



Sen. Bill Cunningham

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09900SB2221sam001

LRB099 14772 MRW 46121 a

1 AMENDMENT TO SENATE BILL 2221

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 2221 by replacing  
3 everything after the enacting clause with the following:

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

1 standard from a suspect or with DNA profiles in the CODIS  
2 database, the Department shall notify the investigating law  
3 enforcement agency of the results in writing, and the  
4 Department shall provide an automatic courtesy copy of the  
5 written notification to the appropriate State's Attorney's  
6 Office for tracking and further action, as necessary.

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

8 (725 ILCS 202/20)

9 Sec. 20. Inventory of evidence.

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

25 (b) By February 15, 2011, the Department of State Police

1 shall submit to the Governor, the Attorney General, and both  
2 houses of the General Assembly a plan for analyzing cases  
3 submitted pursuant to this Section. The plan shall include but  
4 not be limited to a timeline for completion of analysis and a  
5 summary of the inventory received, as well as requests for  
6 funding and resources necessary to meet the established  
7 timeline. Should the Department determine it is necessary to  
8 outsource the forensic testing of the cases submitted in  
9 accordance with this Section, all such cases will be exempt  
10 from the provisions of subsection (n) of Section 5-4-3 of the  
11 Unified Code of Corrections.

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

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

21 (725 ILCS 202/42 new)

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

1           Section 99. Effective date. This Act takes effect upon  
2    becoming law.".