

1 AN ACT concerning criminal law.

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

4 Section 5. The Sexual Assault Evidence Submission Act is
5 amended by changing Sections 15 and 20 and by adding Section 42
6 as follows:

7 (725 ILCS 202/15)

8 Sec. 15. Analysis of evidence; notification.

9 (a) All sexual assault evidence submitted pursuant to
10 Section 10 of this Act on or after the effective date of this
11 Act shall be analyzed within 6 months after receipt of all
12 necessary evidence and standards by the State Police Laboratory
13 or other designated laboratory if sufficient staffing and
14 resources are available.

15 (b) If a consistent DNA profile has been identified by
16 comparing the submitted sexual assault evidence with a known
17 standard from a suspect or with DNA profiles in the CODIS
18 database, the Department shall notify the investigating law
19 enforcement agency of the results in writing, and the
20 Department shall provide an automatic courtesy copy of the
21 written notification to the appropriate State's Attorney's
22 Office for tracking and further action, as necessary.

23 (Source: P.A. 96-1011, eff. 9-1-10.)

1 (725 ILCS 202/20)

2 Sec. 20. Inventory of evidence.

3 (a) By October 15, 2010, each Illinois law enforcement
4 agency shall provide written notice to the Department of State
5 Police, in a form and manner prescribed by the Department,
6 stating the number of sexual assault cases in the custody of
7 the law enforcement agency that have not been previously
8 submitted to a laboratory for analysis. Within 180 days after
9 the effective date of this Act, appropriate arrangements shall
10 be made between the law enforcement agency and the Department
11 of State Police, or a laboratory approved and designated by the
12 Director of State Police, to ensure that all cases that were
13 collected prior to the effective date of this Act and are, or
14 were at the time of collection, the subject of a criminal
15 investigation, are submitted to the Department of State Police,
16 or a laboratory approved and designated by the Director of
17 State Police.

18 (b) By February 15, 2011, the Department of State Police
19 shall submit to the Governor, the Attorney General, and both
20 houses of the General Assembly a plan for analyzing cases
21 submitted pursuant to this Section. The plan shall include but
22 not be limited to a timeline for completion of analysis and a
23 summary of the inventory received, as well as requests for
24 funding and resources necessary to meet the established
25 timeline. Should the Department determine it is necessary to

1 outsource the forensic testing of the cases submitted in
2 accordance with this Section, all such cases will be exempt
3 from the provisions of subsection (n) of Section 5-4-3 of the
4 Unified Code of Corrections.

5 (c) Beginning June 1, 2016 or on and after the effective
6 date of this amendatory Act of the 99th General Assembly,
7 whichever is later, each law enforcement agency must conduct an
8 annual inventory of all sexual assault cases in the custody of
9 the law enforcement agency and provide written notice of its
10 annual findings to the State's Attorney's Office having
11 jurisdiction to ensure sexual assault cases are being submitted
12 as provided by law.

13 (Source: P.A. 96-1011, eff. 9-1-10.)

14 (725 ILCS 202/42 new)

15 Sec. 42. Reporting. Beginning January 1, 2017 and each year
16 thereafter, the Department shall publish a quarterly report on
17 its website, indicating a breakdown of the number of sexual
18 assault case submissions from every law enforcement agency.

19 Section 99. Effective date. This Act takes effect upon
20 becoming law.