

AN ACT concerning human trafficking.

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

Section 1. This Act may be referred to as the Illinois Statewide Trauma-Informed Response to Human Trafficking Act.

Section 2. Findings.

(a) Human trafficking cuts across gender, race, age, immigration status, nationality, ability, income, and educational levels.

(b) A multitude of factors can create susceptibility to the force, fraud, and coercion used by traffickers to exploit unmet physical, emotional, financial, or other needs of targeted persons. Vulnerability factors include, but are not limited to, poverty, prior sexual or domestic abuse, housing insecurity, immigration status, sexual orientation, gender identity, physical, mental and intellectual disability and limited education.

(c) The complex trauma experienced by human trafficking survivors requires services from persons who have received training in effective responses to victims of human trafficking.

(d) Trafficking for labor and sex exists in Illinois but it is going unrecognized because victims are not being

identified and the underlying crimes are not being reported. The National Human Trafficking Hotline in 2021 reported 929 unique calls and texts and identified 355 victims from Illinois, including 177 sex and 27 labor trafficking cases. Fifty of those identified victims were minors. InfoNet, operated by the Illinois Criminal Justice Information Authority (ICJIA), indicates that 569 new client cases of sex and labor trafficking were identified and served via domestic violence and sexual assault service providers throughout Illinois in calendar years 2021, 2022, and 2023. There was a trend of increased victim identification during those years from 235 in 2021, 266 in 2022, to 303 in 2023. While the programs reporting to InfoNet primarily serve adults, 27 minors and 96 youth survivors between the ages of 18 and 24 were identified and served by these programs. The crime of human trafficking was identified only 73 times between 2021 and 2023 according to the Illinois National Incident-Based Reporting System (NIBRS).

(e) Child and youth victims of human trafficking are especially vulnerable as they are often trafficked by someone with whom they share a household or familial relationship, and, due to their developmental stage, have a need for a safe caregiving adult. Many have also previously experienced physical or sexual abuse. Between 2021 and 2023, 966 possible cases of child trafficking were identified by the Illinois Department of Children and Family Services via reports of

abuse or neglect. Of these, 292 (30.2%) were "indicated", meaning investigation found that these were cases of trafficking. There was a downward trend in the numbers of allegations and identification of child victims from 105 of 416 (25.2%) indicated in 2021, to 104 of 312 (33.3%) in 2022, to 83 of 238 (34.8%) in 2023.

(f) Survivors of sex and labor trafficking often do not identify themselves as victims of human trafficking which, unless they are identified as victims by others, hinders their access to specialized services and considerations in the criminal justice system.

(g) Victims have difficulty leaving their trafficking situation due to the use of force, fraud, and coercive tactics by traffickers, many of whom exploit existing systemic barriers or other experiences faced by victims. These barriers or experiences could include prior criminal history, mistrust or previous experience with government systems, fear for themselves or family members, debt and poverty, isolation, language barriers, undocumented immigration status, or lack of knowledge of the United States legal system and their rights under it.

(h) Labor trafficking victims are especially difficult to identify and engage. The National Human Trafficking Hotline in 2021 identified 177 incidents of sex trafficking, 27 incidents of labor trafficking and 15 incidents involving both labor and sex trafficking in Illinois. Illinois sexual assault and

domestic violence agencies reported serving 266 survivors of either sex or labor trafficking or both in 2022.

(i) Illinois' government response system is fragmented without clear processes and procedures and without dedicated funding for specialized services for human trafficking survivors. Currently, federal funding is the primary source of funding for dedicated human trafficking service providers in Illinois.

(j) No State standards for victim-centered, trauma-informed responses exist for the professions that are in a position to identify, treat, or otherwise respond to victims of human trafficking in Illinois.

(k) Current Illinois multi-disciplinary response systems which are comprised of dedicated service providers, law enforcement and prosecutors are fragmented with 2 multi-disciplinary task forces funded by the U.S. Department of Justice's Office of Victims of Crime located in Northern Illinois and Lake County, Illinois and other unfunded regional and local task forces operating independently.

(l) The Illinois General Assembly finds that to identify and respond to labor and sex trafficking in Illinois and restore the dignity and future of survivors that a statewide strategic framework to prevent, detect and respond to victims of human trafficking must be established.

(m) The General Assembly further finds that there is a need to create standards for training of human trafficking

service providers, law enforcement, prosecutors, public defenders, and housing, mental health, substance use disorder, medical personnel and other professions in order to ensure that victims of human trafficking in Illinois are identified and receive a victim-centered, trauma-informed response when they are identified or present for service.

Section 5. The Children and Family Services Act is amended by adding Section 45.1 as follows:

(20 ILCS 505/45.1 new)

Sec. 45.1. Department of Children and Family Services human trafficking unit.

(a) The Department of Children and Family Services shall:

(1) maintain a human trafficking unit to coordinate services, initiate prevention efforts, and provide access to resources for case-management staff to serve youth in care who have been determined to be victims of human trafficking or assessed to be at high risk of becoming a victim of human trafficking, as well as ensure a timely response by the Department to recover youth in care in the custody of law enforcement or in the care of a Department of Humans Services Comprehensive Community Based Youth Services (CCBYS) service provider;

(2) ensure that all youth in care are screened during the initial integrated assessment to identify those who

may be at high risk of trafficking, based on experiences of commercial sexual exploitation and other indicators of human trafficking, and ensure that those identified are screened for and, as relevant, provided with specialized services;

(3) collaborate with the Department of Human Services and other State agencies to develop screening and follow-up protocols to respond to children and adolescents who may be victims of human trafficking or at risk of human trafficking regardless of immigration or legal status;

(4) require victim-centered, trauma-informed human trafficking training for Department employees and contractors providing specialized services to children and youth who are victims of human trafficking or at risk of human trafficking including caseworkers, investigators, foster parents, and residential home personnel;

(5) require that all alleged child victims of human trafficking be referred to the local child advocacy center to coordinate and facilitate a multi-disciplinary response;

(6) increase trauma-informed placement options for youth in care, who have been determined to be victims of human trafficking or assessed to be at high risk of becoming a victim of human trafficking; and

(7) on or before July 1, 2026, incorporate services for all child human trafficking victims into the

community-based services provided by the Department.

(b) Definitions. In this Section:

"Child or children" has the same meaning as a minor and refers to persons under the age of 18.

"Human trafficking" means a violation or attempted violation of Section 10-9 of the Criminal Code of 2012. "Human trafficking" includes trafficking of children and adults for both labor and sex services.

"Specialized services" means services for youth in care determined to be victims of human trafficking, those assessed as high risk for trafficking, or those with a history of sexual exploitation, and may include the following: treatment for substance use, mental health needs, medical treatment, case management, or housing.

Section 10. The Department of Human Services Act is amended by adding Section 1-90 as follows:

(20 ILCS 1305/1-90 new)

Sec. 1-90. Statewide plan; victims of human trafficking.

(a) In this Section, "human trafficking" means a violation or attempted violation of Section 10-9 of the Criminal Code of 2012. Human trafficking includes trafficking of children and adults for both labor and sex services.

(b) The Department of Human Services shall:

(1) on or before December 31, 2025, develop and submit

a strategic plan to the Governor and General Assembly to establish a statewide system of identification and response to survivors of human trafficking and recommended levels of funding for phase-in of comprehensive victim-centered, trauma-informed statewide services for victims of human trafficking, including adults, youth and children, and to sex and labor trafficking victims regardless of immigration or legal status. The plan shall be developed in consultation with survivors, human trafficking service providers, and State agencies including the Department of Human Services, Department of Children and Family Services, Illinois State Police, and Department of Labor. The Department of Human Services shall also solicit input from a broad range of partners with relevant expertise in the areas of: housing and shelter; youth crisis response; adult and pediatric healthcare; substance use disorders, behavioral and mental health; legal and immigration services; disability; domestic violence and sexual assault advocacy; law enforcement; justice system including the Office of the State's Attorneys Appellate Prosecutor, prosecutors and public defenders, county detention centers, probation court services, and the Administrative Office of the Illinois Courts; State agencies, including the Department of Juvenile Justice, Department of Public Health, Department of Corrections, and Illinois Criminal Justice

Information Authority; and federally funded and regional multi-disciplinary human trafficking task forces.

(2) on or before July 1, 2026, develop service standards for organizations providing victim services to survivors of human trafficking based upon victim-centered, trauma-informed best practices in consultation with survivors and experts in the field and consistent with standards developed by the United States Department of Justice, Office of Victims of Crime;

(3) on or before October 1, 2026, develop standardized training curriculum for individuals who provide advocacy, counseling, mental health, substance use disorder, homelessness, immigration, legal, and case-management services for survivors of human trafficking with input from survivors and experts in the field;

(4) provide consultation to State professional associations in the development of trainings for healthcare professionals, including those in training, and attorneys who are likely to provide services to survivors of human trafficking; and

(5) provide consultation to State agencies, including, but not limited to, the Department of Children and Family Services, the Department of Juvenile Justice, and the Department of Corrections, to assist with development of training and screening tools.

Section 15. The Department of Labor Law of the Civil Administrative Code of Illinois is amended by adding Section 1505-225 as follows:

(20 ILCS 1505/1505-225 new)

Sec. 1505-225. Training courses on human trafficking.

(a) In this Section:

"Child" refers to a person under the 18 years of age.

"Human trafficking" means a violation or attempted violation of Section 10-9 of the Criminal Code of 2012. "Human trafficking" includes trafficking of children and adults for both labor and sex services.

(b) Working with other State agencies and in collaboration with the Department of Human Services, the Department of Labor shall develop training for State health inspectors, Department of Labor investigators, licensing inspectors, and other relevant government regulators on indications of human trafficking, including child trafficking, in industries at high risk for labor trafficking, including, but not limited to, restaurants, hotels, construction, and agriculture and how to respond if trafficking is suspected. The Department of Labor shall develop education materials on workers' rights and recourse for labor exploitation posted on the Department's website and on the rights of child and youth workers and indicators of child labor trafficking for regional offices of education.

Section 20. The Illinois State Police Law of the Civil Administrative Code of Illinois is amended by adding Section 2605-625 as follows:

(20 ILCS 2605/2605-625 new)

Sec. 2605-625. Illinois State Police to develop a strategic plan and support and coordinate with multi-disciplinary human trafficking task forces (MDHTTF) to improve victim-centered, trauma-informed law enforcement response to victims of human trafficking across the State.

(a) In this Section:

"Children" means persons under 18 years of age.

"Human trafficking" means a violation or attempted violation of Section 10-9 of the Criminal Code of 2012. "Human trafficking" includes trafficking of children and adults for both labor and sex services.

"Multi-disciplinary human trafficking task forces" (MDHTTF) means task forces established to coordinate detection, investigation, and response to victims of human and child trafficking across multiple jurisdictions and disciplines and whose participants may include, but are not limited to, federal, State, and local law enforcement, local government, the Illinois State Police, the Departments of Children and Family Services, Juvenile Justice, and Corrections, prosecutors, children's advocacy centers, adult

and pediatric medical personnel, and service providers specializing in victim-centered, trauma-informed response to victims of human trafficking. Such multi-disciplinary task forces may include Metropolitan Enforcement Groups as defined in Section 3 of the Intergovernmental Drug Laws Enforcement Act.

(b) The Illinois State Police shall:

(1) on or before July 1, 2026, develop a strategic plan to improve victim-centered, trauma-informed law enforcement response to victims of human trafficking across the State, in consultation with the Department of Human Services, victim-centered, trauma-informed human trafficking service providers, local, State, and federal law enforcement partners, metropolitan enforcement groups (MEG) and task forces, existing federally funded task forces, and allied organizations;

(2) support implementation of a network of multi-disciplinary human trafficking task forces (MDHTTF) across the State building upon the existing multi-disciplinary human trafficking task forces, and in partnership with the Department of Human Services, victim-centered, trauma-informed human trafficking service providers, children's advocacy centers, local, State, and federal law enforcement partners, MEGs and multi-jurisdictional law enforcement task forces, existing federally funded task forces, and allied organizations.

Each MDHTTF shall include at least one representative from each of the following: a local, regional or statewide organization which has received specialized training in victim-centered, trauma-informed response to victims of human trafficking, a local or county law enforcement agency, a prosecutor and a children's advocacy center;

(3) convene representatives from Illinois multi-disciplinary human trafficking task forces on a quarterly basis to discuss emerging issues, law enforcement strategies, and changes to protocols needed to hold perpetrators of human trafficking accountable;

(4) convene an annual statewide conference for stakeholders and multi-disciplinary human trafficking task forces (MDHTTF) to provide training and discuss strategies to reduce and respond to human trafficking in the State in partnership with the Department of Human Services with the input of victim-centered, trauma-informed human trafficking service providers, and subject to appropriation;

(5) create standardized protocols for law enforcement investigations and multi-disciplinary response to referrals from the National Human Trafficking Hotline, other tip-line calls, traffic interdiction of suspected traffickers, and other human trafficking victim referrals in partnership with the Department of Human Services, victim-centered, trauma-informed human trafficking

service providers, local, State, and federal law enforcement partners, MEG and task forces, existing federally funded task forces, and allied organizations;

(6) work with the Illinois Law Enforcement Training Standards Board, local law enforcement, victim-centered, trauma-informed service providers, and survivor leaders to develop, on or before July 1, 2026, curriculum standards for law enforcement training on human trafficking;

(7) on or before July 1, 2026, work with the Illinois Law Enforcement Training Standards Board, in consultation with the Attorney General, law enforcement agencies, human trafficking service providers, and other providers with expertise in recognizing and responding to victims of human trafficking, to develop and make available to each law enforcement agency, comprehensive guidelines for creation of a law enforcement agency policy on victim-centered, trauma-informed detection, investigation, and response to victims of human trafficking; and

(8) provide support for local law enforcement encountering victims of human trafficking.

Section 25. The Illinois Police Training Act is amended by changing Sections 2, 10.21 and 10.23 and by adding Section 10.27 as follows:

(50 ILCS 705/2) (from Ch. 85, par. 502)

Sec. 2. Definitions. As used in this Act, unless the context otherwise requires:

"Board" means the Illinois Law Enforcement Training Standards Board.

"Full-time law enforcement officer" means a law enforcement officer who has completed the officer's probationary period and is employed on a full-time basis as a law enforcement officer by a local government agency, State government agency, or as a campus police officer by a university, college, or community college.

"Law Enforcement agency" means any entity with statutory police powers and the ability to employ individuals authorized to make arrests. It does not include the Illinois State Police as defined in the State Police Act. A law enforcement agency may include any university, college, or community college.

"Local law enforcement agency" means any law enforcement unit of government or municipal corporation in this State. It does not include the State of Illinois or any office, officer, department, division, bureau, board, commission, or agency of the State, except that it does include a State-controlled university, college or public community college.

"State law enforcement agency" means any law enforcement agency of this State. This includes any office, officer, department, division, bureau, board, commission, or agency of the State. It does not include the Illinois State Police as

defined in the State Police Act.

"Panel" means the Certification Review Panel.

"Basic training school" means any school located within the State of Illinois whether privately or publicly owned which offers a course in basic law enforcement or county corrections training and has been approved by the Board.

"Probationary police officer" means a recruit law enforcement officer required to successfully complete initial minimum basic training requirements at a basic training school to be eligible for permanent full-time employment as a local law enforcement officer.

"Probationary part-time police officer" means a recruit part-time law enforcement officer required to successfully complete initial minimum part-time training requirements to be eligible for employment on a part-time basis as a local law enforcement officer.

"Permanent law enforcement officer" means a law enforcement officer who has completed the officer's probationary period and is permanently employed on a full-time basis as a local law enforcement officer, as a security officer, or campus police officer permanently employed by a law enforcement agency.

"Part-time law enforcement officer" means a law enforcement officer who has completed the officer's probationary period and is employed on a part-time basis as a law enforcement officer or as a campus police officer by a law

enforcement agency.

"Law enforcement officer" means (i) any police officer of a law enforcement agency who is primarily responsible for prevention or detection of crime and the enforcement of the criminal code, traffic, or highway laws of this State or any political subdivision of this State or (ii) any member of a police force appointed and maintained as provided in Section 2 of the Railroad Police Act.

"Recruit" means any full-time or part-time law enforcement officer or full-time county corrections officer who is enrolled in an approved training course.

"Review Committee" means the committee at the Board for certification disciplinary cases in which the Panel, a law enforcement officer, or a law enforcement agency may file for reconsideration of a decertification decision made by the Board.

"Probationary county corrections officer" means a recruit county corrections officer required to successfully complete initial minimum basic training requirements at a basic training school to be eligible for permanent employment on a full-time basis as a county corrections officer.

"Permanent county corrections officer" means a county corrections officer who has completed the officer's probationary period and is permanently employed on a full-time basis as a county corrections officer by a participating law enforcement agency.

"County corrections officer" means any sworn officer of the sheriff who is primarily responsible for the control and custody of offenders, detainees or inmates.

"Probationary court security officer" means a recruit court security officer required to successfully complete initial minimum basic training requirements at a designated training school to be eligible for employment as a court security officer.

"Permanent court security officer" means a court security officer who has completed the officer's probationary period and is employed as a court security officer by a participating law enforcement agency.

"Court security officer" has the meaning ascribed to it in Section 3-6012.1 of the Counties Code.

"Trauma" means physical or emotional harm resulting from an event, series of events, or set of circumstances that has led to lasting adverse effects on an individual's mental, physical, social, emotional, and spiritual well-being.

"Trauma-informed response" means a program, organization, or system that is trauma-informed; realizes the widespread impact of trauma and understands potential paths for recovery; recognizes the signs and symptoms of trauma in clients, families, staff, and others involved with the system; and responds by fully integrating knowledge about trauma into policies, procedures, and practices, and seeks to actively avoid re-traumatization and to restore autonomy and stability

to survivors.

(Source: P.A. 101-652, eff. 1-1-22; 102-694, eff. 1-7-22.)

(50 ILCS 705/10.21)

Sec. 10.21. Training; sexual assault and sexual abuse.

(a) The Illinois Law Enforcement Training Standards Board shall conduct or approve training programs in trauma-informed responses and investigations of sexual assault and sexual abuse, which include, but is not limited to, the following:

- (1) recognizing the symptoms of trauma;
- (2) understanding the role trauma has played in a victim's life;
- (3) responding to the needs and concerns of a victim;
- (4) delivering services in a compassionate, sensitive, and nonjudgmental manner;
- (5) interviewing techniques in accordance with the curriculum standards in subsection (f) of this Section;
- (6) understanding cultural perceptions and common myths of sexual assault and sexual abuse;
- (7) report writing techniques in accordance with the curriculum standards in subsection (f) of this Section;
~~and~~
- (8) recognizing special sensitivities of victims due to: age, including those under the age of 13; race; color; creed; religion; ethnicity; gender; sexual orientation; physical or mental disabilities; immigration status;

national origin; justice-involvement; past human trafficking victimization or involvement in the sex trade; or other qualifications; and -

(9) screening of victims of sexual assault and sexual abuse for human trafficking.

(b) This training must be presented in all full and part-time basic law enforcement academies on or before July 1, 2018.

(c) Agencies employing law enforcement officers must present this training to all law enforcement officers within 3 years after January 1, 2017 (the effective date of Public Act 99-801) and must present in-service training on sexual assault and sexual abuse response and report writing training requirements every 3 years.

(d) Agencies employing law enforcement officers who conduct sexual assault and sexual abuse investigations must provide specialized training to these officers on sexual assault and sexual abuse investigations within 2 years after January 1, 2017 (the effective date of Public Act 99-801) and must present in-service training on sexual assault and sexual abuse investigations to these officers every 3 years. In consultation with a statewide nonprofit, nongovernmental organization that represents survivors of sexual violence, the training shall include instruction on screening of victims of sexual assault and sexual abuse for human trafficking victimization.

(e) Instructors providing this training shall (1) have successfully completed (A) training on evidence-based, trauma-informed, victim-centered response to cases of sexual assault and sexual abuse and (B) using curriculum for the training created in consultation with a statewide nonprofit, nongovernmental organization that represents survivors of sexual violence, training on screening of victims of sexual assault and sexual abuse for human trafficking victimization and (2) have experience responding to sexual assault and sexual abuse cases.

(f) The Board shall adopt rules, in consultation with the Office of the Illinois Attorney General and the Illinois State Police, to determine the specific training requirements for these courses, including, but not limited to, the following:

(1) evidence-based curriculum standards for report writing and immediate response to sexual assault and sexual abuse, including trauma-informed, victim-centered, age sensitive, interview techniques, which have been demonstrated to minimize retraumatization, for probationary police officers and all law enforcement officers; and

(2) evidence-based curriculum standards for trauma-informed, victim-centered, age sensitive investigation and interviewing techniques, which have been demonstrated to minimize retraumatization, for cases of sexual assault and sexual abuse for law enforcement

officers who conduct sexual assault and sexual abuse investigations.

(Source: P.A. 102-538, eff. 8-20-21.)

(50 ILCS 705/10.23)

Sec. 10.23. Training and curriculum; human trafficking.

(a) The Board shall work with the Illinois State Police, local law enforcement, victim-centered, trauma-informed human trafficking service providers, and survivor leaders to develop, on or before July 1, 2026, academy and in-service curriculum standards for training on victim-centered, trauma-informed detection, investigation, and response to human trafficking victims certified by the Board.

(b) The Board shall conduct or approve an in-service training program in the detection, ~~and~~ investigation, and victim-centered, trauma-informed response to victims of all forms of human trafficking, including, but not limited to, involuntary servitude under subsection (b) of Section 10-9 of the Criminal Code of 2012, involuntary sexual servitude of a minor under subsection (c) of Section 10-9 of the Criminal Code of 2012, and trafficking in persons under subsection (d) of Section 10-9 of the Criminal Code of 2012. This program shall be made available to all certified law enforcement, correctional, and court security officers.

(Source: P.A. 101-18, eff. 1-1-20; 102-558, eff. 8-20-21.)

(50 ILCS 705/10.27 new)

Sec. 10.27. Trauma-informed response to victims of human trafficking policies.

(a) On or before July 1, 2027, every law enforcement agency shall develop, adopt, and implement written policies detailing procedures for victim-centered, trauma-informed detection, investigation and response to victims of human trafficking consistent with the guidelines developed under subsection (b).

(b) On or before July 1, 2026, the Board, in consultation with the Illinois State Police, local law enforcement agencies, human trafficking service providers, and other providers with expertise in recognizing and responding to victims of human trafficking shall develop and make available to each law enforcement agency comprehensive guidelines for creation of a law enforcement agency policy on trauma-informed, victim-centered detection, investigation, and response to victims of human trafficking. These guidelines shall include, but not be limited to, the following:

- (1) definitions;
- (2) recognizing human trafficking;
- (3) description of trauma-informed, victim-centered response;
- (4) responding officer duties;
- (5) human trafficking investigations;
- (6) protocols for responding to child and youth

victims of human trafficking;

(7) addressing immediate and emergent needs of victims;

(8) working with survivor advocates and human trafficking service providers;

(9) victim interviews;

(10) evidence collection;

(11) supervisor duties;

(12) suspect interviews;

(13) witness interviews;

(14) working with State's Attorneys and prosecutors;

(15) working with multi-disciplinary teams and federal agencies;

(16) language barriers and interpreters;

(17) victims' rights;

(18) considerations for specific populations or communities, and

(19) special needs and tools for victims who are foreign nationals.

Section 30. The Illinois Procurement Code is amended by adding Section 25-210 as follows:

(30 ILCS 500/25-210 new)

Sec. 25-210. Contracts for the procurement or laundering of apparel. Each contractor who contracts with a State agency

for the procurement or laundering of apparel shall certify that no work was provided through the use of forced labor or exploitation.

Section 35. The Children's Advocacy Center Act is amended by changing Section 4 as follows:

(55 ILCS 80/4) (from Ch. 23, par. 1804)

Sec. 4. Children's Advocacy Center.

(a) A CAC may be established to coordinate the activities of the various agencies involved in the investigation, prosecution and treatment of child maltreatment. The individual county or regional Advisory Board shall set the written protocol of the CAC within the appropriate jurisdiction. The operation of the CAC may be funded through public or private grants, contracts, donations, fees, and other available sources under this Act. Each CAC shall operate to the best of its ability in accordance with available funding. In counties in which a referendum has been adopted under Section 5 of this Act, the Advisory Board, by the majority vote of its members, shall submit a proposed annual budget for the operation of the CAC to the county board, which shall appropriate funds and levy a tax sufficient to operate the CAC. The county board in each county in which a referendum has been adopted shall establish a Children's Advocacy Center Fund and shall deposit the net proceeds of the tax authorized

by Section 6 of this Act in that Fund, which shall be kept separate from all other county funds and shall only be used for the purposes of this Act.

(b) The Advisory Board shall pay from the Children's Advocacy Center Fund or from other available funds the salaries of all employees of the Center and the expenses of acquiring a physical plant for the Center by construction or lease and maintaining the Center, including the expenses of administering the coordination of the investigation, prosecution and treatment referral of child maltreatment under the provisions of the protocol adopted pursuant to this Act.

(b-1) Recognizing the pivotal role of CACs in providing comprehensive support to trafficked children and youth, each CAC shall:

(1) ensure that each county's multi-disciplinary team protocol includes a response to allegations of human trafficking;

(2) increase the capacity of each multi-disciplinary team to identify, assess, and serve trafficked children and youth;

(3) facilitate collaboration between the CAC, law enforcement, child welfare agencies, health care providers, and other pertinent stakeholders to ensure a synchronized and trauma-informed response to trafficked children and youth;

(4) ensure all CAC employees and contractors treating,

interviewing, or coming in contact with victims receive training on victim-centered, trauma-informed response to child and youth victims of human trafficking, including identifying and addressing the unique needs of trafficked children and youth, thereby enabling access to appropriate support services and legal remedies; and

(5) work with the Department of Human Services to establish standards for victim-centered, trauma-informed training for CACs and members of multi-disciplinary teams.

(c) Every CAC shall include at least the following components:

(1) A multidisciplinary, coordinated systems approach to the investigation of child maltreatment which shall include, at a minimum:

(i) an interagency notification procedure;

(ii) a policy on multidisciplinary team collaboration and communication that requires MDT members share information pertinent to investigations and the safety of children;

(iii) (blank);

(iv) a description of the role each agency has in responding to a referral for services in an individual case;

(v) a dispute resolution process between the involved agencies when a conflict arises on how to proceed on the referral of a particular case;

(vi) a process for the CAC to assist in the forensic interview of children that witness alleged crimes;

(vii) a child-friendly, trauma informed space for children and their non-offending family members;

(viii) an MDT approach including law enforcement, prosecution, medical, mental health, victim advocacy, and other community resources;

(ix) medical evaluation on-site or off-site through referral;

(x) mental health services on-site or off-site through referral;

(xi) on-site forensic interviews;

(xii) culturally competent services;

(xiii) case tracking and review;

(xiv) case staffing on each investigation;

(xv) effective organizational capacity; and

(xvi) a policy or procedure to familiarize a child and his or her non-offending family members or guardians with the court process as well as preparations for testifying in court, if necessary;

(2) A safe, separate space with assigned personnel designated for the investigation and coordination of child maltreatment cases;

(3) A multidisciplinary case review process for purposes of decision-making, problem solving, systems

coordination, and information sharing;

(4) A comprehensive client tracking system to receive and coordinate information concerning child maltreatment cases from each participating agency;

(5) Multidisciplinary specialized training for all professionals involved with the victims and non-offending family members in child maltreatment cases; and

(6) A process for evaluating the effectiveness of the CAC and its operations.

(d) In the event that a CAC has been established as provided in this Section, the Advisory Board of that CAC may, by a majority vote of the members, authorize the CAC to coordinate the activities of the various agencies involved in the investigation, prosecution, and treatment referral in cases of serious or fatal injury to a child. For CACs receiving funds under Section 5 or 6 of this Act, the Advisory Board shall provide for the financial support of these activities in a manner similar to that set out in subsections (a) and (b) of this Section and shall be allowed to submit a budget that includes support for physical abuse and neglect activities to the County Board, which shall appropriate funds that may be available under Section 5 of this Act. In cooperation with the Department of Children and Family Services Child Death Review Teams, the Department of Children and Family Services Office of the Inspector General, and other stakeholders, this protocol must be initially implemented in selected counties to

the extent that State appropriations or funds from other sources for this purpose allow.

(e) CACI may also provide technical assistance and guidance to the Advisory Boards.

(f) In this Section:

"Child" or "children" refers to persons under 18 years of age.

"Youth" means persons between the ages of 18 and 24 years.

(Source: P.A. 98-809, eff. 1-1-15; 99-78, eff. 7-20-15.)

Section 40. The Juvenile Court Act of 1987 is amended by adding Section 5-175 as follows:

(705 ILCS 405/5-175 new)

Sec. 5-175. Minor accused of status offense or misdemeanor. It is an affirmative defense to any status or misdemeanor offense that would not be illegal if committed by an adult that a minor who is a victim of an offense defined in Section 10-9 of the Criminal Code of 2012 committed the status or misdemeanor offense during the course of or as a result of the minor's status as a victim of an offense defined in Section 10-9 of that Code.

Section 45. The Criminal Code of 2012 is amended by changing Section 10-9 as follows:

(720 ILCS 5/10-9)

Sec. 10-9. Trafficking in persons, involuntary servitude, and related offenses.

(a) Definitions. In this Section:

(1) "Intimidation" has the meaning prescribed in Section 12-6.

(2) "Commercial sexual activity" means any sex act on account of which anything of value is given, promised to, or received by any person.

(2.5) "Company" means any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability limited partnership, limited liability company, or other entity or business association, including all wholly owned subsidiaries, majority-owned subsidiaries, parent companies, or affiliates of those entities or business associations, that exist for the purpose of making profit.

(3) "Financial harm" includes intimidation that brings about financial loss, criminal usury, or employment contracts that violate the Frauds Act.

(4) (Blank).

(5) "Labor" means work of economic or financial value.

(6) "Maintain" means, in relation to labor or services, to secure continued performance thereof, regardless of any initial agreement on the part of the victim to perform that type of service.

(7) "Obtain" means, in relation to labor or services, to secure performance thereof.

(7.5) "Serious harm" means any harm, whether physical or nonphysical, including psychological, financial, or reputational harm, that is sufficiently serious, under all the surrounding circumstances, to compel a reasonable person of the same background and in the same circumstances to perform or to continue performing labor or services in order to avoid incurring that harm.

(8) "Services" means activities resulting from a relationship between a person and the actor in which the person performs activities under the supervision of or for the benefit of the actor. Commercial sexual activity and sexually-explicit performances are forms of activities that are "services" under this Section. Nothing in this definition may be construed to legitimize or legalize prostitution.

(9) "Sexually-explicit performance" means a live, recorded, broadcast (including over the Internet), or public act or show intended to arouse or satisfy the sexual desires or appeal to the prurient interests of patrons.

(10) "Trafficking victim" means a person subjected to the practices set forth in subsection (b), (c), or (d).

(b) Involuntary servitude. A person commits involuntary servitude when he or she knowingly subjects, attempts to subject, or engages in a conspiracy to subject another person to labor or services obtained or maintained through any of the

following means, or any combination of these means:

(1) causes or threatens to cause physical harm to any person;

(2) physically restrains or threatens to physically restrain another person;

(3) abuses or threatens to abuse the law or legal process;

(4) attempts to or knowingly destroys, conceals, removes, confiscates, or possesses any actual or purported passport or other immigration document, or any other actual or purported government identification document, of another person;

(5) uses intimidation, abuses a position of trust, authority, or supervision in relation to the victim, through the use or deprivation of any alcoholic intoxicant, a drug as defined or used in the Illinois Controlled Substances Act or the Cannabis Control Act, or methamphetamine as defined in the Methamphetamine Control and Community Protection Act, or exerts financial control over any person; or

(6) uses any scheme, plan, or pattern intended to cause the person to believe that, if the person did not perform the labor or services, that person or another person would suffer serious harm or physical restraint.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of subsection (b)(1) is a Class X felony,

(b) (2) is a Class 1 felony, (b) (3) is a Class 2 felony, (b) (4) is a Class 3 felony, (b) (5) and (b) (6) is a Class 4 felony.

(c) Involuntary sexual servitude of a minor. A person commits involuntary sexual servitude of a minor when he or she knowingly recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, provide, or obtain by any means, another person under 18 years of age, knowing that the minor will engage in commercial sexual activity, a sexually-explicit performance, or the production of pornography, or causes or attempts to cause a minor to engage in one or more of those activities and:

(1) there is no overt force or threat and the minor is between the ages of 17 and 18 years;

(2) there is no overt force or threat and the minor is under the age of 17 years; or

(3) there is overt force or threat.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of subsection (c) (1) is a Class 1 felony, (c) (2) is a Class X felony, and (c) (3) is a Class X felony.

(d) Trafficking in persons. A person commits trafficking in persons when he or she knowingly: (1) recruits, entices, harbors, transports, provides, or obtains by any means, or attempts to recruit, entice, harbor, transport, provide, or obtain by any means, another person, intending or knowing that the person will be subjected to involuntary servitude; or (2) benefits, financially or by receiving anything of value, from

participation in a venture that has engaged in an act of involuntary servitude or involuntary sexual servitude of a minor. A company commits trafficking in persons when the company knowingly benefits, financially or by receiving anything of value, from participation in a venture that has engaged in an act of involuntary servitude or involuntary sexual servitude of a minor.

Sentence. Except as otherwise provided in subsection (e) or (f), a violation of this subsection by a person is a Class 1 felony. A violation of this subsection by a company is a business offense for which a fine of up to \$100,000 may be imposed.

(e) Aggravating factors. A violation of this Section involving kidnapping or an attempt to kidnap, aggravated criminal sexual assault or an attempt to commit aggravated criminal sexual assault, or an attempt to commit first degree murder is a Class X felony.

(f) Sentencing considerations.

(1) Bodily injury. If, pursuant to a violation of this Section, a victim suffered bodily injury, the defendant may be sentenced to an extended-term sentence under Section 5-8-2 of the Unified Code of Corrections. The sentencing court must take into account the time in which the victim was held in servitude, with increased penalties for cases in which the victim was held for between 180 days and one year, and increased penalties for cases in which

the victim was held for more than one year.

(2) Number of victims. In determining sentences within statutory maximums, the sentencing court should take into account the number of victims, and may provide for substantially increased sentences in cases involving more than 10 victims.

(3) Age of victim. In determining sentences, the sentencing court shall take into account the age of the victim or victims.

(g) Restitution. Restitution is mandatory under this Section. In addition to any other amount of loss identified, the court shall order restitution including the greater of (1) the gross income or value to the defendant of the victim's labor or services or (2) the value of the victim's labor as guaranteed under the Minimum Wage Law and overtime provisions of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law, whichever is greater.

(g-5) Fine distribution. If the court imposes a fine under subsection (b), (c), or (d) of this Section, it shall be collected and distributed to the Specialized Services for Survivors of Human Trafficking Fund in accordance with Section 5-9-1.21 of the Unified Code of Corrections.

(h) Trafficking victim services. Subject to the availability of funds, the Department of Human Services may provide or fund emergency services and assistance to individuals who are victims of one or more offenses defined in

this Section.

(i) Certification. The Attorney General, a State's Attorney, or any law enforcement official shall certify in writing to the United States Department of Justice or other federal agency, such as the United States Department of Homeland Security, that an investigation or prosecution under this Section has begun and the individual who is a likely victim of a crime described in this Section is willing to cooperate or is cooperating with the investigation to enable the individual, if eligible under federal law, to qualify for an appropriate special immigrant visa and to access available federal benefits. Cooperation with law enforcement shall not be required of victims of a crime described in this Section who are under 18 years of age. This certification shall be made available to the victim and his or her designated legal representative.

(j) A person who commits involuntary servitude, involuntary sexual servitude of a minor, or trafficking in persons under subsection (b), (c), or (d) of this Section is subject to the property forfeiture provisions set forth in Article 124B of the Code of Criminal Procedure of 1963.

(Source: P.A. 101-18, eff. 1-1-20.)

Section 50. The Code of Criminal Procedure of 1963 is amended by changing Sections 106B-5 and 115-10 as follows:

(725 ILCS 5/106B-5)

Sec. 106B-5. Testimony by a victim who is a child or a person with a moderate, severe, or profound intellectual disability or a person affected by a developmental disability.

(a) In a proceeding in the prosecution of an offense of criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, aggravated criminal sexual abuse, aggravated battery, or aggravated domestic battery, trafficking in persons, involuntary servitude, or involuntary sexual servitude of a minor, a court may order that the testimony of a victim who is a child under the age of 18 years or a person with a moderate, severe, or profound intellectual disability or a person affected by a developmental disability be taken outside the courtroom and shown in the courtroom by means of a closed circuit television if:

(1) the testimony is taken during the proceeding; and

(2) the judge determines that testimony by the child victim or victim with a moderate, severe, or profound intellectual disability or victim affected by a developmental disability in the courtroom will result in the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability suffering serious emotional distress such that the child or person with a moderate, severe, or profound intellectual disability or person

affected by a developmental disability cannot reasonably communicate or that the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability will suffer severe emotional distress that is likely to cause the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability to suffer severe adverse effects.

(b) Only the prosecuting attorney, the attorney for the defendant, and the judge may question the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability.

(c) The operators of the closed circuit television shall make every effort to be unobtrusive.

(d) Only the following persons may be in the room with the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability when the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability testifies by closed circuit television:

- (1) the prosecuting attorney;
- (2) the attorney for the defendant;
- (3) the judge;
- (4) the operators of the closed circuit television equipment; and

(5) any person or persons whose presence, in the opinion of the court, contributes to the well-being of the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability, including a person who has dealt with the child in a therapeutic setting concerning the abuse, a parent or guardian of the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability, and court security personnel.

(e) During the child's or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability's testimony by closed circuit television, the defendant shall be in the courtroom and shall not communicate with the jury if the cause is being heard before a jury.

(f) The defendant shall be allowed to communicate with the persons in the room where the child or person with a moderate, severe, or profound intellectual disability or person affected by a developmental disability is testifying by any appropriate electronic method.

(f-5) There is a rebuttable presumption that the testimony of a victim who is a child under 13 years of age shall testify outside the courtroom and the child's testimony shall be shown in the courtroom by means of a closed circuit television. This presumption may be overcome if the defendant can prove by

clear and convincing evidence that the child victim will not suffer severe emotional distress.

(f-6) Before the court permits the testimony of a victim outside the courtroom that is to be shown in the courtroom by means of a closed circuit television, the court must make a finding that the testimony by means of closed circuit television does not prejudice the defendant.

(g) The provisions of this Section do not apply if the defendant represents himself pro se.

(h) This Section may not be interpreted to preclude, for purposes of identification of a defendant, the presence of both the victim and the defendant in the courtroom at the same time.

(i) This Section applies to prosecutions pending on or commenced on or after the effective date of this amendatory Act of 1994.

(j) For the purposes of this Section, "developmental disability" includes, but is not limited to, cerebral palsy, epilepsy, and autism.

(Source: P.A. 103-164, eff. 1-1-24.)

(725 ILCS 5/115-10) (from Ch. 38, par. 115-10)

Sec. 115-10. Certain hearsay exceptions.

(a) In a prosecution for a physical or sexual act perpetrated upon or against a child under the age of 13, a person with an intellectual disability, a person with a

cognitive impairment, or a person with a developmental disability, including, but not limited to, prosecutions for violations of Sections 11-1.20 through 11-1.60 or 12-13 through 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012 and prosecutions for violations of Sections 10-1 (kidnapping), 10-2 (aggravated kidnapping), 10-3 (unlawful restraint), 10-3.1 (aggravated unlawful restraint), 10-4 (forcible detention), 10-5 (child abduction), 10-6 (harboring a runaway), 10-7 (aiding or abetting child abduction), 10-9 (trafficking in persons, involuntary servitude, and related offenses), 11-9 (public indecency), 11-11 (sexual relations within families), 11-21 (harmful material), 12-1 (assault), 12-2 (aggravated assault), 12-3 (battery), 12-3.2 (domestic battery), 12-3.3 (aggravated domestic battery), 12-3.05 or 12-4 (aggravated battery), 12-4.1 (heinous battery), 12-4.2 (aggravated battery with a firearm), 12-4.3 (aggravated battery of a child), 12-4.7 (drug induced infliction of great bodily harm), 12-5 (reckless conduct), 12-6 (intimidation), 12-6.1 or 12-6.5 (compelling organization membership of persons), 12-7.1 (hate crime), 12-7.3 (stalking), 12-7.4 (aggravated stalking), 12-10 or 12C-35 (tattooing the body of a minor), 12-11 or 19-6 (home invasion), 12-21.5 or 12C-10 (child abandonment), 12-21.6 or 12C-5 (endangering the life or health of a child) or 12-32 (ritual mutilation) of the Criminal Code of 1961 or the Criminal Code of 2012 or any sex offense as defined in subsection (B) of Section 2 of the Sex

Offender Registration Act, the following evidence shall be admitted as an exception to the hearsay rule:

(1) testimony by the victim of an out of court statement made by the victim that he or she complained of such act to another; and

(2) testimony of an out of court statement made by the victim describing any complaint of such act or matter or detail pertaining to any act which is an element of an offense which is the subject of a prosecution for a sexual or physical act against that victim.

(b) Such testimony shall only be admitted if:

(1) The court finds in a hearing conducted outside the presence of the jury that the time, content, and circumstances of the statement provide sufficient safeguards of reliability; and

(2) The child or person with an intellectual disability, a cognitive impairment, or developmental disability either:

(A) testifies at the proceeding; or

(B) is unavailable as a witness and there is corroborative evidence of the act which is the subject of the statement; and

(3) In a case involving an offense perpetrated against a child under the age of 13, the out of court statement was made before the victim attained 13 years of age or within 3 months after the commission of the offense, whichever

occurs later, but the statement may be admitted regardless of the age of the victim at the time of the proceeding.

(c) If a statement is admitted pursuant to this Section, the court shall instruct the jury that it is for the jury to determine the weight and credibility to be given the statement and that, in making the determination, it shall consider the age and maturity of the child, or the intellectual capabilities of the person with an intellectual disability, a cognitive impairment, or developmental disability, the nature of the statement, the circumstances under which the statement was made, and any other relevant factor.

(d) The proponent of the statement shall give the adverse party reasonable notice of his intention to offer the statement and the particulars of the statement.

(e) Statements described in paragraphs (1) and (2) of subsection (a) shall not be excluded on the basis that they were obtained as a result of interviews conducted pursuant to a protocol adopted by a Child Advocacy Advisory Board as set forth in subsections (c), (d), and (e) of Section 3 of the Children's Advocacy Center Act or that an interviewer or witness to the interview was or is an employee, agent, or investigator of a State's Attorney's office.

(f) For the purposes of this Section:

"Person with a cognitive impairment" means a person with a significant impairment of cognition or memory that represents a marked deterioration from a previous level of function.

Cognitive impairment includes, but is not limited to, dementia, amnesia, delirium, or a traumatic brain injury.

"Person with a developmental disability" means a person with a disability that is attributable to (1) an intellectual disability, cerebral palsy, epilepsy, or autism, or (2) any other condition that results in an impairment similar to that caused by an intellectual disability and requires services similar to those required by a person with an intellectual disability.

"Person with an intellectual disability" means a person with significantly subaverage general intellectual functioning which exists concurrently with an impairment in adaptive behavior.

(Source: P.A. 99-143, eff. 7-27-15; 99-752, eff. 1-1-17; 100-201, eff. 8-18-17.)

Section 55. The Sexual Assault Incident Procedure Act is amended by changing Section 10 as follows:

(725 ILCS 203/10)

Sec. 10. Definitions. In this Act:

"Board" means the Illinois Law Enforcement Training Standards Board.

"Evidence-based, trauma-informed, victim-centered" means policies, procedures, programs, and practices that have been demonstrated to minimize retraumatization associated with the

criminal justice process by recognizing the presence of trauma symptoms and acknowledging the role that trauma has played in a sexual assault or sexual abuse victim's life and focusing on the needs and concerns of a victim that ensures compassionate and sensitive delivery of services in a nonjudgmental manner.

"Human trafficking" means a violation or attempted violation of Section 10-9 of the Criminal Code of 2012. "Human trafficking" includes trafficking of children and adults for both labor and sex services.

"Law enforcement agency having jurisdiction" means the law enforcement agency in the jurisdiction where an alleged sexual assault or sexual abuse occurred.

"Sexual assault evidence" means evidence collected in connection with a sexual assault or sexual abuse investigation, including, but not limited to, evidence collected using the Illinois State Police Sexual Assault Evidence Collection Kit as defined in Section 1a of the Sexual Assault Survivors Emergency Treatment Act.

"Sexual assault or sexual abuse" means an act of nonconsensual sexual conduct or sexual penetration, as defined in Section 12-12 of the Criminal Code of 1961 or Section 11-0.1 of the Criminal Code of 2012, including, without limitation, acts prohibited under Sections 12-13 through 12-16 of the Criminal Code of 1961 or Sections 11-1.20 through 11-1.60 of the Criminal Code of 2012.

(Source: P.A. 99-801, eff. 1-1-17.)

Section 60. The State's Attorneys Appellate Prosecutor's Act is amended by adding Section 4.13 as follows:

(725 ILCS 210/4.13 new)

Sec. 4.13. Prosecutorial support for State's Attorneys prosecuting human traffickers.

(a) The Office shall provide prosecutorial support for State's Attorneys prosecuting human traffickers. Working with national and State subject matter experts, the Office shall develop and provide training for State's Attorneys in victim-centered, trauma-informed prosecution of human trafficking cases.

(b) Training for prosecutors shall include, but not be limited to the following:

(1) definitions;

(2) sex trafficking and labor trafficking;

(3) state human trafficking laws;

(4) federal human trafficking laws;

(5) elements of a trauma-informed, victim-centered response and understanding the impacts of trauma on victim response;

(6) identifying human trafficking victims;

(7) victim recruitment;

(8) human trafficking myths and misconceptions;

(9) human trafficking investigations and gang

involvement in human trafficking;

(10) protocols for responding to minor and youth victims of human trafficking;

(11) working with human trafficking victims and the prosecutor-victim relationship;

(12) role of survivor advocates and human trafficking treatment providers;

(13) risk assessment and safety planning;

(14) victim interviews;

(15) evidence collection and virtual case investigation;

(16) charging, arraignment, and evidentiary hearings, assessing culpability, and forced criminality;

(17) trial issues and strategies;

(18) dealing with witness intimidation;

(19) working with multi-disciplinary teams and federal agencies;

(20) language barriers and use of interpreters;

(21) victims' rights;

(22) considerations for specific populations or communities; and

(23) special needs and tools for victims who are foreign nationals.

(c) In this Act, "human trafficking" means a violation or attempted violation of Section 10-9 of the Criminal Code of 2012. "Human trafficking" includes trafficking of children and

adults for both labor and sex services.

Section 65. The Unified Code of Corrections is amended by changing Sections 3-2-2 and 3-2.5-15 as follows:

(730 ILCS 5/3-2-2) (from Ch. 38, par. 1003-2-2)

Sec. 3-2-2. Powers and duties of the Department.

(1) In addition to the powers, duties, and responsibilities which are otherwise provided by law, the Department shall have the following powers:

(a) To accept persons committed to it by the courts of this State for care, custody, treatment, and rehabilitation, and to accept federal prisoners and noncitizens over whom the Office of the Federal Detention Trustee is authorized to exercise the federal detention function for limited purposes and periods of time.

(b) To develop and maintain reception and evaluation units for purposes of analyzing the custody and rehabilitation needs of persons committed to it and to assign such persons to institutions and programs under its control or transfer them to other appropriate agencies. In consultation with the Department of Alcoholism and Substance Abuse (now the Department of Human Services), the Department of Corrections shall develop a master plan for the screening and evaluation of persons committed to its custody who have alcohol or drug abuse problems, and

for making appropriate treatment available to such persons; the Department shall report to the General Assembly on such plan not later than April 1, 1987. The maintenance and implementation of such plan shall be contingent upon the availability of funds.

(b-1) To create and implement, on January 1, 2002, a pilot program to establish the effectiveness of pupillometer technology (the measurement of the pupil's reaction to light) as an alternative to a urine test for purposes of screening and evaluating persons committed to its custody who have alcohol or drug problems. The pilot program shall require the pupillometer technology to be used in at least one Department of Corrections facility. The Director may expand the pilot program to include an additional facility or facilities as he or she deems appropriate. A minimum of 4,000 tests shall be included in the pilot program. The Department must report to the General Assembly on the effectiveness of the program by January 1, 2003.

(b-5) To develop, in consultation with the Illinois State Police, a program for tracking and evaluating each inmate from commitment through release for recording his or her gang affiliations, activities, or ranks.

(c) To maintain and administer all State correctional institutions and facilities under its control and to establish new ones as needed. Pursuant to its power to

establish new institutions and facilities, the Department may, with the written approval of the Governor, authorize the Department of Central Management Services to enter into an agreement of the type described in subsection (d) of Section 405-300 of the Department of Central Management Services Law. The Department shall designate those institutions which shall constitute the State Penitentiary System. The Department of Juvenile Justice shall maintain and administer all State youth centers pursuant to subsection (d) of Section 3-2.5-20.

Pursuant to its power to establish new institutions and facilities, the Department may authorize the Department of Central Management Services to accept bids from counties and municipalities for the construction, remodeling, or conversion of a structure to be leased to the Department of Corrections for the purposes of its serving as a correctional institution or facility. Such construction, remodeling, or conversion may be financed with revenue bonds issued pursuant to the Industrial Building Revenue Bond Act by the municipality or county. The lease specified in a bid shall be for a term of not less than the time needed to retire any revenue bonds used to finance the project, but not to exceed 40 years. The lease may grant to the State the option to purchase the structure outright.

Upon receipt of the bids, the Department may certify

one or more of the bids and shall submit any such bids to the General Assembly for approval. Upon approval of a bid by a constitutional majority of both houses of the General Assembly, pursuant to joint resolution, the Department of Central Management Services may enter into an agreement with the county or municipality pursuant to such bid.

(c-5) To build and maintain regional juvenile detention centers and to charge a per diem to the counties as established by the Department to defray the costs of housing each minor in a center. In this subsection (c-5), "juvenile detention center" means a facility to house minors during pendency of trial who have been transferred from proceedings under the Juvenile Court Act of 1987 to prosecutions under the criminal laws of this State in accordance with Section 5-805 of the Juvenile Court Act of 1987, whether the transfer was by operation of law or permissive under that Section. The Department shall designate the counties to be served by each regional juvenile detention center.

(d) To develop and maintain programs of control, rehabilitation, and employment of committed persons within its institutions.

(d-5) To provide a pre-release job preparation program for inmates at Illinois adult correctional centers.

(d-10) To provide educational and visitation opportunities to committed persons within its institutions

through temporary access to content-controlled tablets that may be provided as a privilege to committed persons to induce or reward compliance.

(e) To establish a system of supervision and guidance of committed persons in the community.

(f) To establish in cooperation with the Department of Transportation to supply a sufficient number of prisoners for use by the Department of Transportation to clean up the trash and garbage along State, county, township, or municipal highways as designated by the Department of Transportation. The Department of Corrections, at the request of the Department of Transportation, shall furnish such prisoners at least annually for a period to be agreed upon between the Director of Corrections and the Secretary of Transportation. The prisoners used on this program shall be selected by the Director of Corrections on whatever basis he deems proper in consideration of their term, behavior and earned eligibility to participate in such program - where they will be outside of the prison facility but still in the custody of the Department of Corrections. Prisoners convicted of first degree murder, or a Class X felony, or armed violence, or aggravated kidnapping, or criminal sexual assault, aggravated criminal sexual abuse or a subsequent conviction for criminal sexual abuse, or forcible detention, or arson, or a prisoner adjudged a Habitual Criminal shall not be

eligible for selection to participate in such program. The prisoners shall remain as prisoners in the custody of the Department of Corrections and such Department shall furnish whatever security is necessary. The Department of Transportation shall furnish trucks and equipment for the highway cleanup program and personnel to supervise and direct the program. Neither the Department of Corrections nor the Department of Transportation shall replace any regular employee with a prisoner.

(g) To maintain records of persons committed to it and to establish programs of research, statistics, and planning.

(h) To investigate the grievances of any person committed to the Department and to inquire into any alleged misconduct by employees or committed persons; and for these purposes it may issue subpoenas and compel the attendance of witnesses and the production of writings and papers, and may examine under oath any witnesses who may appear before it; to also investigate alleged violations of a parolee's or releasee's conditions of parole or release; and for this purpose it may issue subpoenas and compel the attendance of witnesses and the production of documents only if there is reason to believe that such procedures would provide evidence that such violations have occurred.

If any person fails to obey a subpoena issued under

this subsection, the Director may apply to any circuit court to secure compliance with the subpoena. The failure to comply with the order of the court issued in response thereto shall be punishable as contempt of court.

(i) To appoint and remove the chief administrative officers, and administer programs of training and development of personnel of the Department. Personnel assigned by the Department to be responsible for the custody and control of committed persons or to investigate the alleged misconduct of committed persons or employees or alleged violations of a parolee's or releasee's conditions of parole shall be conservators of the peace for those purposes, and shall have the full power of peace officers outside of the facilities of the Department in the protection, arrest, retaking, and reconfining of committed persons or where the exercise of such power is necessary to the investigation of such misconduct or violations. This subsection shall not apply to persons committed to the Department of Juvenile Justice under the Juvenile Court Act of 1987 on aftercare release.

(j) To cooperate with other departments and agencies and with local communities for the development of standards and programs for better correctional services in this State.

(k) To administer all moneys and properties of the Department.

(l) To report annually to the Governor on the committed persons, institutions, and programs of the Department.

(1-5) (Blank).

(m) To make all rules and regulations and exercise all powers and duties vested by law in the Department.

(n) To establish rules and regulations for administering a system of sentence credits, established in accordance with Section 3-6-3, subject to review by the Prisoner Review Board.

(o) To administer the distribution of funds from the State Treasury to reimburse counties where State penal institutions are located for the payment of assistant state's attorneys' salaries under Section 4-2001 of the Counties Code.

(p) To exchange information with the Department of Human Services and the Department of Healthcare and Family Services for the purpose of verifying living arrangements and for other purposes directly connected with the administration of this Code and the Illinois Public Aid Code.

(q) To establish a diversion program.

The program shall provide a structured environment for selected technical parole or mandatory supervised release violators and committed persons who have violated the rules governing their conduct while in work release. This

program shall not apply to those persons who have committed a new offense while serving on parole or mandatory supervised release or while committed to work release.

Elements of the program shall include, but shall not be limited to, the following:

(1) The staff of a diversion facility shall provide supervision in accordance with required objectives set by the facility.

(2) Participants shall be required to maintain employment.

(3) Each participant shall pay for room and board at the facility on a sliding-scale basis according to the participant's income.

(4) Each participant shall:

(A) provide restitution to victims in accordance with any court order;

(B) provide financial support to his dependents; and

(C) make appropriate payments toward any other court-ordered obligations.

(5) Each participant shall complete community service in addition to employment.

(6) Participants shall take part in such counseling, educational, and other programs as the Department may deem appropriate.

(7) Participants shall submit to drug and alcohol screening.

(8) The Department shall promulgate rules governing the administration of the program.

(r) To enter into intergovernmental cooperation agreements under which persons in the custody of the Department may participate in a county impact incarceration program established under Section 3-6038 or 3-15003.5 of the Counties Code.

(r-5) (Blank).

(r-10) To systematically and routinely identify with respect to each streetgang active within the correctional system: (1) each active gang; (2) every existing inter-gang affiliation or alliance; and (3) the current leaders in each gang. The Department shall promptly segregate leaders from inmates who belong to their gangs and allied gangs. "Segregate" means no physical contact and, to the extent possible under the conditions and space available at the correctional facility, prohibition of visual and sound communication. For the purposes of this paragraph (r-10), "leaders" means persons who:

(i) are members of a criminal streetgang;

(ii) with respect to other individuals within the streetgang, occupy a position of organizer, supervisor, or other position of management or leadership; and

(iii) are actively and personally engaged in directing, ordering, authorizing, or requesting commission of criminal acts by others, which are punishable as a felony, in furtherance of streetgang related activity both within and outside of the Department of Corrections.

"Streetgang", "gang", and "streetgang related" have the meanings ascribed to them in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

(s) To operate a super-maximum security institution, in order to manage and supervise inmates who are disruptive or dangerous and provide for the safety and security of the staff and the other inmates.

(t) To monitor any unprivileged conversation or any unprivileged communication, whether in person or by mail, telephone, or other means, between an inmate who, before commitment to the Department, was a member of an organized gang and any other person without the need to show cause or satisfy any other requirement of law before beginning the monitoring, except as constitutionally required. The monitoring may be by video, voice, or other method of recording or by any other means. As used in this subdivision (1)(t), "organized gang" has the meaning ascribed to it in Section 10 of the Illinois Streetgang Terrorism Omnibus Prevention Act.

As used in this subdivision (1)(t), "unprivileged

conversation" or "unprivileged communication" means a conversation or communication that is not protected by any privilege recognized by law or by decision, rule, or order of the Illinois Supreme Court.

(u) To establish a Women's and Children's Pre-release Community Supervision Program for the purpose of providing housing and services to eligible female inmates, as determined by the Department, and their newborn and young children.

(u-5) To issue an order, whenever a person committed to the Department absconds or absents himself or herself, without authority to do so, from any facility or program to which he or she is assigned. The order shall be certified by the Director, the Supervisor of the Apprehension Unit, or any person duly designated by the Director, with the seal of the Department affixed. The order shall be directed to all sheriffs, coroners, and police officers, or to any particular person named in the order. Any order issued pursuant to this subdivision (1)(u-5) shall be sufficient warrant for the officer or person named in the order to arrest and deliver the committed person to the proper correctional officials and shall be executed the same as criminal process.

(u-6) To appoint a point of contact person who shall receive suggestions, complaints, or other requests to the Department from visitors to Department institutions or

facilities and from other members of the public.

(u-7) To collaborate with the Department of Human Services and other State agencies to develop and implement screening and follow-up protocols for intake and reentry personnel and contractors on identification and response to Department-involved individuals who demonstrate indications of past labor or sex trafficking victimization, criminal sexual exploitation or a history of involvement in the sex trade that may put them at risk of human trafficking. Protocols should include assessment and provision of pre-release and post-release housing, legal, medical, mental health and substance-use disorder treatment services and recognize the specialized needs of victims of human trafficking.

(u-8) To provide statewide training for Department of Corrections intake and reentry personnel and contractors on identification and response to Department-involved individuals who demonstrate indications of past trafficking victimization or child sexual exploitation that put them at risk of human trafficking.

(u-9) To offer access to specialized services for Department-involved individuals within the care that demonstrate indications of past trafficking victimization or child sexual exploitation that put them at risk of trafficking. As used in this subsection, "specialized services" means substance-use disorder, mental health,

medical, case-management, housing, and other support services by Department employees or contractors who have completed victim-centered, trauma-informed training specifically designed to address the complex psychological and or physical needs of victims of human trafficking, sexual exploitation, or a history of involvement with the sex trade.

(v) To do all other acts necessary to carry out the provisions of this Chapter.

(2) The Department of Corrections shall by January 1, 1998, consider building and operating a correctional facility within 100 miles of a county of over 2,000,000 inhabitants, especially a facility designed to house juvenile participants in the impact incarceration program.

(3) When the Department lets bids for contracts for medical services to be provided to persons committed to Department facilities by a health maintenance organization, medical service corporation, or other health care provider, the bid may only be let to a health care provider that has obtained an irrevocable letter of credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(4) When the Department lets bids for contracts for food or commissary services to be provided to Department facilities, the bid may only be let to a food or commissary services provider that has obtained an irrevocable letter of

credit or performance bond issued by a company whose bonds have an investment grade or higher rating by a bond rating organization.

(5) On and after the date 6 months after August 16, 2013 (the effective date of Public Act 98-488), as provided in the Executive Order 1 (2012) Implementation Act, all of the powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were transferred from the Department of Corrections to the Department of Healthcare and Family Services by Executive Order 3 (2005) are transferred back to the Department of Corrections; however, powers, duties, rights, and responsibilities related to State healthcare purchasing under this Code that were exercised by the Department of Corrections before the effective date of Executive Order 3 (2005) but that pertain to individuals resident in facilities operated by the Department of Juvenile Justice are transferred to the Department of Juvenile Justice.

(6) The Department of Corrections shall provide lactation or nursing mothers rooms for personnel of the Department. The rooms shall be provided in each facility of the Department that employs nursing mothers. Each individual lactation room must:

- (i) contain doors that lock;
- (ii) have an "Occupied" sign for each door;
- (iii) contain electrical outlets for plugging in breast pumps;

- (iv) have sufficient lighting and ventilation;
- (v) contain comfortable chairs;
- (vi) contain a countertop or table for all necessary supplies for lactation;
- (vii) contain a wastebasket and chemical cleaners to wash one's hands and to clean the surfaces of the countertop or table;
- (viii) have a functional sink;
- (ix) have a minimum of one refrigerator for storage of the breast milk; and
- (x) receive routine daily maintenance.

(Source: P.A. 102-350, eff. 8-13-21; 102-535, eff. 1-1-22; 102-538, eff. 8-20-21; 102-813, eff. 5-13-22; 102-1030, eff. 5-27-22; 103-834, eff. 1-1-25.)

(730 ILCS 5/3-2.5-15)

Sec. 3-2.5-15. Department of Juvenile Justice; assumption of duties of the Juvenile Division.

(a) The Department of Juvenile Justice shall assume the rights, powers, duties, and responsibilities of the Juvenile Division of the Department of Corrections. Personnel, books, records, property, and unencumbered appropriations pertaining to the Juvenile Division of the Department of Corrections shall be transferred to the Department of Juvenile Justice on the effective date of this amendatory Act of the 94th General Assembly. Any rights of employees or the State under the

Personnel Code or any other contract or plan shall be unaffected by this transfer.

(b) Department of Juvenile Justice personnel who are hired by the Department on or after the effective date of this amendatory Act of the 94th General Assembly and who participate or assist in the rehabilitative and vocational training of delinquent youths, supervise the daily activities involving direct and continuing responsibility for the youth's security, welfare and development, or participate in the personal rehabilitation of delinquent youth by training, supervising, and assisting lower level personnel who perform these duties must: (1) be over the age of 21 and (2) have a high school diploma or equivalent and either (A) a bachelor's or advanced degree from an accredited college or university or (B) 2 or more years of experience providing direct care to youth in the form of residential care, coaching, case management, or mentoring. This requirement shall not apply to security, clerical, food service, and maintenance staff that do not have direct and regular contact with youth. The degree requirements specified in this subsection (b) are not required of persons who provide vocational training and who have adequate knowledge in the skill for which they are providing the vocational training.

(c) Subsection (b) of this Section does not apply to personnel transferred to the Department of Juvenile Justice on the effective date of this amendatory Act of the 94th General

Assembly.

(d) The Department shall be under the direction of the Director of Juvenile Justice as provided in this Code.

(e) The Director shall organize divisions within the Department and shall assign functions, powers, duties, and personnel as required by law. The Director may create other divisions and may assign other functions, powers, duties, and personnel as may be necessary or desirable to carry out the functions and responsibilities vested by law in the Department. The Director may, with the approval of the Office of the Governor, assign to and share functions, powers, duties, and personnel with other State agencies such that administrative services and administrative facilities are provided by a shared administrative service center. Where possible, shared services which impact youth should be done with child-serving agencies. These administrative services may include, but are not limited to, all of the following functions: budgeting, accounting related functions, auditing, human resources, legal, procurement, training, data collection and analysis, information technology, internal investigations, intelligence, legislative services, emergency response capability, statewide transportation services, and general office support.

(f) The Department of Juvenile Justice may enter into intergovernmental cooperation agreements under which minors adjudicated delinquent and committed to the Department of

Juvenile Justice may participate in county juvenile impact incarceration programs established under Section 3-6039 of the Counties Code.

(g) The Department of Juvenile Justice must comply with the ethnic and racial background data collection procedures provided in Section 4.5 of the Criminal Identification Act.

(h) The Department of Juvenile Justice shall implement a wellness program to support health and wellbeing among staff and service providers within the Department of Juvenile Justice environment. The Department of Juvenile Justice shall establish response teams to provide support to employees and staff affected by events that are both duty-related and not duty-related and provide training to response team members. The Department's wellness program shall be accessible to any Department employee or service provider, including contractual employees and approved volunteers. The wellness program may include information sharing, education and activities designed to support health and well-being within the Department's environment. Access to wellness response team support shall be voluntary and remain confidential.

(i) The Department of Juvenile Justice shall collaborate with the Department of Human Services and other State agencies to develop and implement screening and follow-up protocols for intake and aftercare personnel on identification and response to children and adolescents who show indications of being victims of human trafficking or at risk of human trafficking.

Protocols should include assessment and provision of pre-release and post-release housing, legal, medical, mental health, and substance use disorder treatment services and recognize the specialized needs of victims of human trafficking and commercial sexual exploitation.

(j) The Department of Juvenile Justice shall require the juvenile justice system to provide access to specialized services for identified trafficked children and youth. In this subsection, "specialized services" means substance-use disorder, mental health, medical and other support services by Department employees and contractors who have completed victim-centered, trauma-informed training specifically designed to address the complex psychological and physical needs of victims of human trafficking, sexual exploitation, and involvement in the sex trade.

(k) The Department of Juvenile Justice shall require statewide training for juvenile justice agencies and their direct service personnel on identification and response to child trafficking.

(Source: P.A. 102-616, eff. 1-1-22; 103-290, eff. 7-28-23.)

Section 70. The Code of Civil Procedure is amended by changing Section 13-202.2 as follows:

(735 ILCS 5/13-202.2) (from Ch. 110, par. 13-202.2)

Sec. 13-202.2. Childhood sexual abuse.

(a) In this Section:

"Childhood sexual abuse" means an act of sexual abuse that occurs when the person abused is under 18 years of age.

"Sexual abuse" includes but is not limited to sexual conduct and sexual penetration as defined in Section 11-0.1 of the Criminal Code of 2012.

(b) Notwithstanding any other provision of law, an action for damages for personal injury based on childhood sexual abuse or a violation of Section 10-9 of the Criminal Code of 2012 in which the victim is a minor must be commenced within 20 years of the date the limitation period begins to run under subsection (d) or within 20 years of the date the person abused discovers or through the use of reasonable diligence should discover both (i) that the act of childhood sexual abuse occurred and (ii) that the injury was caused by the childhood sexual abuse or a violation of Section 10-9 of the Criminal Code of 2012 in which the victim is a minor. The fact that the person abused discovers or through the use of reasonable diligence should discover that the act of childhood sexual abuse occurred is not, by itself, sufficient to start the discovery period under this subsection (b). Knowledge of the abuse does not constitute discovery of the injury or the causal relationship between any later-discovered injury and the abuse.

(c) If the injury is caused by 2 or more acts of childhood sexual abuse or a violation of Section 10-9 of the Criminal

Code of 2012 in which the victim is a minor that are part of a continuing series of acts of childhood sexual abuse or a violation of Section 10-9 of the Criminal Code of 2012 in which the victim is a minor by the same abuser, then the discovery period under subsection (b) shall be computed from the date the person abused discovers or through the use of reasonable diligence should discover both (i) that the last act of childhood sexual abuse or a violation of Section 10-9 of the Criminal Code of 2012 in which the victim is a minor in the continuing series occurred and (ii) that the injury was caused by any act of childhood sexual abuse or a violation of Section 10-9 of the Criminal Code of 2012 in which the victim is a minor in the continuing series. The fact that the person abused discovers or through the use of reasonable diligence should discover that the last act of childhood sexual abuse in the continuing series occurred is not, by itself, sufficient to start the discovery period under subsection (b). Knowledge of the abuse does not constitute discovery of the injury or the causal relationship between any later-discovered injury and the abuse.

(d) The limitation periods under subsection (b) do not begin to run before the person abused attains the age of 18 years; and, if at the time the person abused attains the age of 18 years he or she is under other legal disability, the limitation periods under subsection (b) do not begin to run until the removal of the disability.

(d-1) The limitation periods in subsection (b) do not run during a time period when the person abused is subject to threats, intimidation, manipulation, fraudulent concealment, or fraud perpetrated by the abuser or by any person acting in the interest of the abuser.

(e) This Section applies to actions pending on the effective date of this amendatory Act of 1990 as well as to actions commenced on or after that date. The changes made by this amendatory Act of 1993 shall apply only to actions commenced on or after the effective date of this amendatory Act of 1993. The changes made by this amendatory Act of the 93rd General Assembly apply to actions pending on the effective date of this amendatory Act of the 93rd General Assembly as well as actions commenced on or after that date. The changes made by this amendatory Act of the 96th General Assembly apply to actions commenced on or after the effective date of this amendatory Act of the 96th General Assembly if the action would not have been time barred under any statute of limitations or statute of repose prior to the effective date of this amendatory Act of the 96th General Assembly.

(f) Notwithstanding any other provision of law, an action for damages based on childhood sexual abuse or a violation of Section 10-9 of the Criminal Code of 2012 in which the victim is a minor may be commenced at any time; provided, however, that the changes made by this amendatory Act of the 98th General Assembly apply to actions commenced on or after the

effective date of this amendatory Act of the 98th General Assembly if the action would not have been time barred under any statute of limitations or statute of repose prior to the effective date of this amendatory Act of the 98th General Assembly.

(Source: P.A. 101-435, eff. 8-20-19.)

Section 75. The Business Corporation Act of 1983 is amended by changing Section 12.35 as follows:

(805 ILCS 5/12.35) (from Ch. 32, par. 12.35)

Sec. 12.35. Grounds for administrative dissolution. The Secretary of State may dissolve any corporation administratively if:

(a) It has failed to file its annual report or final transition annual report and pay its franchise tax as required by this Act before the first day of the anniversary month or, in the case of a corporation which has established an extended filing month, the extended filing month of the corporation of the year in which such annual report becomes due and such franchise tax becomes payable;

(b) it has failed to file in the office of the Secretary of State any report after the expiration of the period prescribed in this Act for filing such report;

(c) it has failed to pay any fees, franchise taxes, or charges prescribed by this Act;

(d) it has misrepresented any material matter in any application, report, affidavit, or other document filed by the corporation pursuant to this Act;

(e) it has failed to appoint and maintain a registered agent in this State;

(f) it has tendered payment to the Secretary of State which is returned due to insufficient funds, a closed account, or for any other reason, and acceptable payment has not been subsequently tendered;

(g) upon the failure of an officer or director to whom interrogatories have been propounded by the Secretary of State as provided in this Act, to answer the same fully and to file such answer in the office of the Secretary of State; ~~or~~

(h) if the answer to such interrogatories discloses, or if the fact is otherwise ascertained, that the proportion of the sum of the paid-in capital of such corporation represented in this State is greater than the amount on which such corporation has theretofore paid fees and franchise taxes, and the deficiency therein is not paid; or -

(i) if the corporation or any of its incorporators or directors are convicted of any violation of Section 10-9 of the Criminal Code of 2012.

(Source: P.A. 92-33, eff. 7-1-01; 93-59, eff. 7-1-03.)

Section 99. Effective date. This Act takes effect January 1, 2026, except that this Section and paragraph (1) of subsection (b) of Sec. 1-90 of Section 10 take effect upon

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becoming law.

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Statutes amended in order of appearance

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20 ILCS 1305/1-90 new
20 ILCS 1505/1505-225 new
20 ILCS 2605/2605-625 new
50 ILCS 705/2 from Ch. 85, par. 502
50 ILCS 705/10.21
50 ILCS 705/10.23
50 ILCS 705/10.27 new
30 ILCS 500/25-210 new
55 ILCS 80/4 from Ch. 23, par. 1804
705 ILCS 405/5-175 new
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725 ILCS 203/10
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730 ILCS 5/3-2.5-15
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805 ILCS 5/12.35 from Ch. 32, par. 12.35