

# HB3380



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

HB3380

Introduced 2/22/2021, by Rep. Deanne M. Mazzochi

#### SYNOPSIS AS INTRODUCED:

20 ILCS 2605/2605-40

was 20 ILCS 2605/55a-4

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the amendatory Act shall constitute an irrevocable continuing appropriation of all amounts necessary for the implementation the Department of State Police's Division of Forensic Services and the irrevocable and continuing authority for the Department and the State Treasurer to make the necessary transfers for that purpose. Provides that the amendatory Act may be referred to as the PROTECT (Process Rape Or Trauma Evidence Completely and Timely) Act. Effective immediately.

LRB102 13554 KMF 18901 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 1. References to Act; purpose. This Act may be  
5 referred to as the PROTECT (Process Rape Or Trauma Evidence  
6 Completely and Timely) Act, as the purpose of this Act is to  
7 ensure funding to process rape or trauma evidence completely  
8 and timely for use in criminal matters.

9 Section 5. The Department of State Police Law of the Civil  
10 Administrative Code of Illinois is amended by changing Section  
11 2605-40 as follows:

12 (20 ILCS 2605/2605-40) (was 20 ILCS 2605/55a-4)

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

15 (1) (Blank).

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

18 (3) Provide assistance to local law enforcement  
19 agencies through training, management, and consultant  
20 services.

21 (4) (Blank).

22 (5) Exercise other duties that may be assigned by the

1 Director in order to fulfill the responsibilities and  
2 achieve the purposes of the Department.

3 (6) Establish and operate a forensic science  
4 laboratory system, including a forensic toxicological  
5 laboratory service, for the purpose of testing specimens  
6 submitted by coroners and other law enforcement officers  
7 in their efforts to determine whether alcohol, drugs, or  
8 poisonous or other toxic substances have been involved in  
9 deaths, accidents, or illness. Forensic toxicological  
10 laboratories shall be established in Springfield, Chicago,  
11 and elsewhere in the State as needed.

12 (6.5) Establish administrative rules in order to set  
13 forth standardized requirements for the disclosure of  
14 toxicology results and other relevant documents related to  
15 a toxicological analysis. These administrative rules are  
16 to be adopted to produce uniform and sufficient  
17 information to allow a proper, well-informed determination  
18 of the admissibility of toxicology evidence and to ensure  
19 that this evidence is presented competently. These  
20 administrative rules are designed to provide a minimum  
21 standard for compliance of toxicology evidence and is not  
22 intended to limit the production and discovery of material  
23 information. These administrative rules shall be submitted  
24 by the Department of State Police into the rulemaking  
25 process under the Illinois Administrative Procedure Act on  
26 or before June 30, 2017.

1           (7) Subject to specific appropriations made for these  
2 purposes, establish and coordinate a system for providing  
3 accurate and expedited forensic science and other  
4 investigative and laboratory services to local law  
5 enforcement agencies and local State's Attorneys in aid of  
6 the investigation and trial of capital cases.

7           (8) This amendatory Act of the 102nd General Assembly  
8 shall constitute an irrevocable continuing appropriation  
9 of all amounts necessary for the implementation of the  
10 provisions of this Section and the irrevocable and  
11 continuing authority for the Department and the State  
12 Treasurer to make the necessary transfers for that  
13 purpose.

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

15           Section 99. Effective date. This Act takes effect upon  
16 becoming law.