc., to be called in case of fire,
13 explosion, flood, cave-in or other emergency. Whenever loss of
14 life occurs from accident in or about a mine, and when death
15 results from personal injury, the superintendent or other
16 person having immediate charge of the work at the time of the
17 accident shall give notice to the inspector promptly by
18 telephone or telegraph, followed by a notice in writing, after
19 knowledge of death comes.

20 Whenever possible, the inspector shall be present at the
21 medical examiner's ~~coroner's~~ inquest held over the remains of
22 a person killed in or about a mine. Due notice of an intended
23 inquest to be held by the medical examiner ~~coroner~~ shall be
24 given by the medical examiner ~~coroner~~ to the inspector, and at

1 such inquest the inspector shall have the right to examine and
2 cross-examine witnesses, and such examination shall be part of
3 the records of such inquest. If, at any inquest held over the
4 body or bodies of persons whose death was caused by an accident
5 in or about the mine, the inspector be not present, and it be
6 found from the evidence given at the inquest that the accident
7 was caused by neglect or by any defect in or about the mine, or
8 because the mine was operated contrary to the provisions of
9 this Act, the medical examiner ~~coroner~~ shall send notice in
10 writing to said inspector of such reported neglect or default;
11 and the said inspector shall immediately take steps to have an
12 investigation made of the same. The medical examiner ~~coroner~~
13 before whom such an inquest is held shall promptly file with
14 the inspector of mines a copy of the testimony taken thereat
15 and a copy of the verdict rendered by the medical examiner's
16 ~~coroner's~~ jury.

17 (Source: Laws 1945, p. 1035.)

18 (225 ILCS 710/16) (from Ch. 96 1/2, par. 4223)

19 Sec. 16. Employee failure; investigation. Whenever, in the
20 opinion of the inspector of mines, a serious or fatal accident
21 in or about any mine in this State shall have been caused by
22 failure on the part of the operator or any employee of such
23 mine, or by any other person, or by any of them, to observe the
24 provisions of this Act, it shall be the duty of the inspector
25 to immediately notify the Department of Natural Resources by

1 wire or telephone, and cause a copy of the report of such
2 accident or a copy of the testimony taken at the medical
3 examiner's ~~coroner's~~ inquest, together with the verdict of the
4 medical examiner's ~~coroner's~~ jury, and all papers in his or
5 her hands relating thereto, to be forwarded to the Department
6 of Natural Resources that an investigation may be immediately
7 conducted by the Department of Natural Resources, and if they
8 concur with the inspector, all reports and testimony so
9 assembled shall be delivered to the prosecuting officer of the
10 county in which the accident or loss of life occurred,
11 together with a statement of the inspector showing in what
12 particular or particulars he or she believes the law to have
13 been violated, and if upon the receipt thereof the prosecuting
14 officer of the said county deems the facts to make a prima
15 facie cause of action against any party, that officer shall
16 present such evidence to the grand jury and take such further
17 steps for the criminal prosecution of such operators,
18 employees or other persons as may seem advisable.

19 (Source: P.A. 89-445, eff. 2-7-96.)

20 Section 160. The Adult Protective Services Act is amended
21 by changing Sections 2, 3, 5, 8, and 15 as follows:

22 (320 ILCS 20/2) (from Ch. 23, par. 6602)

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

1 (a) "Abuse" means causing any physical, mental or sexual
2 injury to an eligible adult, including exploitation of such
3 adult's financial resources.

4 Nothing in this Act shall be construed to mean that an
5 eligible adult is a victim of abuse, neglect, or self-neglect
6 for the sole reason that he or she is being furnished with or
7 relies upon treatment by spiritual means through prayer alone,
8 in accordance with the tenets and practices of a recognized
9 church or religious denomination.

10 Nothing in this Act shall be construed to mean that an
11 eligible adult is a victim of abuse because of health care
12 services provided or not provided by licensed health care
13 professionals.

14 (a-5) "Abuser" means a person who abuses, neglects, or
15 financially exploits an eligible adult.

16 (a-6) "Adult with disabilities" means a person aged 18
17 through 59 who resides in a domestic living situation and
18 whose disability as defined in subsection (c-5) impairs his or
19 her ability to seek or obtain protection from abuse, neglect,
20 or exploitation.

21 (a-7) "Caregiver" means a person who either as a result of
22 a family relationship, voluntarily, or in exchange for
23 compensation has assumed responsibility for all or a portion
24 of the care of an eligible adult who needs assistance with
25 activities of daily living or instrumental activities of daily
26 living.

1 (b) "Department" means the Department on Aging of the
2 State of Illinois.

3 (c) "Director" means the Director of the Department.

4 (c-5) "Disability" means a physical or mental disability,
5 including, but not limited to, a developmental disability, an
6 intellectual disability, a mental illness as defined under the
7 Mental Health and Developmental Disabilities Code, or dementia
8 as defined under the Alzheimer's Disease Assistance Act.

9 (d) "Domestic living situation" means a residence where
10 the eligible adult at the time of the report lives alone or
11 with his or her family or a caregiver, or others, or other
12 community-based unlicensed facility, but is not:

13 (1) A licensed facility as defined in Section 1-113 of
14 the Nursing Home Care Act;

15 (1.5) A facility licensed under the ID/DD Community
16 Care Act;

17 (1.6) A facility licensed under the MC/DD Act;

18 (1.7) A facility licensed under the Specialized Mental
19 Health Rehabilitation Act of 2013;

20 (2) A "life care facility" as defined in the Life Care
21 Facilities Act;

22 (3) A home, institution, or other place operated by
23 the federal government or agency thereof or by the State
24 of Illinois;

25 (4) A hospital, sanitarium, or other institution, the
26 principal activity or business of which is the diagnosis,

1 care, and treatment of human illness through the
2 maintenance and operation of organized facilities
3 therefor, which is required to be licensed under the
4 Hospital Licensing Act;

5 (5) A "community living facility" as defined in the
6 Community Living Facilities Licensing Act;

7 (6) (Blank);

8 (7) A "community-integrated living arrangement" as
9 defined in the Community-Integrated Living Arrangements
10 Licensure and Certification Act or a "community
11 residential alternative" as licensed under that Act;

12 (8) An assisted living or shared housing establishment
13 as defined in the Assisted Living and Shared Housing Act;
14 or

15 (9) A supportive living facility as described in
16 Section 5-5.01a of the Illinois Public Aid Code.

17 (e) "Eligible adult" means either an adult with
18 disabilities aged 18 through 59 or a person aged 60 or older
19 who resides in a domestic living situation and is, or is
20 alleged to be, abused, neglected, or financially exploited by
21 another individual or who neglects himself or herself.
22 "Eligible adult" also includes an adult who resides in any of
23 the facilities that are excluded from the definition of
24 "domestic living situation" under paragraphs (1) through (9)
25 of subsection (d), if either: (i) the alleged abuse or neglect
26 occurs outside of the facility and not under facility

1 supervision and the alleged abuser is a family member,
2 caregiver, or another person who has a continuing relationship
3 with the adult; or (ii) the alleged financial exploitation is
4 perpetrated by a family member, caregiver, or another person
5 who has a continuing relationship with the adult, but who is
6 not an employee of the facility where the adult resides.

7 (f) "Emergency" means a situation in which an eligible
8 adult is living in conditions presenting a risk of death or
9 physical, mental or sexual injury and the provider agency has
10 reason to believe the eligible adult is unable to consent to
11 services which would alleviate that risk.

12 (f-1) "Financial exploitation" means the use of an
13 eligible adult's resources by another to the disadvantage of
14 that adult or the profit or advantage of a person other than
15 that adult.

16 (f-5) "Mandated reporter" means any of the following
17 persons while engaged in carrying out their professional
18 duties:

19 (1) a professional or professional's delegate while
20 engaged in: (i) social services, (ii) law enforcement,
21 (iii) education, (iv) the care of an eligible adult or
22 eligible adults, or (v) any of the occupations required to
23 be licensed under the Clinical Psychologist Licensing Act,
24 the Clinical Social Work and Social Work Practice Act, the
25 Illinois Dental Practice Act, the Dietitian Nutritionist
26 Practice Act, the Marriage and Family Therapy Licensing

1 Act, the Medical Practice Act of 1987, the Naprapathic
2 Practice Act, the Nurse Practice Act, the Nursing Home
3 Administrators Licensing and Disciplinary Act, the
4 Illinois Occupational Therapy Practice Act, the Illinois
5 Optometric Practice Act of 1987, the Pharmacy Practice
6 Act, the Illinois Physical Therapy Act, the Physician
7 Assistant Practice Act of 1987, the Podiatric Medical
8 Practice Act of 1987, the Respiratory Care Practice Act,
9 the Professional Counselor and Clinical Professional
10 Counselor Licensing and Practice Act, the Illinois
11 Speech-Language Pathology and Audiology Practice Act, the
12 Veterinary Medicine and Surgery Practice Act of 2004, and
13 the Illinois Public Accounting Act;

14 (1.5) an employee of an entity providing developmental
15 disabilities services or service coordination funded by
16 the Department of Human Services;

17 (2) an employee of a vocational rehabilitation
18 facility prescribed or supervised by the Department of
19 Human Services;

20 (3) an administrator, employee, or person providing
21 services in or through an unlicensed community based
22 facility;

23 (4) any religious practitioner who provides treatment
24 by prayer or spiritual means alone in accordance with the
25 tenets and practices of a recognized church or religious
26 denomination, except as to information received in any

1 confession or sacred communication enjoined by the
2 discipline of the religious denomination to be held
3 confidential;

4 (5) field personnel of the Department of Healthcare
5 and Family Services, Department of Public Health, and
6 Department of Human Services, and any county or municipal
7 health department;

8 (6) personnel of the Department of Human Services, the
9 Guardianship and Advocacy Commission, the State Fire
10 Marshal, local fire departments, the Department on Aging
11 and its subsidiary Area Agencies on Aging and provider
12 agencies, and the Office of State Long Term Care
13 Ombudsman;

14 (7) any employee of the State of Illinois not
15 otherwise specified herein who is involved in providing
16 services to eligible adults, including professionals
17 providing medical or rehabilitation services and all other
18 persons having direct contact with eligible adults;

19 (8) a person who performs the duties of a ~~coroner or~~
20 medical examiner; or

21 (9) a person who performs the duties of a paramedic or
22 an emergency medical technician.

23 (g) "Neglect" means another individual's failure to
24 provide an eligible adult with or willful withholding from an
25 eligible adult the necessities of life including, but not
26 limited to, food, clothing, shelter or health care. This

1 subsection does not create any new affirmative duty to provide
2 support to eligible adults. Nothing in this Act shall be
3 construed to mean that an eligible adult is a victim of neglect
4 because of health care services provided or not provided by
5 licensed health care professionals.

6 (h) "Provider agency" means any public or nonprofit agency
7 in a planning and service area that is selected by the
8 Department or appointed by the regional administrative agency
9 with prior approval by the Department on Aging to receive and
10 assess reports of alleged or suspected abuse, neglect, or
11 financial exploitation. A provider agency is also referenced
12 as a "designated agency" in this Act.

13 (i) "Regional administrative agency" means any public or
14 nonprofit agency in a planning and service area that provides
15 regional oversight and performs functions as set forth in
16 subsection (b) of Section 3 of this Act. The Department shall
17 designate an Area Agency on Aging as the regional
18 administrative agency or, in the event the Area Agency on
19 Aging in that planning and service area is deemed by the
20 Department to be unwilling or unable to provide those
21 functions, the Department may serve as the regional
22 administrative agency or designate another qualified entity to
23 serve as the regional administrative agency; any such
24 designation shall be subject to terms set forth by the
25 Department.

26 (i-5) "Self-neglect" means a condition that is the result

1 of an eligible adult's inability, due to physical or mental
2 impairments, or both, or a diminished capacity, to perform
3 essential self-care tasks that substantially threaten his or
4 her own health, including: providing essential food, clothing,
5 shelter, and health care; and obtaining goods and services
6 necessary to maintain physical health, mental health,
7 emotional well-being, and general safety. The term includes
8 compulsive hoarding, which is characterized by the acquisition
9 and retention of large quantities of items and materials that
10 produce an extensively cluttered living space, which
11 significantly impairs the performance of essential self-care
12 tasks or otherwise substantially threatens life or safety.

13 (j) "Substantiated case" means a reported case of alleged
14 or suspected abuse, neglect, financial exploitation, or
15 self-neglect in which a provider agency, after assessment,
16 determines that there is reason to believe abuse, neglect, or
17 financial exploitation has occurred.

18 (k) "Verified" means a determination that there is "clear
19 and convincing evidence" that the specific injury or harm
20 alleged was the result of abuse, neglect, or financial
21 exploitation.

22 (Source: P.A. 99-180, eff. 7-29-15; 100-641, eff. 1-1-19.)

23 (320 ILCS 20/3) (from Ch. 23, par. 6603)

24 Sec. 3. Responsibilities.

25 (a) The Department shall establish, design, and manage a

1 protective services program for eligible adults who have been,
2 or are alleged to be, victims of abuse, neglect, financial
3 exploitation, or self-neglect. The Department shall contract
4 with or fund, or contract with and fund, regional
5 administrative agencies, provider agencies, or both, for the
6 provision of those functions, and, contingent on adequate
7 funding, with attorneys or legal services provider agencies
8 for the provision of legal assistance pursuant to this Act.
9 For self-neglect, the program shall include the following
10 services for eligible adults who have been removed from their
11 residences for the purpose of cleanup or repairs: temporary
12 housing; counseling; and caseworker services to try to ensure
13 that the conditions necessitating the removal do not reoccur.

14 (a-1) The Department shall by rule develop standards for
15 minimum staffing levels and staff qualifications. The
16 Department shall by rule establish mandatory standards for the
17 investigation of abuse, neglect, financial exploitation, or
18 self-neglect of eligible adults and mandatory procedures for
19 linking eligible adults to appropriate services and supports.

20 (a-5) A provider agency shall, in accordance with rules
21 promulgated by the Department, establish a multi-disciplinary
22 team to act in an advisory role for the purpose of providing
23 professional knowledge and expertise in the handling of
24 complex abuse cases involving eligible adults. Each
25 multi-disciplinary team shall consist of one volunteer
26 representative from the following professions: banking or

1 finance; disability care; health care; law; law enforcement;
2 mental health care; and clergy. A provider agency may also
3 choose to add representatives from the fields of substance
4 abuse, domestic violence, sexual assault, or other related
5 fields. To support multi-disciplinary teams in this role, law
6 enforcement agencies and ~~coroners or~~ medical examiners shall
7 supply records as may be requested in particular cases.

8 (b) Each regional administrative agency shall designate
9 provider agencies within its planning and service area with
10 prior approval by the Department on Aging, monitor the use of
11 services, provide technical assistance to the provider
12 agencies and be involved in program development activities.

13 (c) Provider agencies shall assist, to the extent
14 possible, eligible adults who need agency services to allow
15 them to continue to function independently. Such assistance
16 shall include, but not be limited to, receiving reports of
17 alleged or suspected abuse, neglect, financial exploitation,
18 or self-neglect, conducting face-to-face assessments of such
19 reported cases, determination of substantiated cases, referral
20 of substantiated cases for necessary support services,
21 referral of criminal conduct to law enforcement in accordance
22 with Department guidelines, and provision of case work and
23 follow-up services on substantiated cases. In the case of a
24 report of alleged or suspected abuse or neglect that places an
25 eligible adult at risk of injury or death, a provider agency
26 shall respond to the report on an emergency basis in

1 accordance with guidelines established by the Department by
2 administrative rule and shall ensure that it is capable of
3 responding to such a report 24 hours per day, 7 days per week.
4 A provider agency may use an on-call system to respond to
5 reports of alleged or suspected abuse or neglect after hours
6 and on weekends.

7 (c-5) Where a provider agency has reason to believe that
8 the death of an eligible adult may be the result of abuse or
9 neglect, including any reports made after death, the agency
10 shall immediately report the matter to both the appropriate
11 law enforcement agency and the ~~coroner or~~ medical examiner.
12 Between 30 and 45 days after making such a report, the provider
13 agency again shall contact the law enforcement agency and
14 ~~coroner or~~ medical examiner to determine whether any further
15 action was taken. Upon request by a provider agency, a law
16 enforcement agency and ~~coroner or~~ medical examiner shall
17 supply a summary of its action in response to a reported death
18 of an eligible adult. A copy of the report shall be maintained
19 and all subsequent follow-up with the law enforcement agency
20 and ~~coroner or~~ medical examiner shall be documented in the
21 case record of the eligible adult. If the law enforcement
22 agency, ~~coroner,~~ or medical examiner determines the reported
23 death was caused by abuse or neglect by a caregiver, the law
24 enforcement agency, ~~coroner,~~ or medical examiner shall inform
25 the Department, and the Department shall report the
26 caregiver's identity on the Registry as described in Section

1 7.5 of this Act.

2 (d) Upon sufficient appropriations to implement a
3 statewide program, the Department shall implement a program,
4 based on the recommendations of the Self-Neglect Steering
5 Committee, for (i) responding to reports of possible
6 self-neglect, (ii) protecting the autonomy, rights, privacy,
7 and privileges of adults during investigations of possible
8 self-neglect and consequential judicial proceedings regarding
9 competency, (iii) collecting and sharing relevant information
10 and data among the Department, provider agencies, regional
11 administrative agencies, and relevant seniors, (iv) developing
12 working agreements between provider agencies and law
13 enforcement, where practicable, and (v) developing procedures
14 for collecting data regarding incidents of self-neglect.

15 (Source: P.A. 98-49, eff. 7-1-13; 98-1039, eff. 8-25-14.)

16 (320 ILCS 20/5) (from Ch. 23, par. 6605)

17 Sec. 5. Procedure.

18 (a) A provider agency designated to receive reports of
19 alleged or suspected abuse, neglect, financial exploitation,
20 or self-neglect under this Act shall, upon receiving such a
21 report, conduct a face-to-face assessment with respect to such
22 report, in accord with established law and Department
23 protocols, procedures, and policies. Face-to-face assessments,
24 casework, and follow-up of reports of self-neglect by the
25 provider agencies designated to receive reports of

1 self-neglect shall be subject to sufficient appropriation for
2 statewide implementation of assessments, casework, and
3 follow-up of reports of self-neglect. In the absence of
4 sufficient appropriation for statewide implementation of
5 assessments, casework, and follow-up of reports of
6 self-neglect, the designated adult protective services
7 provider agency shall refer all reports of self-neglect to the
8 appropriate agency or agencies as designated by the Department
9 for any follow-up. The assessment shall include, but not be
10 limited to, a visit to the residence of the eligible adult who
11 is the subject of the report and shall include interviews or
12 consultations regarding the allegations with service agencies,
13 immediate family members, and individuals who may have
14 knowledge of the eligible adult's circumstances based on the
15 consent of the eligible adult in all instances, except where
16 the provider agency is acting in the best interest of an
17 eligible adult who is unable to seek assistance for himself or
18 herself and where there are allegations against a caregiver
19 who has assumed responsibilities in exchange for compensation.
20 If, after the assessment, the provider agency determines that
21 the case is substantiated it shall develop a service care plan
22 for the eligible adult and may report its findings at any time
23 during the case to the appropriate law enforcement agency in
24 accord with established law and Department protocols,
25 procedures, and policies. In developing a case plan, the
26 provider agency may consult with any other appropriate

1 provider of services, and such providers shall be immune from
2 civil or criminal liability on account of such acts. The plan
3 shall include alternative suggested or recommended services
4 which are appropriate to the needs of the eligible adult and
5 which involve the least restriction of the eligible adult's
6 activities commensurate with his or her needs. Only those
7 services to which consent is provided in accordance with
8 Section 9 of this Act shall be provided, contingent upon the
9 availability of such services.

10 (b) A provider agency shall refer evidence of crimes
11 against an eligible adult to the appropriate law enforcement
12 agency according to Department policies. A referral to law
13 enforcement may be made at intake or any time during the case.
14 Where a provider agency has reason to believe the death of an
15 eligible adult may be the result of abuse or neglect, the
16 agency shall immediately report the matter to the ~~coroner or~~
17 medical examiner and shall cooperate fully with any subsequent
18 investigation.

19 (c) If any person other than the alleged victim refuses to
20 allow the provider agency to begin an investigation,
21 interferes with the provider agency's ability to conduct an
22 investigation, or refuses to give access to an eligible adult,
23 the appropriate law enforcement agency must be consulted
24 regarding the investigation.

25 (Source: P.A. 101-496, eff. 1-1-20.)

1 (320 ILCS 20/8) (from Ch. 23, par. 6608)

2 Sec. 8. Access to records. All records concerning reports
3 of abuse, neglect, financial exploitation, or self-neglect and
4 all records generated as a result of such reports shall be
5 confidential and shall not be disclosed except as specifically
6 authorized by this Act or other applicable law. In accord with
7 established law and Department protocols, procedures, and
8 policies, access to such records, but not access to the
9 identity of the person or persons making a report of alleged
10 abuse, neglect, financial exploitation, or self-neglect as
11 contained in such records, shall be provided, upon request, to
12 the following persons and for the following persons:

13 (1) Department staff, provider agency staff, other
14 aging network staff, and regional administrative agency
15 staff, including staff of the Chicago Department on Aging
16 while that agency is designated as a regional
17 administrative agency, in the furtherance of their
18 responsibilities under this Act;

19 (1.5) A representative of the public guardian acting
20 in the course of investigating the appropriateness of
21 guardianship for the eligible adult or while pursuing a
22 petition for guardianship of the eligible adult pursuant
23 to the Probate Act of 1975;

24 (2) A law enforcement agency or State's Attorney's
25 office investigating known or suspected abuse, neglect,
26 financial exploitation, or self-neglect. Where a provider

1 agency has reason to believe that the death of an eligible
2 adult may be the result of abuse or neglect, including any
3 reports made after death, the agency shall immediately
4 provide the appropriate law enforcement agency with all
5 records pertaining to the eligible adult;

6 (2.5) A law enforcement agency, fire department
7 agency, or fire protection district having proper
8 jurisdiction pursuant to a written agreement between a
9 provider agency and the law enforcement agency, fire
10 department agency, or fire protection district under which
11 the provider agency may furnish to the law enforcement
12 agency, fire department agency, or fire protection
13 district a list of all eligible adults who may be at
14 imminent risk of abuse, neglect, financial exploitation,
15 or self-neglect;

16 (3) A physician who has before him or her or who is
17 involved in the treatment of an eligible adult whom he or
18 she reasonably suspects may be abused, neglected,
19 financially exploited, or self-neglected or who has been
20 referred to the Adult Protective Services Program;

21 (4) An eligible adult reported to be abused,
22 neglected, financially exploited, or self-neglected, or
23 such adult's authorized guardian or agent, unless such
24 guardian or agent is the abuser or the alleged abuser;

25 (4.5) An executor or administrator of the estate of an
26 eligible adult who is deceased;

1 (5) In cases regarding abuse, neglect, or financial
2 exploitation, a court or a guardian ad litem, upon its or
3 his or her finding that access to such records may be
4 necessary for the determination of an issue before the
5 court. However, such access shall be limited to an in
6 camera inspection of the records, unless the court
7 determines that disclosure of the information contained
8 therein is necessary for the resolution of an issue then
9 pending before it;

10 (5.5) In cases regarding self-neglect, a guardian ad
11 litem;

12 (6) A grand jury, upon its determination that access
13 to such records is necessary in the conduct of its
14 official business;

15 (7) Any person authorized by the Director, in writing,
16 for audit or bona fide research purposes;

17 (8) A ~~coroner or~~ medical examiner who has reason to
18 believe that an eligible adult has died as the result of
19 abuse, neglect, financial exploitation, or self-neglect.
20 The provider agency shall immediately provide the ~~coroner~~
21 ~~or~~ medical examiner with all records pertaining to the
22 eligible adult;

23 (8.5) A ~~coroner or~~ medical examiner having proper
24 jurisdiction, pursuant to a written agreement between a
25 provider agency and the ~~coroner or~~ medical examiner, under
26 which the provider agency may furnish to the office of the

1 ~~coroner or~~ medical examiner a list of all eligible adults
2 who may be at imminent risk of death as a result of abuse,
3 neglect, financial exploitation, or self-neglect;

4 (9) Department of Financial and Professional
5 Regulation staff and members of the Illinois Medical
6 Disciplinary Board or the Social Work Examining and
7 Disciplinary Board in the course of investigating alleged
8 violations of the Clinical Social Work and Social Work
9 Practice Act by provider agency staff or other licensing
10 bodies at the discretion of the Director of the Department
11 on Aging;

12 (9-a) Department of Healthcare and Family Services
13 staff and provider agency staff when that Department is
14 funding services to the eligible adult, including access
15 to the identity of the eligible adult;

16 (9-b) Department of Human Services staff and provider
17 agency staff when that Department is funding services to
18 the eligible adult or is providing reimbursement for
19 services provided by the abuser or alleged abuser,
20 including access to the identity of the eligible adult;

21 (10) Hearing officers in the course of conducting an
22 administrative hearing under this Act; parties to such
23 hearing shall be entitled to discovery as established by
24 rule;

25 (11) A caregiver who challenges placement on the
26 Registry shall be given the statement of allegations in

1 the abuse report and the substantiation decision in the
2 final investigative report; and

3 (12) The Illinois Guardianship and Advocacy Commission
4 and the agency designated by the Governor under Section 1
5 of the Protection and Advocacy for Persons with
6 Developmental Disabilities Act shall have access, through
7 the Department, to records, including the findings,
8 pertaining to a completed or closed investigation of a
9 report of suspected abuse, neglect, financial
10 exploitation, or self-neglect of an eligible adult.

11 (Source: P.A. 98-49, eff. 7-1-13; 98-1039, eff. 8-25-14;
12 99-143, eff. 7-27-15; 99-287, eff. 1-1-16; 99-547, eff.
13 7-15-16; 99-642, eff. 7-28-16.)

14 (320 ILCS 20/15)

15 Sec. 15. Fatality review teams.

16 (a) State policy.

17 (1) Both the State and the community maintain a
18 commitment to preventing the abuse, neglect, and financial
19 exploitation of at-risk adults. This includes a charge to
20 bring perpetrators of crimes against at-risk adults to
21 justice and prevent untimely deaths in the community.

22 (2) When an at-risk adult dies, the response to the
23 death by the community, law enforcement, and the State
24 must include an accurate and complete determination of the
25 cause of death, and the development and implementation of

1 measures to prevent future deaths from similar causes.

2 (3) Multidisciplinary and multi-agency reviews of
3 deaths can assist the State and counties in developing a
4 greater understanding of the incidence and causes of
5 premature deaths and the methods for preventing those
6 deaths, improving methods for investigating deaths, and
7 identifying gaps in services to at-risk adults.

8 (4) Access to information regarding the deceased
9 person and his or her family by multidisciplinary and
10 multi-agency fatality review teams is necessary in order
11 to fulfill their purposes and duties.

12 (a-5) Definitions. As used in this Section:

13 "Advisory Council" means the Illinois Fatality Review
14 Team Advisory Council.

15 "Review Team" means a regional interagency fatality
16 review team.

17 (b) The Director, in consultation with the Advisory
18 Council, law enforcement, and other professionals who work in
19 the fields of investigating, treating, or preventing abuse or
20 neglect of at-risk adults, shall appoint members to a minimum
21 of one review team in each of the Department's planning and
22 service areas. Each member of a review team shall be appointed
23 for a 2-year term and shall be eligible for reappointment upon
24 the expiration of the term. A review team's purpose in
25 conducting review of at-risk adult deaths is: (i) to assist
26 local agencies in identifying and reviewing suspicious deaths

1 of adult victims of alleged, suspected, or substantiated abuse
2 or neglect in domestic living situations; (ii) to facilitate
3 communications between officials responsible for autopsies and
4 inquests and persons involved in reporting or investigating
5 alleged or suspected cases of abuse, neglect, or financial
6 exploitation of at-risk adults and persons involved in
7 providing services to at-risk adults; (iii) to evaluate means
8 by which the death might have been prevented; and (iv) to
9 report its findings to the appropriate agencies and the
10 Advisory Council and make recommendations that may help to
11 reduce the number of at-risk adult deaths caused by abuse and
12 neglect and that may help to improve the investigations of
13 deaths of at-risk adults and increase prosecutions, if
14 appropriate.

15 (b-5) Each such team shall be composed of representatives
16 of entities and individuals including, but not limited to:

17 (1) the Department on Aging;

18 (2) ~~coroners or medical examiners (or both);~~

19 (3) State's Attorneys;

20 (4) local police departments;

21 (5) forensic units;

22 (6) local health departments;

23 (7) a social service or health care agency that
24 provides services to persons with mental illness, in a
25 program whose accreditation to provide such services is
26 recognized by the Division of Mental Health within the

1 Department of Human Services;

2 (8) a social service or health care agency that
3 provides services to persons with developmental
4 disabilities, in a program whose accreditation to provide
5 such services is recognized by the Division of
6 Developmental Disabilities within the Department of Human
7 Services;

8 (9) a local hospital, trauma center, or provider of
9 emergency medicine;

10 (10) providers of services for eligible adults in
11 domestic living situations; and

12 (11) a physician, psychiatrist, or other health care
13 provider knowledgeable about abuse and neglect of at-risk
14 adults.

15 (c) A review team shall review cases of deaths of at-risk
16 adults occurring in its planning and service area (i)
17 involving blunt force trauma or an undetermined manner or
18 suspicious cause of death; (ii) if requested by the deceased's
19 attending physician or an emergency room physician; (iii) upon
20 referral by a health care provider; (iv) upon referral by a
21 ~~coroner or~~ medical examiner; (v) constituting an open or
22 closed case from an adult protective services agency, law
23 enforcement agency, State's Attorney's office, or the
24 Department of Human Services' Office of the Inspector General
25 that involves alleged or suspected abuse, neglect, or
26 financial exploitation; or (vi) upon referral by a law

1 enforcement agency or State's Attorney's office. If such a
2 death occurs in a planning and service area where a review team
3 has not yet been established, the Director shall request that
4 the Advisory Council or another review team review that death.
5 A team may also review deaths of at-risk adults if the alleged
6 abuse or neglect occurred while the person was residing in a
7 domestic living situation.

8 A review team shall meet not less than 4 times a year to
9 discuss cases for its possible review. Each review team, with
10 the advice and consent of the Department, shall establish
11 criteria to be used in discussing cases of alleged, suspected,
12 or substantiated abuse or neglect for review and shall conduct
13 its activities in accordance with any applicable policies and
14 procedures established by the Department.

15 (c-5) The Illinois Fatality Review Team Advisory Council,
16 consisting of one member from each review team in Illinois,
17 shall be the coordinating and oversight body for review teams
18 and activities in Illinois. The Director may appoint to the
19 Advisory Council any ex-officio members deemed necessary.
20 Persons with expertise needed by the Advisory Council may be
21 invited to meetings. The Advisory Council must select from its
22 members a chairperson and a vice-chairperson, each to serve a
23 2-year term. The chairperson or vice-chairperson may be
24 selected to serve additional, subsequent terms. The Advisory
25 Council must meet at least 4 times during each calendar year.

26 The Department may provide or arrange for the staff

1 support necessary for the Advisory Council to carry out its
2 duties. The Director, in cooperation and consultation with the
3 Advisory Council, shall appoint, reappoint, and remove review
4 team members.

5 The Advisory Council has, but is not limited to, the
6 following duties:

7 (1) To serve as the voice of review teams in Illinois.

8 (2) To oversee the review teams in order to ensure
9 that the review teams' work is coordinated and in
10 compliance with State statutes and the operating protocol.

11 (3) To ensure that the data, results, findings, and
12 recommendations of the review teams are adequately used in
13 a timely manner to make any necessary changes to the
14 policies, procedures, and State statutes in order to
15 protect at-risk adults.

16 (4) To collaborate with the Department in order to
17 develop any legislation needed to prevent unnecessary
18 deaths of at-risk adults.

19 (5) To ensure that the review teams' review processes
20 are standardized in order to convey data, findings, and
21 recommendations in a usable format.

22 (6) To serve as a link with review teams throughout
23 the country and to participate in national review team
24 activities.

25 (7) To provide the review teams with the most current
26 information and practices concerning at-risk adult death

1 review and related topics.

2 (8) To perform any other functions necessary to
3 enhance the capability of the review teams to reduce and
4 prevent at-risk adult fatalities.

5 The Advisory Council may prepare an annual report, in
6 consultation with the Department, using aggregate data
7 gathered by review teams and using the review teams'
8 recommendations to develop education, prevention, prosecution,
9 or other strategies designed to improve the coordination of
10 services for at-risk adults and their families.

11 In any instance where a review team does not operate in
12 accordance with established protocol, the Director, in
13 consultation and cooperation with the Advisory Council, must
14 take any necessary actions to bring the review team into
15 compliance with the protocol.

16 (d) Any document or oral or written communication shared
17 within or produced by the review team relating to a case
18 discussed or reviewed by the review team is confidential and
19 is not admissible as evidence in any civil or criminal
20 proceeding, except for use by a State's Attorney's office in
21 prosecuting a criminal case against a caregiver. Those records
22 and information are, however, subject to discovery or
23 subpoena, and are admissible as evidence, to the extent they
24 are otherwise available to the public.

25 Any document or oral or written communication provided to
26 a review team by an individual or entity, and created by that

1 individual or entity solely for the use of the review team, is
2 confidential, is not subject to disclosure to or discoverable
3 by another party, and is not admissible as evidence in any
4 civil or criminal proceeding, except for use by a State's
5 Attorney's office in prosecuting a criminal case against a
6 caregiver. Those records and information are, however, subject
7 to discovery or subpoena, and are admissible as evidence, to
8 the extent they are otherwise available to the public.

9 Each entity or individual represented on the fatality
10 review team may share with other members of the team
11 information in the entity's or individual's possession
12 concerning the decedent who is the subject of the review or
13 concerning any person who was in contact with the decedent, as
14 well as any other information deemed by the entity or
15 individual to be pertinent to the review. Any such information
16 shared by an entity or individual with other members of the
17 review team is confidential. The intent of this paragraph is
18 to permit the disclosure to members of the review team of any
19 information deemed confidential or privileged or prohibited
20 from disclosure by any other provision of law. Release of
21 confidential communication between domestic violence advocates
22 and a domestic violence victim shall follow subsection (d) of
23 Section 227 of the Illinois Domestic Violence Act of 1986
24 which allows for the waiver of privilege afforded to
25 guardians, executors, or administrators of the estate of the
26 domestic violence victim. This provision relating to the

1 release of confidential communication between domestic
2 violence advocates and a domestic violence victim shall
3 exclude adult protective service providers.

4 A ~~coroner's or~~ medical examiner's office may share with
5 the review team medical records that have been made available
6 to the ~~coroner's or~~ medical examiner's office in connection
7 with that office's investigation of a death.

8 Members of a review team and the Advisory Council are not
9 subject to examination, in any civil or criminal proceeding,
10 concerning information presented to members of the review team
11 or the Advisory Council or opinions formed by members of the
12 review team or the Advisory Council based on that information.
13 A person may, however, be examined concerning information
14 provided to a review team or the Advisory Council.

15 (d-5) Meetings of the review teams and the Advisory
16 Council may be closed to the public under the Open Meetings
17 Act. Records and information provided to a review team and the
18 Advisory Council, and records maintained by a team or the
19 Advisory Council, are exempt from release under the Freedom of
20 Information Act.

21 (e) A review team's recommendation in relation to a case
22 discussed or reviewed by the review team, including, but not
23 limited to, a recommendation concerning an investigation or
24 prosecution, may be disclosed by the review team upon the
25 completion of its review and at the discretion of a majority of
26 its members who reviewed the case.

1 (e-5) The State shall indemnify and hold harmless members
2 of a review team and the Advisory Council for all their acts,
3 omissions, decisions, or other conduct arising out of the
4 scope of their service on the review team or Advisory Council,
5 except those involving willful or wanton misconduct. The
6 method of providing indemnification shall be as provided in
7 the State Employee Indemnification Act.

8 (f) The Department, in consultation with ~~coroners,~~ medical
9 examiners~~,~~ and law enforcement agencies, shall use aggregate
10 data gathered by and recommendations from the Advisory Council
11 and the review teams to create an annual report and may use
12 those data and recommendations to develop education,
13 prevention, prosecution, or other strategies designed to
14 improve the coordination of services for at-risk adults and
15 their families. The Department or other State or county
16 agency, in consultation with ~~coroners,~~ medical examiners~~,~~ and
17 law enforcement agencies, also may use aggregate data gathered
18 by the review teams to create a database of at-risk
19 individuals.

20 (g) The Department shall adopt such rules and regulations
21 as it deems necessary to implement this Section.

22 (Source: P.A. 98-49, eff. 7-1-13; 98-1039, eff. 8-25-14;
23 99-78, eff. 7-20-15; 99-530, eff. 1-1-17.)

24 Section 165. The Abused and Neglected Child Reporting Act
25 is amended by changing Sections 4 and 4.1 as follows:

1 (325 ILCS 5/4)

2 Sec. 4. Persons required to report; privileged
3 communications; transmitting false report.

4 (a) The following persons are required to immediately
5 report to the Department when they have reasonable cause to
6 believe that a child known to them in their professional or
7 official capacities may be an abused child or a neglected
8 child:

9 (1) Medical personnel, including any: physician
10 licensed to practice medicine in any of its branches
11 (medical doctor or doctor of osteopathy); resident;
12 intern; medical administrator or personnel engaged in the
13 examination, care, and treatment of persons; psychiatrist;
14 surgeon; dentist; dental hygienist; chiropractic
15 physician; podiatric physician; physician assistant;
16 emergency medical technician; acupuncturist; registered
17 nurse; licensed practical nurse; advanced practice
18 registered nurse; genetic counselor; respiratory care
19 practitioner; home health aide; or certified nursing
20 assistant.

21 (2) Social services and mental health personnel,
22 including any: licensed professional counselor; licensed
23 clinical professional counselor; licensed social worker;
24 licensed clinical social worker; licensed psychologist or
25 assistant working under the direct supervision of a

1 psychologist; associate licensed marriage and family
2 therapist; licensed marriage and family therapist; field
3 personnel of the Departments of Healthcare and Family
4 Services, Public Health, Human Services, Human Rights, or
5 Children and Family Services; supervisor or administrator
6 of the General Assistance program established under
7 Article VI of the Illinois Public Aid Code; social
8 services administrator; or substance abuse treatment
9 personnel.

10 (3) Crisis intervention personnel, including any:
11 crisis line or hotline personnel; or domestic violence
12 program personnel.

13 (4) Education personnel, including any: school
14 personnel (including administrators and certified and
15 non-certified school employees); personnel of institutions
16 of higher education; educational advocate assigned to a
17 child in accordance with the School Code; member of a
18 school board or the Chicago Board of Education or the
19 governing body of a private school (but only to the extent
20 required under subsection (d)); or truant officer.

21 (5) Recreation or athletic program or facility
22 personnel.

23 (6) Child care personnel, including any: early
24 intervention provider as defined in the Early Intervention
25 Services System Act; director or staff assistant of a
26 nursery school or a child day care center; or foster

1 parent, homemaker, or child care worker.

2 (7) Law enforcement personnel, including any: law
3 enforcement officer; field personnel of the Department of
4 Juvenile Justice; field personnel of the Department of
5 Corrections; probation officer; or animal control officer
6 or field investigator of the Department of Agriculture's
7 Bureau of Animal Health and Welfare.

8 (8) Any funeral home director; funeral home director
9 and embalmer; funeral home employee; ~~coroner~~; or medical
10 examiner.

11 (9) Any member of the clergy.

12 (10) Any physician, physician assistant, registered
13 nurse, licensed practical nurse, medical technician,
14 certified nursing assistant, licensed social worker,
15 licensed clinical social worker, or licensed professional
16 counselor of any office, clinic, or any other physical
17 location that provides abortions, abortion referrals, or
18 contraceptives.

19 (b) When 2 or more persons who work within the same
20 workplace and are required to report under this Act share a
21 reasonable cause to believe that a child may be an abused or
22 neglected child, one of those reporters may be designated to
23 make a single report. The report shall include the names and
24 contact information for the other mandated reporters sharing
25 the reasonable cause to believe that a child may be an abused
26 or neglected child. The designated reporter must provide

1 written confirmation of the report to those mandated reporters
2 within 48 hours. If confirmation is not provided, those
3 mandated reporters are individually responsible for
4 immediately ensuring a report is made. Nothing in this Section
5 precludes or may be used to preclude any person from reporting
6 child abuse or child neglect.

7 (c) (1) As used in this Section, "a child known to them in
8 their professional or official capacities" means:

9 (A) the mandated reporter comes into contact with the
10 child in the course of the reporter's employment or
11 practice of a profession, or through a regularly scheduled
12 program, activity, or service;

13 (B) the mandated reporter is affiliated with an
14 agency, institution, organization, school, school
15 district, regularly established church or religious
16 organization, or other entity that is directly responsible
17 for the care, supervision, guidance, or training of the
18 child; or

19 (C) a person makes a specific disclosure to the
20 mandated reporter that an identifiable child is the victim
21 of child abuse or child neglect, and the disclosure
22 happens while the mandated reporter is engaged in his or
23 her employment or practice of a profession, or in a
24 regularly scheduled program, activity, or service.

25 (2) Nothing in this Section requires a child to come
26 before the mandated reporter in order for the reporter to make

1 a report of suspected child abuse or child neglect.

2 (d) If an allegation is raised to a school board member
3 during the course of an open or closed school board meeting
4 that a child who is enrolled in the school district of which he
5 or she is a board member is an abused child as defined in
6 Section 3 of this Act, the member shall direct or cause the
7 school board to direct the superintendent of the school
8 district or other equivalent school administrator to comply
9 with the requirements of this Act concerning the reporting of
10 child abuse. For purposes of this paragraph, a school board
11 member is granted the authority in his or her individual
12 capacity to direct the superintendent of the school district
13 or other equivalent school administrator to comply with the
14 requirements of this Act concerning the reporting of child
15 abuse.

16 Notwithstanding any other provision of this Act, if an
17 employee of a school district has made a report or caused a
18 report to be made to the Department under this Act involving
19 the conduct of a current or former employee of the school
20 district and a request is made by another school district for
21 the provision of information concerning the job performance or
22 qualifications of the current or former employee because he or
23 she is an applicant for employment with the requesting school
24 district, the general superintendent of the school district to
25 which the request is being made must disclose to the
26 requesting school district the fact that an employee of the

1 school district has made a report involving the conduct of the
2 applicant or caused a report to be made to the Department, as
3 required under this Act. Only the fact that an employee of the
4 school district has made a report involving the conduct of the
5 applicant or caused a report to be made to the Department may
6 be disclosed by the general superintendent of the school
7 district to which the request for information concerning the
8 applicant is made, and this fact may be disclosed only in cases
9 where the employee and the general superintendent have not
10 been informed by the Department that the allegations were
11 unfounded. An employee of a school district who is or has been
12 the subject of a report made pursuant to this Act during his or
13 her employment with the school district must be informed by
14 that school district that if he or she applies for employment
15 with another school district, the general superintendent of
16 the former school district, upon the request of the school
17 district to which the employee applies, shall notify that
18 requesting school district that the employee is or was the
19 subject of such a report.

20 (e) Whenever such person is required to report under this
21 Act in his capacity as a member of the staff of a medical or
22 other public or private institution, school, facility or
23 agency, or as a member of the clergy, he shall make report
24 immediately to the Department in accordance with the
25 provisions of this Act and may also notify the person in charge
26 of such institution, school, facility or agency, or church,

1 synagogue, temple, mosque, or other religious institution, or
2 his designated agent that such report has been made. Under no
3 circumstances shall any person in charge of such institution,
4 school, facility or agency, or church, synagogue, temple,
5 mosque, or other religious institution, or his designated
6 agent to whom such notification has been made, exercise any
7 control, restraint, modification or other change in the report
8 or the forwarding of such report to the Department.

9 (f) In addition to the persons required to report
10 suspected cases of child abuse or child neglect under this
11 Section, any other person may make a report if such person has
12 reasonable cause to believe a child may be an abused child or a
13 neglected child.

14 (g) The privileged quality of communication between any
15 professional person required to report and his patient or
16 client shall not apply to situations involving abused or
17 neglected children and shall not constitute grounds for
18 failure to report as required by this Act or constitute
19 grounds for failure to share information or documents with the
20 Department during the course of a child abuse or neglect
21 investigation. If requested by the professional, the
22 Department shall confirm in writing that the information or
23 documents disclosed by the professional were gathered in the
24 course of a child abuse or neglect investigation.

25 The reporting requirements of this Act shall not apply to
26 the contents of a privileged communication between an attorney

1 and his or her client or to confidential information within
2 the meaning of Rule 1.6 of the Illinois Rules of Professional
3 Conduct relating to the legal representation of an individual
4 client.

5 A member of the clergy may claim the privilege under
6 Section 8-803 of the Code of Civil Procedure.

7 (h) Any office, clinic, or any other physical location
8 that provides abortions, abortion referrals, or contraceptives
9 shall provide to all office personnel copies of written
10 information and training materials about abuse and neglect and
11 the requirements of this Act that are provided to employees of
12 the office, clinic, or physical location who are required to
13 make reports to the Department under this Act, and instruct
14 such office personnel to bring to the attention of an employee
15 of the office, clinic, or physical location who is required to
16 make reports to the Department under this Act any reasonable
17 suspicion that a child known to him or her in his or her
18 professional or official capacity may be an abused child or a
19 neglected child.

20 (i) Any person who enters into employment on and after
21 July 1, 1986 and is mandated by virtue of that employment to
22 report under this Act, shall sign a statement on a form
23 prescribed by the Department, to the effect that the employee
24 has knowledge and understanding of the reporting requirements
25 of this Act. On and after January 1, 2019, the statement shall
26 also include information about available mandated reporter

1 training provided by the Department. The statement shall be
2 signed prior to commencement of the employment. The signed
3 statement shall be retained by the employer. The cost of
4 printing, distribution, and filing of the statement shall be
5 borne by the employer.

6 (j) Persons required to report child abuse or child
7 neglect as provided under this Section must complete an
8 initial mandated reporter training within 3 months of their
9 date of engagement in a professional or official capacity as a
10 mandated reporter, or within the time frame of any other
11 applicable State law that governs training requirements for a
12 specific profession, and at least every 3 years thereafter.
13 The initial requirement only applies to the first time they
14 engage in their professional or official capacity. In lieu of
15 training every 3 years, medical personnel, as listed in
16 paragraph (1) of subsection (a), must meet the requirements
17 described in subsection (k).

18 The trainings shall be in-person or web-based, and shall
19 include, at a minimum, information on the following topics:
20 (i) indicators for recognizing child abuse and child neglect,
21 as defined under this Act; (ii) the process for reporting
22 suspected child abuse and child neglect in Illinois as
23 required by this Act and the required documentation; (iii)
24 responding to a child in a trauma-informed manner; and (iv)
25 understanding the response of child protective services and
26 the role of the reporter after a call has been made.

1 Child-serving organizations are encouraged to provide
2 in-person annual trainings.

3 The mandated reporter training shall be provided through
4 the Department, through an entity authorized to provide
5 continuing education for professionals licensed through the
6 Department of Financial and Professional Regulation, the State
7 Board of Education, the Illinois Law Enforcement Training
8 Standards Board, or the Department of State Police, or through
9 an organization approved by the Department to provide mandated
10 reporter training. The Department must make available a free
11 web-based training for reporters.

12 Each mandated reporter shall report to his or her employer
13 and, when applicable, to his or her licensing or certification
14 board that he or she received the mandated reporter training.
15 The mandated reporter shall maintain records of completion.

16 Beginning January 1, 2021, if a mandated reporter receives
17 licensure from the Department of Financial and Professional
18 Regulation or the State Board of Education, and his or her
19 profession has continuing education requirements, the training
20 mandated under this Section shall count toward meeting the
21 licensee's required continuing education hours.

22 (k)(1) Medical personnel, as listed in paragraph (1) of
23 subsection (a), who work with children in their professional
24 or official capacity, must complete mandated reporter training
25 at least every 6 years. Such medical personnel, if licensed,
26 must attest at each time of licensure renewal on their renewal

1 form that they understand they are a mandated reporter of
2 child abuse and neglect, that they are aware of the process for
3 making a report, that they know how to respond to a child in a
4 trauma-informed manner, and that they are aware of the role of
5 child protective services and the role of a reporter after a
6 call has been made.

7 (2) In lieu of repeated training, medical personnel, as
8 listed in paragraph (1) of subsection (a), who do not work with
9 children in their professional or official capacity, may
10 instead attest each time at licensure renewal on their renewal
11 form that they understand they are a mandated reporter of
12 child 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. Nothing in this paragraph precludes
17 medical personnel from completing mandated reporter training
18 and receiving continuing education credits for that training.

19 (1) The Department shall provide copies of this Act, upon
20 request, to all employers employing persons who shall be
21 required under the provisions of this Section to report under
22 this Act.

23 (m) Any person who knowingly transmits a false report to
24 the Department commits the offense of disorderly conduct under
25 subsection (a)(7) of Section 26-1 of the Criminal Code of
26 2012. A violation of this provision is a Class 4 felony.

1 Any person who knowingly and willfully violates any
2 provision of this Section other than a second or subsequent
3 violation of transmitting a false report as described in the
4 preceding paragraph, is guilty of a Class A misdemeanor for a
5 first violation and a Class 4 felony for a second or subsequent
6 violation; except that if the person acted as part of a plan or
7 scheme having as its object the prevention of discovery of an
8 abused or neglected child by lawful authorities for the
9 purpose of protecting or insulating any person or entity from
10 arrest or prosecution, the person is guilty of a Class 4 felony
11 for a first offense and a Class 3 felony for a second or
12 subsequent offense (regardless of whether the second or
13 subsequent offense involves any of the same facts or persons
14 as the first or other prior offense).

15 (n) A child whose parent, guardian or custodian in good
16 faith selects and depends upon spiritual means through prayer
17 alone for the treatment or cure of disease or remedial care may
18 be considered neglected or abused, but not for the sole reason
19 that his parent, guardian or custodian accepts and practices
20 such beliefs.

21 (o) A child shall not be considered neglected or abused
22 solely because the child is not attending school in accordance
23 with the requirements of Article 26 of the School Code, as
24 amended.

25 (p) Nothing in this Act prohibits a mandated reporter who
26 reasonably believes that an animal is being abused or

1 neglected in violation of the Humane Care for Animals Act from
2 reporting animal abuse or neglect to the Department of
3 Agriculture's Bureau of Animal Health and Welfare.

4 (q) A home rule unit may not regulate the reporting of
5 child abuse or neglect in a manner inconsistent with the
6 provisions of this Section. This Section is a limitation under
7 subsection (i) of Section 6 of Article VII of the Illinois
8 Constitution on the concurrent exercise by home rule units of
9 powers and functions exercised by the State.

10 (r) For purposes of this Section "child abuse or neglect"
11 includes abuse or neglect of an adult resident as defined in
12 this Act.

13 (Source: P.A. 100-513, eff. 1-1-18; 100-1071, eff. 1-1-19;
14 101-564, eff. 1-1-20.)

15 (325 ILCS 5/4.1) (from Ch. 23, par. 2054.1)

16 Sec. 4.1. Any person required to report under this Act who
17 has reasonable cause to suspect that a child has died as a
18 result of abuse or neglect shall also immediately report his
19 suspicion to the appropriate medical examiner ~~or coroner~~. Any
20 other person who has reasonable cause to believe that a child
21 has died as a result of abuse or neglect may report his
22 suspicion to the appropriate medical examiner ~~or coroner~~. The
23 medical examiner ~~or coroner~~ shall investigate the report and
24 communicate his apparent gross findings, orally, immediately
25 upon completion of the gross autopsy, but in all cases within

1 72 hours and within 21 days in writing, to the local law
2 enforcement agency, the appropriate State's attorney, the
3 Department and, if the institution making the report is a
4 hospital, the hospital. The child protective investigator
5 assigned to the death investigation shall have the right to
6 require a copy of the completed autopsy report from the
7 ~~coroner or~~ medical examiner.

8 (Source: P.A. 85-193.)

9 Section 170. The Abused and Neglected Child Reporting Act
10 is amended by changing Sections 7.9, 11.1, and 11.9 as
11 follows:

12 (325 ILCS 5/7.9) (from Ch. 23, par. 2057.9)

13 Sec. 7.9. The Department shall prepare, print, and
14 distribute initial, preliminary, and final reporting forms to
15 each Child Protective Service Unit. Initial written reports
16 from the reporting source shall contain the following
17 information to the extent known at the time the report is made:
18 (1) the names and addresses of the child and his parents or
19 other persons responsible for his welfare; (1.5) the name and
20 address of the school that the child attends (or the school
21 that the child last attended, if the report is written during
22 the summer when school is not in session), and the name of the
23 school district in which the school is located, if applicable;
24 (2) the child's age, sex, and race; (3) the nature and extent

1 of the child's abuse or neglect, including any evidence of
2 prior injuries, abuse, or neglect of the child or his
3 siblings; (4) the names of the persons apparently responsible
4 for the abuse or neglect; (5) family composition, including
5 names, ages, sexes, and races of other children in the home;
6 (6) the name of the person making the report, his occupation,
7 and where he can be reached; (7) the actions taken by the
8 reporting source, including the taking of photographs and
9 x-rays, placing the child in temporary protective custody, or
10 notifying the medical examiner ~~or coroner~~; and (8) any other
11 information the person making the report believes might be
12 helpful in the furtherance of the purposes of this Act.

13 (Source: P.A. 92-295, eff. 1-1-02; 92-651, eff. 7-11-02.)

14 (325 ILCS 5/11.1) (from Ch. 23, par. 2061.1)

15 Sec. 11.1. Access to records.

16 (a) A person shall have access to the records described in
17 Section 11 only in furtherance of purposes directly connected
18 with the administration of this Act or the Intergovernmental
19 Missing Child Recovery Act of 1984. Those persons and purposes
20 for access include:

21 (1) Department staff in the furtherance of their
22 responsibilities under this Act, or for the purpose of
23 completing background investigations on persons or
24 agencies licensed by the Department or with whom the
25 Department contracts for the provision of child welfare

1 services.

2 (2) A law enforcement agency investigating known or
3 suspected child abuse or neglect, known or suspected
4 involvement with child pornography, known or suspected
5 criminal sexual assault, known or suspected criminal
6 sexual abuse, or any other sexual offense when a child is
7 alleged to be involved.

8 (3) The Department of State Police when administering
9 the provisions of the Intergovernmental Missing Child
10 Recovery Act of 1984.

11 (4) A physician who has before him a child whom he
12 reasonably suspects may be abused or neglected.

13 (5) A person authorized under Section 5 of this Act to
14 place a child in temporary protective custody when such
15 person requires the information in the report or record to
16 determine whether to place the child in temporary
17 protective custody.

18 (6) A person having the legal responsibility or
19 authorization to care for, treat, or supervise a child, or
20 a parent, prospective adoptive parent, foster parent,
21 guardian, or other person responsible for the child's
22 welfare, who is the subject of a report.

23 (7) Except in regard to harmful or detrimental
24 information as provided in Section 7.19, any subject of
25 the report, and if the subject of the report is a minor,
26 his guardian or guardian ad litem.

1 (8) A court, upon its finding that access to such
2 records may be necessary for the determination of an issue
3 before such court; however, such access shall be limited
4 to in camera inspection, unless the court determines that
5 public disclosure of the information contained therein is
6 necessary for the resolution of an issue then pending
7 before it.

8 (8.1) A probation officer or other authorized
9 representative of a probation or court services department
10 conducting an investigation ordered by a court under the
11 Juvenile Court Act of 1987.

12 (9) A grand jury, upon its determination that access
13 to such records is necessary in the conduct of its
14 official business.

15 (10) Any person authorized by the Director, in
16 writing, for audit or bona fide research purposes.

17 (11) Law enforcement agencies, ~~coroners~~ or medical
18 examiners, physicians, courts, school superintendents and
19 child welfare agencies in other states who are responsible
20 for child abuse or neglect investigations or background
21 investigations.

22 (12) The Department of Professional Regulation, the
23 State Board of Education and school superintendents in
24 Illinois, who may use or disclose information from the
25 records as they deem necessary to conduct investigations
26 or take disciplinary action, as provided by law.

1 (13) A ~~coroner or~~ medical examiner who has reason to
2 believe that a child has died as the result of abuse or
3 neglect.

4 (14) The Director of a State-operated facility when an
5 employee of that facility is the perpetrator in an
6 indicated report.

7 (15) The operator of a licensed child care facility or
8 a facility licensed by the Department of Human Services
9 (as successor to the Department of Alcoholism and
10 Substance Abuse) in which children reside when a current
11 or prospective employee of that facility is the
12 perpetrator in an indicated child abuse or neglect report,
13 pursuant to Section 4.3 of the Child Care Act of 1969.

14 (16) Members of a multidisciplinary team in the
15 furtherance of its responsibilities under subsection (b)
16 of Section 7.1. All reports concerning child abuse and
17 neglect made available to members of such
18 multidisciplinary teams and all records generated as a
19 result of such reports shall be confidential and shall not
20 be disclosed, except as specifically authorized by this
21 Act or other applicable law. It is a Class A misdemeanor to
22 permit, assist or encourage the unauthorized release of
23 any information contained in such reports or records.
24 Nothing contained in this Section prevents the sharing of
25 reports or records relating or pertaining to the death of
26 a minor under the care of or receiving services from the

1 Department of Children and Family Services and under the
2 jurisdiction of the juvenile court with the juvenile
3 court, the State's Attorney, and the minor's attorney.

4 (17) The Department of Human Services, as provided in
5 Section 17 of the Rehabilitation of Persons with
6 Disabilities Act.

7 (18) Any other agency or investigative body, including
8 the Department of Public Health and a local board of
9 health, authorized by State law to conduct an
10 investigation into the quality of care provided to
11 children in hospitals and other State regulated care
12 facilities.

13 (19) The person appointed, under Section 2-17 of the
14 Juvenile Court Act of 1987, as the guardian ad litem of a
15 minor who is the subject of a report or records under this
16 Act; or the person appointed, under Section 5-610 of the
17 Juvenile Court Act of 1987, as the guardian ad litem of a
18 minor who is in the custody or guardianship of the
19 Department or who has an open intact family services case
20 with the Department and who is the subject of a report or
21 records made pursuant to this Act.

22 (20) The Department of Human Services, as provided in
23 Section 10 of the Early Intervention Services System Act,
24 and the operator of a facility providing early
25 intervention services pursuant to that Act, for the
26 purpose of determining whether a current or prospective

1 employee who provides or may provide direct services under
2 that Act is the perpetrator in an indicated report of
3 child abuse or neglect filed under this Act.

4 (b) Nothing contained in this Act prevents the sharing or
5 disclosure of information or records relating or pertaining to
6 juveniles subject to the provisions of the Serious Habitual
7 Offender Comprehensive Action Program when that information is
8 used to assist in the early identification and treatment of
9 habitual juvenile offenders.

10 (c) To the extent that persons or agencies are given
11 access to information pursuant to this Section, those persons
12 or agencies may give this information to and receive this
13 information from each other in order to facilitate an
14 investigation conducted by those persons or agencies.

15 (Source: P.A. 100-158, eff. 1-1-18; 101-43, eff. 1-1-20.)

16 (325 ILCS 5/11.9)

17 Sec. 11.9. Child Death Investigation Task Force;
18 establishment.

19 (a) The Department of Children and Family Services shall,
20 from funds appropriated by the General Assembly to the
21 Department for this purpose, or from funds that may otherwise
22 be provided for this purpose from other public or private
23 sources, establish a Child Death Investigation Task Force to
24 operate in the Southern Region of the State and in other
25 regions at the discretion of the Director of the Department.

1 The Child Death Investigation Task Force shall develop and
2 implement a plan for the investigation of sudden, unexpected,
3 or unexplained child fatalities or near fatalities of children
4 under 18 years of age occurring within that region, as may be
5 further defined in Department rule and procedure. The plan
6 must include provisions for local or State law enforcement
7 agencies, the Department, hospitals, and medical examiners
8 ~~coroners~~ to promptly notify the Task Force of a sudden,
9 unexpected, or unexplained child fatality or near fatality of
10 a child, and for the Task Force to review and investigate the
11 notification. The investigation shall include coordination
12 among members of a multidisciplinary team, including local or
13 State law enforcement agencies, the Department, hospitals,
14 medical examiners ~~coroners~~, the appropriate State's Attorney's
15 Office, and the appropriate children's advocacy center. The
16 plan must also include provisions for training members of each
17 multidisciplinary team on the various components of the
18 investigation of fatalities or near fatalities of children.
19 The Task Force shall maintain case tracking and related case
20 information for activations. Information shall be shared and
21 reviewed by the Task Force's Board of Directors. The plan must
22 be submitted in writing and approved by the Board of
23 Directors.

24 (b) The Child Death Investigation Task Force shall be
25 governed by a Board of Directors composed of, but not limited
26 to, an approved representative from each of the following

1 agencies or groups: the Department of Children and Family
2 Services, the Southern Illinois Police Chiefs' Association,
3 the Illinois Coroners and Medical Examiners Association, the
4 Illinois State's Attorneys Association, the Illinois Sheriffs'
5 Association, the Illinois State Police, the Child Advocacy
6 Centers of Illinois, and the Illinois Law Enforcement Training
7 Standards Board. The Board of Directors shall have the
8 authority to organize itself and adopt bylaws and to appoint,
9 assign, and elect members and leaders, and shall determine the
10 voting rights of its members. The Board of Directors shall
11 determine all major policies and establish all necessary
12 principles and procedures of the Task Force. The Board of
13 Directors shall meet 4 times a year or as called for in the
14 bylaws of the organization.

15 (c) The State shall indemnify and hold harmless members of
16 the Child Death Investigation Task Force and the Board of
17 Directors for all their acts, omissions, decisions, or other
18 conduct arising out of the scope of their service on the Task
19 Force or Board, except those involving willful or wanton
20 misconduct. The method of providing indemnification shall be
21 as provided in the State Employee Indemnification Act.

22 (Source: P.A. 100-733, eff. 1-1-19.)

23 Section 175. The Mental Health and Developmental
24 Disabilities Code is amended by changing Section 5-100 as
25 follows:

1 (405 ILCS 5/5-100) (from Ch. 91 1/2, par. 5-100)

2 Sec. 5-100. Written notice of the death of a recipient of
3 services which occurs at a mental health or developmental
4 disabilities facility, or the death of a recipient of services
5 who has not been discharged from a mental health or
6 developmental disabilities facility but whose death occurs
7 elsewhere, shall within 10 days of the death of a recipient be
8 mailed to the Department of Public Health which, for the
9 primary purpose of monitoring patterns of abuse and neglect of
10 recipients of services, shall make such notices available to
11 the Guardianship and Advocacy Commission and to the agency
12 designated by the Governor under Section 1 of "An Act in
13 relation to the protection and advocacy of the rights of
14 persons with developmental disabilities, and amending Acts
15 therein named", approved September 20, 1985. Such notice shall
16 include the name of the recipient, the name and address of the
17 facility at which the death occurred, the recipient's age, the
18 nature of the recipient's condition, including any evidence of
19 the previous injuries or disabilities, or relevant medical
20 conditions or any other information which might be helpful in
21 establishing the cause of death.

22 Written notice of the death of a recipient of services who
23 was admitted by court order, and the cause thereof shall, in
24 all cases, be mailed by the facility director to the court
25 entering the original admission order, and if possible, to the

1 same judge, and the time, place and alleged cause of such death
2 shall be entered upon the docket. Such notice must be mailed
3 within 10 days following the death of the recipient.

4 In the event of a sudden or mysterious death of any
5 recipient of services at any public or private facility, a
6 medical examiner's ~~coroner's~~ inquest shall be held as provided
7 by law in other cases.

8 In cases where the deceased person was a recipient or
9 client of any state facility, and the fees for holding an
10 inquest cannot be collected out of his estate, such fees shall
11 be paid by the Department.

12 (Source: P.A. 88-380.)

13 Section 180. The Developmental Disability and Mental
14 Health Safety Act is amended by changing Sections 15 and 20 as
15 follows:

16 (405 ILCS 82/15)

17 Sec. 15. Mortality Review Process.

18 (a) The Department of Human Services shall develop an
19 independent team of experts from the academic, private, and
20 public sectors to examine all deaths at facilities and
21 community agencies.

22 (b) The Secretary of Human Services, in consultation with
23 the Director of Public Health, shall appoint members to the
24 independent team of experts, which shall consist of at least

1 one member from each of the following categories:

2 1. Physicians experienced in providing medical care to
3 individuals with developmental disabilities.

4 2. Physicians experienced in providing medical care to
5 individuals with mental illness.

6 3. Registered nurses experienced in providing medical
7 care to individuals with developmental disabilities.

8 4. Registered nurses experienced in providing medical
9 care to individuals with mental illness.

10 5. Psychiatrists.

11 6. Psychologists.

12 7. Representatives of the Department of Human Services
13 who are not employed at the facility at which the death
14 occurred.

15 8. Representatives of the Department of Public Health.

16 9. Representatives of the agency designated by the
17 Governor pursuant to the Protection and Advocacy for
18 Persons with Developmental Disabilities Act.

19 10. State's Attorneys or State's Attorneys'
20 representatives.

21 11. Medical examiners ~~Coroners~~ or forensic
22 pathologists.

23 12. Representatives of local hospitals, trauma
24 centers, or providers of emergency medical services.

25 13. Other categories of persons, as the Secretary of
26 Human Services may see fit.

1 The independent team of experts may make recommendations
2 to the Secretary of Human Services concerning additional
3 appointments. Each team member must have demonstrated
4 experience and an interest in investigating, treating, or
5 preventing the deaths of individuals with disabilities. The
6 Secretary of Human Services shall appoint additional teams if
7 the Secretary or the existing team determines that more teams
8 are necessary to accomplish the purposes of this Act. The
9 members of a team shall be appointed for 2-year staggered
10 terms and shall be eligible for reappointment upon the
11 expiration of their terms. Each independent team shall select
12 a Chairperson from among its members.

13 (c) The independent team of experts shall examine the
14 deaths of all individuals who have died while under the care of
15 a facility or community agency.

16 (d) The purpose of the independent team of experts'
17 examination of such deaths is to do the following:

18 1. Review the cause and manner of the individual's
19 death.

20 2. Review all actions taken by the facility, State
21 agencies, or other entities to address the cause or causes
22 of death and the adequacy of medical care and treatment.

23 3. Evaluate the means, if any, by which the death
24 might have been prevented.

25 4. Report its observations and conclusions to the
26 Secretary of Human Services and make recommendations that

1 may help to reduce the number of unnecessary deaths.

2 5. Promote continuing education for professionals
3 involved in investigating and preventing the unnecessary
4 deaths of individuals under the care of a facility or
5 community agency.

6 6. Make specific recommendations to the Secretary of
7 Human Services concerning the prevention of unnecessary
8 deaths of individuals under the care of facilities and
9 community agencies, including changes in policies and
10 practices that will prevent harm to individuals with
11 disabilities, and the establishment of protocols for
12 investigating the deaths of these individuals.

13 (e) The independent team of experts must examine the cases
14 submitted to it on a quarterly basis. The team shall meet at
15 least once in each calendar quarter if there are cases to be
16 examined. The Department of Human Services shall forward cases
17 within 90 days after completion of a review or an
18 investigation into the death of an individual residing at a
19 facility or community agency.

20 (f) Within 90 days after receiving recommendations made by
21 the independent team of experts under subsection (d) of this
22 Section, the Secretary of Human Services must review those
23 recommendations, as feasible and appropriate, and shall
24 respond to the team in writing to explain the implementation
25 of those recommendations.

26 (g) The Secretary of Human Services shall establish

1 protocols governing the operation of the independent team.
2 Those protocols shall include the creation of sub-teams to
3 review the case records or portions of the case records and
4 report to the full team. The members of a sub-team shall be
5 composed of team members specially qualified to examine those
6 records. In any instance in which the independent team does
7 not operate in accordance with established protocol, the
8 Secretary of Human Services shall take any necessary actions
9 to bring the team into compliance with the protocol.

10 (Source: P.A. 99-143, eff. 7-27-15.)

11 (405 ILCS 82/20)

12 Sec. 20. Independent team of experts' access to
13 information.

14 (a) The Secretary of Human Services shall provide to the
15 independent team of experts, on the request of the team
16 Chairperson, all records and information in the Department's
17 possession that are relevant to the team's examination of a
18 death of the sort described in subsection (c) of Section 10,
19 including records and information concerning previous reports
20 or investigations of any matter, as determined by the team.

21 (b) The independent team shall have access to all records
22 and information that are relevant to its review of a death and
23 in the possession of a State or local governmental agency or
24 other entity. These records and information shall include,
25 without limitation, death certificates, all relevant medical

1 and mental health records, records of law enforcement agency
2 investigations, records of ~~coroner or~~ medical examiner
3 investigations, records of the Department of Corrections and
4 Department of Juvenile Justice concerning a person's parole,
5 aftercare release, records of a probation and court services
6 department, and records of a social services agency that
7 provided services to the person who died.

8 (Source: P.A. 98-558, eff. 1-1-14.)

9 Section 185. The Crematory Regulation Act is amended by
10 changing Sections 35 and 94 as follows:

11 (410 ILCS 18/35)

12 (Section scheduled to be repealed on January 1, 2022)

13 Sec. 35. Cremation procedures.

14 (a) Human remains shall not be cremated within 24 hours
15 after the time of death, as indicated on the Medical
16 Examiner's ~~Medical Examiner's/Coroner's~~ Certificate of Death.

17 In any death, the human remains shall not be cremated by the
18 crematory authority until a cremation permit has been received
19 from the ~~coroner or~~ medical examiner of the county in which the
20 death occurred and the crematory authority has received a
21 cremation authorization form, executed by an authorizing
22 agent, in accordance with the provisions of Section 15 of this
23 Act. In no instance, however, shall the lapse of time between
24 the death and the cremation be less than 24 hours, unless (i)

1 it is known the deceased has an infectious or dangerous
2 disease and that the time requirement is waived in writing by
3 the medical examiner ~~or coroner~~ where the death occurred or
4 (ii) because of a religious requirement.

5 (b) Except as set forth in subsection (a) of this Section,
6 a crematory authority shall have the right to schedule the
7 actual cremation to be performed at its own convenience, at
8 any time after the human remains have been delivered to the
9 crematory authority, unless the crematory authority has
10 received specific instructions to the contrary on the
11 cremation authorization form.

12 (c) No crematory authority shall cremate human remains
13 when it has actual knowledge that human remains contain a
14 pacemaker or any other material or implant that may be
15 potentially hazardous to the person performing the cremation.

16 (d) No crematory authority shall refuse to accept human
17 remains for cremation because such human remains are not
18 embalmed.

19 (e) Whenever a crematory authority is unable or
20 unauthorized to cremate human remains immediately upon taking
21 custody of the remains, the crematory authority shall place
22 the human remains in a holding facility in accordance with the
23 crematory authority's rules and regulations. The crematory
24 authority must notify the authorizing agent of the reasons for
25 delay in cremation if a properly authorized cremation is not
26 performed within any time period expressly contemplated in the

1 authorization.

2 (f) A crematory authority shall not accept a casket or
3 alternative container from which there is any evidence of the
4 leakage of body fluids.

5 (g) The casket or the alternative container shall be
6 cremated with the human remains or destroyed, unless the
7 crematory authority has notified the authorizing agent to the
8 contrary on the cremation authorization form and obtained the
9 written consent of the authorizing agent.

10 (h) The simultaneous cremation of the human remains of
11 more than one person within the same cremation chamber,
12 without the prior written consent of the authorizing agent, is
13 prohibited except for common cremation pursuant to Section
14 11.4 of the Hospital Licensing Act. Nothing in this
15 subsection, however, shall prevent the simultaneous cremation
16 within the same cremation chamber of body parts delivered to
17 the crematory authority from multiple sources, or the use of
18 cremation equipment that contains more than one cremation
19 chamber.

20 (i) No unauthorized person shall be permitted in the
21 holding facility or cremation room while any human remains are
22 being held there awaiting cremation, being cremated, or being
23 removed from the cremation chamber.

24 (j) A crematory authority shall not remove any dental
25 gold, body parts, organs, or any item of value prior to or
26 subsequent to a cremation without previously having received

1 specific written authorization from the authorizing agent and
2 written instructions for the delivery of these items to the
3 authorizing agent. Under no circumstances shall a crematory
4 authority profit from making or assisting in any removal of
5 valuables.

6 (k) Upon the completion of each cremation, and insofar as
7 is practicable, all of the recoverable residue of the
8 cremation process shall be removed from the cremation chamber.

9 (l) If all of the recovered cremated remains will not fit
10 within the receptacle that has been selected, the remainder of
11 the cremated remains shall be returned to the authorizing
12 agent or the agent's designee in a separate container. The
13 crematory authority shall not return to an authorizing agent
14 or the agent's designee more or less cremated remains than
15 were removed from the cremation chamber.

16 (m) A crematory authority shall not knowingly represent to
17 an authorizing agent or the agent's designee that a temporary
18 container or urn contains the cremated remains of a specific
19 decedent when it does not.

20 (n) Cremated remains shall be shipped only by a method
21 that has an internal tracing system available and that
22 provides a receipt signed by the person accepting delivery.

23 (o) A crematory authority shall maintain an identification
24 system that shall ensure that it shall be able to identify the
25 human remains in its possession throughout all phases of the
26 cremation process.

1 (Source: P.A. 96-338, eff. 1-1-10.)

2 (410 ILCS 18/94)

3 (Section scheduled to be repealed on January 1, 2022)

4 Sec. 94. Summary suspension of a license. The Comptroller
5 may summarily suspend a license of a licensed crematory
6 without a hearing, simultaneously with the institution of
7 proceedings for a hearing provided for in this Act, if the
8 Comptroller finds that evidence in the Comptroller's
9 possession indicates that the licensee's continued practice
10 would constitute an imminent danger to the public. In the
11 event that the Comptroller summarily suspends the license of a
12 licensed crematory without a hearing, a hearing must be
13 commenced within 30 days after the suspension has occurred and
14 concluded as expeditiously as practical. In the event of a
15 summary suspension, the county ~~coroner or~~ medical examiner
16 responsible for the area where the crematory is located shall
17 make arrangements to dispose of any bodies in the suspended
18 licensee's possession after consulting with the authorizing
19 agents for those bodies.

20 (Source: P.A. 96-863, eff. 3-1-12; 97-679, eff. 2-6-12.)

21 Section 190. The Toxicological Laboratory Service Act is
22 amended by changing Section 1 as follows:

23 (410 ILCS 60/1) (from Ch. 111 1/2, par. 201)

1 Sec. 1. The Department of Public Health is authorized to
2 establish and operate a toxicological laboratory service for
3 the purpose of testing specimens submitted by medical
4 examiners ~~coroners~~, physicians and law enforcement officers in
5 their efforts to determine whether poisonous, biologically
6 infectious or radioactive substances have been involved in
7 deaths, accidents, or illness; providing technical assistance
8 and advice on the safe handling of such specimens; and for the
9 further purpose of testing samples of water, air, and other
10 substances to determine the radioactive or chemical
11 ingredients of pollutants or industrial wastes which are or
12 may be emptied into, or found in the streams, waters and
13 atmosphere of this State, and for similar purposes.

14 (Source: P.A. 86-853.)

15 Section 195. The Autopsy Act is amended by changing
16 Section 5 as follows:

17 (410 ILCS 505/5) (from Ch. 31, par. 45)

18 Sec. 5. Nothing in this Act shall be construed to
19 contravene or supersede the provisions of Division 3-3 of the
20 Counties Code ~~"An Act to revise the law in relation to~~
21 ~~coroners", approved February 6, 1874, as amended.~~

22 (Source: Laws 1965, p. 2996.)

23 Section 200. The Cadaver Act is amended by changing

1 Section 1 as follows:

2 (410 ILCS 510/1) (from Ch. 144, par. 1551)

3 Sec. 1. Superintendents of penitentiaries, houses of
4 correction and bridewells, hospitals, state charitable
5 institutions and county homes, medical examiners ~~coroners~~,
6 sheriffs, jailors, funeral directors and all other state,
7 county, town and city officers, in whose custody is the body of
8 any deceased person, required to be buried at public expense,
9 shall, in the absence of disposition of such body, or any part
10 thereof by will or other written instrument, give permission
11 to any physician or surgeon licensed in Illinois, or to any
12 medical college or school, or other institution of higher
13 science education or school of mortuary science, public or
14 private, of any city, town or county, upon his or their receipt
15 in writing and request therefor, to receive and remove free of
16 public charge or expense, after having given proper notice to
17 relatives or guardians of the deceased, the bodies of such
18 deceased persons about to be buried at public expense, to be by
19 him or them used within the state, for advancement of medical,
20 anatomical, biological or mortuary science. Preference shall
21 be given to medical colleges or schools, public or private and
22 such bodies to be distributed to and among the same,
23 equitably, the number assigned to each, being in proportion to
24 the students of each college or school: except, if any person
25 claiming to be, and satisfying the proper authorities that he

1 is of kindred of the deceased asks to have the body for burial,
2 it shall, in the absence of other disposition of such body, or
3 any part thereof by will, court order or other written
4 instrument, be surrendered for interment. Any medical college
5 or school, or other institution of higher science education or
6 school of mortuary science, public and private, or any
7 officers of the same, that receive the bodies of deceased
8 persons for the purposes of scientific study, under the
9 provisions of this Act, shall furnish the same to students of
10 medicine, surgery and biological or mortuary sciences, who are
11 under their instruction, at a price not exceeding the sum of \$5
12 for each and every such deceased body so furnished.

13 (Source: Laws 1965, p. 1980.)

14 Section 205. The Vital Records Act is amended by changing
15 Sections 18, 20, 21, 21.7, and 25.5 as follows:

16 (410 ILCS 535/18) (from Ch. 111 1/2, par. 73-18)

17 Sec. 18. (1) Each death which occurs in this State shall be
18 registered by filing a death certificate with the local
19 registrar of the district in which the death occurred or the
20 body was found, within 7 days after such death (within 5 days
21 if the death occurs prior to January 1, 1989) and prior to
22 cremation or removal of the body from the State, except when
23 death is subject to investigation by the ~~coroner or~~ medical
24 examiner.

1 (a) For the purposes of this Section, if the place of
2 death is unknown, a death certificate shall be filed in
3 the registration district in which a dead body is found,
4 which shall be considered the place of death.

5 (b) When a death occurs on a moving conveyance, the
6 place where the body is first removed from the conveyance
7 shall be considered the place of death and a death
8 certificate shall be filed in the registration district in
9 which such place is located.

10 (c) The funeral director who first assumes custody of
11 a dead body shall be responsible for filing a completed
12 death certificate. He shall obtain the personal data from
13 the next of kin or the best qualified person or source
14 available; he shall enter on the certificate the name,
15 relationship, and address of his informant; he shall enter
16 the date, place, and method of final disposition; he shall
17 affix his own signature and enter his address; and shall
18 present the certificate to the person responsible for
19 completing the medical certification of cause of death.
20 The person responsible for completing the medical
21 certification of cause of death must note the presence of
22 methicillin-resistant staphylococcus aureus, clostridium
23 difficile, or vancomycin-resistant enterococci if it is a
24 contributing factor to or the cause of death. Additional
25 multi-drug resistant organisms (MDROs) may be added to
26 this list by the Department by rule.

1 (2) The medical certification shall be completed and
2 signed within 48 hours after death by the physician in charge
3 of the patient's care for the illness or condition which
4 resulted in death, except when death is subject to the
5 ~~coroner's or~~ medical examiner's investigation. In the absence
6 of the physician or with his approval, the medical certificate
7 may be completed and signed by his associate physician, the
8 chief medical officer of the institution in which death
9 occurred or by the physician who performed an autopsy upon the
10 decedent.

11 (3) When a death occurs without medical attendance, or
12 when it is otherwise subject to the ~~coroner's or~~ medical
13 examiner's investigation, the ~~coroner or~~ medical examiner
14 shall be responsible for the completion of a ~~coroner's or~~
15 medical examiner's certificate of death and shall sign the
16 medical certification within 48 hours after death, except as
17 provided by regulation in special problem cases. If the
18 decedent was under the age of 18 years at the time of his or
19 her death, and the death was due to injuries suffered as a
20 result of a motor vehicle backing over a child, or if the death
21 occurred due to the power window of a motor vehicle, the
22 ~~coroner or~~ medical examiner must send a copy of the medical
23 certification, with information documenting that the death was
24 due to a vehicle backing over the child or that the death was
25 caused by a power window of a vehicle, to the Department of
26 Children and Family Services. The Department of Children and

1 Family Services shall (i) collect this information for use by
2 Child Death Review Teams and (ii) compile and maintain this
3 information as part of its Annual Child Death Review Team
4 Report to the General Assembly.

5 (3.5) The medical certification of cause of death shall
6 expressly provide an opportunity for the person completing the
7 certification to indicate that the death was caused in whole
8 or in part by a dementia-related disease, Parkinson's Disease,
9 or Parkinson-Dementia Complex.

10 (4) When the deceased was a veteran of any war of the
11 United States, the funeral director shall prepare a
12 "Certificate of Burial of U. S. War Veteran", as prescribed
13 and furnished by the Illinois Department of Veterans' Affairs,
14 and submit such certificate to the Illinois Department of
15 Veterans' Affairs monthly.

16 (5) When a death is presumed to have occurred in this State
17 but the body cannot be located, a death certificate may be
18 prepared by the State Registrar upon receipt of an order of a
19 court of competent jurisdiction which includes the finding of
20 facts required to complete the death certificate. Such death
21 certificate shall be marked "Presumptive" and shall show on
22 its face the date of the registration and shall identify the
23 court and the date of the judgment.

24 (Source: P.A. 96-1000, eff. 7-2-10; 97-376, eff. 8-15-11.)

25 (410 ILCS 535/20) (from Ch. 111 1/2, par. 73-20)

1 Sec. 20. Fetal death; place of registration.

2 (1) Each fetal death which occurs in this State after a
3 gestation period of 20 completed weeks (and when the mother
4 elects in writing to arrange for the burial or cremation of the
5 fetus under Section 11.4 of the Hospital Licensing Act) or
6 more shall be registered with the local or subregistrar of the
7 district in which the delivery occurred within 7 days after
8 the delivery and before removal of the fetus from the State,
9 except as provided by regulation in special problem cases.

10 (a) For the purposes of this Section, if the place of
11 fetal death is unknown, a fetal death certificate shall be
12 filed in the registration district in which a dead fetus
13 is found, which shall be considered the place of fetal
14 death.

15 (b) When a fetal death occurs on a moving conveyance,
16 the city, village, township, or road district in which the
17 fetus is first removed from the conveyance shall be
18 considered the place of delivery and a fetal death
19 certificate shall be filed in the registration district in
20 which the place is located.

21 (c) The funeral director or person acting as such who
22 first assumes custody of a fetus shall file the
23 certificate. The personal data shall be obtained from the
24 best qualified person or source available. The name,
25 relationship, and address of the informant shall be
26 entered on the certificate. The date, place, and method of

1 final disposition of the fetus shall be recorded over the
2 personal signature and address of the funeral director
3 responsible for the disposition. The certificate shall be
4 presented to the person responsible for completing the
5 medical certification of the cause of death.

6 (2) The medical certification shall be completed and
7 signed within 24 hours after delivery by the physician in
8 attendance at or after delivery, except when investigation is
9 required under Division 3-3 of Article 3 of the Counties Code
10 and except as provided by regulation in special problem cases.

11 (3) When a fetal death occurs without medical attendance
12 upon the mother at or after the delivery, or when
13 investigation is required under Division 3-3 of Article 3 of
14 the Counties Code, the medical examiner ~~coroner~~ shall be
15 responsible for the completion of the fetal death certificate
16 and shall sign the medical certification within 24 hours after
17 the delivery or the finding of the fetus, except as provided by
18 regulation in special problem cases.

19 (Source: P.A. 92-348, eff. 1-1-02.)

20 (410 ILCS 535/21) (from Ch. 111 1/2, par. 73-21)

21 Sec. 21. (1) The funeral director or person acting as such
22 who first assumes custody of a dead body or fetus shall make a
23 written report to the registrar of the district in which death
24 occurred or in which the body or fetus was found within 24
25 hours after taking custody of the body or fetus on a form

1 prescribed and furnished by the State Registrar and in
2 accordance with the rules promulgated by the State Registrar.
3 Except as specified in paragraph (2) of this Section, the
4 written report shall serve as a permit to transport, bury or
5 entomb the body or fetus within this State, provided that the
6 funeral director or person acting as such shall certify that
7 the physician in charge of the patient's care for the illness
8 or condition which resulted in death has been contacted and
9 has affirmatively stated that he will sign the medical
10 certificate of death or the fetal death certificate. If a
11 funeral director fails to file written reports under this
12 Section in a timely manner, the local registrar may suspend
13 the funeral director's privilege of filing written reports by
14 mail. In a county with a population greater than 3,000,000, if
15 a funeral director or person acting as such inter or entombs a
16 dead body without having previously certified that the
17 physician in charge of the patient's care for the illness or
18 condition that resulted in death has been contacted and has
19 affirmatively stated that he or she will sign the medical
20 certificate of death, then that funeral director or person
21 acting as such is responsible for payment of the specific
22 costs incurred by the county medical examiner in disinterring
23 and reintering or reentombing the dead body.

24 (2) The written report as specified in paragraph (1) of
25 this Section shall not serve as a permit to:

26 (a) Remove body or fetus from this State;

1 (b) Cremate the body or fetus; or

2 (c) Make disposal of any body or fetus in any manner
3 when death is subject to the ~~coroner's~~ or medical
4 examiner's investigation.

5 (3) In accordance with the provisions of paragraph (2) of
6 this Section the funeral director or person acting as such who
7 first assumes custody of a dead body or fetus shall obtain a
8 permit for disposition of such dead human body prior to final
9 disposition or removal from the State of the body or fetus.
10 Such permit shall be issued by the registrar of the district
11 where death occurred or the body or fetus was found. No such
12 permit shall be issued until a properly completed certificate
13 of death has been filed with the registrar. The registrar
14 shall insure the issuance of a permit for disposition within
15 an expedited period of time to accommodate Sunday or holiday
16 burials of decedents whose time of death and religious tenets
17 or beliefs necessitate Sunday or holiday burials.

18 (4) A permit which accompanies a dead body or fetus
19 brought into this State shall be authority for final
20 disposition of the body or fetus in this State, except in
21 municipalities where local ordinance requires the issuance of
22 a local permit prior to disposition.

23 (5) A permit for disposition of a dead human body shall be
24 required prior to disinterment of a dead body or fetus, and
25 when the disinterred body is to be shipped by a common carrier.
26 Such permit shall be issued to a licensed funeral director or

1 person acting as such, upon proper application, by the local
2 registrar of the district in which disinterment is to be made.
3 In the case of disinterment, proper application shall include
4 a statement providing the name and address of any surviving
5 spouse of the deceased, or, if none, any surviving children of
6 the deceased, or if no surviving spouse or children, a parent,
7 brother, or sister of the deceased. The application shall
8 indicate whether the applicant is one of these parties and, if
9 so, whether the applicant is a surviving spouse or a surviving
10 child. Prior to the issuance of a permit for disinterment, the
11 local registrar shall, by certified mail, notify the surviving
12 spouse, unless he or she is the applicant, or if there is no
13 surviving spouse, all surviving children except for the
14 applicant, of the application for the permit. The person or
15 persons notified shall have 30 days from the mailing of the
16 notice to object by obtaining an injunction enjoining the
17 issuance of the permit. After the 30-day period has expired,
18 the local registrar shall issue the permit unless he or she has
19 been enjoined from doing so or there are other statutory
20 grounds for refusal. The notice to the spouse or surviving
21 children shall inform the person or persons being notified of
22 the right to seek an injunction within 30 days.
23 Notwithstanding any other provision of this subsection (5), a
24 court may order issuance of a permit for disinterment without
25 notice or prior to the expiration of the 30-day period where
26 the petition is made by an agency of any governmental unit and

1 good cause is shown for disinterment without notice or for the
2 early order. Nothing in this subsection (5) limits the
3 authority of the City of Chicago to acquire property or
4 otherwise exercise its powers under the O'Hare Modernization
5 Act or requires that City, or any person acting on behalf of
6 that City, to obtain a permit under this subsection (5) when
7 exercising powers under the O'Hare Modernization Act. The
8 Illinois Department of Transportation, and any person acting
9 on its behalf under a public-private agreement entered into in
10 accordance with the Public-Private Agreements for the South
11 Suburban Airport Act, is exempt from this subsection (5),
12 provided that the Illinois Department of Transportation, or
13 any such person, takes reasonable steps to comply with the
14 provisions of this subsection (5) so long as compliance does
15 not interfere with the design, development, operation, or
16 maintenance of the South Suburban Airport or the exercise of
17 their powers under the Public-Private Agreements for the South
18 Suburban Airport Act.

19 (Source: P.A. 98-109, eff. 7-25-13.)

20 (410 ILCS 535/21.7)

21 Sec. 21.7. Temporary removal of a dead body. No permit for
22 transportation signed by the local registrar is required prior
23 to transporting a dead human body out of the State of Illinois,
24 at the direction of a federally designated organ procurement
25 organization, for the purpose of organ or tissue donation. The

1 dead human body being transported for the purpose of organ or
2 tissue donation shall be accompanied by a self-issued permit
3 in accordance with rules adopted by the Department of Public
4 Health. This self-issued permit shall be completed by an
5 Illinois-licensed funeral director and embalmer or
6 Illinois-licensed funeral director and shall serve as
7 notification to the county medical examiner ~~or coroner~~ of the
8 jurisdiction or county in which the death occurred that the
9 dead human body is being transported out of Illinois for a
10 period not to exceed 36 hours. This Section applies only to
11 instances in which the dead human body is to be returned to
12 Illinois prior to disposition. This Section does not affect
13 any rights or responsibilities held by county medical
14 examiners ~~or coroners~~ under the Local Governmental and
15 Governmental Employees Tort Immunity Act. The Department of
16 Public Health shall adopt rules to implement this Section.

17 (Source: P.A. 99-262, eff. 1-1-16.)

18 (410 ILCS 535/25.5)

19 Sec. 25.5. Death Certificate Surcharge Fund. The
20 additional \$2 fee for certified copies of death certificates
21 and fetal death certificates must be deposited into the Death
22 Certificate Surcharge Fund, a special fund created in the
23 State treasury. Beginning 30 days after the effective date of
24 this amendatory Act of the 92nd General Assembly and until
25 January 1, 2003 and then beginning again on July 1, 2003 and

1 until July 1, 2005, moneys in the Fund, subject to
2 appropriation, may be used by the Department for the purpose
3 of implementing an electronic reporting system for death
4 registrations as provided in Section 18.5 of this Act. Before
5 the effective date of this amendatory Act of the 92nd General
6 Assembly, on and after January 1, 2003 and until July 1, 2003,
7 and on and after July 1, 2005, moneys in the Fund, subject to
8 appropriations, may be used as follows: (i) 25% by the Medical
9 Examiner ~~Coroner~~ Training Board for the purpose of training
10 medical examiners ~~coroners~~, deputy medical examiners ~~coroners~~,
11 forensic pathologists, and police officers for death
12 investigations and lodging and travel expenses relating to
13 training, (ii) 25% for grants by the Department of Public
14 Health for distribution to all local county ~~coroners~~ and
15 medical examiners or officials charged with the duties set
16 forth under Division 3-3 of the Counties Code, who have a
17 different title, for equipment and lab facilities, (iii) 25%
18 by the Department of Public Health for the purpose of setting
19 up a statewide database of death certificates and implementing
20 an electronic reporting system for death registrations
21 pursuant to Section 18.5, and (iv) 25% for a grant by the
22 Department of Public Health to local registrars.

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

24 Section 210. The Environmental Protection Act is amended
25 by changing Section 56.8 as follows:

1 (415 ILCS 5/56.8)

2 (Section scheduled to be repealed on December 31, 2022)

3 Sec. 56.8. Pharmaceutical Disposal Task Force.

4 (a) The Pharmaceutical Disposal Task Force is created. The
5 Task Force shall coordinate a statewide public information
6 campaign to highlight the benefits of and opportunities to
7 properly dispose of pharmaceutical products. The campaign
8 shall be implemented by the Agency, in coordination with the
9 Department of Public Health and the Illinois State Board of
10 Education. The publicity of the campaign shall include, as
11 appropriate, opportunities to properly dispose of
12 pharmaceutical products provided by:

13 (1) local police departments and local governments,

14 (2) pharmacies,

15 (3) long-term hazardous waste facilities,

16 (4) hazardous-waste collection events,

17 (5) the Agency,

18 (6) the federal Drug Enforcement Administration, and

19 (7) other public or private efforts to properly
20 dispose of pharmaceuticals.

21 The campaign shall address students, seniors, and at-risk
22 populations and shall outline the public health benefits of
23 proper disposal of unused pharmaceutical products and the
24 dangers and risks of their improper disposal.

25 (b) The Task Force shall consist of the following members

1 appointed by the Director of the Agency:

2 (1) one representative of the Agency, who shall serve
3 as the chair of the Task Force;

4 (2) one representative of the Department of Public
5 Health;

6 (3) one representative of the Illinois State Board of
7 Education;

8 (4) one representative of a statewide organization
9 representing pharmacists;

10 (5) one representative of a statewide organization
11 representing agricultural interests;

12 (6) one representative of a statewide organization
13 representing environmental concerns;

14 (7) one representative of a statewide organization
15 representing physicians licensed to practice medicine in
16 all its branches;

17 (8) one representative of a statewide organization
18 representing medical examiners ~~coroners~~;

19 (9) one representative of a statewide organization
20 representing pharmaceutical manufacturers; and

21 (10) one representative of a statewide organization
22 representing retailers.

23 If a vacancy occurs in the Task Force membership, the
24 vacancy shall be filled in the same manner as the original
25 appointment. Task Force members shall not receive compensation
26 for their service on the Task Force. The Agency shall provide

1 the Task Force with administrative and other support.

2 (c) This Section is repealed on December 31, 2022.

3 (Source: P.A. 100-925, eff. 1-1-19.)

4 Section 215. The Fire Investigation Act is amended by
5 changing Section 6 as follows:

6 (425 ILCS 25/6) (from Ch. 127 1/2, par. 6)

7 Sec. 6. Investigation and record of fires; Office of the
8 State Fire Marshal.

9 (a) The chief of the fire department shall investigate the
10 cause, origin and circumstances of every fire occurring in a
11 municipality or fire protection district, or in any area or on
12 any property which is furnished fire protection by the fire
13 department of such municipality or fire protection district,
14 by which property has been destroyed or damaged, and shall
15 especially make investigation as to whether such fire was the
16 result of carelessness or design. Such investigation shall be
17 begun within two days, not including Sunday, of the occurrence
18 of such fire, and the Office shall have the right to supervise
19 and direct such investigation whenever it deems it expedient
20 or necessary. The officer making investigation of fires
21 occurring in cities, villages, towns, fire protection
22 districts or townships shall forthwith notify the Office and
23 shall by the 15th of the month following the occurrence of the
24 fire, furnish to the Office a statement of all facts relating

1 to the cause and origin of the fire, and such other information
2 as may be called for in a format approved or on forms provided
3 by the Office.

4 (b) In every case in which a fire is determined to be a
5 contributing factor in a death, the medical examiner ~~coroner~~
6 of the county where the death occurred shall report the death
7 to the Office as provided in Section 3-3013 of the Counties
8 Code.

9 (c) The Office shall keep a record of all fires occurring
10 in the State, together with all facts, statistics and
11 circumstances, including the origin of the fires, which may be
12 determined by the investigations provided by this act; such
13 record shall at all times be open to the public inspection, and
14 such portions of it as the State Director of Insurance may deem
15 necessary shall be transcribed and forwarded to him within
16 fifteen days from the first of January of each year.

17 (d) In addition to the reporting of fires, the chief of the
18 fire department shall furnish to the Office such other
19 information as the State Fire Marshal deems of importance to
20 the fire services.

21 (Source: P.A. 101-82, eff. 1-1-20.)

22 Section 220. The Illinois Vehicle Code is amended by
23 changing Sections 6-117, 11-413, 11-414, 11-501.7, and 12-215
24 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
4 for a license or permit accepted under this Chapter, and shall
5 maintain suitable indexes thereof. The records of the
6 Secretary of State shall indicate the action taken with
7 respect to such 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
13 shall 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,
26 upon proper verification, such affected driver's attorney.

1 (f) The Secretary of State shall also maintain or contract
2 to maintain appropriate records of all photographs and
3 signatures obtained in the process of issuing any driver's
4 license, permit, or identification card. The record shall be
5 confidential and shall not be disclosed except to those
6 entities listed under Section 6-110.1 of this Code.

7 (g) The Secretary of State may establish a First Person
8 Consent organ and tissue donor registry in compliance with
9 subsection (b-1) of Section 5-20 of the Illinois Anatomical
10 Gift Act, as follows:

11 (1) The Secretary shall offer, to each applicant for
12 issuance or renewal of a driver's license or
13 identification card who is 16 years of age or older, the
14 opportunity to have his or her name included in the First
15 Person Consent organ and tissue donor registry. The
16 Secretary must advise the applicant or licensee that he or
17 she is under no compulsion to have his or her name included
18 in the registry. An individual who agrees to having his or
19 her name included in the First Person Consent organ and
20 tissue donor registry has given full legal consent to the
21 donation of any of his or her organs or tissue upon his or
22 her death. A brochure explaining this method of executing
23 an anatomical gift must be given to each applicant for
24 issuance or renewal of a driver's license or
25 identification card. The brochure must advise the
26 applicant or licensee (i) that he or she is under no

1 compulsion to have his or her name included in this
2 registry and (ii) that he or she may wish to consult with
3 family, friends, or clergy before doing so.

4 (2) The Secretary of State may establish additional
5 methods by which an individual may have his or her name
6 included in the First Person Consent organ and tissue
7 donor registry.

8 (3) When an individual has agreed to have his or her
9 name included in the First Person Consent organ and tissue
10 donor registry, the Secretary of State shall note that
11 agreement in the First Person consent organ and tissue
12 donor registry. Representatives of federally designated
13 organ procurement agencies and tissue banks and the
14 offices of Illinois county ~~coroners and~~ medical examiners
15 may inquire of the Secretary of State whether a potential
16 organ donor's name is included in the First Person Consent
17 organ and tissue donor registry, and the Secretary of
18 State may provide that information to the representative.

19 (4) An individual may withdraw his or her consent to
20 be listed in the First Person Consent organ and tissue
21 donor registry maintained by the Secretary of State by
22 notifying the Secretary of State in writing, or by any
23 other means approved by the Secretary, of the individual's
24 decision to have his or her name removed from the
25 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
5 employees are immune from any civil or criminal liability
6 in connection with an individual's consent to be listed in
7 the 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
16 circumstances 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
21 may analyze all written motor vehicle accident reports
22 received in compliance with this Code and shall publish
23 annually or at more frequent intervals motor vehicle accident
24 data. The 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
9 any individual to submit a supplementary report subjects
10 such individual to the same penalties for failure to
11 report as 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
15 discharge of a person convicted of a violation of Section
16 11-501 of this Code, who was less than 21 years of age at the
17 time of the offense, or a person adjudicated delinquent
18 pursuant to the Juvenile Court Act of 1987, for violation of
19 Section 11-501 of this Code, the Court may order the offender
20 to participate in the Youthful Intoxicated Drivers' Visitation
21 Program. The Program shall consist of a supervised visitation
22 as provided by this Section by the person to at least one of
23 the following, to the extent that personnel and facilities are
24 available:

25 (1) A State or private rehabilitation facility that

1 cares for victims of motor vehicle accidents involving
2 persons under the influence of alcohol.

3 (2) A facility which cares for advanced alcoholics to
4 observe persons in the terminal stages of alcoholism,
5 under the supervision of appropriately licensed medical
6 personnel.

7 (3) If approved by the medical examiner ~~coroner~~ of the
8 county where the person resides, the county medical
9 examiner's ~~coroner's~~ office or the county morgue to
10 observe appropriate victims of motor vehicle accidents
11 involving persons under the influence of alcohol, under
12 the supervision of the medical examiner ~~coroner~~ or deputy
13 medical examiner ~~coroner~~.

14 (b) The Program shall be operated by the appropriate
15 probation authorities of the courts of the various circuits.
16 The youthful offender ordered to participate in the Program
17 shall bear all costs associated with participation in the
18 Program. A parent or guardian of the offender may assume the
19 obligation of the offender to pay the costs of the Program. The
20 court may waive the requirement that the offender pay the
21 costs of participation in the Program upon a finding of
22 indigency.

23 (c) As used in this Section, "appropriate victims" means
24 victims whose condition is determined by the visit supervisor
25 to demonstrate the results of motor vehicle accidents
26 involving persons under the influence of alcohol without being

1 excessively gruesome or traumatic to the observer.

2 (d) Any visitation shall include, before any observation
3 of victims or persons with disabilities, a comprehensive
4 counseling session with the visitation supervisor at which the
5 supervisor shall explain and discuss the experiences which may
6 be encountered during the visitation in order to ascertain
7 whether the visitation is appropriate.

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

9 (625 ILCS 5/12-215) (from Ch. 95 1/2, par. 12-215)

10 Sec. 12-215. Oscillating, rotating or flashing lights on
11 motor vehicles. Except as otherwise provided in this Code:

12 (a) The use of red or white oscillating, rotating or
13 flashing lights, whether lighted or unlighted, is prohibited
14 except on:

15 1. Law enforcement vehicles of State, Federal or local
16 authorities;

17 2. A vehicle operated by a police officer or county
18 medical examiner ~~coroner~~ and designated or authorized by
19 local authorities, in writing, as a law enforcement
20 vehicle; however, such designation or authorization must
21 be carried in the vehicle;

22 2.1. A vehicle operated by a fire chief, deputy fire
23 chief, or assistant fire chief who has completed an
24 emergency vehicle operation training course approved by
25 the Office of the State Fire Marshal and designated or

1 authorized by local authorities, in writing, as a fire
2 department, fire protection district, or township fire
3 department vehicle; however, the designation or
4 authorization must be carried in the vehicle, and the
5 lights may be visible or activated only when responding to
6 a bona fide emergency;

7 3. Vehicles of local fire departments and State or
8 federal firefighting vehicles;

9 4. Vehicles which are designed and used exclusively as
10 ambulances or rescue vehicles; furthermore, such lights
11 shall not be lighted except when responding to an
12 emergency call for and while actually conveying the sick
13 or injured;

14 4.5. Vehicles which are occasionally used as rescue
15 vehicles that have been authorized for use as rescue
16 vehicles by a volunteer EMS provider, provided that the
17 operator of the vehicle has successfully completed an
18 emergency vehicle operation training course recognized by
19 the Department of Public Health; furthermore, the lights
20 shall not be lighted except when responding to an
21 emergency call for the sick or injured;

22 5. Tow trucks licensed in a state that requires such
23 lights; furthermore, such lights shall not be lighted on
24 any such tow truck while the tow truck is operating in the
25 State of Illinois;

26 6. Vehicles of the Illinois Emergency Management

1 Agency, vehicles of the Office of the Illinois State Fire
2 Marshal, vehicles of the Illinois Department of Public
3 Health, vehicles of the Illinois Department of
4 Corrections, and vehicles of the Illinois Department of
5 Juvenile Justice;

6 7. Vehicles operated by a local or county emergency
7 management services agency as defined in the Illinois
8 Emergency Management Agency Act;

9 8. School buses operating alternately flashing head
10 lamps as permitted under Section 12-805 of this Code;

11 9. Vehicles that are equipped and used exclusively as
12 organ transplant vehicles when used in combination with
13 blue oscillating, rotating, or flashing lights;
14 furthermore, these lights shall be lighted only when the
15 transportation is declared an emergency by a member of the
16 transplant team or a representative of the organ
17 procurement organization;

18 10. Vehicles of the Illinois Department of Natural
19 Resources that are used for mine rescue and explosives
20 emergency response;

21 11. Vehicles of the Illinois Department of
22 Transportation identified as Emergency Traffic Patrol; the
23 lights shall not be lighted except when responding to an
24 emergency call or when parked or stationary while engaged
25 in motor vehicle assistance or at the scene of the
26 emergency; and

1 12. Vehicles of the Illinois State Toll Highway
2 Authority with a gross vehicle weight rating of 9,000
3 pounds or more and those identified as Highway Emergency
4 Lane Patrol; the lights shall not be lighted except when
5 responding to an emergency call or when parked or
6 stationary while engaged in motor vehicle assistance or at
7 the scene of the emergency.

8 (b) The use of amber oscillating, rotating or flashing
9 lights, whether lighted or unlighted, is prohibited except on:

10 1. Second division vehicles designed and used for
11 towing or hoisting vehicles; furthermore, such lights
12 shall not be lighted except as required in this paragraph
13 1; such lights shall be lighted when such vehicles are
14 actually being used at the scene of an accident or
15 disablement; if the towing vehicle is equipped with a flat
16 bed that supports all wheels of the vehicle being
17 transported, the lights shall not be lighted while the
18 vehicle is engaged in towing on a highway; if the towing
19 vehicle is not equipped with a flat bed that supports all
20 wheels of a vehicle being transported, the lights shall be
21 lighted while the towing vehicle is engaged in towing on a
22 highway during all times when the use of headlights is
23 required under Section 12-201 of this Code; in addition,
24 these vehicles may use white oscillating, rotating, or
25 flashing lights in combination with amber oscillating,
26 rotating, or flashing lights as provided in this

1 paragraph;

2 2. Motor vehicles or equipment of the State of
3 Illinois, the Illinois State Toll Highway Authority, local
4 authorities and contractors; furthermore, such lights
5 shall not be lighted except while such vehicles are
6 engaged in maintenance or construction operations within
7 the limits of construction projects;

8 3. Vehicles or equipment used by engineering or survey
9 crews; furthermore, such lights shall not be lighted
10 except while such vehicles are actually engaged in work on
11 a highway;

12 4. Vehicles of public utilities, municipalities, or
13 other construction, maintenance or automotive service
14 vehicles except that such lights shall be lighted only as
15 a means for indicating the presence of a vehicular traffic
16 hazard requiring unusual care in approaching, overtaking
17 or passing while such vehicles are engaged in maintenance,
18 service or construction on a highway;

19 5. Oversized vehicle or load; however, such lights
20 shall only be lighted when moving under permit issued by
21 the Department under Section 15-301 of this Code;

22 6. The front and rear of motorized equipment owned and
23 operated by the State of Illinois or any political
24 subdivision thereof, which is designed and used for
25 removal of snow and ice from highways;

26 6.1. The front and rear of motorized equipment or

1 vehicles that (i) are not owned by the State of Illinois or
2 any political subdivision of the State, (ii) are designed
3 and used for removal of snow and ice from highways and
4 parking lots, and (iii) are equipped with a snow plow that
5 is 12 feet in width; these lights may not be lighted except
6 when the motorized equipment or vehicle is actually being
7 used for those purposes on behalf of a unit of government;

8 7. Fleet safety vehicles registered in another state,
9 furthermore, such lights shall not be lighted except as
10 provided for in Section 12-212 of this Code;

11 8. Such other vehicles as may be authorized by local
12 authorities;

13 9. Law enforcement vehicles of State or local
14 authorities when used in combination with red oscillating,
15 rotating or flashing lights;

16 9.5. Propane delivery trucks;

17 10. Vehicles used for collecting or delivering mail
18 for the United States Postal Service provided that such
19 lights shall not be lighted except when such vehicles are
20 actually being used for such purposes;

21 10.5. Vehicles of the Office of the Illinois State
22 Fire Marshal, provided that such lights shall not be
23 lighted except for when such vehicles are engaged in work
24 for the Office of the Illinois State Fire Marshal;

25 11. Any vehicle displaying a slow-moving vehicle
26 emblem as provided in Section 12-205.1;

1 12. All trucks equipped with self-compactors or
2 roll-off hoists and roll-on containers for garbage,
3 recycling, or refuse hauling. Such lights shall not be
4 lighted except when such vehicles are actually being used
5 for such purposes;

6 13. Vehicles used by a security company, alarm
7 responder, control agency, or the Illinois Department of
8 Corrections;

9 14. Security vehicles of the Department of Human
10 Services; however, the lights shall not be lighted except
11 when being used for security related purposes under the
12 direction of the superintendent of the facility where the
13 vehicle is located; and

14 15. Vehicles of union representatives, except that the
15 lights shall be lighted only while the vehicle is within
16 the limits of a construction project.

17 (c) The use of blue oscillating, rotating or flashing
18 lights, whether lighted or unlighted, is prohibited except on:

19 1. Rescue squad vehicles not owned by a fire
20 department and vehicles owned or operated by a:

21 voluntary firefighter;

22 paid firefighter;

23 part-paid firefighter;

24 call firefighter;

25 member of the board of trustees of a fire
26 protection district;

1 paid or unpaid member of a rescue squad;
2 paid or unpaid member of a voluntary ambulance
3 unit; or
4 paid or unpaid members of a local or county
5 emergency management services agency as defined in the
6 Illinois Emergency Management Agency Act, designated
7 or authorized by local authorities, in writing, and
8 carrying that designation or authorization in the
9 vehicle.

10 However, such lights are not to be lighted except when
11 responding to a bona fide emergency or when parked or
12 stationary at the scene of a fire, rescue call, ambulance
13 call, or motor vehicle accident.

14 Any person using these lights in accordance with this
15 subdivision (c)1 must carry on his or her person an
16 identification card or letter identifying the bona fide
17 member of a fire department, fire protection district,
18 rescue squad, ambulance unit, or emergency management
19 services agency that owns or operates that vehicle. The
20 card or letter must include:

21 (A) the name of the fire department, fire
22 protection district, rescue squad, ambulance unit, or
23 emergency management services agency;

24 (B) the member's position within the fire
25 department, fire protection district, rescue squad,
26 ambulance unit, or emergency management services

1 agency;

2 (C) the member's term of service; and

3 (D) the name of a person within the fire
4 department, fire protection district, rescue squad,
5 ambulance unit, or emergency management services
6 agency to contact to verify the information provided.

7 2. Police department vehicles in cities having a
8 population of 500,000 or more inhabitants.

9 3. Law enforcement vehicles of State or local
10 authorities when used in combination with red oscillating,
11 rotating or flashing lights.

12 4. Vehicles of local fire departments and State or
13 federal firefighting vehicles when used in combination
14 with red oscillating, rotating or flashing lights.

15 5. Vehicles which are designed and used exclusively as
16 ambulances or rescue vehicles when used in combination
17 with red oscillating, rotating or flashing lights;
18 furthermore, such lights shall not be lighted except when
19 responding to an emergency call.

20 6. Vehicles that are equipped and used exclusively as
21 organ transport vehicles when used in combination with red
22 oscillating, rotating, or flashing lights; furthermore,
23 these lights shall only be lighted when the transportation
24 is declared an emergency by a member of the transplant
25 team or a representative of the organ procurement
26 organization.

1 7. Vehicles of the Illinois Emergency Management
2 Agency, vehicles of the Office of the Illinois State Fire
3 Marshal, vehicles of the Illinois Department of Public
4 Health, vehicles of the Illinois Department of
5 Corrections, and vehicles of the Illinois Department of
6 Juvenile Justice, when used in combination with red
7 oscillating, rotating, or flashing lights.

8 8. Vehicles operated by a local or county emergency
9 management services agency as defined in the Illinois
10 Emergency Management Agency Act, when used in combination
11 with red oscillating, rotating, or flashing lights.

12 9. Vehicles of the Illinois Department of Natural
13 Resources that are used for mine rescue and explosives
14 emergency response, when used in combination with red
15 oscillating, rotating, or flashing lights.

16 (c-1) In addition to the blue oscillating, rotating, or
17 flashing lights permitted under subsection (c), and
18 notwithstanding subsection (a), a vehicle operated by a
19 voluntary firefighter, a voluntary member of a rescue squad,
20 or a member of a voluntary ambulance unit may be equipped with
21 flashing white headlights and blue grill lights, which may be
22 used only in responding to an emergency call or when parked or
23 stationary at the scene of a fire, rescue call, ambulance
24 call, or motor vehicle accident.

25 (c-2) In addition to the blue oscillating, rotating, or
26 flashing lights permitted under subsection (c), and

1 notwithstanding subsection (a), a vehicle operated by a paid
2 or unpaid member of a local or county emergency management
3 services agency as defined in the Illinois Emergency
4 Management Agency Act, may be equipped with white oscillating,
5 rotating, or flashing lights to be used in combination with
6 blue oscillating, rotating, or flashing lights, if
7 authorization by local authorities is in writing and carried
8 in the vehicle.

9 (d) The use of a combination of amber and white
10 oscillating, rotating or flashing lights, whether lighted or
11 unlighted, is prohibited except on second division vehicles
12 designed and used for towing or hoisting vehicles or motor
13 vehicles or equipment of the State of Illinois, local
14 authorities, contractors, and union representatives;
15 furthermore, such lights shall not be lighted on second
16 division vehicles designed and used for towing or hoisting
17 vehicles or vehicles of the State of Illinois, local
18 authorities, and contractors except while such vehicles are
19 engaged in a tow operation, highway maintenance, or
20 construction operations within the limits of highway
21 construction projects, and shall not be lighted on the
22 vehicles of union representatives except when those vehicles
23 are within the limits of a construction project.

24 (e) All oscillating, rotating or flashing lights referred
25 to in this Section shall be of sufficient intensity, when
26 illuminated, to be visible at 500 feet in normal sunlight.

1 (f) Nothing in this Section shall prohibit a manufacturer
2 of oscillating, rotating or flashing lights or his
3 representative or authorized vendor from temporarily mounting
4 such lights on a vehicle for demonstration purposes only. If
5 the lights are not covered while the vehicle is operated upon a
6 highway, the vehicle shall display signage indicating that the
7 vehicle is out of service or not an emergency vehicle. The
8 signage shall be displayed on all sides of the vehicle in
9 letters at least 2 inches tall and one-half inch wide. A
10 vehicle authorized to have oscillating, rotating, or flashing
11 lights mounted for demonstration purposes may not activate the
12 lights while the vehicle is operated upon a highway.

13 (g) Any person violating the provisions of subsections
14 (a), (b), (c) or (d) of this Section who without lawful
15 authority stops or detains or attempts to stop or detain
16 another person shall be guilty of a Class 2 felony.

17 (h) Except as provided in subsection (g) above, any person
18 violating the provisions of subsections (a) or (c) of this
19 Section shall be guilty of a Class A misdemeanor.

20 (Source: P.A. 100-62, eff. 8-11-17; 101-56, eff. 1-1-20.)

21 Section 225. The Boat Registration and Safety Act is
22 amended by changing Section 6-1 as follows:

23 (625 ILCS 45/6-1) (from Ch. 95 1/2, par. 316-1)

24 Sec. 6-1. Collisions, accidents, and casualties; reports.

1 A. The operator of a vessel involved in a collision,
2 accident, or other casualty, so far as he can without serious
3 danger to his own vessel, crew, passengers and guests, if any,
4 shall render to other persons affected by the collision,
5 accident, or other casualty assistance as may be practicable
6 and as may be necessary in order to save them from or minimize
7 any danger caused by the collision, accident, or other
8 casualty, and also shall give his name, address, and
9 identification of his vessel to any person injured and to the
10 owner of any property damaged in the collision, accident, or
11 other casualty.

12 If the collision, accident, or other casualty has resulted
13 in the death of or personal injury to any person, failure to
14 comply with this subsection A is a Class A misdemeanor.

15 A-1. Any person who has failed to stop or to comply with
16 the requirements of subsection A must, as soon as possible but
17 in no case later than one hour after the collision, accident,
18 or other casualty, or, if hospitalized and incapacitated from
19 reporting at any time during that period, as soon as possible
20 but in no case later than one hour after being discharged from
21 the hospital, report the date, place, and approximate time of
22 the collision, accident, or other casualty, the watercraft
23 operator's name and address, the identification number of the
24 watercraft, if any, and the names of all other occupants of the
25 watercraft, at a police station or sheriff's office near the
26 location where the collision, accident, or other casualty

1 occurred. A report made as required under this subsection A-1
2 may not be used, directly or indirectly, as a basis for the
3 prosecution of any violation of subsection A.

4 As used in this Section, personal injury means any injury
5 requiring treatment beyond first aid.

6 Any person failing to comply with this subsection A-1 is
7 guilty of a Class 4 felony if the collision, accident, or other
8 casualty does not result in the death of any person. Any person
9 failing to comply with this subsection A-1 when the collision,
10 accident, or other casualty results in the death of any person
11 is guilty of a Class 2 felony, for which the person, if
12 sentenced to a term of imprisonment, shall be sentenced to a
13 term of not less than 3 years and not more than 14 years.

14 B. In the case of collision, accident, or other casualty
15 involving a vessel, the operator, if the collision, accident,
16 or other casualty results in death or injury to a person or
17 damage to property in excess of \$2000, or there is a complete
18 loss of the vessel, shall file with the Department a full
19 description of the collision, accident, or other casualty,
20 including information as the Department may by regulation
21 require. Reports of the accidents must be filed with the
22 Department on a Department Accident Report form within 5 days.

23 C. Reports of accidents resulting in personal injury,
24 where a person sustains an injury requiring medical attention
25 beyond first aid, must be filed with the Department on a
26 Department Accident Report form within 5 days. Accidents that

1 result in loss of life shall be reported to the Department on a
2 Department form within 48 hours.

3 D. All required accident reports and supplemental reports
4 are without prejudice to the individual reporting, and are for
5 the confidential use of the Department, except that the
6 Department may disclose the identity of a person involved in
7 an accident when the identity is not otherwise known or when
8 the person denies his presence at the accident. No report to
9 the Department may be used as evidence in any trial, civil or
10 criminal, arising out of an accident, except that the
11 Department must furnish upon demand of any person who has or
12 claims to have made a report or upon demand of any court a
13 certificate showing that a specified accident report has or
14 has not been made to the Department solely to prove a
15 compliance or a failure to comply with the requirements that a
16 report be made to the Department.

17 E. (1) Every ~~coroner or~~ medical examiner shall on or
18 before the 10th day of each month report in writing to the
19 Department the circumstances surrounding the death of any
20 person that has occurred as the result of a boating
21 accident within the examiner's jurisdiction during the
22 preceding calendar month.

23 (2) Within 6 hours after a death resulting from a
24 boating accident, but in any case not more than 12 hours
25 after the occurrence of the boating accident, a blood
26 specimen of at least 10 cc shall be withdrawn from the body

1 of the decedent by the ~~coroner or~~ medical examiner or by a
2 qualified person at the direction of the physician. All
3 morticians shall obtain a release from the ~~coroner or~~
4 medical examiner prior to proceeding with embalming any
5 body coming under the scope of this Section. The blood so
6 drawn shall be forwarded to a laboratory approved by the
7 Department of State Police for analysis of the alcoholic
8 content of the blood specimen. The ~~coroner or~~ medical
9 examiner causing the blood to be withdrawn shall be
10 notified of the results of each analysis made and shall
11 forward the results of each analysis to the Department.
12 The Department shall keep a record of all examinations to
13 be used for statistical purposes only. The cumulative
14 results of the examinations, without identifying the
15 individuals involved, shall be disseminated and made
16 public by the Department.

17 (Source: P.A. 93-782, eff. 1-1-05; 94-214, eff. 1-1-06.)

18 Section 230. The Attorney Act is amended by changing
19 Section 10 as follows:

20 (705 ILCS 205/10) (from Ch. 13, par. 10)

21 Sec. 10. No medical examiner ~~coroner~~, sheriff or deputy
22 sheriff shall be permitted to practice as an attorney or
23 counselor at law in the county in which he is commissioned or
24 appointed, nor shall any clerk or deputy clerk of a court be

1 permitted to practice as an attorney or counselor at law in the
2 court in which he is such clerk or deputy clerk, and no person
3 shall be permitted or suffered to enter his name on the roll or
4 record, to be kept as aforesaid, by the clerk of the Supreme
5 Court, or do any official act appertaining to the office of an
6 attorney or counselor at law, until he has taken the oath
7 hereinbefore required; and the person administering such oath
8 shall certify the same on the license, which certificate shall
9 be a sufficient voucher to the clerk of the Supreme Court to
10 enter or insert, or permit to be entered or inserted, on the
11 roll of attorneys or counselors at law, the name of the person
12 of whom such certificate is made.

13 (Source: Laws 1967, p. 3675.)

14 Section 235. The Jury Act is amended by changing Section
15 20 as follows:

16 (705 ILCS 305/20) (from Ch. 78, par. 20)

17 Sec. 20. (a) It shall be the duty of the clerk of the court
18 at the commencement of each week at which any cause is to be
19 tried by a jury to write the name of each petit juror summoned
20 and retained for that week on a separate ticket, and put the
21 whole into a box or other place for safekeeping; and as often
22 as it shall be necessary to impanel a jury, the clerk, sheriff
23 or medical examiner ~~coroner~~ shall, in the presence of the
24 court, draw by chance 12 names (or 14 where alternate jurors

1 are required) out of such box or other place, which shall
2 designate the persons to be sworn on the jury, and in the same
3 manner for the second jury, in their turn, as the court may
4 order and direct. The attorney for any party litigant in any
5 cause assigned to jury trial shall have the right to be present
6 in person at the time and place when the random selection of
7 jurors for trial of said cause is drawn by lot to be assigned
8 to the trial judge for voir dire examination; a party litigant
9 whose attorney is present at the selection process waives any
10 objection to the selection procedure unless the same is
11 asserted prior to the time any prospective juror is called for
12 voir dire examination.

13 (b) Notwithstanding the provisions of subsection (a),
14 names of jurors may be randomly drawn by computer.

15 (Source: P.A. 86-1053.)

16 Section 240. The Jury Commission Act is amended by
17 changing Section 8 as follows:

18 (705 ILCS 310/8) (from Ch. 78, par. 31)

19 Sec. 8. In such manner as may be prescribed by rules to be
20 adopted by majority vote of the said judges, the jury
21 administrator or the jury commissioners shall also:

22 (a) From time to time prepare a secondary list to be known
23 as the active jury list, containing such number of names taken
24 from the general jury list as shall be appointed by the said

1 rules, and in addition thereto, such other lists, to be known
2 as period jury lists, as the said rules may require. Such
3 period jury lists, if provided for, shall contain the names of
4 prospective jurors who shall have indicated, either before or
5 after being summoned for jury duty, at what time of the year
6 they could most conveniently serve. The active jury list and,
7 except as to the names of persons certified back by the clerk
8 of the court as provided in Section 10 of this act, the period
9 jury lists, shall be prepared by selecting every twentieth
10 name, or other whole number rate necessary to obtain the
11 number required, or, in counties having a population greater
12 than 1,000,000, in a manner prescribed by the judge in charge
13 of jury selection, from the general jury list;

14 (b) Make the active jury list and, except as to the names
15 of persons certified back by the clerk of the court as provided
16 in Section 10 of this Act, the period jury lists, available for
17 the clerks of the circuit court to draw therefrom by lot, as
18 hereinafter required, providing for the purpose such devices
19 or mechanisms as the said rules shall prescribe;

20 (c) See that at least 2 jury commissioners, one jury
21 commissioner and a judge of the circuit court of the county, or
22 a jury administrator shall be present at any such drawing,
23 along with the clerk of the said jury commissioners, if there
24 be one, except that if the names are to be drawn by computer no
25 jury commissioner need be present at any drawing by computer;

26 (d) Provide for the manner of selection of jurors to be

1 provided to medical examiners ~~coroners~~ pursuant to Section
2 3-3013 of the Counties Code ~~Section 10 of "An Act to revise the~~
3 ~~law in relation to coroners", approved July 1, 1874, as~~
4 ~~amended~~; provided that such manner of selection shall be, to
5 the extent practicable, similar to the manner in which petit
6 and grand jurors are selected; and

7 (e) Perform such other duties in relation to the selection
8 of electors for jury service and their appearance for such
9 service as are prescribed by this act or may be prescribed by
10 the said rules or procedures established by the chief judge of
11 the circuit.

12 (Source: P.A. 90-482, eff. 1-1-98.)

13 Section 245. The Juvenile Court Act of 1987 is amended by
14 changing Sections 2-6, 2-15, 3-17, 4-14, and 5-525 as follows:

15 (705 ILCS 405/2-6) (from Ch. 37, par. 802-6)

16 Sec. 2-6. Duty of officer. (1) A law enforcement officer
17 who takes a minor into custody under Section 2-5 shall
18 immediately make a reasonable attempt to notify the parent or
19 other person legally responsible for the minor's care or the
20 person with whom the minor resides that the minor has been
21 taken into custody and where he or she is being held.

22 (a) A law enforcement officer who takes a minor into
23 custody with a warrant shall without unnecessary delay take
24 the minor to the nearest juvenile police officer designated

1 for such purposes in the county of venue.

2 (b) A law enforcement officer who takes a minor into
3 custody without a warrant shall place the minor in temporary
4 protective custody and shall immediately notify the Department
5 of Children and Family Services by contacting either the
6 central register established under 7.7 of the Abused and
7 Neglected Child Reporting Act or the nearest Department of
8 Children and Family Services office. If there is reasonable
9 cause to suspect that a minor has died as a result of abuse or
10 neglect, the law enforcement officer shall immediately report
11 such suspected abuse or neglect to the appropriate medical
12 examiner ~~or coroner~~.

13 (Source: P.A. 85-601.)

14 (705 ILCS 405/2-15) (from Ch. 37, par. 802-15)

15 Sec. 2-15. Summons.

16 (1) When a petition is filed, the clerk of the court shall
17 issue a summons with a copy of the petition attached. The
18 summons shall be directed to the minor's legal guardian or
19 custodian and to each person named as a respondent in the
20 petition, except that summons need not be directed to a minor
21 respondent under 8 years of age for whom the court appoints a
22 guardian ad litem if the guardian ad litem appears on behalf of
23 the minor in any proceeding under this Act.

24 (2) The summons must contain a statement that the minor or
25 any of the respondents is entitled to have an attorney present

1 at the hearing on the petition, and that the clerk of the court
2 should be notified promptly if the minor or any other
3 respondent desires to be represented by an attorney but is
4 financially unable to employ counsel.

5 (3) The summons shall be issued under the seal of the
6 court, attested in and signed with the name of the clerk of the
7 court, dated on the day it is issued, and shall require each
8 respondent to appear and answer the petition on the date set
9 for the adjudicatory hearing. The summons shall contain a
10 notice that the parties will not be entitled to further
11 written notices or publication notices of proceedings in this
12 case, including the filing of an amended petition or a motion
13 to terminate parental rights, except as required by Supreme
14 Court Rule 11.

15 (4) The summons may be served by any county sheriff,
16 medical examiner ~~coroner~~ or probation officer, even though the
17 officer is the petitioner. The return of the summons with
18 endorsement of service by the officer is sufficient proof
19 thereof.

20 (5) Service of a summons and petition shall be made by: (a)
21 leaving a copy thereof with the person summoned at least 3 days
22 before the time stated therein for appearance; (b) leaving a
23 copy at his or her usual place of abode with some person of the
24 family or a person residing there, of the age of 10 years or
25 upwards, and informing that person of the contents thereof,
26 provided the officer or other person making service shall also

1 send a copy of the summons in a sealed envelope with postage
2 fully prepaid, addressed to the person summoned at his usual
3 place of abode, at least 3 days before the time stated therein
4 for appearance; or (c) leaving a copy thereof with the
5 guardian or custodian of a minor, at least 3 days before the
6 time stated therein for appearance. If the guardian or
7 custodian is an agency of the State of Illinois, proper
8 service may be made by leaving a copy of the summons and
9 petition with any administrative employee of such agency
10 designated by such agency to accept service of summons and
11 petitions. The certificate of the officer or affidavit of the
12 person that he has sent the copy pursuant to this Section is
13 sufficient proof of service.

14 (6) When a parent or other person, who has signed a written
15 promise to appear and bring the minor to court or who has
16 waived or acknowledged service, fails to appear with the minor
17 on the date set by the court, a bench warrant may be issued for
18 the parent or other person, the minor, or both.

19 (7) The appearance of the minor's legal guardian or
20 custodian, or a person named as a respondent in a petition, in
21 any proceeding under this Act shall constitute a waiver of
22 service of summons and submission to the jurisdiction of the
23 court, except that the filing of a motion authorized under
24 Section 2-301 of the Code of Civil Procedure does not
25 constitute an appearance under this subsection. A copy of the
26 summons and petition shall be provided to the person at the

1 time of his appearance.

2 (8) Notice to a parent who has appeared or been served with
3 summons personally or by certified mail, and for whom an order
4 of default has been entered on the petition for wardship and
5 has not been set aside shall be provided in accordance with
6 Supreme Court Rule 11. Notice to a parent who was served by
7 publication and for whom an order of default has been entered
8 on the petition for wardship and has not been set aside shall
9 be provided in accordance with this Section and Section 2-16.
10 (Source: P.A. 101-146, eff. 1-1-20.)

11 (705 ILCS 405/3-17) (from Ch. 37, par. 803-17)

12 Sec. 3-17. Summons. (1) When a petition is filed, the
13 clerk of the court shall issue a summons with a copy of the
14 petition attached. The summons shall be directed to the
15 minor's legal guardian or custodian and to each person named
16 as a respondent in the petition, except that summons need not
17 be directed to a minor respondent under 8 years of age for whom
18 the court appoints a guardian ad litem if the guardian ad litem
19 appears on behalf of the minor in any proceeding under this
20 Act.

21 (2) The summons must contain a statement that the minor or
22 any of the respondents is entitled to have an attorney present
23 at the hearing on the petition, and that the clerk of the court
24 should be notified promptly if the minor or any other
25 respondent desires to be represented by an attorney but is

1 financially unable to employ counsel.

2 (3) The summons shall be issued under the seal of the
3 court, attested to and signed with the name of the clerk of the
4 court, dated on the day it is issued, and shall require each
5 respondent to appear and answer the petition on the date set
6 for the adjudicatory hearing.

7 (4) The summons may be served by any county sheriff,
8 medical examiner ~~coroner~~ or probation officer, even though the
9 officer is the petitioner. The return of the summons with
10 endorsement of service by the officer is sufficient proof
11 thereof.

12 (5) Service of a summons and petition shall be made by: (a)
13 leaving a copy thereof with the person summoned at least 3 days
14 before the time stated therein for appearance; (b) leaving a
15 copy at his usual place of abode with some person of the
16 family, of the age of 10 years or upwards, and informing that
17 person of the contents thereof, provided the officer or other
18 person making service shall also send a copy of the summons in
19 a sealed envelope with postage fully prepaid, addressed to the
20 person summoned at his usual place of abode, at least 3 days
21 before the time stated therein for appearance; or (c) leaving
22 a copy thereof with the guardian or custodian of a minor, at
23 least 3 days before the time stated therein for appearance. If
24 the guardian or custodian is an agency of the State of
25 Illinois, proper service may be made by leaving a copy of the
26 summons and petition with any administrative employee of such

1 agency designated by such agency to accept service of summons
2 and petitions. The certificate of the officer or affidavit of
3 the person that he has sent the copy pursuant to this Section
4 is sufficient proof of service.

5 (6) When a parent or other person, who has signed a written
6 promise to appear and bring the minor to court or who has
7 waived or acknowledged service, fails to appear with the minor
8 on the date set by the court, a bench warrant may be issued for
9 the parent or other person, the minor, or both.

10 (7) The appearance of the minor's legal guardian or
11 custodian, or a person named as a respondent in a petition, in
12 any proceeding under this Act shall constitute a waiver of
13 service of summons and submission to the jurisdiction of the
14 court. A copy of the summons and petition shall be provided to
15 the person at the time of his appearance.

16 (Source: P.A. 86-441.)

17 (705 ILCS 405/4-14) (from Ch. 37, par. 804-14)

18 Sec. 4-14. Summons. (1) When a petition is filed, the
19 clerk of the court shall issue a summons with a copy of the
20 petition attached. The summons shall be directed to the
21 minor's legal guardian or custodian and to each person named
22 as a respondent in the petition, except that summons need not
23 be directed to a minor respondent under 8 years of age for whom
24 the court appoints a guardian ad litem if the guardian ad litem
25 appears on behalf of the minor in any proceeding under this

1 Act.

2 (2) The summons must contain a statement that the minor or
3 any of the respondents is entitled to have an attorney present
4 at the hearing on the petition, and that the clerk of the court
5 should be notified promptly if the minor or any other
6 respondent desires to be represented by an attorney but is
7 financially unable to employ counsel.

8 (3) The summons shall be issued under the seal of the
9 court, attested to and signed with the name of the clerk of the
10 court, dated on the day it is issued, and shall require each
11 respondent to appear and answer the petition on the date set
12 for the adjudicatory hearing.

13 (4) The summons may be served by any county sheriff,
14 medical examiner ~~coroner~~ or probation officer, even though the
15 officer is the petitioner. The return of the summons with
16 endorsement of service by the officer is sufficient proof
17 thereof.

18 (5) Service of a summons and petition shall be made by: (a)
19 leaving a copy thereof with the person summoned at least 3 days
20 before the time stated therein for appearance; (b) leaving a
21 copy at his usual place of abode with some person of the
22 family, of the age of 10 years or upwards, and informing that
23 person of the contents thereof, provided that the officer or
24 other person making service shall also send a copy of the
25 summons in a sealed envelope with postage fully prepaid,
26 addressed to the person summoned at his usual place of abode,

1 at least 3 days before the time stated therein for appearance;
2 or (c) leaving a copy thereof with the guardian or custodian of
3 a minor, at least 3 days before the time stated therein for
4 appearance. If the guardian or custodian is an agency of the
5 State of Illinois, proper service may be made by leaving a copy
6 of the summons and petition with any administrative employee
7 of such agency designated by such agency to accept service of
8 summons and petitions. The certificate of the officer or
9 affidavit of the person that he has sent the copy pursuant to
10 this Section is sufficient proof of service.

11 (6) When a parent or other person, who has signed a written
12 promise to appear and bring the minor to court or who has
13 waived or acknowledged service, fails to appear with the minor
14 on the date set by the court, a bench warrant may be issued for
15 the parent or other person, the minor, or both.

16 (7) The appearance of the minor's legal guardian or
17 custodian, or a person named as a respondent in a petition, in
18 any proceeding under this Act shall constitute a waiver of
19 service of summons and submission to the jurisdiction of the
20 court. A copy of the summons and petition shall be provided to
21 the person at the time of his appearance.

22 (Source: P.A. 86-441.)

23 (705 ILCS 405/5-525)

24 Sec. 5-525. Service.

25 (1) Service by summons.

1 (a) Upon the commencement of a delinquency
2 prosecution, the clerk of the court shall issue a summons
3 with a copy of the petition attached. The summons shall be
4 directed to the minor's parent, guardian or legal
5 custodian and to each person named as a respondent in the
6 petition, except that summons need not be directed (i) to
7 a minor respondent under 8 years of age for whom the court
8 appoints a guardian ad litem if the guardian ad litem
9 appears on behalf of the minor in any proceeding under
10 this Act, or (ii) to a parent who does not reside with the
11 minor, does not make regular child support payments to the
12 minor, to the minor's other parent, or to the minor's
13 legal guardian or custodian pursuant to a support order,
14 and has not communicated with the minor on a regular
15 basis.

16 (b) The summons must contain a statement that the
17 minor is entitled to have an attorney present at the
18 hearing on the petition, and that the clerk of the court
19 should be notified promptly if the minor desires to be
20 represented by an attorney but is financially unable to
21 employ counsel.

22 (c) The summons shall be issued under the seal of the
23 court, attested in and signed with the name of the clerk of
24 the court, dated on the day it is issued, and shall require
25 each respondent to appear and answer the petition on the
26 date set for the adjudicatory hearing.

1 (d) The summons may be served by any law enforcement
2 officer, medical examiner ~~coroner~~ or probation officer,
3 even though the officer is the petitioner. The return of
4 the summons with endorsement of service by the officer is
5 sufficient proof of service.

6 (e) Service of a summons and petition shall be made
7 by: (i) leaving a copy of the summons and petition with the
8 person summoned at least 3 days before the time stated in
9 the summons for appearance; (ii) leaving a copy at his or
10 her usual place of abode with some person of the family, of
11 the age of 10 years or upwards, and informing that person
12 of the contents of the summons and petition, provided, the
13 officer or other person making service shall also send a
14 copy of the summons in a sealed envelope with postage
15 fully prepaid, addressed to the person summoned at his or
16 her usual place of abode, at least 3 days before the time
17 stated in the summons for appearance; or (iii) leaving a
18 copy of the summons and petition with the guardian or
19 custodian of a minor, at least 3 days before the time
20 stated in the summons for appearance. If the guardian or
21 legal custodian is an agency of the State of Illinois,
22 proper service may be made by leaving a copy of the summons
23 and petition with any administrative employee of the
24 agency designated by the agency to accept the service of
25 summons and petitions. The certificate of the officer or
26 affidavit of the person that he or she has sent the copy

1 pursuant to this Section is sufficient proof of service.

2 (f) When a parent or other person, who has signed a
3 written promise to appear and bring the minor to court or
4 who has waived or acknowledged service, fails to appear
5 with the minor on the date set by the court, a bench
6 warrant may be issued for the parent or other person, the
7 minor, or both.

8 (2) Service by certified mail or publication.

9 (a) If service on individuals as provided in
10 subsection (1) is not made on any respondent within a
11 reasonable time or if it appears that any respondent
12 resides outside the State, service may be made by
13 certified mail. In that case the clerk shall mail the
14 summons and a copy of the petition to that respondent by
15 certified mail marked for delivery to addressee only. The
16 court shall not proceed with the adjudicatory hearing
17 until 5 days after the mailing. The regular return receipt
18 for certified mail is sufficient proof of service.

19 (b) If service upon individuals as provided in
20 subsection (1) is not made on any respondents within a
21 reasonable time or if any person is made a respondent
22 under the designation of "All Whom It May Concern", or if
23 service cannot be made because the whereabouts of a
24 respondent are unknown, service may be made by
25 publication. The clerk of the court as soon as possible
26 shall cause publication to be made once in a newspaper of

1 general circulation in the county where the action is
2 pending. Service by publication is not required in any
3 case when the person alleged to have legal custody of the
4 minor has been served with summons personally or by
5 certified mail, but the court may not enter any order or
6 judgment against any person who cannot be served with
7 process other than by publication unless service by
8 publication is given or unless that person appears.
9 Failure to provide service by publication to a
10 non-custodial parent whose whereabouts are unknown shall
11 not deprive the court of jurisdiction to proceed with a
12 trial or a plea of delinquency by the minor. When a minor
13 has been detained or sheltered under Section 5-501 of this
14 Act and summons has not been served personally or by
15 certified mail within 20 days from the date of the order of
16 court directing such detention or shelter care, the clerk
17 of the court shall cause publication. Service by
18 publication shall be substantially as follows:

19 "A, B, C, D, (here giving the names of the named
20 respondents, if any) and to All Whom It May Concern (if
21 there is any respondent under that designation):

22 Take notice that on (insert date) a petition was
23 filed under the Juvenile Court Act of 1987 by in
24 the circuit court of county entitled 'In the
25 interest of, a minor', and that in courtroom
26 at on (insert date) at the hour of, or as

1 soon thereafter as this cause may be heard, an
 2 adjudicatory hearing will be held upon the petition to
 3 have the child declared to be a ward of the court under
 4 that Act. The court has authority in this proceeding
 5 to take from you the custody and guardianship of the
 6 minor.

7 Now, unless you appear at the hearing and show
 8 cause against the petition, the allegations of the
 9 petition may stand admitted as against you and each of
 10 you, and an order or judgment entered.

11

12 Clerk

13 Dated (insert the date of publication)"

14 (c) The clerk shall also at the time of the
 15 publication of the notice send a copy of the notice by mail
 16 to each of the respondents on account of whom publication
 17 is made at his or her last known address. The certificate
 18 of the clerk that he or she has mailed the notice is
 19 evidence of that mailing. No other publication notice is
 20 required. Every respondent notified by publication under
 21 this Section must appear and answer in open court at the
 22 hearing. The court may not proceed with the adjudicatory
 23 hearing until 10 days after service by publication on any
 24 custodial parent, guardian or legal custodian of a minor
 25 alleged to be delinquent.

26 (d) If it becomes necessary to change the date set for

1 the hearing in order to comply with this Section, notice
2 of the resetting of the date must be given, by certified
3 mail or other reasonable means, to each respondent who has
4 been served with summons personally or by certified mail.

5 (3) Once jurisdiction has been established over a
6 party, further service is not required and notice of any
7 subsequent proceedings in that prosecution shall be made
8 in accordance with provisions of Section 5-530.

9 (4) The appearance of the minor's parent, guardian or
10 legal custodian, or a person named as a respondent in a
11 petition, in any proceeding under this Act shall
12 constitute a waiver of service and submission to the
13 jurisdiction of the court. A copy of the petition shall be
14 provided to the person at the time of his or her
15 appearance.

16 (Source: P.A. 90-590, eff. 1-1-99; 91-357, eff. 7-29-99.)

17 Section 250. The Criminal Code of 2012 is amended by
18 changing Sections 9-3.5, 12-20.5, 12-20.6, 31-4, and 33-3.2 as
19 follows:

20 (720 ILCS 5/9-3.5)

21 Sec. 9-3.5. Concealment of death.

22 (a) For purposes of this Section, "conceal" means the
23 performing of some act or acts for the purpose of preventing or
24 delaying the discovery of a death. "Conceal" means something

1 more than simply withholding knowledge or failing to disclose
2 information.

3 (b) A person commits the offense of concealment of death
4 when he or she knowingly conceals the death of any other person
5 who died by other than homicidal means.

6 (c) A person commits the offense of concealment of death
7 when he or she knowingly moves the body of a dead person from
8 its place of death, with the intent of concealing information
9 regarding the place or manner of death of that person, or the
10 identity of any person with information regarding the death of
11 that person. This subsection shall not apply to any movement
12 of the body of a dead person by medical personnel, fire
13 fighters, law enforcement officers, ~~coroners,~~ medical
14 examiners, or licensed funeral directors, or by any person
15 acting at the direction of medical personnel, fire fighters,
16 law enforcement officers, ~~coroners,~~ medical examiners, or
17 licensed funeral directors.

18 (d) Sentence. Concealment of death is a Class 4 felony.
19 (Source: P.A. 96-1361, eff. 1-1-11; 97-333, eff. 8-12-11.)

20 (720 ILCS 5/12-20.5)

21 Sec. 12-20.5. Dismembering a human body.

22 (a) A person commits dismembering a human body when he or
23 she knowingly dismembers, severs, separates, dissects, or
24 mutilates any body part of a deceased's body.

25 (b) This Section does not apply to:

1 (1) an anatomical gift made in accordance with the
2 Illinois Anatomical Gift Act;

3 (2) (blank);

4 (3) the purchase or sale of drugs, reagents, or other
5 substances made from human body parts, for the use in
6 medical or scientific research, treatment, or diagnosis;

7 (4) persons employed by a county medical examiner's
8 office ~~or coroner's~~ office acting within the scope of
9 their employment while performing an autopsy;

10 (5) the acts of a licensed funeral director or
11 embalmer while performing acts authorized by the Funeral
12 Directors and Embalmers Licensing Code;

13 (6) the acts of emergency medical personnel or
14 physicians performed in good faith and according to the
15 usual and customary standards of medical practice in an
16 attempt to resuscitate a life; or

17 (7) physicians licensed to practice medicine in all of
18 its branches or holding a visiting professor, physician,
19 or resident permit under the Medical Practice Act of 1987,
20 performing acts in accordance with usual and customary
21 standards of medical practice, or a currently enrolled
22 student in an accredited medical school in furtherance of
23 his or her education at the accredited medical school.

24 (c) It is not a defense to a violation of this Section that
25 the decedent died due to natural, accidental, or suicidal
26 causes.

1 (d) Sentence. Dismembering a human body is a Class X
2 felony.

3 (Source: P.A. 95-331, eff. 8-21-07; 96-1551, eff. 7-1-11.)

4 (720 ILCS 5/12-20.6)

5 Sec. 12-20.6. Abuse of a corpse.

6 (a) In this Section:

7 "Corpse" means the dead body of a human being.

8 "Sexual conduct" has the meaning ascribed to the term in
9 Section 11-0.1 of this Code.

10 (b) A person commits abuse of a corpse if he or she
11 intentionally:

12 (1) engages in sexual conduct with a corpse or
13 involving a corpse; or

14 (2) removes or carries away a corpse and is not
15 authorized by law to do so.

16 (c) Sentence.

17 (1) A person convicted of violating paragraph (1) of
18 subsection (b) of this Section is guilty of a Class 2
19 felony.

20 (2) A person convicted of violating paragraph (2) of
21 subsection (b) of this Section is guilty of a Class 4
22 felony.

23 (d) Paragraph (2) of subsection (b) of this Section does
24 not apply to:

25 (1) persons employed by a county medical examiner's

1 office ~~or coroner's office~~ acting within the scope of
2 their employment;

3 (2) the acts of a licensed funeral director or
4 embalmer while performing acts authorized by the Funeral
5 Directors and Embalmers Licensing Code;

6 (3) cemeteries and cemetery personnel while performing
7 acts pursuant to a bona fide request from the involved
8 cemetery consumer or his or her heirs, or pursuant to an
9 interment or disinterment permit or a court order, or as
10 authorized under Section 14.5 of the Cemetery Protection
11 Act, or any other actions legally authorized for cemetery
12 employees;

13 (4) the acts of emergency medical personnel or
14 physicians performed in good faith and according to the
15 usual and customary standards of medical practice in an
16 attempt to resuscitate a life;

17 (5) physicians licensed to practice medicine in all of
18 its branches or holding a visiting professor, physician,
19 or resident permit under the Medical Practice Act of 1987,
20 performing acts in accordance with usual and customary
21 standards of medical practice, or a currently enrolled
22 student in an accredited medical school in furtherance of
23 his or her education at the accredited medical school; or

24 (6) removing or carrying away a corpse by the
25 employees, independent contractors, or other persons
26 designated by the federally designated organ procurement

1 agency engaged in the organ and tissue procurement
2 process.

3 (Source: P.A. 97-1072, eff. 8-24-12.)

4 (720 ILCS 5/31-4) (from Ch. 38, par. 31-4)

5 Sec. 31-4. Obstructing justice.

6 (a) A person obstructs justice when, with intent to
7 prevent the apprehension or obstruct the prosecution or
8 defense of any person, he or she knowingly commits any of the
9 following acts:

10 (1) Destroys, alters, conceals or disguises physical
11 evidence, plants false evidence, furnishes false
12 information; or

13 (2) Induces a witness having knowledge material to the
14 subject at issue to leave the State or conceal himself or
15 herself; or

16 (3) Possessing knowledge material to the subject at
17 issue, he or she leaves the State or conceals himself; or

18 (4) If a parent, legal guardian, or caretaker of a
19 child under 13 years of age reports materially false
20 information to a law enforcement agency, medical examiner,
21 ~~coroner~~, State's Attorney, or other governmental agency
22 during an investigation of the disappearance or death of a
23 child under circumstances described in subsection (a) or
24 (b) of Section 10-10 of this Code.

25 (b) Sentence.

1 (1) Obstructing justice is a Class 4 felony, except as
2 provided in paragraph (2) of this subsection (b).

3 (2) Obstructing justice in furtherance of streetgang
4 related or gang-related activity, as defined in Section 10
5 of the Illinois Streetgang Terrorism Omnibus Prevention
6 Act, is a Class 3 felony.

7 (Source: P.A. 97-1079, eff. 1-1-13.)

8 (720 ILCS 5/33-3.2)

9 Sec. 33-3.2. Solicitation misconduct (local government).

10 (a) An employee of a chief executive officer of a local
11 government commits solicitation misconduct (local government)
12 when, at any time, he or she knowingly solicits or receives
13 contributions, as that term is defined in Section 9-1.4 of the
14 Election Code, from a person engaged in a business or activity
15 over which the person has regulatory authority.

16 (b) For the purpose of this Section, "chief executive
17 officer of a local government" means an executive officer of a
18 county, township or municipal government or any administrative
19 subdivision under jurisdiction of the county, township, or
20 municipal government including but not limited to: chairman or
21 president of a county board or commission, mayor or village
22 president, township supervisor, county executive, municipal
23 manager, assessor, auditor, clerk, medical examiner ~~coroner~~,
24 recorder, sheriff or State's Attorney; "employee of a chief
25 executive officer of a local government" means a full-time or

1 part-time salaried employee, full-time or part-time salaried
2 appointee, or any contractual employee of any office, board,
3 commission, agency, department, authority, administrative
4 unit, or corporate outgrowth under the jurisdiction of a chief
5 executive officer of a local government; and "regulatory
6 authority" means having the responsibility to investigate,
7 inspect, license, or enforce regulatory measures necessary to
8 the requirements of any State, local, or federal statute or
9 regulation relating to the business or activity.

10 (c) An employee of a chief executive officer of a local
11 government, including one who does not have regulatory
12 authority, commits a violation of this Section if that
13 employee knowingly acts in concert with an employee of a chief
14 executive officer of a local government who does have
15 regulatory authority to solicit or receive contributions in
16 violation of this Section.

17 (d) Solicitation misconduct (local government) is a Class
18 A misdemeanor. An employee of a chief executive officer of a
19 local government convicted of committing solicitation
20 misconduct (local government) forfeits his or her employment.

21 (e) An employee of a chief executive officer of a local
22 government who is discharged, demoted, suspended, threatened,
23 harassed, or in any other manner discriminated against in the
24 terms and conditions of employment because of lawful acts done
25 by the employee or on behalf of the employee or others in
26 furtherance of the enforcement of this Section shall be

1 entitled to all relief necessary to make the employee whole.

2 (f) Any person who knowingly makes a false report of
3 solicitation misconduct (local government) to the State
4 Police, the Attorney General, a State's Attorney, or any law
5 enforcement official is guilty of a Class C misdemeanor.

6 (Source: P.A. 92-853, eff. 8-28-02.)

7 Section 255. The Code of Criminal Procedure of 1963 is
8 amended by changing Sections 107-15, 107-16, 115-5.1, 115-17,
9 and 119-5 as follows:

10 (725 ILCS 5/107-15)

11 Sec. 107-15. Fresh pursuit. When the fact that a felony
12 has been committed comes to the knowledge of a sheriff or
13 medical examiner ~~coroner~~, fresh pursuit shall be forthwith
14 made after every person guilty of the felony, by the sheriff,
15 medical examiner ~~coroner~~, and all other persons who is by any
16 one of them commanded or summoned for that purpose; every such
17 officer who does not do his or her duty in the premises is
18 guilty of a Class B misdemeanor.

19 (Source: P.A. 89-234, eff. 1-1-96.)

20 (725 ILCS 5/107-16)

21 Sec. 107-16. Apprehension of offender. It is the duty of
22 every sheriff, medical examiner ~~coroner~~, and every marshal,
23 policeman, or other officer of an incorporated city, town, or

1 village, having the power of a sheriff, when a criminal
2 offense or breach of the peace is committed or attempted in his
3 or her presence, forthwith to apprehend the offender and bring
4 him or her before a judge, to be dealt with according to law;
5 to suppress all riots and unlawful assemblies, and to keep the
6 peace, and without delay to serve and execute all warrants and
7 other process to him or her lawfully directed.

8 (Source: P.A. 89-234, eff. 1-1-96.)

9 (725 ILCS 5/115-5.1) (from Ch. 38, par. 115-5.1)

10 Sec. 115-5.1. In any civil or criminal action the records
11 of the medical examiner's ~~coroner's~~ medical or laboratory
12 examiner summarizing and detailing the performance of his or
13 her official duties in performing medical examinations upon
14 deceased persons or autopsies, or both, and kept in the
15 ordinary course of business of the medical examiner's
16 ~~coroner's~~ office, duly certified by the county ~~coroner or~~
17 ~~chief supervisory coroner's pathologist or~~ medical examiner,
18 or his or her designee, shall be received as competent
19 evidence in any court of this State, to the extent permitted by
20 this Section. These reports, specifically including but not
21 limited to the pathologist's protocol, autopsy reports and
22 toxicological reports, shall be public documents and thereby
23 may be admissible as prima facie evidence of the facts,
24 findings, opinions, diagnoses and conditions stated therein.

25 A duly certified medical examiner's ~~coroner's~~ protocol or

1 autopsy report, or both, complying with the requirements of
2 this Section may be duly admitted into evidence as an
3 exception to the hearsay rule as prima facie proof of the cause
4 of death of the person to whom it relates. The records referred
5 to in this Section shall be limited to the records of the
6 results of post-mortem examinations of the findings of autopsy
7 and toxicological laboratory examinations.

8 Persons who prepare reports or records offered in evidence
9 hereunder may be subpoenaed as witnesses in civil or criminal
10 cases upon the request of either party to the cause. However,
11 if such person is dead, the county medical examiner ~~coroner~~ or
12 a duly authorized official of the medical examiner's ~~coroner's~~
13 office may testify to the fact that the examining pathologist,
14 toxicologist or other medical or laboratory examiner is
15 deceased and that the offered report or record was prepared by
16 such deceased person. The witness must further attest that the
17 medical report or record was prepared in the ordinary and
18 usual course of the deceased person's duty or employment in
19 conformity with the provisions of this Section.

20 (Source: P.A. 82-783.)

21 (725 ILCS 5/115-17)

22 Sec. 115-17. Clerk; issuance of subpoenas. It is the duty
23 of the clerk of the court to issue subpoenas, either on the
24 part of the people or of the accused, directed to the sheriff
25 or medical examiner ~~coroner~~ of any county of this State. An

1 attorney admitted to practice in the State of Illinois, as an
2 officer of the court, may also issue subpoenas in a pending
3 action. A witness who is duly subpoenaed who neglects or
4 refuses to attend any court, under the requisitions of the
5 subpoena, shall be proceeded against and punished for contempt
6 of the court. Attachments against witnesses who live in a
7 different county from that where the subpoena is returnable
8 may be served in the same manner as warrants are directed to be
9 served out of the county from which they issue.

10 (Source: P.A. 96-485, eff. 1-1-10.)

11 (725 ILCS 5/119-5) (from Ch. 38, par. 119-5)

12 Sec. 119-5. Execution of Death Sentence.

13 (a) (1) A defendant sentenced to death shall be executed by
14 an intravenous administration of a lethal quantity of an
15 ultrashort-acting barbiturate in combination with a
16 chemical paralytic agent and potassium chloride or other
17 equally effective substances sufficient to cause death
18 until death is pronounced by a medical examiner ~~coroner~~
19 ~~who is not a licensed physician.~~

20 (2) If the execution of the sentence of death as
21 provided in paragraph (1) is held illegal or
22 unconstitutional by a reviewing court of competent
23 jurisdiction, the sentence of death shall be carried out
24 by electrocution.

25 (b) In pronouncing the sentence of death the court shall

1 set the date of the execution which shall be not less than 60
2 nor more than 90 days from the date sentence is pronounced.

3 (c) A sentence of death shall be executed at a Department
4 of Corrections facility.

5 (d) The warden of the penitentiary shall supervise such
6 execution, which shall be conducted in the presence of 6
7 witnesses who shall certify the execution of the sentence. The
8 certification shall be filed with the clerk of the court that
9 imposed the sentence.

10 (d-5) The Department of Corrections shall not request,
11 require, or allow a health care practitioner licensed in
12 Illinois, including but not limited to physicians and nurses,
13 regardless of employment, to participate in an execution.

14 (e) Except as otherwise provided in this subsection (e),
15 the identity of executioners and other persons who participate
16 or perform ancillary functions in an execution and information
17 contained in records that would identify those persons shall
18 remain confidential, shall not be subject to disclosure, and
19 shall not be admissible as evidence or be discoverable in any
20 action of any kind in any court or before any tribunal, board,
21 agency, or person. In order to protect the confidentiality of
22 persons participating in an execution, the Director of
23 Corrections may direct that the Department make payments in
24 cash for such services. In confidential investigations by the
25 Department of Professional Regulation, the Department of
26 Corrections shall disclose the names and license numbers of

1 health care practitioners participating or performing
2 ancillary functions in an execution to the Department of
3 Professional Regulation and the Department of Professional
4 Regulation shall forward those names and license numbers to
5 the appropriate disciplinary boards.

6 (f) The amendatory changes to this Section made by this
7 amendatory Act of 1991 are severable under Section 1.31 of the
8 Statute on Statutes.

9 (g) (Blank).

10 (h) Notwithstanding any other provision of law, any
11 pharmaceutical supplier is authorized to dispense drugs to the
12 Director of Corrections or his or her designee, without
13 prescription, in order to carry out the provisions of this
14 Section.

15 (i) The amendatory changes to this Section made by this
16 amendatory Act of the 93rd General Assembly are severable
17 under Section 1.31 of the Statute on Statutes.

18 (Source: P.A. 93-379, eff. 7-24-03.)

19 Section 260. The County Jail Act is amended by changing
20 Section 8 as follows:

21 (730 ILCS 125/8) (from Ch. 75, par. 108)

22 Sec. 8. The Sheriff may be imprisoned in the jail of his
23 county, and for the time he is so imprisoned, the medical
24 examiner ~~coroner~~ shall be warden of the jail, and perform all

1 the duties of the sheriff in regard thereto, and shall, by
2 himself and his sureties, be answerable for the faithful
3 discharge of his duties as such warden.

4 (Source: P.A. 83-1073.)

5 Section 265. The Department of Juvenile Justice Mortality
6 Review Team Act is amended by changing Sections 20 and 35 as
7 follows:

8 (730 ILCS 195/20)

9 Sec. 20. Reviews of youth deaths.

10 (a) A mortality review team shall review every death of a
11 youth that occurs within a facility of the Department or as the
12 result of an act or incident occurring within a facility of the
13 Department, including deaths resulting from suspected illness,
14 injury, or self-harm or from an unknown cause.

15 (b) If the medical examiner ~~coroner~~ of the county in which
16 a youth died determines that the youth's death was the direct
17 or proximate result of alleged or suspected criminal activity,
18 the mortality review team's investigation shall be in addition
19 to any criminal investigation of the death but shall be
20 limited to a review of systems and practices of the
21 Department. In the course of conducting its review, the team
22 shall obtain assurance from law enforcement officials that
23 acts taken in furtherance of the review will not impair any
24 criminal investigation or prosecution.

1 (c) A mortality review team's purpose in conducting a
2 review of a youth death is to do the following:

3 (1) Assist in determining the cause and manner of the
4 youth's death, if requested.

5 (2) Evaluate any means by which the death might have
6 been prevented, including, but not limited to, the
7 evaluation of the Department's systems for the following:

8 (A) Training.

9 (B) Assessment and referral for services.

10 (C) Communication.

11 (D) Housing.

12 (E) Supervision of youth.

13 (F) Intervention in critical incidents.

14 (G) Reporting.

15 (H) Follow-up and mortality review following
16 critical incidents or youth deaths.

17 (3) Recommend continuing education and training for
18 Department staff.

19 (4) Make specific recommendations to the Director
20 concerning the prevention of deaths of youth in the
21 Department's custody.

22 (d) A mortality review team shall review a youth death as
23 soon as practicable and not later than within 90 days after a
24 law enforcement agency's completion of its investigation if
25 the death is the result of alleged or suspected criminal
26 activity. If there has been no investigation by a law

1 enforcement agency, the mortality review team shall review a
2 youth's death within 90 days after obtaining the information
3 necessary to complete the review from the ~~coroner,~~
4 pathologist, medical examiner, or law enforcement agency,
5 depending on the nature of the case. The team shall meet as
6 needed in person or via teleconference or video conference
7 following appointment of the team members. When necessary and
8 upon request of the team, the Director may extend the deadline
9 for a review up to an additional 90 days.

10 (Source: P.A. 96-1378, eff. 7-29-10.)

11 (730 ILCS 195/35)

12 Sec. 35. Team access to information.

13 (a) The Department shall provide to a mortality review
14 team, on the request of the team's chairperson, all records
15 and information in the Department's possession that are
16 relevant to the team's review of a youth death.

17 (b) The mortality review team shall have access to all
18 records and information that are relevant to its review of a
19 youth death and in the possession of a State or local
20 governmental agency, including, without limitation, birth
21 certificates, all relevant medical and mental health records,
22 records of law enforcement agency investigations, records of
23 ~~coroner~~ or medical examiner investigations, records of a
24 probation and court services department regarding the youth,
25 and records of a social services agency that provided services

1 to the youth or the youth's family.

2 (c) Each appointed member of a mortality review team shall
3 sign an acknowledgement upon appointment and before
4 participating in meetings or review of records acknowledging
5 the confidentiality of information obtained in the course of
6 the team's review and containing the member's agreement not to
7 reproduce or distribute confidential information obtained in
8 the course of the review.

9 (Source: P.A. 96-1378, eff. 7-29-10.)

10 Section 270. The Unified Code of Corrections is amended by
11 changing Sections 3-2-2, 3-9-6, and 3-13-4 as follows:

12 (730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)

13 Sec. 3-2-2. Powers and duties of the Department.

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

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

23 (b) To develop and maintain reception and evaluation
24 units for purposes of analyzing the custody and

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

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

1 January 1, 2003.

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

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

17 Pursuant to its power to establish new institutions
18 and facilities, the Department may authorize the
19 Department of Central Management Services to accept bids
20 from counties and municipalities for the construction,
21 remodeling or conversion of a structure to be leased to
22 the Department of Corrections for the purposes of its
23 serving as a correctional institution or facility. Such
24 construction, remodeling or conversion may be financed
25 with revenue bonds issued pursuant to the Industrial
26 Building Revenue Bond Act by the municipality or county.

1 The lease specified in a bid shall be for a term of not
2 less than the time needed to retire any revenue bonds used
3 to finance the project, but not to exceed 40 years. The
4 lease may grant to the State the option to purchase the
5 structure outright.

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

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

26 (d) To develop and maintain programs of control,

1 rehabilitation and employment of committed persons within
2 its institutions.

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

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

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

12 (f) To establish in cooperation with the Department of
13 Transportation to supply a sufficient number of prisoners
14 for use by the Department of Transportation to clean up
15 the trash and garbage along State, county, township, or
16 municipal highways as designated by the Department of
17 Transportation. The Department of Corrections, at the
18 request of the Department of Transportation, shall furnish
19 such prisoners at least annually for a period to be agreed
20 upon between the Director of Corrections and the Secretary
21 of Transportation. The prisoners used on this program
22 shall be selected by the Director of Corrections on
23 whatever basis he deems proper in consideration of their
24 term, behavior and earned eligibility to participate in
25 such program - where they will be outside of the prison
26 facility but still in the custody of the Department of

1 Corrections. Prisoners convicted of first degree murder,
2 or a Class X felony, or armed violence, or aggravated
3 kidnapping, or criminal sexual assault, aggravated
4 criminal sexual abuse or a subsequent conviction for
5 criminal sexual abuse, or forcible detention, or arson, or
6 a prisoner adjudged a Habitual Criminal shall not be
7 eligible for selection to participate in such program. The
8 prisoners shall remain as prisoners in the custody of the
9 Department of Corrections and such Department shall
10 furnish whatever security is necessary. The Department of
11 Transportation shall furnish trucks and equipment for the
12 highway cleanup program and personnel to supervise and
13 direct the program. Neither the Department of Corrections
14 nor the Department of Transportation shall replace any
15 regular employee with a prisoner.

16 (g) To maintain records of persons committed to it and
17 to establish programs of research, statistics and
18 planning.

19 (h) To investigate the grievances of any person
20 committed to the Department and to inquire into any
21 alleged misconduct by employees or committed persons; and
22 for these purposes it may issue subpoenas and compel the
23 attendance of witnesses and the production of writings and
24 papers, and may examine under oath any witnesses who may
25 appear before it; to also investigate alleged violations
26 of a parolee's or releasee's conditions of parole or

1 release; and for this purpose it may issue subpoenas and
2 compel the attendance of witnesses and the production of
3 documents only if there is reason to believe that such
4 procedures would provide evidence that such violations
5 have occurred.

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

11 (i) To appoint and remove the chief administrative
12 officers, and administer programs of training and
13 development of personnel of the Department. Personnel
14 assigned by the Department to be responsible for the
15 custody and control of committed persons or to investigate
16 the alleged misconduct of committed persons or employees
17 or alleged violations of a parolee's or releasee's
18 conditions of parole shall be conservators of the peace
19 for those purposes, and shall have the full power of peace
20 officers outside of the facilities of the Department in
21 the protection, arrest, retaking and reconfining of
22 committed persons or where the exercise of such power is
23 necessary to the investigation of such misconduct or
24 violations. This subsection shall not apply to persons
25 committed to the Department of Juvenile Justice under the
26 Juvenile Court Act of 1987 on aftercare release.

1 (j) To cooperate with other departments and agencies
2 and with local communities for the development of
3 standards and programs for better correctional services in
4 this State.

5 (k) To administer all moneys and properties of the
6 Department.

7 (l) To report annually to the Governor on the
8 committed persons, institutions and programs of the
9 Department.

10 (1-5) (Blank).

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

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

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

22 (p) To exchange information with the Department of
23 Human Services and the Department of Healthcare and Family
24 Services for the purpose of verifying living arrangements
25 and for other purposes directly connected with the
26 administration of this Code and the Illinois Public Aid

1 Code.

2 (q) To establish a diversion program.

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

11 Elements of the program shall include, but shall not
12 be limited to, the following:

13 (1) The staff of a diversion facility shall
14 provide supervision in accordance with required
15 objectives set by the facility.

16 (2) Participants shall be required to maintain
17 employment.

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

21 (4) Each participant shall:

22 (A) provide restitution to victims in
23 accordance with any court order;

24 (B) provide financial support to his
25 dependents; and

26 (C) make appropriate payments toward any other

1 court-ordered obligations.

2 (5) Each participant shall complete community
3 service in addition to employment.

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

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

9 (8) The Department shall promulgate rules
10 governing the administration of the program.

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

16 (r-5) (Blank).

17 (r-10) To systematically and routinely identify with
18 respect to each streetgang active within the correctional
19 system: (1) each active gang; (2) every existing
20 inter-gang affiliation or alliance; and (3) the current
21 leaders in each gang. The Department shall promptly
22 segregate leaders from inmates who belong to their gangs
23 and allied gangs. "Segregate" means no physical contact
24 and, to the extent possible under the conditions and space
25 available at the correctional facility, prohibition of
26 visual and sound communication. For the purposes of this

1 paragraph (r-10), "leaders" means persons who:

2 (i) are members of a criminal streetgang;

3 (ii) with respect to other individuals within the
4 streetgang, occupy a position of organizer,
5 supervisor, or other position of management or
6 leadership; and

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

13 "Streetgang", "gang", and "streetgang related" have the
14 meanings ascribed to them in Section 10 of the Illinois
15 Streetgang Terrorism Omnibus Prevention Act.

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

20 (t) To monitor any unprivileged conversation or any
21 unprivileged communication, whether in person or by mail,
22 telephone, or other means, between an inmate who, before
23 commitment to the Department, was a member of an organized
24 gang and any other person without the need to show cause or
25 satisfy any other requirement of law before beginning the
26 monitoring, except as constitutionally required. The

1 monitoring may be by video, voice, or other method of
2 recording or by any other means. As used in this
3 subdivision (1)(t), "organized gang" has the meaning
4 ascribed to it in Section 10 of the Illinois Streetgang
5 Terrorism Omnibus Prevention Act.

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

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

16 (u-5) To issue an order, whenever a person committed
17 to the Department absconds or absents himself or herself,
18 without authority to do so, from any facility or program
19 to which he or she is assigned. The order shall be
20 certified by the Director, the Supervisor of the
21 Apprehension Unit, or any person duly designated by the
22 Director, with the seal of the Department affixed. The
23 order shall be directed to all sheriffs, medical examiners
24 ~~coroners~~, and police officers, or to any particular person
25 named in the order. Any order issued pursuant to this
26 subdivision (1) (u-5) shall be sufficient warrant for the

1 officer or person named in the order to arrest and deliver
2 the committed person to the proper correctional officials
3 and shall be executed the same as criminal process.

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

6 (2) The Department of Corrections shall by January 1,
7 1998, consider building and operating a correctional facility
8 within 100 miles of a county of over 2,000,000 inhabitants,
9 especially a facility designed to house juvenile participants
10 in the impact incarceration program.

11 (3) When the Department lets bids for contracts for
12 medical services to be provided to persons committed to
13 Department facilities by a health maintenance organization,
14 medical service corporation, or other health care provider,
15 the bid may only be let to a health care provider that has
16 obtained an irrevocable letter of credit or performance bond
17 issued by a company whose bonds have an investment grade or
18 higher rating by a bond rating organization.

19 (4) When the Department lets bids for contracts for food
20 or commissary services to be provided to Department
21 facilities, the bid may only be let to a food or commissary
22 services provider that has obtained an irrevocable letter of
23 credit or performance bond issued by a company whose bonds
24 have an investment grade or higher rating by a bond rating
25 organization.

26 (5) On and after the date 6 months after August 16, 2013

1 (the effective date of Public Act 98-488), as provided in the
2 Executive Order 1 (2012) Implementation Act, all of the
3 powers, duties, rights, and responsibilities related to State
4 healthcare purchasing under this Code that were transferred
5 from the Department of Corrections to the Department of
6 Healthcare and Family Services by Executive Order 3 (2005) are
7 transferred back to the Department of Corrections; however,
8 powers, duties, rights, and responsibilities related to State
9 healthcare purchasing under this Code that were exercised by
10 the Department of Corrections before the effective date of
11 Executive Order 3 (2005) but that pertain to individuals
12 resident in facilities operated by the Department of Juvenile
13 Justice are transferred to the Department of Juvenile Justice.
14 (Source: P.A. 100-198, eff. 1-1-18; 100-863, eff. 8-14-18;
15 101-235, eff. 1-1-20.)

16 (730 ILCS 5/3-9-6) (from Ch. 38, par. 1003-9-6)

17 Sec. 3-9-6. Unauthorized Absence. Whenever a person
18 committed to the Department of Juvenile Justice absconds or
19 absents himself or herself without authority to do so, from
20 any facility or program to which he or she is assigned, he or
21 she may be held in custody for return to the proper
22 correctional official by the authorities or whomsoever
23 directed, when an order is certified by the Director of
24 Juvenile Justice or a person duly designated by the Director,
25 with the seal of the Department of Juvenile Justice attached.

1 The person so designated by the Director of Juvenile Justice
2 with such seal attached may be one or more persons and the
3 appointment shall be made as a ministerial one with no
4 recordation or notice necessary as to the designated
5 appointees. The order shall be directed to all sheriffs,
6 medical examiners ~~coroners~~, police officers, keepers or
7 custodians of jails or other detention facilities whether in
8 or out of the State of Illinois, or to any particular person
9 named in the order.

10 (Source: P.A. 94-696, eff. 6-1-06.)

11 (730 ILCS 5/3-13-4) (from Ch. 38, par. 1003-13-4)

12 Sec. 3-13-4. Rules and Sanctions.)

13 (a) The Department shall establish rules governing release
14 status and shall provide written copies of such rules to both
15 the committed person on work or day release and to the employer
16 or other person responsible for the individual. Such employer
17 or other responsible person shall agree to abide by such
18 rules, notify the Department of any violation thereof by the
19 individual on release status, and notify the Department of the
20 discharge of the person from work or other programs.

21 (b) If a committed person violates any rule, the
22 Department may impose sanctions appropriate to the violation.
23 The Department shall provide sanctions for unauthorized
24 absences which shall include prosecution for escape under
25 Section 3-6-4.

1 (c) An order certified by the Director, Assistant
2 Director, or the Supervisor of the Apprehension Unit, or a
3 person duly designated by him or her, with the seal of the
4 Department of Corrections attached and directed to all
5 sheriffs, medical examiners ~~coroners~~, police officers, or to
6 any particular persons named in the order shall be sufficient
7 warrant for the officer or person named therein to arrest and
8 deliver the violator to the proper correctional official. Such
9 order shall be executed the same as criminal processes.

10 In the event that a work-releasee is arrested for another
11 crime, the sheriff or police officer shall hold the releasee
12 in custody until he notifies the nearest Office of Field
13 Services or any of the above-named persons designated in this
14 Section to certify the particular process or warrant.

15 (d) Not less than 15 days prior to any person being placed
16 in a work release facility, the Department of Corrections
17 shall provide to the State's Attorney and Sheriff of the
18 county in which the work release center is located, relevant
19 identifying information concerning the person to be placed in
20 the work release facility. Such information shall include, but
21 not be limited to, such identifying information as name, age,
22 physical description, photograph, the offense, and the
23 sentence for which the person is serving time in the
24 Department of Corrections, and like information. The
25 Department of Corrections shall, in addition, give written
26 notice not less than 15 days prior to the placement to the

1 State's Attorney of the county from which the offender was
2 originally sentenced.

3 (Source: P.A. 97-1083, eff. 8-24-12.)

4 Section 275. The Department of Juvenile Justice Mortality
5 Review Team Act is amended by changing Section 15 as follows:

6 (730 ILCS 195/15)

7 Sec. 15. Mortality review teams; establishment.

8 (a) Upon the occurrence of the death of any youth in the
9 Department's custody, the Director shall appoint members and a
10 chairperson to a mortality review team. The Director shall
11 make the appointments within 30 days after the youth's death.

12 (b) Each mortality review team shall consist of at least
13 one member from each of the following categories:

14 (1) Pediatrician or other physician.

15 (2) Representative of the Department.

16 (3) State's Attorney or State's Attorney
17 representative.

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

19 (5) Psychologist or psychiatrist.

20 (6) Representative of a local health department.

21 (7) Designee of the Board of Education of the
22 Department of Juvenile Justice School District created
23 under Section 13-40 of the School Code.

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

1 (9) Representative of a juvenile justice advocacy
2 organization.

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

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

6 (12) Representative of the Office of the Governor's
7 Executive Inspector General.

8 A mortality review team may make recommendations to the
9 Director concerning additional appointments.

10 (c) Each mortality review team member must have
11 demonstrated experience or an interest in welfare of youth in
12 State custody.

13 (d) The mortality review teams shall be funded in the
14 Department's annual budget to provide for the travel expenses
15 of team members and professional services engaged by the team.

16 (e) If a death of a youth in the Department's custody
17 occurs while a prior youth death is under review by a team
18 pursuant to this Act, the Director may request that the team
19 review the subsequent death.

20 (f) Upon the conclusion of all reporting required under
21 Sections 20, 25, and 30 with respect to a death reviewed by a
22 team, all appointments to the team shall expire.

23 (Source: P.A. 96-1378, eff. 7-29-10.)

24 Section 280. The Code of Civil Procedure is amended by
25 changing Sections 2-202, 4-110, 8-2201, 10-110, 11-106,

1 12-201, 12-204, and 12-205 and changing the heading of Part 22
2 of Article VIII as follows:

3 (735 ILCS 5/2-202) (from Ch. 110, par. 2-202)

4 Sec. 2-202. Persons authorized to serve process; place of
5 service; failure to make return.

6 (a) Process shall be served by a sheriff, or if the sheriff
7 is disqualified, by a medical examiner ~~coroner~~ of some county
8 of the State. In matters where the county or State is an
9 interested party, process may be served by a special
10 investigator appointed by the State's Attorney of the county,
11 as defined in Section 3-9005 of the Counties Code. A sheriff of
12 a county with a population of less than 2,000,000 may employ
13 civilian personnel to serve process. In counties with a
14 population of less than 2,000,000, process may be served,
15 without special appointment, by a person who is licensed or
16 registered as a private detective under the Private Detective,
17 Private Alarm, Private Security, Fingerprint Vendor, and
18 Locksmith Act of 2004 or by a registered employee of a private
19 detective agency certified under that Act as defined in
20 Section (a-5). A private detective or licensed employee must
21 supply the sheriff of any county in which he serves process
22 with a copy of his license or certificate; however, the
23 failure of a person to supply the copy shall not in any way
24 impair the validity of process served by the person. The court
25 may, in its discretion upon motion, order service to be made by

1 a private person over 18 years of age and not a party to the
2 action. It is not necessary that service be made by a sheriff
3 or medical examiner ~~coroner~~ of the county in which service is
4 made. If served or sought to be served by a sheriff or medical
5 examiner ~~coroner~~, he or she shall endorse his or her return
6 thereon, and if by a private person the return shall be by
7 affidavit.

8 (a-5) Upon motion and in its discretion, the court may
9 appoint as a special process server a private detective agency
10 certified under the Private Detective, Private Alarm, Private
11 Security, Fingerprint Vendor, and Locksmith Act of 2004. Under
12 the appointment, any employee of the private detective agency
13 who is registered under that Act may serve the process. The
14 motion and the order of appointment must contain the number of
15 the certificate issued to the private detective agency by the
16 Department of Professional Regulation under the Private
17 Detective, Private Alarm, Private Security, Fingerprint
18 Vendor, and Locksmith Act of 2004. A private detective or
19 private detective agency shall send, one time only, a copy of
20 his, her, or its individual private detective license or
21 private detective agency certificate to the county sheriff in
22 each county in which the detective or detective agency or his,
23 her, or its employees serve process, regardless of size of the
24 population of the county. As long as the license or
25 certificate is valid and meets the requirements of the
26 Department of Financial and Professional Regulation, a new

1 copy of the current license or certificate need not be sent to
2 the sheriff. A private detective agency shall maintain a list
3 of its registered employees. Registered employees shall
4 consist of:

5 (1) an employee who works for the agency holding a
6 valid Permanent Employee Registration Card;

7 (2) a person who has applied for a Permanent Employee
8 Registration Card, has had his or her fingerprints
9 processed and cleared by the Department of State Police
10 and the FBI, and as to whom the Department of Financial and
11 Professional Regulation website shows that the person's
12 application for a Permanent Employee Registration Card is
13 pending;

14 (3) a person employed by a private detective agency
15 who is exempt from a Permanent Employee Registration Card
16 requirement because the person is a current peace officer;
17 and

18 (4) a private detective who works for a private
19 detective agency as an employee.

20 A detective agency shall maintain this list and forward it to
21 any sheriff's department that requests this list within 5
22 business days after the receipt of the request.

23 (b) Summons may be served upon the defendants wherever
24 they may be found in the State, by any person authorized to
25 serve process. An officer may serve summons in his or her
26 official capacity outside his or her county, but fees for

1 mileage outside the county of the officer cannot be taxed as
2 costs. The person serving the process in a foreign county may
3 make return by mail.

4 (c) If any sheriff, medical examiner ~~coroner~~, or other
5 person to whom any process is delivered, neglects or refuses
6 to make return of the same, the plaintiff may petition the
7 court to enter a rule requiring the sheriff, medical examiner
8 ~~coroner~~, or other person, to make return of the process on a
9 day to be fixed by the court, or to show cause on that day why
10 that person should not be attached for contempt of the court.
11 The plaintiff shall then cause a written notice of the rule to
12 be served on the sheriff, medical examiner ~~coroner~~, or other
13 person. If good and sufficient cause be not shown to excuse the
14 officer or other person, the court shall adjudge him or her
15 guilty of a contempt, and shall impose punishment as in other
16 cases of contempt.

17 (d) If process is served by a sheriff, medical examiner
18 ~~coroner~~, or special investigator appointed by the State's
19 Attorney, the court may tax the fee of the sheriff, medical
20 examiner ~~coroner~~, or State's Attorney's special investigator
21 as costs in the proceeding. If process is served by a private
22 person or entity, the court may establish a fee therefor and
23 tax such fee as costs in the proceedings.

24 (e) In addition to the powers stated in Section 8.1a of the
25 Housing Authorities Act, in counties with a population of
26 3,000,000 or more inhabitants, members of a housing authority

1 police force may serve process for eviction actions commenced
2 by that housing authority and may execute eviction orders for
3 that housing authority.

4 (f) In counties with a population of 3,000,000 or more,
5 process may be served, with special appointment by the court,
6 by a private process server or a law enforcement agency other
7 than the county sheriff in proceedings instituted under
8 Article IX of this Code as a result of a lessor or lessor's
9 assignee declaring a lease void pursuant to Section 11 of the
10 Controlled Substance and Cannabis Nuisance Act.

11 (Source: P.A. 99-169, eff. 7-28-15; 100-173, eff. 1-1-18.)

12 (735 ILCS 5/4-110) (from Ch. 110, par. 4-110)

13 Sec. 4-110. Order for attachment. The order for attachment
14 required in the preceding section shall be directed to the
15 sheriff (and, for purpose only of service of summons, to any
16 person authorized to serve summons), or in case the sheriff is
17 interested, or otherwise disqualified or prevented from
18 acting, to the medical examiner ~~coroner~~ of the county in which
19 the action is commenced, and shall be made returnable on a
20 return day designated by the plaintiff, which day shall not be
21 less than 10 days or more than 60 days after its date. Such
22 order shall order the officer to attach so much of the estate,
23 real or personal, of the defendant, to be found in the county,
24 as shall be of value sufficient to satisfy the debt and costs,
25 according to the affidavit, but in case any specific property

1 of the defendant, found in the county, shall be described in
2 the order, then the officer shall attach the described
3 property only, and no other property. Such estate or property
4 shall be so attached in the possession of the officer to
5 secure, or so to provide, that the same may be liable to
6 further proceedings thereupon, according to law. The order
7 shall also direct that the officer summon the defendant to
8 appear and answer the complaint of the plaintiff in court at a
9 specified time or, at defendant's option, to appear at any
10 time prior thereto and move the court to set a hearing on the
11 order for the attachment or affidavit; and that the officer
12 also summon any specified garnishees, to be and appear in
13 court at a specified time to answer to what may be held by them
14 for the defendant.

15 (Source: P.A. 83-707.)

16 (735 ILCS 5/Art. VIII Pt. 22 heading)

17 Part 22. Medical examiner's ~~Coroner's~~ records

18 (735 ILCS 5/8-2201) (from Ch. 110, par. 8-2201)

19 Sec. 8-2201. Admissibility of medical examiner's ~~coroner's~~
20 records. In actions or proceedings for the recovery of damages
21 arising from or growing out of injuries caused by the
22 negligence of any person, firm or corporation resulting in the
23 death of any person or for the collection of a policy of
24 insurance, neither the medical examiner's ~~coroner's~~ verdict

1 returned upon the inquisition, nor a copy thereof, shall be
2 admissible as evidence to prove or establish any of the facts
3 in controversy in such action or proceeding.

4 (Source: P.A. 82-280.)

5 (735 ILCS 5/10-110) (from Ch. 110, par. 10-110)

6 Sec. 10-110. Service of order. The habeas corpus order may
7 be served by the sheriff, medical examiner ~~coroner~~ or any
8 person appointed for that purpose by the court which entered
9 the order; if served by a person not an officer, he or she
10 shall have the same power, and be liable to the same penalty
11 for non-performance of his or her duty, as though he or she
12 were sheriff.

13 (Source: P.A. 83-707.)

14 (735 ILCS 5/11-106) (from Ch. 110, par. 11-106)

15 Sec. 11-106. Injunctive relief on Saturday, Sunday or
16 legal holiday. When an application is made on a Saturday,
17 Sunday, legal holiday or on a day when courts are not in
18 session for injunctive relief and there is filed with the
19 complaint an affidavit of the plaintiff, or his, her or their
20 agent or attorney, stating that the benefits of injunctive
21 relief will be lost or endangered, or irreparable damage
22 occasioned unless such injunctive relief is immediately
23 granted, and stating the bases for such alleged consequence,
24 and if it appears to the court from such affidavit that the

1 benefits of injunctive relief will be lost or endangered, or
2 irremediable damage occasioned unless such injunctive relief
3 is immediately granted, and if the plaintiff otherwise is
4 entitled to such relief under the law, the court may grant
5 injunctive relief on a Saturday, Sunday, legal holiday, or on
6 a day when courts are not in session; and it shall be lawful
7 for the clerk to certify, and for the sheriff or medical
8 examiner ~~coroner~~ to serve such order for injunctive relief on
9 a Saturday, Sunday, legal holiday or on a day when courts are
10 not in session as on any other day, and all affidavits and
11 bonds made and proceedings had in such case shall have the same
12 force and effect as if made or had on any other day.

13 (Source: P.A. 98-756, eff. 7-16-14.)

14 (735 ILCS 5/12-201) (from Ch. 110, par. 12-201)

15 Sec. 12-201. Procedure. (a) Whenever a judgment or order
16 of attachment, entered by any court, shall be levied by any
17 sheriff or medical examiner ~~coroner~~ upon any personal
18 property, and such property is claimed by any person other
19 than the judgment debtor or defendant in such attachment, or
20 is claimed by the judgment debtor or defendant in attachment
21 as exempt from levy or attachment by virtue of the exemption
22 laws of the State, by giving to the sheriff or medical examiner
23 ~~coroner~~ notice, in writing, of his or her claim, and intention
24 to prosecute the same, it shall be the duty of such sheriff or
25 medical examiner ~~coroner~~ to notify the circuit court of such

1 claim.

2 (b) The court shall thereupon cause the proceeding to be
3 entered of record, and the claimant shall be made plaintiff in
4 the proceeding, and the judgment creditor or plaintiff in
5 attachment shall be made defendant in such proceeding.

6 (c) The clerk of the circuit court shall thereupon issue a
7 notice, directed to the judgment creditor or plaintiff in
8 attachment, notifying him or her of such claim, and of the time
9 and place of trial, which time shall be not more than 10 days
10 nor less than 5 days from the date of such notice.

11 (d) Such notice shall be served in the same manner as
12 provided for the service of summons in other civil cases, at
13 least 5 days before the day of trial; and if such notice is
14 served less than 5 days before the day of trial, the trial
15 shall, on demand of either party, be continued for a period not
16 exceeding 10 days.

17 (e) In case return is made on such notice that the judgment
18 creditor or plaintiff in attachment cannot be found, the
19 proceeding shall be continued for a period not exceeding 90
20 days, and the judgment creditor or plaintiff in attachment
21 shall be notified of such proceeding by publication as in
22 other civil cases.

23 (f) If the judgment creditor or plaintiff in attachment,
24 or his or her attorney, shall at least 5 days before the day of
25 trial, file with the clerk of the circuit court his or her
26 appearance in such proceeding, then it shall not be necessary

1 to notify such person as above provided.

2 (Source: P.A. 82-280.)

3 (735 ILCS 5/12-204) (from Ch. 110, par. 12-204)

4 Sec. 12-204. Trial and judgment. The court or the jury
5 shall determine the rights of the parties and the court shall
6 enter judgment accordingly, and the court shall direct the
7 sheriff or medical examiner ~~coroner~~ as to the disposition of
8 the property in the possession of the sheriff or medical
9 examiner ~~coroner~~. In case the property appears to belong to
10 the claimant, when the claimant is any person other than the
11 judgment debtor or the defendant in the attachment, or in case
12 the property is found to be exempt from enforcement of a
13 judgment thereon or attachment, when the claimant is the
14 judgment debtor or the defendant in the attachment, judgment
15 shall be entered against the judgment creditor or plaintiff in
16 the attachment for the costs, and the property levied on shall
17 be released, and in case it further appears that such claimant
18 is entitled to the immediate possession of such property, the
19 court shall order that such property be delivered to such
20 claimant. If it appears that the property does not belong to
21 the claimant, or is not exempt from the enforcement of a
22 judgment thereon or attachment, as the case may be, judgment
23 shall be entered against the claimant for costs, and an order
24 shall be entered that the sheriff or medical examiner ~~coroner~~
25 proceed to sell the property levied on. The judgment in such

1 cases shall be a complete indemnity to the sheriff or medical
2 examiner ~~coroner~~ in selling or restoring any such property, as
3 the case may be.

4 (Source: P.A. 82-280.)

5 (735 ILCS 5/12-205) (from Ch. 110, par. 12-205)

6 Sec. 12-205. Costs. If the judgment is entered in favor of
7 the claimant as to part of the property, and in favor of
8 another party as to part, then the court shall in its
9 discretion apportion the costs; and the sheriff, medical
10 examiner ~~coroner~~ and clerk of the court shall be entitled to
11 the same fees as are allowed by law for similar services.

12 (Source: P.A. 82-280.)

13 Section 285. The Mental Health and Developmental
14 Disabilities Confidentiality Act is amended by changing
15 Section 10 as follows:

16 (740 ILCS 110/10) (from Ch. 91 1/2, par. 810)

17 Sec. 10. (a) Except as provided herein, in any civil,
18 criminal, administrative, or legislative proceeding, or in any
19 proceeding preliminary thereto, a recipient, and a therapist
20 on behalf and in the interest of a recipient, has the privilege
21 to refuse to disclose and to prevent the disclosure of the
22 recipient's record or communications.

23 (1) Records and communications may be disclosed in a

1 civil, criminal or administrative proceeding in which the
2 recipient introduces his mental condition or any aspect of
3 his services received for such condition as an element of
4 his claim or defense, if and only to the extent the court
5 in which the proceedings have been brought, or, in the
6 case of an administrative proceeding, the court to which
7 an appeal or other action for review of an administrative
8 determination may be taken, finds, after in camera
9 examination of testimony or other evidence, that it is
10 relevant, probative, not unduly prejudicial or
11 inflammatory, and otherwise clearly admissible; that other
12 satisfactory evidence is demonstrably unsatisfactory as
13 evidence of the facts sought to be established by such
14 evidence; and that disclosure is more important to the
15 interests of substantial justice than protection from
16 injury to the therapist-recipient relationship or to the
17 recipient or other whom disclosure is likely to harm.
18 Except in a criminal proceeding in which the recipient,
19 who is accused in that proceeding, raises the defense of
20 insanity, no record or communication between a therapist
21 and a recipient shall be deemed relevant for purposes of
22 this subsection, except the fact of treatment, the cost of
23 services and the ultimate diagnosis unless the party
24 seeking disclosure of the communication clearly
25 establishes in the trial court a compelling need for its
26 production. However, for purposes of this Act, in any

1 action brought or defended under the Illinois Marriage and
2 Dissolution of Marriage Act, or in any action in which
3 pain and suffering is an element of the claim, mental
4 condition shall not be deemed to be introduced merely by
5 making such claim and shall be deemed to be introduced
6 only if the recipient or a witness on his behalf first
7 testifies concerning the record or communication.

8 (2) Records or communications may be disclosed in a
9 civil proceeding after the recipient's death when the
10 recipient's physical or mental condition has been
11 introduced as an element of a claim or defense by any party
12 claiming or defending through or as a beneficiary of the
13 recipient, provided the court finds, after in camera
14 examination of the evidence, that it is relevant,
15 probative, and otherwise clearly admissible; that other
16 satisfactory evidence is not available regarding the facts
17 sought to be established by such evidence; and that
18 disclosure is more important to the interests of
19 substantial justice than protection from any injury which
20 disclosure is likely to cause.

21 (3) In the event of a claim made or an action filed by
22 a recipient, or, following the recipient's death, by any
23 party claiming as a beneficiary of the recipient for
24 injury caused in the course of providing services to such
25 recipient, the therapist and other persons whose actions
26 are alleged to have been the cause of injury may disclose

1 pertinent records and communications to an attorney or
2 attorneys engaged to render advice about and to provide
3 representation in connection with such matter and to
4 persons working under the supervision of such attorney or
5 attorneys, and may testify as to such records or
6 communication in any administrative, judicial or discovery
7 proceeding for the purpose of preparing and presenting a
8 defense against such claim or action.

9 (4) Records and communications made to or by a
10 therapist in the course of examination ordered by a court
11 for good cause shown may, if otherwise relevant and
12 admissible, be disclosed in a civil, criminal, or
13 administrative proceeding in which the recipient is a
14 party or in appropriate pretrial proceedings, provided
15 such court has found that the recipient has been as
16 adequately and as effectively as possible informed before
17 submitting to such examination that such records and
18 communications would not be considered confidential or
19 privileged. Such records and communications shall be
20 admissible only as to issues involving the recipient's
21 physical or mental condition and only to the extent that
22 these are germane to such proceedings.

23 (5) Records and communications may be disclosed in a
24 proceeding under the Probate Act of 1975, to determine a
25 recipient's competency or need for guardianship, provided
26 that the disclosure is made only with respect to that

1 issue.

2 (6) Records and communications may be disclosed to a
3 court-appointed therapist, psychologist, or psychiatrist
4 for use in determining a person's fitness to stand trial
5 if the records were made within the 180-day period
6 immediately preceding the date of the therapist's,
7 psychologist's or psychiatrist's court appointment. These
8 records and communications shall be admissible only as to
9 the issue of the person's fitness to stand trial. Records
10 and communications may be disclosed when such are made
11 during treatment which the recipient is ordered to undergo
12 to render him fit to stand trial on a criminal charge,
13 provided that the disclosure is made only with respect to
14 the issue of fitness to stand trial.

15 (7) Records and communications of the recipient may be
16 disclosed in any civil or administrative proceeding
17 involving the validity of or benefits under a life,
18 accident, health or disability insurance policy or
19 certificate, or Health Care Service Plan Contract,
20 insuring the recipient, but only if and to the extent that
21 the recipient's mental condition, or treatment or services
22 in connection therewith, is a material element of any
23 claim or defense of any party, provided that information
24 sought or disclosed shall not be redisclosed except in
25 connection with the proceeding in which disclosure is
26 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
10 when the disclosure relates directly to the fact or
11 immediate 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
18 be 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
2 with the power to consent to adoption under Section 2-29
3 of the 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
10 pursue collection, and the information so disclosed may
11 not be used for any other purposes nor may it be
12 redisclosed except in connection with collection
13 activities. Whenever records are disclosed pursuant to
14 this subdivision (12), the recipient of the records shall
15 be advised in writing that any person who discloses mental
16 health records and communications in violation of this Act
17 may be subject to civil liability pursuant to Section 15
18 of this Act or to criminal penalties pursuant to Section
19 16 of this Act or 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
24 may hold an in camera review on its own motion. When, contrary
25 to 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
6 agency may enter such orders as may be necessary in order to
7 protect the confidentiality, privacy, and safety of the
8 recipient or of other persons. Any order to disclose or to not
9 disclose shall be considered a final order for purposes of
10 appeal and shall be 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
4 disclosure, the facility shall disclose the records and
5 communications to the committee, commission or subcommittee.
6 If an objection has been filed within 15 business days after
7 the request for disclosure, the facility shall disclose the
8 records and communications only after the committee,
9 commission or subcommittee has permitted the recipient,
10 guardian or therapist to present his objection in person
11 before it and has renewed its request for disclosure by a
12 majority vote of its 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

1 treatment provider. Prior to issuance of the order, each party
2 or other person entitled to notice shall be permitted an
3 opportunity to be heard pursuant to subsection (b) of this
4 Section. In the absence of the written consent under Section 5
5 of this Act of the person whose records are being sought, no
6 person shall comply with a subpoena for records or
7 communications under this Act, unless the subpoena is
8 accompanied by a written order authorizing the issuance of the
9 subpoena or the disclosure of the records. Each subpoena
10 issued by a court or administrative agency or served on any
11 person pursuant to this subsection (d) shall include the
12 following language: "No person shall comply with a subpoena
13 for mental health records or communications pursuant to
14 Section 10 of the Mental Health and Developmental Disabilities
15 Confidentiality Act, 740 ILCS 110/10, unless the subpoena is
16 accompanied by a written order that authorizes the issuance of
17 the subpoena and the disclosure of records or communications
18 or by the written consent under Section 5 of that Act of the
19 person whose records are being sought."

20 (e) When a person has been transported by a peace officer
21 to a mental health facility, then upon the request of a peace
22 officer, if the person is allowed to leave the mental health
23 facility within 48 hours of arrival, excluding Saturdays,
24 Sundays, and holidays, the facility director shall notify the
25 local law enforcement authority prior to the release of the
26 person. The local law enforcement authority may re-disclose

1 the information as necessary to alert the appropriate
2 enforcement or prosecuting authority.

3 (f) A recipient's records and communications shall be
4 disclosed to the Inspector General of the Department of Human
5 Services within 10 business days of a request by the Inspector
6 General (i) in the course of an investigation authorized by
7 the Department of Human Services Act and applicable rule or
8 (ii) during the course of an assessment authorized by the
9 Abuse of Adults with Disabilities Intervention Act and
10 applicable rule. The request shall be in writing and signed by
11 the Inspector General or his or her designee. The request
12 shall state the purpose for which disclosure is sought. Any
13 person who knowingly and willfully refuses to comply with such
14 a request is guilty of a Class A misdemeanor. A recipient's
15 records and communications shall also be disclosed pursuant to
16 subsection (s) of Section 1-17 of the Department of Human
17 Services Act in testimony at Health Care Worker Registry
18 hearings or preliminary proceedings when such are relevant to
19 the matter in issue, provided that any information so
20 disclosed shall not be utilized for any other purpose nor be
21 redisclosed except in connection with such action or
22 preliminary proceedings.

23 (Source: P.A. 99-78, eff. 7-20-15; 100-432, eff. 8-25-17.)

24 Section 290. The Illinois Anatomical Gift Act is amended
25 by changing Sections 5-20 and 5-45 as follows:

1 (755 ILCS 50/5-20) (was 755 ILCS 50/5)

2 Sec. 5-20. Manner of executing anatomical gifts.

3 (a) A donor may make an anatomical gift:

4 (1) by authorizing a statement or symbol indicating
5 that the donor has made an anatomical gift to be imprinted
6 on the donor's driver's license or identification card;

7 (2) in a will;

8 (3) during a terminal illness or injury of the donor,
9 by any form of communication addressed to at least 2
10 adults, at least one of whom is a disinterested witness;
11 or

12 (4) as provided in subsection (b) and (b-1) of this
13 Section.

14 (b) A donor or other person authorized to make an
15 anatomical gift under subsection (a) of Section 5-5 may make a
16 gift by a donor card or other record signed by the donor or
17 other person making the gift or by authorizing that a
18 statement or symbol indicating that the donor has made an
19 anatomical gift be included on a donor registry. If the donor
20 or other person is physically unable to sign a record, the
21 record may be signed by another individual at the direction of
22 the donor or other person and must:

23 (1) be witnessed by at least 2 adults, at least one of
24 whom is a disinterested witness, who have signed at the
25 request of the donor or the other person; and

1 (2) state that it has been signed and witnessed as
2 provided in paragraph (1) of this subsection (b).

3 (b-1) A gift under Section 5-5 (a) may also be made by an
4 individual consenting to have his or her name included in the
5 First Person Consent organ and tissue donor registry
6 maintained by the Secretary of State under Section 6-117 of
7 the Illinois Vehicle Code. An individual's consent to have his
8 or her name included in the First Person Consent organ and
9 tissue donor registry constitutes full legal authority for the
10 donation of any of his or her organs or tissue for purposes of
11 transplantation, therapy, or research. Consenting to be
12 included in the First Person Consent organ and tissue donor
13 registry is effective without regard to the presence or
14 signature of witnesses.

15 (b-5) Revocation, suspension, expiration, or cancellation
16 of a driver's license or identification card upon which an
17 anatomical gift is indicated does not invalidate the gift.

18 (b-10) An anatomical gift made by will takes effect upon
19 the donor's death whether or not the will is probated.
20 Invalidation of the will after the donor's death does not
21 invalidate the gift.

22 (c) The anatomical gift may be made to a specified donee or
23 without specifying a donee. If the gift is made to a specified
24 donee who is not available at the time and place of death, then
25 if made for the purpose of transplantation, it shall be
26 effectuated in accordance with Section 5-25.

1 (d) The donee or other person authorized to accept the
2 gift pursuant to Section 5-12 may employ or authorize any
3 qualified technician, surgeon, or physician to perform the
4 recovery.

5 (e) A person authorized to make an anatomical gift under
6 subsection (b) of Section 5-5 may make an anatomical gift by a
7 document of gift signed by the person making the gift or by
8 that person's oral communication that is electronically
9 recorded or is contemporaneously reduced to a record and
10 signed by the individual receiving the oral communication.

11 (e-5) An anatomical gift by a person authorized under
12 subsection (b) of Section 5-5 may be amended or revoked orally
13 or in a record by a member of a prior class who is reasonably
14 available for the giving of authorization or refusal. If more
15 than one member of the prior class is reasonably available for
16 the giving of authorization or refusal, the gift made by a
17 person authorized under subsection (b) of Section 5-5 may be:

18 (1) amended only if a majority of the class members
19 reasonably available for the giving of authorization or
20 refusal agree to the amending of the gift; or

21 (2) revoked only if a majority of the class members
22 reasonably available for the giving of authorization or
23 refusal agree to the revoking of the gift or if they are
24 equally divided as to whether to revoke the gift.

25 (e-10) A revocation under subsection (e-5) is effective
26 only if, before an incision has been made to remove a part from

1 the donor's body or before invasive procedures have been
2 commenced to prepare the recipient, the procurement
3 organization, non-transplant anatomic bank, transplant
4 hospital, or physician or technician knows of the revocation.

5 (f) When there is a suitable candidate for organ donation
6 and a donation or consent to donate has not yet been given,
7 procedures to preserve the decedent's body for possible organ
8 and tissue donation may be implemented under the authorization
9 of the applicable organ procurement organization, at its own
10 expense, prior to making a donation request pursuant to
11 Section 5-25. If the organ procurement organization does not
12 locate a person authorized to consent to donation or consent
13 to donation is denied, then procedures to preserve the
14 decedent's body shall be ceased and no donation shall be made.
15 The organ procurement organization shall respect the religious
16 tenets of the decedent, if known, such as a pause after death,
17 before initiating preservation services. Nothing in this
18 Section shall be construed to authorize interference with the
19 medical examiner ~~coroner~~ in carrying out an investigation or
20 autopsy.

21 (Source: P.A. 100-41, eff. 1-1-18.)

22 (755 ILCS 50/5-45) (was 755 ILCS 50/8)

23 Sec. 5-45. Rights and Duties at Death.

24 (a) The donee may accept or reject the anatomical gift. If
25 the donee accepts a gift of the entire body, he may, subject to

1 the terms of the gift, authorize embalming and the use of the
2 body in funeral services, unless a person named in subsection
3 (b) of Section 5-5 has requested, prior to the final
4 disposition by the donee, that the remains of said body be
5 returned to his or her custody for the purpose of final
6 disposition. Such request shall be honored by the donee if the
7 terms of the gift are silent on how final disposition is to
8 take place. If the gift is of a part of the body, the donee or
9 technician designated by him upon the death of the donor and
10 prior to embalming, shall cause the part to be removed without
11 unnecessary mutilation and without undue delay in the release
12 of the body for the purposes of final disposition. After
13 removal of the part, custody of the remainder of the body vests
14 in the surviving spouse, next of kin, or other persons under
15 obligation to dispose of the body, in the order of priority
16 listed in subsection (b) of Section 5-5.

17 (b) The time of death shall be determined by a physician
18 who attends the donor at his death, or, if none, the physician
19 who certifies the death. The physician shall not participate
20 in the procedures for removing or transplanting a part.

21 (c) A person who acts or attempts in good faith to act in
22 accordance with this Act, the Illinois Vehicle Code, the AIDS
23 Confidentiality Act, or the applicable anatomical gift law of
24 another state is not liable for the act in a civil action,
25 criminal prosecution, or administrative proceeding. Neither
26 the person making an anatomical gift nor the donor's estate is

1 liable for any injury or damage that results from the making or
2 use of the gift. In determining whether an anatomical gift has
3 been made, amended, or revoked under this Act, a person may
4 rely upon representations of an individual listed in item (2),
5 (3), (4), (5), (6), (7), or (8) of subsection (b) of Section
6 5-5 relating to the individual's relationship to the donor or
7 prospective donor unless the person knows that the
8 representation is untrue. Any person that participates in good
9 faith and according to the usual and customary standards of
10 medical practice in the preservation, removal, or
11 transplantation of any part of a decedent's body pursuant to
12 an anatomical gift made by the decedent under Section 5-20 or
13 pursuant to an anatomical gift made by an individual as
14 authorized by subsection (b) of Section 5-5 shall have
15 immunity from liability, civil, criminal, or otherwise, that
16 might result by reason of such actions. For the purpose of any
17 proceedings, civil or criminal, the validity of an anatomical
18 gift executed pursuant to Section 5-20 shall be presumed and
19 the good faith of any person participating in the removal or
20 transplantation of any part of a decedent's body pursuant to
21 an anatomical gift made by the decedent or by another
22 individual authorized by the Act shall be presumed.

23 (d) This Act is subject to the provisions of Division 3-3
24 of the Counties Code ~~"An Act to revise the law in relation to~~
25 ~~coroners", approved February 6, 1874, as now or hereafter~~
26 ~~amended~~, to the laws of this State prescribing powers and

1 duties with respect to autopsies, and to the statutes, rules,
2 and regulations of this State with respect to the
3 transportation and disposition of deceased human bodies.

4 (e) If the donee is provided information, or determines
5 through independent examination, that there is evidence that
6 the anatomical gift was exposed to the human immunodeficiency
7 virus (HIV) or any other identified causative agent of
8 acquired immunodeficiency syndrome (AIDS), the donee may
9 reject the gift and shall treat the information and
10 examination results as a confidential medical record; the
11 donee may disclose only the results confirming HIV exposure,
12 and only to the physician of the deceased donor. The donor's
13 physician shall determine whether the person who executed the
14 gift should be notified of the confirmed positive test result.

15 (Source: P.A. 98-172, eff. 1-1-14.)

16 Section 295. The Disposition of Remains Act is amended by
17 changing Section 5 as follows:

18 (755 ILCS 65/5)

19 Sec. 5. Right to control disposition; priority. Unless a
20 decedent has left directions in writing for the disposition or
21 designated an agent to direct the disposition of the
22 decedent's remains as provided in Section 65 of the Crematory
23 Regulation Act or in subsection (a) of Section 40 of this Act,
24 the following persons, in the priority listed, have the right

1 to control the disposition, including cremation, of the
2 decedent's remains and are liable for the reasonable costs of
3 the disposition:

4 (1) the person designated in a written instrument that
5 satisfies the provisions of Sections 10 and 15 of this
6 Act;

7 (2) any person serving as executor or legal
8 representative of the decedent's estate and acting
9 according to the decedent's written instructions contained
10 in the decedent's will;

11 (3) the individual who was the spouse of the decedent
12 at the time of the decedent's death;

13 (4) the sole surviving competent adult child of the
14 decedent, or if there is more than one surviving competent
15 adult child of the decedent, the majority of the surviving
16 competent adult children; however, less than one-half of
17 the surviving adult children shall be vested with the
18 rights and duties of this Section if they have used
19 reasonable efforts to notify all other surviving competent
20 adult children of their instructions and are not aware of
21 any opposition to those instructions on the part of more
22 than one-half of all surviving competent adult children;

23 (5) the surviving competent parents of the decedent;
24 if one of the surviving competent parents is absent, the
25 remaining competent parent shall be vested with the rights
26 and duties of this Act after reasonable efforts have been

1 unsuccessful in locating the absent surviving competent
2 parent;

3 (6) the surviving competent adult person or persons
4 respectively in the next degrees of kindred or, if there
5 is more than one surviving competent adult person of the
6 same degree of kindred, the majority of those persons;
7 less than the majority of surviving competent adult
8 persons of the same degree of kindred shall be vested with
9 the rights and duties of this Act if those persons have
10 used reasonable efforts to notify all other surviving
11 competent adult persons of the same degree of kindred of
12 their instructions and are not aware of any opposition to
13 those instructions on the part of one-half or more of all
14 surviving competent adult persons of the same degree of
15 kindred;

16 (6.5) any recognized religious, civic, community, or
17 fraternal organization willing to assume legal and
18 financial responsibility;

19 (7) in the case of indigents or any other individuals
20 whose final disposition is the responsibility of the State
21 or any of its instrumentalities, a public administrator,
22 medical examiner, ~~coroner~~, State appointed guardian, or
23 any other public official charged with arranging the final
24 disposition of the decedent;

25 (8) in the case of individuals who have donated their
26 bodies to science, or whose death occurred in a nursing

1 home or other private institution and the institution is
2 charged with making arrangements for the final disposition
3 of the decedent, a representative of the institution; or

4 (9) any other person or organization that is willing
5 to assume legal and financial responsibility.

6 As used in Section, "adult" means any individual who has
7 reached his or her eighteenth birthday.

8 Notwithstanding provisions to the contrary, in the case of
9 decedents who die while serving as members of the United
10 States Armed Forces, the Illinois National Guard, or the
11 United States Reserve Forces, as defined in Section 1481 of
12 Title 10 of the United States Code, and who have executed the
13 required U.S. Department of Defense Record of Emergency Data
14 Form (DD Form 93), or successor form, the person designated in
15 such form to direct disposition of the decedent's remains
16 shall have the right to control the disposition, including
17 cremation, of the decedent's remains.

18 (Source: P.A. 100-526, eff. 6-1-18.)

19 Section 300. The Disposition of Remains of the Indigent
20 Act is amended by changing Sections 5 and 10 as follows:

21 (755 ILCS 66/5)

22 (Section scheduled to be repealed on December 31, 2022)

23 Sec. 5. Purpose. The General Assembly recognizes:

24 (1) that each individual in the State regardless of

1 his or her economic situation is entitled to a dignified
2 disposition of his or her remains;

3 (2) that it is a matter of public concern and interest
4 that the preparation, care, and final disposition of a
5 deceased human body be attended to with appropriate
6 observance and understanding;

7 (3) that it is a matter of public concern and interest
8 that there is a due regard and respect for the reverent
9 care of the human body, for those bereaved, and the
10 overall spiritual dignity of every person;

11 (4) that the provision of cadavers and other human
12 materials is a much-needed service for the advancement of
13 medical, mortuary, and other sciences;

14 (5) that there is a critical shortage of cadavers
15 necessary for the advancement of medical, mortuary, and
16 other sciences;

17 (6) that the State has, in the past, paid for the
18 burial and funeral of indigent individuals;

19 (7) that payment for such services is not now
20 consistent with the needs or demands of the current State
21 budget;

22 (8) that the State has had a long-standing policy that
23 government officials who have custody of a body of any
24 deceased person shall transfer such custody to any State
25 medical college, school, or other institution of higher
26 science education or school of mortuary science for

1 advancement of medical, anatomical, biological, or
2 mortuary science; and

3 (9) that current law provides that any county medical
4 examiner ~~coroner~~ may donate bodies not claimed by family
5 members or friends.

6 (Source: P.A. 100-526, eff. 6-1-18.)

7 (755 ILCS 66/10)

8 (Section scheduled to be repealed on December 31, 2022)

9 Sec. 10. Indigent funeral and burial.

10 (a) If private funds are not available to pay funeral and
11 burial costs and a request is made for those costs to an
12 official of State or local government by an appropriate family
13 member, executor, or agent empowered to direct the disposition
14 of the decedent's remains, the official shall inform the
15 appropriate family member, executor, or agent empowered to
16 direct the disposition of the decedent's remains of the option
17 to donate the remains for use in the advancement of medical
18 science subject to any written directive of a will or other
19 written instrument identified in Section 65 of the Crematory
20 Regulation Act or in subsection (a) of Section 40 of the
21 Disposition of Remains Act.

22 (b) The appropriate family member, executor, or agent
23 empowered to direct the disposition of the decedent's remains
24 is responsible for authorizing the use of such remains in
25 accordance with the process of the specific qualified medical

1 science institution.

2 (c) If funds are not otherwise available for burial or the
3 cadaver has not been claimed by a family member or other
4 responsible person, the medical examiner ~~coroner~~ with custody
5 may donate the cadaver for medical science purposes pursuant
6 to Section 3-3034 of the Counties Code.

7 (Source: P.A. 100-526, eff. 6-1-18.)

8 Section 305. The Revised Uniform Unclaimed Property Act is
9 amended by changing Section 15-705 as follows:

10 (765 ILCS 1026/15-705)

11 Sec. 15-705. Exceptions to the sale of tangible property.
12 The administrator shall dispose of tangible property
13 identified by this Section in accordance with this Section.

14 (a) Military medals or decorations. The administrator may
15 not sell a medal or decoration awarded for military service in
16 the armed forces of the United States. Instead, the
17 administrator, with the consent of the respective organization
18 under paragraph (1), agency under paragraph (2), or entity
19 under paragraph (3), may deliver a medal or decoration to be
20 held in custody for the owner, to:

21 (1) a military veterans organization qualified under
22 Section 501(c)(19) of the Internal Revenue Code;

23 (2) the agency that awarded the medal or decoration;

24 or

1 (3) a governmental entity.

2 After delivery, the administrator is not responsible for
3 the safekeeping of the medal or decoration.

4 (b) Property with historical value. Property that the
5 administrator reasonably believes may have historical value
6 may be, at his or her discretion, loaned to an accredited
7 museum in the United States where it will be kept until such
8 time as the administrator orders it to be returned to his or
9 her custody.

10 (c) Human remains. If human remains are delivered to the
11 administrator under this Act, the administrator shall deliver
12 those human remains to the medical examiner ~~coroner~~ of the
13 county in which the human remains were abandoned for
14 disposition under Section 3-3034 of the Counties Code. The
15 only human remains that may be delivered to the administrator
16 under this Act and that the administrator may receive are
17 those that are reported and delivered as contents of a safe
18 deposit box.

19 (d) Evidence in a criminal investigation. Property that
20 may have been used in the commission of a crime or that may
21 assist in the investigation of a crime, as determined after
22 consulting with the Department of State Police, shall be
23 delivered to the Department of State Police or other
24 appropriate law enforcement authority to allow law enforcement
25 to determine whether a criminal investigation should take
26 place. Any such property delivered to a law enforcement

1 authority shall be held in accordance with existing statutes
2 and rules related to the gathering, retention, and release of
3 evidence.

4 (e) Firearms.

5 (1) The administrator, in cooperation with the
6 Department of State Police, shall develop a procedure to
7 determine whether a firearm delivered to the administrator
8 under this Act has been stolen or used in the commission of
9 a crime. The Department of State Police shall determine
10 the appropriate disposition of a firearm that has been
11 stolen or used in the commission of a crime. The
12 administrator shall attempt to return a firearm that has
13 not been stolen or used in the commission of a crime to the
14 rightful owner if the Department of State Police
15 determines that the owner may lawfully possess the
16 firearm.

17 (2) If the administrator is unable to return a firearm
18 to its owner, the administrator shall transfer custody of
19 the firearm to the Department of State Police. Legal title
20 to a firearm transferred to the Department of State Police
21 under this subsection (e) is vested in the Department of
22 State Police by operation of law if:

23 (i) the administrator cannot locate the owner of
24 the firearm;

25 (ii) the owner of the firearm may not lawfully
26 possess the firearm;

1 (iii) the apparent owner does not respond to
2 notice published under Section 15-503 of this Act; or

3 (iv) the apparent owner responds to notice
4 published under Section 15-502 and states that he or
5 she no longer claims an interest in the firearm.

6 (3) With respect to a firearm whose title is
7 transferred to the Department of State Police under this
8 subsection (e), the Department of State Police may:

9 (i) retain the firearm for use by the crime
10 laboratory system, for training purposes, or for any
11 other application as deemed appropriate by the
12 Department;

13 (ii) transfer the firearm to the Illinois State
14 Museum if the firearm has historical value; or

15 (iii) destroy the firearm if it is not retained
16 pursuant to subparagraph (i) or transferred pursuant
17 to subparagraph (ii).

18 As used in this subsection, "firearm" has the meaning
19 provided in the Firearm Owners Identification Card Act.

20 (Source: P.A. 100-22, eff. 1-1-18.)

21 Section 310. The Employee Arbitration Act is amended by
22 changing Section 8 as follows:

23 (820 ILCS 35/8) (from Ch. 10, par. 30)

24 Sec. 8. Any notice or process issued by the Department of

1 Labor shall be served by any sheriff or medical examiner
2 ~~coroner~~ to whom it is directed or in whose hands it is placed
3 for service.

4 (Source: Laws 1967, p. 3673.)

5 Section 315. The Workers' Occupational Diseases Act is
6 amended by changing Section 12 as follows:

7 (820 ILCS 310/12) (from Ch. 48, par. 172.47)

8 Sec. 12. (a) An employee entitled to receive disability
9 payments shall be required, if requested by the employer, to
10 submit himself, at the expense of the employer, for
11 examination to a duly qualified medical practitioner or
12 surgeon selected by the employer, at any time and place
13 reasonably convenient for the employee, either within or
14 without the State of Illinois, for the purpose of determining
15 the nature, extent and probable duration of the occupational
16 disease and the disability therefrom suffered by the employee,
17 and for the purpose of ascertaining the amount of compensation
18 which may be due the employee from time to time for disability
19 according to the provisions of this Act. An employee may also
20 be required to submit himself for examination by medical
21 experts under subsection (c) of Section 19.

22 An employer requesting such an examination, of an employee
23 residing within the State of Illinois, shall deliver to the
24 employee with the notice of the time and place of examination

1 sufficient money to defray the necessary expense of travel by
2 the most convenient means to and from the place of
3 examination, and the cost of meals necessary during the trip,
4 and if the examination or travel to and from the place of
5 examination causes any loss of working time on the part of the
6 employee, the employer shall reimburse him for such loss of
7 wages upon the basis of his average daily wage. Such
8 examination shall be made in the presence of a duly qualified
9 medical practitioner or surgeon provided and paid for by the
10 employee, if such employee so desires.

11 In all cases where the examination is made by a physician
12 or surgeon engaged by the employer, and the employee has no
13 physician or surgeon present at such examination, it shall be
14 the duty of the physician or surgeon making the examination at
15 the instance of the employer to deliver to the employee, or his
16 representative, a statement in writing of the examination and
17 findings to the same extent that said physician or surgeon
18 reports to the employer and the same shall be an exact copy of
19 that furnished to the employer, said copy to be furnished the
20 employee, or his representative as soon as practicable but not
21 later than the time the case is set for hearing. Such delivery
22 shall be made in person either to the employee or his
23 representative, or by registered mail to either, and the
24 receipt of either shall be proof of such delivery. If such
25 physician or surgeon refuses to furnish the employee with such
26 statement to the same extent as that furnished the employer

1 said physician or surgeon shall not be permitted to testify at
2 the hearing next following said examination.

3 If the employee refuses so to submit himself to
4 examination or unnecessarily obstructs the same, his right to
5 compensation payment shall be temporarily suspended until such
6 examination shall have taken place, and no compensation shall
7 be payable under this Act for such period.

8 It shall be the duty of physicians or surgeons treating an
9 employee who is likely to die, and treating him at the instance
10 of the employer, to have called in another physician or
11 surgeon to be designated and paid for by either the employee or
12 by the person or persons who would become his beneficiary or
13 beneficiaries, to make an examination before the death of such
14 employee.

15 In all cases where the examination is made by a physician
16 or surgeon engaged by the employee, and the employer has no
17 physician or surgeon present at such examination, it shall be
18 the duty of the physician or surgeon making the examination at
19 the instance of the employee, to deliver to the employer, or
20 his representative, a statement in writing of the condition
21 and extent of the examination and findings to the same extent
22 that said physician or surgeon reports to the employee and the
23 same shall be an exact copy of that furnished to the employee,
24 said copy to be furnished the employer, or his representative,
25 as soon as practicable but not later than the time the case is
26 set for hearing. Such delivery shall be made in person either

1 to the employer, or his representative, or by registered mail
2 to either, and the receipt of either shall be proof of such
3 delivery. If such physician or surgeon refuses to furnish the
4 employer with such statement to the same extent as that
5 furnished the employee, said physician or surgeon shall not be
6 permitted to testify at the hearing next following said
7 examination.

8 (b) Whenever, after the death of an employee, any party in
9 interest files an application for adjustment of claim under
10 this Act, and it appears that an autopsy may disclose material
11 evidence as to whether or not such death was due to the
12 inhalation of silica or asbestos dust, the commission, upon
13 petition of either party, may order an autopsy at the expense
14 of the party requesting same, and if such autopsy is so
15 ordered, the commission shall designate a competent
16 pathologist to perform the same, and shall give the parties in
17 interest such reasonable notice of the time and place thereof
18 as will afford a reasonable opportunity to witness such
19 autopsy in person or by a representative.

20 It shall be the duty of such pathologist to perform such
21 autopsy as, in his best judgment, is required to ascertain the
22 cause of death. Such pathologist shall make a complete written
23 report of all his findings to the commission (including
24 laboratory results described as such, if any). The said report
25 of the pathologist shall contain his findings on post-mortem
26 examination and said report shall not contain any conclusion

1 of the said pathologist based upon the findings so reported.

2 Said report shall be placed on file with the commission,
3 and shall be a public record. Said report, or a certified copy
4 thereof, may be introduced by either party on any hearing as
5 evidence of the findings therein stated, but shall not be
6 conclusive evidence of such findings, and either party may
7 rebut any part thereof.

8 Where an autopsy has been performed at any time with the
9 express or implied consent of any interested party, and
10 without some opposing party, if known or reasonably
11 ascertainable, having reasonable notice of and reasonable
12 opportunity of witnessing the same, all evidence obtained by
13 such autopsy shall be barred upon objection at any hearing.
14 This paragraph shall not apply to autopsies by a medical
15 examiner, deputy medical examiner, or, as directed by a
16 medical examiner, a physician duly licensed to practice
17 medicine in all of its branches ~~coroner's physician~~ in the
18 discharge of his official duties.

19 (Source: P.A. 94-277, eff. 7-20-05.)

20 Section 320. The Unemployment Insurance Act is amended by
21 changing Section 2500 as follows:

22 (820 ILCS 405/2500) (from Ch. 48, par. 740)

23 Sec. 2500. Director not required to pay costs. Neither the
24 Director nor the State of Illinois shall be required to

1 furnish any bond, or to make a deposit for or pay any costs of
2 any court or the fees of any of its officers in any judicial
3 proceedings in pursuance to the provisions of this Act;
4 provided, further, that whenever enforcement or collection of
5 any judgment liability created by this Act, is levied by any
6 sheriff or medical examiner ~~coroner~~ upon any personal
7 property, and such property is claimed by any person other
8 than the defendant or is claimed by the defendant as exempt
9 from levy by virtue of the exemption laws of this State, then
10 it shall be the duty of the person making such claim to give
11 notice in writing of his or her claim and of his or her
12 intention to prosecute the same, to the sheriff or medical
13 examiner ~~coroner~~ within 10 days after the making of the levy;
14 on receiving such notice the sheriff or medical examiner
15 ~~coroner~~ shall proceed in accordance with the provisions of
16 Part 2 of Article XII of the Code of Civil Procedure, as
17 amended; the giving of such notice within the 10 day period
18 shall be a condition precedent to any judicial action against
19 the sheriff or medical examiner ~~coroner~~ for wrongfully
20 levying, seizing or selling the property and any such person
21 who fails to give such notice within the time shall be forever
22 barred from bringing any judicial action against such sheriff
23 or medical examiner ~~coroner~~ for injury or damages to or
24 conversion of the property.

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

1 Section 900. The State Mandates Act is amended by adding
2 Section 8.45 as follows:

3 (30 ILCS 805/8.45 new)

4 Sec. 8.45. Exempt mandate. Notwithstanding Sections 6 and
5 8 of this Act, no reimbursement by the State is required for
6 the implementation of any mandate created by this amendatory
7 Act of the 102nd General Assembly.

8 Section 999. Effective date. This Act takes effect on
9 December 1, 2021, except Section 5-566 of the Civil
10 Administrative Code of Illinois, Section 3-3000 of the
11 Counties Code, Section 37 of the Coroner Training Board Act,
12 and this Section take effect upon becoming law.

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4	5 ILCS 140/7	from Ch. 116, par. 207
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6	10 ILCS 5/2A-18 rep.	
7	20 ILCS 5/5-565	was 20 ILCS 5/6.06
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9	20 ILCS 105/4.04	from Ch. 23, par. 6104.04
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