

# LAW UPDATE

*2021/2022*



**ILLINOIS SECRETARY OF STATE  
DEPARTMENT OF POLICE**

**Division of Administration  
Training Section**

**Peter Piazza  
Director**

**Please Note:**

**This training outline is written for a law enforcement audience. It does not contain every law change made during the 102nd Session of the Illinois General Assembly. .**

**Errors and/or omissions may exist in this document. Readers are urged to review entire sections of law prior to taking enforcement action. Original source information can be found at the following Internet website:**

[www.ilga.gov](http://www.ilga.gov)

*“This site contains provisions of the Illinois Compiled Statutes from databases that were created for the use of the members and staff of the Illinois General Assembly. The provisions have NOT been edited for publication, and are NOT in any sense the "official" text of the Illinois Compiled Statutes as enacted into law. The accuracy of any specific provision originating from this site cannot be assured, and you are urged to consult the official documents or contact legal counsel of your choice. This site should not be cited as an official or authoritative source. Court decisions may affect the interpretation and constitutionality of statutes.”*

## Table of Contents

	<b>Illinois Vehicle Code</b>	
15 ILCS 305/21	SOS State Building ID	7
15 ILCS 305/35	SOS Electronic Signatures	7
15 ILCS 335/4	SOS ID Cards	8
15 ILCS 335/8	Conditional Permanent Resident	8
625 ILCS 5/1-162.3	Definitions – Police Vehicle	9
625 ILCS 5/1-168.8	Rec Trails Off Hwy Vehicle	9
625 ILCS 5/1-213.8	SOS - Various	10
625 ILCS 5/1-216.5	Revenue Vehicles	11
625 ILCS 5/2-112	Driver Ed – Traffic Stops	11
625 ILCS 5/3-100.1	Electronic Records	12
625 ILCS 5/3-114	Salvage Certificate	12
625 ILCS 5/3-117.2	Junk Vehicle Notification	12
625 ILCS 5/3-609	Veteran Health Info	13
625 ILCS 5/3-611.5	Fire Chief Vehicle Equipment	13
625 ILCS 5/3-664	Gold Star Plates	14
625 ILCS 5/3-699.14	Fold of Honor Plates	14
625 ILCS 5/3-699.14	Aviation Decals	15
625 ILCS 5/3-699.14	Child Abuse Council Plate	15
625 ILCS 5/3-699.14	Healthcare Worker Decal	15
625 ILCS 5/3-707	Operation Uninsured Vehicle	16
625 ILCS 5/3-804.01	Expanded Use Antique Vehicle	16
625 ILCS 5/5-402.1	SOS – Title Transfer	17
625 ILCS 5/6-105	Temp Driver’s Licenses	17
625 ILCS 5/6-110.1	SOS – Facial Recognition Info	17
625 ILCS 5/7-211	Deposit of Security	18
625 ILCS 5/11-406 Repealed	Repeal Motorist Report	18
625 ILCS 5/11-502.1	Regulation – Tech	19
625 ILCS 5/11-605	School Zone Start Time	20
625 ILCS 5/11-804	Electric Turn Signal	21
625 ILCS 5/11-907	State Police – Law Enforcement	21
625 ILCS 5/11-907	Scott’s Law	22
625 ILCS 5/11-1301.2	Special Parking Decals	22
625 ILCS 5/11-1403	Motorcycle Passengers	23

2021/2022 Law Update for Law Enforcement

625 ILCS 5/12-503	Tinted Windows	23
625 ILCS 5/12-812	School Buses	23
625 ILCS 5/13-103.3 NEW	Portable Emissions Testing	24
625 ILCS 5/15-107	Overweight Permits	24
625 ILCS 5/16-105	Courts Fees Various	25
	<b>Illinois Criminal Code</b>	
720 ILCS 5/3-5	Adult Protective Services	26
720 ILCS 5/7-5	Police Reform Bill	26
720 ILCS 5/11-0.1	Neglected Child	27
720 ILCS 5/11-9.1	Criminal Law Tech	28
720 ILCS 5/12-7.1	Hate Crime – Civil Action	28
720 ILCS 5/12-7.1	Hate Crime – Immigration	29
720 ILCS 5/12-7.3	Criminal Procedures – Stalking	29
720 ILCS 5/19-1	Freight Container Burglary	29
720 ILCS 5/48-7	Mass Animal Mortality Event	30
720 ILCS 570/401.3 New	Controlled Substances Opioids	30
720 ILCS 570/414	Health Care & Human Services	31
720 ILCS 570/414	Opioid Overdose Reduction	31
720 ILCS 675/1	Preventing Youth Vaping	32
	<b>Other Illinois Statutes</b>	
New Act	Adult Victim Privacy Act	33
New Act	Empowering Public Participation	34
New Act	Human Trafficking Task Force	35
New Act	Protecting Household Privacy	35
5 ILCS 312/1-104	Notary Electronic Documents	36
5 ILCS 465/4	American Made Illinois Flags	37
5 ILCS 465/11	Flag Display – Half Staff	37
5 ILCS 805/5	Law Enforcement – Immigration	38
5 ILCS 840/40 New	First Responders Task Force	39
10 ILCS 5/19A-20	Branch Polling Place County Jail	39
20 ILCS 301/55-36 New	Compliance Checks – Tobacco	40

2021/2022 Law Update for Law Enforcement

20 ILCS 1305/10-63 New	Call4Calm Text Line	41
20 ILCS 1705/76.1 New	1 <sup>st</sup> Responder Mental Health	41
20 ILCS 2310/2310-705New	ILETSB	42
20 ILCS 2605/2605-52.1	Wireless Service Call Locator	43
20 ILCS 2605/2605-304New	Home Inspector (FOID)	44
20 ILCS 2605/2605-615New	Forensic Lab Impact Note Act	45
40 ILCS 5/3-110.11a New	Pension Code CTPF Various	46
40 ILCS 5/5-214	Chicago Police Service Credit	47
50 ILCS 705/1	Police Reform Trailer Bill	47
105 ILCS 128/20	School Law Enforcement Drills	48
235 ILCS 5/6-28.8	Pandemic Recovery	48
325 ILCS 5/4	Implicit Bias Training	49
510 ILCS 68/1-5	Herptiles Various	50
515 ILCS 5/10-110	Fish & Aquatic Life Code	51
520 ILCS 5/3.1-2	Trapping License Exemption	51
625 ILCS 45/1-2	Boat Reg. & Safety Act	52
705 ILCS 5/11	Courts – Security Officers	52
705 ILCS 20/2 New	Clerks of Courts – Payments	52
705 ILCS 405/5-401.6 New	Minors Statements	53
725 ILCS 5/112-2	Grand Juror Oath	54
725 ILCS 5/112A-20	No Contact Order – Sex Crimes	54
725 ILCS 115/3.5 New	Child Forensic Interview	54
725 ILCS 150/5	Drug Asset Forfeiture	55
725 ILCS 190/3	Privacy of Child Victims	55
725 ILCS 203/11 New	Sex Assault Evidence Track	56
730 ILCS 5/3-2-13 New	FOID Mental Health	57
735 ILCS 5/804.5	Restorative Justice	58
740 ILCS 21/10	No Contact Order	58
815 ILCS 710/1.1	Vehicle Franchise Warranty Pay	59

2021/2022 Law Update for Law Enforcement

820 ILCS 95/5	Human Trafficking Recognition	59
820 ILCS 315/2	Line of Duty - Probation Officer	59
820 ILCS 315/3	Line of Duty Claim Deadline	60

## **Illinois Vehicle Code**

### **“SOS - STATE BUILDING MUNICIPAL IDENTIFICATION”**

**15 ILCS 305/21 new, 20 ILCS 5/5-730 new, 20 ILCS 405/405-535 new**

**Effective Date: 01/01/2022**

**Public Act [102-0561](#)**

#### **Synopsis:**

Amends the Departments of State Government Law of the Civil Administrative Code of Illinois. Provides that for applications for services as may be provided by any department created under the Code, a municipal identification card shall be considered an acceptable secondary form of identification if such identification is required by an applicable department. Amends the Department of Central Management Services Law of the Civil Administrative Code of Illinois. Provides that any State-owned building that requires the display of a State-issued identification card for the purpose of gaining access to the premises shall accept the use of any municipal identification card as an acceptable form of identification for the purpose of entering the premises. Defines "municipal identification card". Provides that for applications for services as may be provided by any department, an Illinois municipal identification card shall be considered an acceptable secondary form of identification if such identification is required by an applicable department. Provides that any State-owned building that requires the display of a State-issued identification card for the purpose of gaining access to the premises shall accept the use of any Illinois municipal identification card as an acceptable form of identification for the purpose of entering the premises. Provides that an Illinois municipal identification card may not be sufficient to access certain secure areas within the premises and may require additional authorization or identification at the discretion of the premises' security, the Department of Central Management Services, or the user agency. Modifies the definition of "municipal identification card". Makes conforming changes.

**Excerpt from the Public Act not necessary.**

### **“SOS - ELECTRONIC SIGNATURES”**

**15 ILCS 305/35 new**

**Effective Date: 01/01/2022**

**Public Act [102-0213](#)**

#### **Synopsis:**

Amends Secretary of State Act. Allows the Secretary of State to adopt rules to authorize the filing of documents with his or her office that have been signed by electronic means. Specifies the rules to be adopted. Provides certification requirements for entities seeking to provide services to third parties for the execution of electronic signatures for filing with the Secretary of State. Specifies minimum requirements

for the use of electronic signatures on documents. Provides for the refusal of non-compliant electronic signatures. Provides that electronic signatures and electronic delivery of records shall have the same force and effect as manual signatures and the physical delivery of records. Provides that electronic records and electronic signatures accepted by the Secretary of State shall be admissible in all administrative, quasi-judicial, and judicial proceedings.

**Excerpt from the Public Act not necessary**

“Vehicle Code - SOS-ID CARDS-CDL-SCHOOL BUS”

**15 ILCS 335/4, 625 ILCS 5/6-106.1, 625 ILCS 5/6-205, 625 ILCS 5/6-206, 625 ILCS 5/6-508, 730 ILCS 5/5-6-3.1**

**Effective Date: 08/06/2021**

**Public Act: [102-0299](#)**

**Synopsis:**

Amends the Illinois Identification Card Act. Provides that Illinois Identification Cards issued to persons upon conditional release or absolute discharge from the custody of the Department of Human Services be issued prior to release or discharge (instead of no sooner than 14 days prior to release or discharge). Amends the Illinois Vehicle Code. Provides that applicants for school bus driver permits and commercial driver's licenses must not have been convicted of (i) aggravated domestic battery, or (ii) specified offenses under the Liquor Control Act of 1934. Provides that, regardless of whether an exemption for employment-related transportation applies, every person required to install and maintain an ignition interlock device shall not be eligible for reinstatement until the person installs an ignition interlock device and maintains the ignition interlock device for 5 years. Amends the Unified Code of Corrections. Provides that a subsection concerning required proof of financial responsibility does not apply to a person who, at the time of the offense, was operating a motor vehicle registered in a state other than Illinois. Makes other changes. Effective immediately.

**Excerpt from the Public Act not necessary.**

“VEHICLE CODE - CONDITIONAL PERMANENT RESIDENT”

**15 ILCS 335/8, 625 ILCS 5/6-115**

**Effective Date: 01/01/2022**

**Public Act: [102-0659](#)**

**Synopsis:**



## 2021/2022 Law Update for Law Enforcement

Amends the Illinois Identification Card Act. Allows identification cards issued to conditional permanent residents to expire under specified conditions. Allows REAL ID compliant identification cards issued to conditional permanent residents to be marked as "Limited Term". Amends the Illinois Vehicle Code. Allows Illinois driver's licenses issued to conditional permanent residents to expire under specified conditions. Allows REAL ID compliant Illinois driver's licenses issued to conditional permanent residents to be marked as "Limited Term".

**Excerpt from the Public Act not necessary.**

### "Vehicle Code - DEFINITIONS - POLICE VEHICLE"

#### **625 ILCS 5/1-162.3**

**Effective Date: 01/01/2022**

**Public Act: [102-0240](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Changes the definition of "police vehicle" to include recreational off-highway vehicles, all-terrain vehicles, watercraft, and aircraft.

**Excerpt from the Public Act not necessary.**

### "Vehicle Code - REC TRAILS-OFF-HIGHWAY VEHICLE"

#### **625 ILCS 5/1-168.8, 20 ILCS 862/10, 20 ILCS 862/36.7 new,**

**Effective Date: 01/01/2022**

**Public Act: [102-0312](#)**

**Synopsis:**

Amends the Recreational Trails of Illinois Act. Changes the definition of "off-highway vehicle" to exclude large non-highway vehicles. Provides that a large non-highway vehicle may not be granted an off-highway vehicle trails public access sticker or be operated on lands or waters that require the display of such a sticker. Defines "large non-highway vehicle" as any motorized off-highway device designed to travel primarily off-highway, greater than 64 inches and not more than 75 inches in width, having a manufacturer's dry weight of 3,500 pounds or less, traveling on 4 or more non-highway tires, designed with a non-straddle seat and a steering wheel for steering control, except equipment such as lawnmowers. Amends the Illinois Vehicle Code. Changes the definition of "recreational off-highway vehicle" to include electric-powered vehicles having a manufacturer's dry weight of 3,000 or less.

**Excerpt from the Public Act not necessary.**

“Vehicle Code - SOS - VARIOUS”

**625 ILCS 5/1-213.8 new, 625 ILCS 5/3-100.2, 625 ILCS 5/3-104, 625 ILCS 5/3-113, 625 ILCS 5/5-101, 625 ILCS 5/5-102, 625 ILCS 5/5-301, 625 ILCS 5/5-505 new, MULTIPLE STATUTES AFFECTED**

**Effective Date: 01/01/2022**

**Public Act: [102-0154](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Defines "uniform invoice". Authorizes the Secretary of State may use commercially available title history services. Makes changes concerning odometer disclosure requirements. Provides that the Secretary is authorized to issue a certificate of title in the name of the dealership if the surrendered certificate of title has no additional space to assign the certificate of title. Makes changes concerning requirements for a licensed seller who sells, transfers, or wholesales a vehicle out of State. Provides that a good-faith purchaser of a vehicle for value takes free of any undisclosed liens unless the purchaser has notice of such liens. Provides that the Secretary may remove a franchise affiliate's lien. Provides that a registration permit for 90 (instead of 30) days may be provided for a fee of \$13. Makes electric motorcycles subject to additional fees for electric vehicles and allows vanity and personalized plates to be issued to owners of electric vehicles. Provides that certain military plates may be (i) transferred, upon death of the owner, to the surviving spouse; and (ii) reclassified without a replacement fee. In the Chapter concerning the licensing of vehicle dealers, makes changes to the definition of "established place of business". Provides that applicants for certain licenses shall disclose specified information related to persons liable for the performance of the dealership. Prohibits a licensee with a surrendered or revoked license from being named on an application for a subsequent license and from working for another licensee in a record-keeping, management, or financial position. Prohibits a licensee from permitting an individual who is not an agent of the licensee to purchase a vehicle at an auction. Provides that, beginning with the 2023 registration year, upon the request of the vehicle owner, an electric vehicle owner may register an electric vehicle with any qualifying registration, and an additional \$100 surcharge shall be collected in addition to the applicable registration fee. Provides that the \$100 additional fee is to identify the vehicle as an electric vehicle. Provides that the \$100 additional fee is an annual, flat fee that shall be based on an applicant's new or existing registration year for the vehicle's corresponding weight category. Provides that a designation as an electric vehicle shall not alter a vehicle's registration. Provides that \$1 of the additional fees shall be deposited into the Secretary of State Special Services Fund and the remainder of the additional fees shall be deposited into the Road Fund. Provides that the Secretary shall adopt any rules necessary to implement the new provisions. Removes language providing that a purchaser of a vehicle who obtains a security interest in a vehicle in good faith for value takes free of any undisclosed liens unless the purchaser has notice of such liens and that, upon the perfection of the security interest, the Secretary of State shall invalidate the undisclosed lienholder's interest in the vehicle subject to an investigation by the Secretary of State Department of Police. Removes language allowing only a licensed dealer to use the reassignment portion included on a certificate of title to reassign a vehicle to another licensed dealer. Makes conforming changes and corrects typographical errors. Provides that, no later than July 1, 2022 (instead of July 1, 2021), the Secretary of State shall implement, manage, and

administer an electronic lien and title system and establish by administrative rule the standards and procedures relating to the management and implementation of the system.

**Excerpt from the Public Act not necessary.**

## “VEHICLE CODE - REVENUE-VEHICLES”

### **625 ILCS 5/1-216.5 new, 625 ILCS 5/3-819, 625 ILCS 5/3-821**

**Effective Date: 01/01/2022**

**Public Act: [102-0353](#)**

#### **Synopsis:**

Amends the Use Tax Act and the Retailers' Occupation Tax Act. Provides that, beginning on January 1, 2022, the term "selling price" no longer includes the value of traded-in motor vehicles. Amends the Illinois Vehicle Code. Defines "utility trailer". Provides for a flat weight trailer tax of \$36 for utility trailers. Decreases the flat weight tax for Class TA trailers from \$118 to \$36. Increases the certificate of title fee for vehicles other than all-terrain vehicles, off-highway motorcycles, motor homes, mini motor homes, and van campers from \$150 to \$155 and provides that the additional fee amount shall be deposited into the Road Fund. In a Section concerning the use tax on motor vehicles, makes changes concerning the amount of the tax. Removes language including only trailers weighing between 2,000 pounds and 3,000 pounds within the TA trailer class, and restores language including all trailers weighing 3,000 pounds and less within the TA trailer class. Effective January 1, 2022.

**Excerpt from the Public Act not necessary.**

## “VEHICLE CODE - DRIVER EDUCATION-TRAFFIC STOPS”

### **625 ILCS 5/2-112, 625 ILCS 5/6 -107.5, 105 ILCS 5/27-24.1**

**Effective Date: 01/01/2022**

**Public Act: [102-0455](#)**

#### **Synopsis:**

Amends the Driver Education Act of the School Code. Changes the definition of "driver education course" to include a course of instruction in law enforcement procedures during traffic stops, including appropriate interactions with law enforcement officers. Amends the Illinois Vehicle Code. Provides that every adult education course shall include instruction in law enforcement procedures during traffic stops, including appropriate interactions with law enforcement officers. Provides that the Secretary of State, in consultation with the Illinois State Police, shall include in the Illinois Rules of the Road publication a description of law

enforcement procedures during traffic stops and the actions that a motorist should take during a traffic stop, including appropriate interactions with law enforcement officers.

**Excerpt from the Public Act not necessary.**

**“VEHICLE CODE - ELECTRONIC RECORDS”**

**625 ILCS 5/3-100.1, 625 ILCS 5/3-100.2**

**Effective Date: 08/20/2021**

**Public Act: [102-0431](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Changes certain deadlines for the Secretary of State to implement provisions regarding electronic records from July 1, 2021 to July 1, 2022. Effective immediately.

**Excerpt from the Public Act not necessary.**

**“VEHICLE CODE - SALVAGE CERTIFICATE”**

**625 ILCS 5/3-114, 625 ILCS 5/3-301**

**Effective Date: 01/01/2022**

**Public Act: [102-0319](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that a repossessed vehicle, fleet vehicle, or flood vehicle that has been damaged in excess of 50% (instead of 33 1/3%) of its fair market value shall be considered to be salvage. Provides that a flood vehicle that has sustained damage greater than 50% (rather than 33 1/3%) of its fair market value with that damage shall be required to complete a successful inspection before being issued a new certificate of title.

**Excerpt from the Public Act not necessary.**

**“VEHICLE CODE - JUNK VEHICLE NOTIFICATION”**

**625 ILCS 5/3-117.2**

**Effective Date: 01/01/2022**

**Public Act:** [102-0436](#)

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that an automotive parts recycler, in addition to a scrap processor, may submit a Junk Vehicle Notification to the Secretary of State.

**Excerpt from the Public Act not necessary.**

“Vehicle Code - VETERAN HEALTH INFO”

**625 ILCS 5/3-609**

**Effective Date:** 08/06/2021

**Public Act:** [102-0273](#)

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that, with respect to the supporting documentation required to obtain a plate for a veteran with a disability, the Secretary of State shall allow an applicant to redact information on the documentation that pertains to the nature of the applicant's health issue. provides that the Secretary of State may require an applicant to disclose information necessary to confirm that the applicant's disability is service-connected or to establish the degree of the applicant's service-connected disability. Effective immediately.

**Excerpt from the Public Act not necessary.**

“VEHICLE CODE - FIRE CHIEF VEHICLE EQUIPMENT”

**625 ILCS 5/3-611.5, 625 ILCS 5/12-601**

**Effective Date:** 01/01/2022

**Public Act:** [102-0448](#)

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that vehicles of deputy fire chiefs and assistant fire chiefs may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet. Provides that deputy fire chiefs and assistant fire chiefs are eligible for fire chief license plates. Provides that any fire chief, deputy fire chief, or assistant fire chief operating warning devices upon a vehicle not owned by a municipality or fire protection district shall display fire chief license plates. Provides that, with the exception of permanently issued license plates, upon the resignation,

termination, or reassignment to a rank other than fire chief, deputy fire chief, or assistant fire chief, a person issued fire chief license plates shall immediately surrender the license plate to the Secretary of State. Provides that the Secretary of State shall have the ability to recover the license plates.

**Excerpt from the Public Act not necessary.**

“Vehicle Code - GOLD STAR PLATES-FAMILY MEMBER”

### **625 ILCS 5/3-664**

**Effective Date: 01/01/2022**

**Public Act: [102-0106](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Removes the requirement that an applicant for a Gold Star license plate shall be charged a registration fee. Provides that no registration fee for a Gold Star license plate shall be required of a surviving widow, widower, or parent of a deceased member of the Armed Forces if that member lost his or her life while in service while in wartime (instead of "in peacetime or war").

**Excerpt from the Public Act not necessary.**

“VEHICLE CODE - FOLD OF HONOR PLATES”

### **625 ILCS 5/3-699.14, 30 ILCS 105/5.935 new**

**Effective Date: 01/01/2022**

**Public Act: [102-0383](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Allows the issuance of Fold of Honor special license plate decals by the Department of Veterans' Affairs. Provides that \$10 of each original issuance and \$23 of each renewal shall be deposited into the Folds of Honor Foundation Fund, and that \$15 of each original issuance and \$2 of each renewal shall be deposited into the Secretary of State Special License Plate Fund. Provides that money in the Folds of Honor Foundation Fund shall be paid as grants to the Folds of Honor Foundation to aid in providing educational scholarships to military families. Makes a corresponding change in the State Finance Act.

**Excerpt from the Public Act not necessary.**

**"VEHICLE CODE - AVIATION DECALS"**

**625 ILCS 5/3-699.14, 30 ILCS 105/5.935 new**

**Effective Date: 08/20/2021**

**Public Act: [102-0422](#)**

**Synopsis:**

Amends the State Finance Act. Creates the Experimental Aircraft Association Fund as a special fund in the State treasury. Amends the Illinois Vehicle Code to allow for the issuance of aviation enthusiast decals for Universal special license plates by the Illinois chapters of the Experimental Aircraft Association. Provides fees for the issuance of the decals. Provides that money in the Experimental Aircraft Association Fund shall be paid, subject to appropriation by the General Assembly and distribution by the Secretary, as grants to promote recreational aviation. Effective immediately.

**Excerpt from the Public Act not necessary.**

**"VEHICLE CODE - CHILD ABUSE COUNCIL PLATE"**

**625 ILCS 5/3-699.14, 30 ILCS 105/5.935 new**

**Effective Date: 08/20/2021**

**Public Act: [102-0423](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Allows the issuance of Child Abuse Council of the Quad Cities special license plate decals by the Illinois Department of Human Services. Provides that \$10 of each original issuance and \$23 of each renewal shall be deposited into the Child Abuse Council of the Quad Cities Fund, and that \$15 of each original issuance and \$2 of each renewal shall be deposited into the Secretary of State Special License Plate Fund. Provides that money in the Child Abuse Council of the Quad Cities Fund shall be paid as grants to benefit the Child Abuse Council of the Quad Cities. Makes a corresponding change in the State Finance Act. Effective immediately.

**Excerpt from the Public Act not necessary.**

**"VEHICLE CODE - HEALTHCARE WORKER DECAL"**

**625 ILCS 5/3-699.14, 30 ILCS 105/5.935 new**

**Effective Date: 01/01/2022**

**Public Act: [102-0515](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Allows the issuance of health care worker decals by the Department of Public Health. Provides that \$10 of each original issuance and \$23 of each renewal shall be deposited into the Illinois Health Care Workers Benefit Fund, and that \$15 of each original issuance and \$2 of each renewal shall be deposited into the Secretary of State Special License Plate Fund. Provides that money in the Illinois Health Care Workers Benefit Fund shall be paid as grants to the Trinity Health Foundation for the benefit of health care workers, doctors, nurses, and others who work in the healthcare industry in this State. Makes a corresponding change in the State Finance Act.

**Excerpt from the Public Act not necessary.**

“VEHICLE CODE - OPERATION UNINSURED VEHICLE”

**625 ILCS 5/3-707**

**Effective Date: 01/01/2022**

**Public Act: [102-0509](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that certain penalties regarding the operation of an uninsured motor vehicle apply to any operator of a motor vehicle subject to registration under a law of another state that is similar to the Code.

**Excerpt from the Public Act not necessary.**

“VEHICLE CODE - EXPANDED USE ANTIQUE VEHICLES”

**625 ILCS 5/3-804.01**

**Effective Date: 08/20/2021**

**Public Act: [102-0438](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that an expanded-use antique vehicle may be driven on the highways for purposes other than travel to and from an antique auto show or an exhibition or for servicing or demonstration from March 1 through November 30 (instead of from April 1 through October 31). Corrects a semantic error. Effective immediately.



**Excerpt from the Public Act not necessary.**

“VEHICLE CODE - SOS - TITLE TRANSFER”

**625 ILCS 5/5-402.1**

**Effective Date: 01/01/2022**

**Public Act: [102-0318](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Deletes language requiring that a Uniform Invoice be made out in triplicate. Provides that specified records shall be retained by certain dealer licensees for a period of 3 years (instead of 7 years).

**Excerpt from the Public Act not necessary.**

“Vehicle Code - TEMP DRIVER’S LICENSES”

**625 ILCS 5/6-105**

**Effective Date: 07/26/2021**

**Public Act: [102-0165](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that the Secretary of State may issue such additional temporary driver's licenses to an applicant as are necessary to allow the applicant to drive during the pendency of an investigation and determination of all facts relative to such applicant's eligibility for such a license, valid for such a period as is appropriate, but in no event for longer than 90 days each. Effective immediately.

**Excerpt from the Public Act not necessary.**

“VEHICLE CODE - SOS-FACIAL RECOGNITION INFO”

**625 ILCS 5/6-110.1, 15 ILCS 335/11**

**Effective Date: 08/13/2021**

**Public Act: [102-0354](#)**

**Synopsis:**

## 2021/2022 Law Update for Law Enforcement

Amends the Illinois Identification Card Act and the Illinois Vehicle Code. Provides that the Secretary of State shall not provide facial recognition search services or photographs obtained in the process of issuing an identification card or a driver's license or permit to any federal, State, or local law enforcement agency or other governmental entity for the purpose of enforcing federal immigration laws. Specifies that provisions prohibiting the release of facial recognition search services or photographs to law enforcement shall not apply to requests from federal, State, or local law enforcement agencies or other governmental entities for facial recognition search services or photographs when the purpose of the request relates to criminal activity other than violations of immigration laws. Effective immediately.

**Excerpt from the Public Act not necessary.**

### "VEHICLE CODE - DEPOSIT OF SECURITY"

#### **625 ILCS 5/7-211, 625 ILCS 5/7-214**

**Effective Date: 01/01/2022**

**Public Act [102-0052](#)**

#### **Synopsis:**

Amends the Illinois Vehicle Code. Provides that a driver's license or registration and nonresident operating privilege that is suspended for failure to deposit security shall remain suspended until the statute of limitations has expired and the person seeking reinstatement provides evidence that, during the statute of limitations period, no action for damages arising out of a motor vehicle accident has been properly filed. Provides that the security shall be applicable only to the payment of a judgment, rendered against the person on whose behalf the deposit was made, for damages arising out of the accident in question, in an action at law, begun not later than the later of (i) the expiration of the relevant statute of limitations or (ii) 2 years after the date of any default in any payment under an installment agreement for payment of damages (rather than begun not later than 2 years after the later of (i) the date the driver's license and registration were suspended following the accident or (ii) the date of any default in any payment under an installment agreement for payment of damages). Makes a conforming change.

**Excerpt from the Public Act not necessary.**

### "VEHICLE CODE - REPEAL MOTORIST REPORT"

#### **625 ILCS 5/11-406 repealed, 625 ILCS 5/11-410 repealed**

**Effective Date: 08/20/2021**

**Public Act: [102-0560](#)**

#### **Synopsis:**

## 2021/2022 Law Update for Law Enforcement

Amends the Illinois Vehicle Code. Repeals Sections of the Code requiring the driver of a vehicle that is involved in specific types of accidents to file a report of the accident with the Department of Transportation in its capacity as the Administrator of the Illinois Safety and Family Financial Responsibility Law. Effective immediately.

**Excerpt from the Public Act not necessary.**

### “REGULATION - TECH”

### **625 ILCS 5/11-502.1, 625 ILCS 5/11-502.15, 410 ILCS 705/10-35**

**Effective Date: 07/15/2021**

**Public Act [102-0098](#)**

#### **Synopsis:**

Replaces everything after the enacting clause. Amends the Compassionate Use of Medical Cannabis Program Act. Provides that, for any dispensing organization registered on or after January 1, 2021 (rather than July 1, 2019), the Department of Financial and Professional Regulation shall adopt rules to create a registration process for Social Equity Justice Involved Applicants and Qualifying Applicants, a streamlined application, and a Social Equity Justice Involved Medical Lottery under to issue the remaining available 5 dispensing organization registrations for operation (rather than award not less than 20% of all available points to applicants that qualify as Social Equity Applicants). Defines "Social Equity Justice Involved Medical Lottery". Contains other provisions. Amends the Cannabis Regulation and Tax Act. Provides that specified entities are subject to random inspections as provided by rule. Provides that the Cannabis Regulation Oversight Officer serves a coordinating role among State agencies regarding the Act and the Compassionate Use of Medical Cannabis Program Act. Provides that failure of a cannabis business establishment to respond to the request of the Cannabis Regulation Oversight Officer to complete the form regarding the extent of diversity in the medical and adult use cannabis industry, report, and any other request for information may be grounds for disciplinary action by the Department of Financial and Professional Regulation or the Department of Agriculture. Requires the Department of Financial and Professional Regulation to issue up to 110 Conditional Adult Use Dispensing Organization Licenses by lot. Contains requirements for Dispensary Applicants, distribution of licenses, and drawing available licenses by lot. Provides an application process for requirements for specified Conditional Adult Use Dispensing Organization Licenses. Requires the Department to issue at least 50 additional Conditional Adult Use Dispensing Organization Licenses on or before December 21, 2022. Makes changes to cannabis packaging requirements during sale. Provides that, upon the completion of the disparity and availability study pertaining to infusers by the Cannabis Regulation Oversight Officer, the Department of Agriculture may modify or change specified licensing application processes to reduce or eliminate barriers and remedy evidence of discrimination identified in the study. Provides that agent applicants may begin employment at a cultivation center, a dispensing organization, a Community College Cannabis Vocational Training Pilot Program, an infuser organization, or a transporting organization while the agent applicant's identification card application is pending. Provides that, upon approval, the approving State entity shall issue the

## 2021/2022 Law Update for Law Enforcement

agent's identification card to the agent. Provides that, if denied, the cultivation center, dispensing organization, Community College Cannabis Vocational Training Pilot Program, infuser organization, or transporting organization and the agent applicant shall be notified and the agent applicant must cease all activity at the cultivation center, dispensing organization, Community College Cannabis Vocational Training Pilot Program, infuser organization, or transporting organization immediately. Contains provisions regarding the disclosure of ownership and control of cultivation centers, craft growers, infuser organizations, and transporting organizations. Makes other changes. Amends the Illinois Vehicle Code. Makes changes to cannabis containment requirements within a motor vehicle. Contains a severability provision. In provisions amending the Compassionate Use of Medical Cannabis Program Act, makes changes to the definition of "Social Equity Justice Involved Applicant". Requires cannabis in a vehicle to be in a reasonably secured, sealed or resealable (rather than a reasonable secured, sealed) container. In provisions amending the Cannabis Regulation and Tax Act, makes the following changes. Removes language providing that any person 21 years of age or older in possession of cannabis shall not be required to possess cannabis in a container that meets specified requirements. Provides an exception for breaching the confidentiality of information obtained under the Act. Provides that an Early Approval Adult Use Dispensing Organization's application to relocate its license under specified provisions shall be deemed approved 30 days (rather than within 30 days) following the submission of a complete application to relocate. Provides that specified applicants may not be located within 1,500 of a dispensing organization licensed under provisions regarding Early Approval Adult Use Dispensing Organization Licenses or Early Approval Adult Use Dispensing Organization License secondary sites (rather than within 1,500 of a dispensing organization), unless specified requirements are met. Provides that if awarding a license in a Tied Applicant Lottery would result in a Tied Applicant possessing more than 10 specified licenses, or any combination of the specified licenses, (rather than only the specified licenses) the Tied Applicant must choose which license to abandon. Restores language requiring any product containing cannabis to be sold in a container that, among other things, must be odor-proof. Effective immediately.

**Excerpt from the Public Act not necessary.**

## "VEHICLE CODE - SCHOOL ZONE START TIME"

### **625 ILCS 5/11-605**

**Effective Date: 07/09/2021**

**Public Act [102-0058](#)**

#### **Synopsis:**

Amends the Illinois Vehicle Code. Provides that for the purpose of the Section concerning special speed limits while passing schools, a school day begins at 6:30 a.m. (instead of 7 a.m.). Includes a statement of legislative intent. Effective immediately.

**Excerpt from the Public Act not necessary.**

**“VEHICLE CODE - ELECTRIC TURN SIGNAL”**

**625 ILCS 5/11-804, 625 ILCS 5/12-208, 625 ILCS 5/12-212**

**Effective Date: 08/20/2021**

**Public Act: [102-0508](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Requires a driver to use a signal of intention continuously for a specified distance before changing lanes, turning a vehicle from a direct course, or moving right or left upon a highway, and makes corresponding changes. Provides that electric turn signal lamps shall not be flashed or left in the on position other than for indication of the driver's intention to turn a vehicle left or right, change lanes, or otherwise turn or maneuver a vehicle from a direct course of travel. Makes other changes. Effective immediately.

**Excerpt from the Public Act not necessary.**

**“VEHICLE CODE - STATE POLICE - LAW ENFORCEMENT”**

**625 ILCS 5/11-907, 625 ILCS 5/11-907.2 new**

**Effective Date: 01/01/2022**

**Public Act: [102-0336](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Provides further requirements for vehicles approaching a stationary authorized emergency vehicle that is displaying flashing emergency lighting. Creates and tasks the Move Over Early Warning Task Force with studying: (1) the issue of violations of the provisions of the Code prescribing how to safely enter a highway construction zone, approach a disabled vehicle, and approach an authorized emergency vehicle; and (2) new technologies and early warning systems in cellular phones and vehicles that alert the public to the presence of first responders and road safety hazards. Prescribes membership for the Task Force. Provides that the Task Force shall meet and present its report and recommendations, including legislative recommendations, if any, to the General Assembly no later than January 1, 2023. Repeals the provisions governing the Task Force on January 1, 2024.

**Excerpt from the Public Act.**

(625 ILCS 5/11-907)

(2) if changing lanes would be impossible or unsafe, proceeding with due caution, reduce the speed of the vehicle, maintaining a safe speed for road conditions and leaving a safe distance until safely past the

stationary emergency vehicles. The visual signal specified under this subsection (c) given by an authorized emergency vehicle is an indication to drivers of approaching vehicles that a hazardous condition is present when circumstances are not immediately clear. Drivers HB3656 Enrolled LRB102 13852 RJF 19203 b Public Act 102-0336 of vehicles approaching a stationary emergency vehicle in any lane shall heed the warning of the signal, reduce the speed of the vehicle, proceed with due caution, maintain a safe speed for road conditions, be prepared to stop, and leave a safe distance until safely passed the stationary emergency vehicle.

## “VEHICLE CODE - SCOTT’S LAW - COMMUNITY SERVICE”

### **625 ILCS 5/11-907**

**Effective Date: 01/01/2022**

**Public Act: [102-0338](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that, in addition to other penalties imposed for a violation of provisions concerning operation of a vehicle while approaching an authorized emergency vehicle, the court may order a person to perform community service as determined by the court.

**Excerpt from the Public Act not necessary.**

## “VEHICLE CODE - SPECIAL PARKING DECALS”

### **625 ILCS 5/11-1301.2**

**Effective Date: 01/01/2022**

**Public Act: [102-0453](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Allows the Secretary of State to provide a disabilities motor decal or device to an expectant mother during her third trimester. Provides that a decal or device provided to an expectant mother shall be valid for no more than 90 days, and shall clearly set forth the date that the decal or device expires. Provides that a decal or device shall be issued only upon a showing by adequate documentation that the expectant mother has entered her third trimester.

**Excerpt from the Public Act not necessary.**

**"VEHICLE CODE - MOTORCYCLE PASSENGERS"**

**625 ILCS 5/11-1403**

**Effective Date: 01/01/2022**

**Public Act: [102-0344](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Requires the passenger of a motorcycle to be capable of resting a foot on the footrest while the motorcycle is in motion.

**Excerpt from the Public Act not necessary.**

**"Vehicle Code - TINTED WINDOWS"**

**625 ILCS 5/12-503**

**Effective Date: 01/01/2022**

**Public Act: [102-0111](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Adds light sensitivity as a result of a traumatic brain injury to the list of medical conditions for which a person is exempt from certain restrictions concerning window tinting

**Excerpt from the Public Act not necessary.**

**"VEHICLE CODE - SCHOOL BUSES"**

**625 ILCS 5/12-812, 625 ILCS 5/15-102**

**Effective Date: 01/01/2022**

**Public Act: [102-0441](#)**

**Synopsis:**

Amends the Article of the Illinois Vehicle Code concerning special equipment for school buses. Provides that the Department of Transportation may establish by rule a pilot program to permit the testing of safety equipment not otherwise prohibited by State or federal law. Provides that certain safety equipment for school buses identified by the Department of Transportation shall not be deemed a violation of provisions governing width restrictions.

**Excerpt from the Public Act not necessary.**

**“VEHICLE CODE - PORTABLE EMISSIONS TESTING”**

**625 ILCS 5/13-103.3 new, 625 ILCS 5/13-105.1 new, 625 ILCS 5/13-102.1, 625 ILCS 5/13-102.2**

**Effective Date: 01/01/2021**

**Public Act: [102-0566](#)**

**Synopsis:**

Amends the Illinois Vehicle Code. Provides that the Department of Transportation shall issue a permit to the proprietor of a vehicle service company that meets certain requirements to operate an official portable emissions testing company. Provides that a permittee may test the permittee's own second division vehicles and issue certificates of safety and conduct emission inspections of the permittee's own second division vehicles. Adds language governing fees, bonding, and oversight of official portable emissions testing companies. Requires the Department of Transportation to include in its diesel powered vehicle emission inspection report the number of inspections conducted at a brick-and-mortar official testing station and the number of inspections conducted by an official portable emissions testing company. Removes language allowing a permittee to issue certificates of safety. Allows a permittee to conduct interstate inspections on interstate carriers in accordance with federal regulations. Provides that, for motor vehicles that are model years 2007 and newer, the level of peak smoke opacity shall not exceed 5%. Removes language providing that, for motor vehicles that are model years 2007 and newer, the level of peak smoke opacity shall not exceed 5 percent. Adds language providing that, by September 15, 2022, the Department of Transportation shall make available to the public a report that includes certain information concerning emission testing. Changes the date by which the Department of Transportation must make available a public report on emission testing data from September 15, 2022 to March 15, 2023. Changes the date through which the Department of Transportation must collect data on diesel emission testing to include in its public report from June 1, 2022 to December 31, 2022. Makes corresponding changes.

**Excerpt from the Public Act not necessary.**

**“Vehicle Code - OVERWEIGHT PERMITS”**

**625 ILCS 5/15-107, 625 ILCS 5/15-111, 625 ILCS 5/15-301, 625 ILCS 5/15-307**



**Effective Date: 07/23/2021**

**Public Act: [102-0124](#)**

**Synopsis:**

Amends the Article of the Illinois Vehicle Code concerning size, weight, load, and permits. Creates a new class of weight limits for vehicles with a distance between 8 and 9 feet between the extremes of any group of 2 or more consecutive axles, with a maximum weight of 38,000 pounds on 2 axles and 42,000 pounds on 3 axles. Provides that 2 consecutive sets of tandem axles may carry 34,000 pounds each if the overall distance between the first and last axles of these tandems is 36 feet or more. Deletes language requiring an applicant for a permit for excess size and weight to make certain disclosures relating to whether the applicant is a motor carrier of property. Makes other changes. Provides that the additional fee for certain gross overweight loads is for each additional 45 (instead of 60) miles traveled.

**Excerpt from the Public Act not necessary.**

“COURTS - FEES - VARIOUS”

**625 ILCS 5/16-105, 625 ILCS 40/5-7, 625 ILCS 40/5-16, 705  
ILCS 105/27.1b, 720 ILCS 550/8**

**Effective Date: 07/23/2021**

**Public Act: [102-0145](#)**

**Synopsis:**

Amends the Criminal Identification Act, the Illinois Vehicle Code, the Snowmobile Registration and Safety Act, the Boat Registration and Safety Act, the Criminal and Traffic Assessment Act, the Cannabis Control Act, and the Unified Code of Corrections. Provides that certain fees, assessments, fines, and funds collected relating to the State Police shall be remitted to the State Treasurer for deposit into the appropriate fund or distribution to the appropriate entity. Repeals the Criminal and Traffic Assessment Act and the Section of the Clerks of Courts Act pertaining to court fees on January 1, 2026 (rather than 2022). Requires the clerk of the circuit court to submit specified assessment reports no later than March 1, 2022, and March 1 of every year thereafter. Repeals the Criminal and Traffic Assessment Act and the Section of the Clerks of Courts Act pertaining to court fees on January 1, 2024 (rather than January 1, 2026). Effective immediately.

**Excerpt from the Public Act not necessary.**

## **Illinois Criminal Code**

### **“CRIM CODE - ADULT PROTECTIVE SERVICES”**

#### **720 ILCS 5/3-5, 720 ILCS 5/17-56**

**Effective Date: 01/01/2022**

**Public Act [102-0244](#)**

#### **Synopsis:**

Amends the Adult Protective Services Act. Expands the scope of the Act to include reports of abandonment. Requires the Department on Aging to offer, subject to appropriations, an annual trauma-informed training program that includes instruction on how trauma impacts caseworkers and other employees who respond to and prevent adult abuse, neglect, exploitation, or abandonment. Requires the Department to develop and implement a demonstration project to allow for the use of a risk assessment tool to assist in identifying elderly persons who may be experiencing elder abuse, abandonment, neglect, or exploitation. Amends the Criminal Code of 2012. Provides that a prosecution for theft by deception of a victim age 60 or older or a person with a disability may be commenced within 7 years of the last act committed in furtherance of the crime. Concerning the offense of financial exploitation of an elderly person or a person with a disability, expands the scope of "person who stands in a position of trust and confidence" to include a friend or acquaintance of the elderly person or person with a disability who is in a position of trust.

**Excerpt from the Public Act not necessary.**

### **“CRIM PRO-PENALTY REDUCTION”**

#### **POLICE REFORM BILL;**

#### **720 ILCS 5/7-5, 720 ILCS 5/7-5.5, Multiple Statutes**

**Effective Date: 06/25/2021**

**Public Act [102-0028](#)**

#### **Synopsis:**

Replaces everything after the enacting clause. Amends the State Police Act. In a provision concerning the military equipment surplus program, changes the definition of "grenade launcher" and "tracked armored vehicle". Amends the Task Force on Constitutional Rights and Remedies Act. In a provision concerning task force members, deletes language providing for the responsibility of appointing a chairperson. Amends the Illinois Police Training Act. Provides that all mandated training will be provided for at no cost to the employees, and that employees shall be paid for all time spent attending mandated training. Amends the Law Enforcement Officer-Worn Body Camera Act. Provides that officer-worn body cameras may be turned off when the officer is inside a correctional facility or courthouse which is

## 2021/2022 Law Update for Law Enforcement

equipped with a functioning camera system. Provides that a law enforcement officer shall not have access to or review his or her body-worn camera recordings, the body-worn camera recordings of another officer, or any other recordings prior to completing incident reports or other documentation under specified circumstances. Provides that notwithstanding provisions of the Illinois Freedom of Information Act, a law enforcement agency receiving a complaint made against a law enforcement officer will provide an opportunity for the complainant to view the available recordings from a body worn camera system pertaining to the incident as soon as practical and prior to the complainant finalizing their complaint, if so requested by the complainant. Amends the Uniform Crime Reporting Act. Defines a "mental health crisis". Amends the Counties Code. Makes changes to a provision concerning the military equipment surplus program. Amends the Criminal Code of 2012. Provides that a peace officer is not justified in using force likely to cause death or great bodily harm when there is no longer an immediate threat of great bodily harm to the officer or another. In a provision concerning prohibited use of force by a peace officer, provides that "chokehold" does not include any holding involving contact with the neck that is not intended to reduce the intake of air. Places restrictions on the use of chemical agents or irritants. In a provision concerning the duty to intervene, replaces a reference to a person acting on behalf of a peace officer with a reference to a person acting under the color of law. Amends the Code of Criminal Procedure. Amends the Unified Code of Corrections. Makes changes in a provision concerning rules and regulations for sentence credit concerning participation in certain programs, assignments, and activities. Makes changes in a provision concerning committed person post-partum recovery requirements. Makes changes in a provision concerning mandatory supervised release. Amends the Reporting of Deaths in Custody Act. Makes changes in a provision concerning the report of deaths of persons in custody in correctional institutions. Delays the effective date of various provisions changed by Public Act 101-652. Makes other changes. Contains a severability clause. Effective immediately.

**Excerpt from the Public Act not necessary.**

### **"CRIMINAL CODE - NEGLECTED CHILD - DISREGARD"**

**720 ILCS 5/11-0.1, 720 ILCS 5/11-1.60, 720 ILCS 5/11-1.70, 720 ILCS 5/11-20.1, 720 ILCS 5/26-4, 325 ILCS 5/3**

**Effective Date: 01/01/2022**

**Public Act [102-0567](#)**

#### **Synopsis:**

Amends the Criminal Code of 2012. Provides that it is unlawful for any person to knowingly make a video record or transmit live video of another's intimate parts. Provides that in any criminal proceeding, any property or material that constitutes child pornography shall remain in the care, custody, and control of either the State or the court. Determines when a victim is considered unable to give knowing consent. Defines terms. Amends the Criminal Code of 2012. Provides that it is unlawful for any person to knowingly make a video record or transmit live video of another's intimate parts. Provides that in any criminal proceeding, any property or material that constitutes child pornography shall remain in the care, custody, and control of either the State or the court. Determines when a victim is considered unable to give knowing consent. Defines terms. Makes other changes.

**Excerpt from the Public Act not necessary.**

**"CRIMINAL LAW - TECH"**

**720 ILCS 5/11-9.1, 625 ILCS 5/6-106.1, 625 ILCS 5/6-508, etc.**

**Effective Date: 07/21/2021**

**Public Act [102-0168](#)**

**Synopsis:**

Amends the Criminal Code of 2012. Repeals the statute creating the offense of criminal transmission of HIV. Makes conforming changes in the AIDS Confidentiality Act, the Illinois Sexually Transmissible Disease Control Act, the Illinois Vehicle Code, the Criminal Code of 2012, and the Unified Code of Corrections. Effective immediately.

**Excerpt from the Public Act not necessary**

**"CRIMINAL CODE - HATE CRIME - CIVIL ACTION"**

**720 ILCS 5/12-7.1**

**Effective Date: 01/01/2022**

**Public Act [102-0468](#)**

**Synopsis:**

Amends the Criminal Code of 2012. Provides that independent of any criminal prosecution or the result of a criminal prosecution, any person suffering injury as a result of a hate crime may bring a civil action for damages, injunction or other appropriate relief if the hate crime was caused by disorderly conduct committed by: (1) transmitting or causing to be transmitted in any manner to any peace officer, public officer or public employee a report to the effect that an offense will be committed, is being committed, or has been committed, knowing at the time of the transmission that there is no reasonable ground for believing that the offense will be committed, is being committed, or has been committed; (2) transmitting or causing to be transmitted in any manner a false report to any public safety agency without the reasonable grounds necessary to believe that transmitting the report is necessary for the safety and welfare of the public; or (3) calling the number "911" or transmitting or causing to be transmitted in any manner to a public safety agency for the purpose of making or transmitting a false alarm or complaint and reporting information when, at the time the call or transmission is made, the person knows there is no reasonable ground for making the call or transmission and further knows that the call or transmission could result in the emergency response of any public safety agency.

**Excerpt from the Public Act not necessary.**

**“CRIM CODE - HATE CRIME - IMMIGRATION”  
720 ILCS 5/12-7.1**

**Effective Date: 01/01/2022**

**Public Act [102-0235](#)**

**Synopsis:**

Amends the Criminal Code of 2012. Includes, as a hate crime, the commission of the specified criminal acts against a person because of the actual or perceived citizenship or immigration status of the person.

**Excerpt from the Public Act not necessary.**

**“CRIMINAL PROCEDURES - STALKING”  
720 ILCS 5/12-7.3**

**Effective Date: 01/01/2022**

**Public Act [102-0547](#)**

**Synopsis:**

Amends the Criminal Code of 2012. Provides that a person commits stalking when he or she knowingly makes threats that are a part of a course of conduct and is aware of the threatening nature of his or her speech.

**Excerpt from the Public Act not necessary.**

**“CRIMINAL PROCEDURES - FREIGHT CONTAINER BURGLARY”  
720 ILCS 5/19-1**

**Effective Date: 01/01/2022**

**Public Act [102-0546](#)**

**Synopsis:**

Amends the Criminal Code of 2012. Provides that a person commits burglary when without authority he or she knowingly enters or without authority remains within a freight container with intent to commit therein a felony or theft. Provides that burglary committed in, and without causing damage to a freight container or any part thereof is a Class 3 felony. Provides that a burglary committed while causing damage to a freight container or any part thereof is a Class 2 felony.

**Excerpt from the Public Act not necessary.**

## **"MASS ANIMAL MORTALITY EVENT"**

### **720 ILCS 5/48-7**

**Effective Date: 01/01/2022**

**Public Act [102-0216](#)**

#### **Synopsis:**

Amends the Illinois Dead Animal Disposal Act. Changes the name of the Act to the Animal Mortality Act (and amends the Criminal Code of 2012 to make a corresponding change). Provides that the Director of Agriculture may declare a mass animal mortality event. Provides that the Director shall notify the Illinois Emergency Management Agency of the declaration no later than 24 hours following the declaration. Provides that the Department of Agriculture shall create and file with the Illinois Emergency Management Agency a mass animal mortality event plan. Provides that following the Director's declaration of a mass animal mortality event, the Department shall implement the most recent mass animal mortality event plan on file with the Illinois Emergency Management Agency. Adds definitions for "mass animal mortality event", "director", "dead animal", and "operator".

**Excerpt from the Public Act not necessary**

## **"CRIMINAL CODE - CONTROLLED SUBSTANCES - OPIOIDS"**

### **720 ILCS 570/401.3 new**

**Effective Date: 01/01/2023**

**Public Act [102-0490](#)**

#### **Synopsis:**

Amends the Illinois Controlled Substances Act. Provides that notwithstanding any other provision of law, a prescription for a substance classified in Schedule II, III, IV, or V must be sent electronically. Provides that notwithstanding any other provision of law, a prescriber shall not be required to issue prescriptions electronically if he or she certifies to the Department of Financial and Professional Regulation that he or she will not issue more than 25 prescriptions during a 12-month period. Prescriptions in both oral and written form for controlled substances shall be included in determining whether the prescriber will reach the limit of 25 prescriptions. Provides that the Department of Financial and Professional Regulation shall adopt rules for the administration of these provisions. Provides that these rules shall provide for the implementation of any such exemption to the requirements under these provisions that the Department of Financial and Professional Regulation may deem appropriate, including the exemption limiting a prescriber from issuing more than 25 prescriptions during a 12-month period. Effective January 1, 2023.

**Excerpt from the Public Act not necessary.**

**“HEALTH CARE & HUMAN SERVICES”**  
**720 ILCS 570/414, 720 ILCS 646/115**

**Effective Date: 04/27/2021**

**Public Act [102-0004](#)**

**Synopsis:**

Creates the Community Health Worker Certification and Reimbursement Act. Amends various Acts regarding medical staff credentials; electronic posters and signs; N95 masks; Legionella bacteria testing; continuing education on implicit bias awareness; overdoses; the Prescription Monitoring Program; a dementia training program; taxation of blood sugar testing materials; funding of safety-net hospitals; a Child Care Assistance Program Eligibility Calculator; managed care organizations; Federally Qualified Health Centers; care coordination; billing; the Medicaid Business Opportunity Commission; reimbursement rates; doula services; personal care of family members; the State Health Assessment; the State Health Improvement Plan; child care training; and a Medicaid Managed Care Oversight Commission. Creates the Behavioral Health Workforce Education Center of Illinois Act. Creates the Underlying Causes of Crime and Violence Study Act. Creates the Special Commission on Gynecologic Cancer Act. Creates the Racial Impact Note Act to require the estimate of the impact on racial and ethnic minorities of certain bills. Creates the Health and Human Services Task Force and Study Act to review health and human service departments and programs. Creates the Anti-Racism Commission Act concerning elimination of systemic racism. Creates the Sickle Cell Prevention, Care, and Treatment Program Act regarding programs and other matters. Amends the Illinois Health Facilities Planning Act in relation to the Health Facilities and Services Review Board, facility closure, and other matters. Creates the Medicaid Technical Assistance Act. Repeals, adds, and changes other provisions. Removes language requiring the SHA and SHIP Partnership to regularly evaluate and update the State Health Assessment and track implementation of the State Health Improvement Plan with revisions as necessary. In provisions amending the Illinois Controlled Substances Act and regarding the Prescription Monitoring Program: (1) presents the findings of the General Assembly; (2) provides that opioid treatment programs may not transmit information without patient consent, and reports made may not be utilized for law enforcement purposes; and (3) provides that treatment of a patient may not be conditioned upon his or her consent to reporting. Removes provisions amending the Illinois Public Aid Code regarding child care. Removes language requiring the Department of Healthcare and Family Services to issue quarterly reports to the Governor and the General Assembly indicating: (i) the number of determinations of noncompliance since the last quarter; (ii) the number of financial penalties imposed; and (iii) the outcome or status of each determination. Makes other changes. Effective immediately.

**Excerpt from the Public Act not necessary.**

**“CRIMINAL CODE - OPIOID OVERDOSE REDUCTION” (ALEX’S LAW)**  
**720 ILCS 570/414**

**Effective Date: 01/01/2022**

**Public Act [102-0476](#)**

**Synopsis:**

Creates the Opioid Overdose Reduction Act. Provides that the Act may be referred to as Alex's Law. Amends the Illinois Controlled Substances Act. In a provision concerning overdose and limited immunity, provides that specified violations must not serve as the sole basis of a violation of parole, mandatory supervised release, probation, conditional discharge, a person's pretrial release, or furlough, or any seizure of property under any State law authorizing civil forfeiture so long as the evidence for the violation was acquired as a result of the person seeking or obtaining emergency medical assistance in the event of an overdose. Effective January 1, 2022.

**Excerpt from the Public Act not necessary.**

**"CRIMINAL CODE - PREVENTING YOUTH VAPING"**

**720 ILCS 675/1, 720 ILCS 678/1, 720 ILCS 678/2**

**Effective Date: 01/01/2022**

**Public Act [102-0575](#)**

**Synopsis:**

Creates the Preventing Youth Vaping Act. Provides that it is unlawful for a person to sell or distribute specified electronic cigarettes and electronic cigarette packaging. Contains advertising and manufacturing requirements. Provides civil and criminal penalties. Provides that the Department of Agriculture, Department of Revenue, Department of Public Health, and Illinois State Police shall have equal and joint authority to administer and enforce the Act, may adopt rules, and may inspect any business that manufactures, transports, or distributes electronic cigarettes to ensure compliance with the Act. Amends the Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act. Removes language providing that an "electronic cigarette" does not include a tobacco product and that a "tobacco product" does not include an electronic cigarette. Provides prohibitions regarding the sale of electronic cigarettes and allows specified peace officers to seize any tobacco products or electronic cigarettes involved in a specified violation. Amends the Prevention of Cigarette Sales to Persons under 21 Years of Age Act. Changes the Act's title to the Prevention of Cigarette and Electronic Cigarette Sales to Persons under 21 Years of Age Act. Defines "electronic cigarette" and refers to electronic cigarettes in conjunction with cigarettes. Provides that "electronic cigarette" does not include any device that meets the definition of cannabis paraphernalia under the Cannabis Regulation and Tax Act. In provisions of the Preventing Youth Vaping Act regarding prohibitions, removes language providing that it is unlawful to sell in any one transaction more than 2 electronic cigarettes, 4 prepackaged cartridges of electronic cigarette solution, or 100 milliliters of electronic cigarette solution to a consumer. Provides that electronic cigarettes first sold prior to August 8, 2016 and for which a premarket tobacco product application was submitted to the U.S. Food and Drug Administration by September 9, 2020 shall not be deemed to be in violation of specified provisions. Removes language requiring manufacturers to annually submit specified reports and lists of ingredients to the Attorney General. In provisions amending the Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act, provides that no person shall honor or accept any discount, coupon, or other benefit or reduction in price that is inconsistent with



## 2021/2022 Law Update for Law Enforcement

specified provisions, subsequent United States Food and Drug Administration industry guidance, or any rules adopted under the specified federal provisions.. In provisions amending the Prevention of Cigarette Sales to Persons under 21 Years of Age Act, removes changes to provisions concerning statements for delivery sales. In provisions creating the Preventing Youth Vaping Act, provides that the Department of Revenue may adopt rules that are reasonable, necessary, and related to the administration and enforcement of the provisions of the Act (rather than providing that the Department of Agriculture, the Department of Revenue, the Department of Public Health, and the Illinois State Police shall have equal and joint authority to administer and enforce the Act and may adopt rules for the purpose of administering and enforcing the Act). Provides that the Department of Revenue, the Department of Public Health, a local public health department, the Department of Human Services, the Illinois State Police, a county sheriff, and a municipal police department (rather than the Department of Agriculture, Department of Revenue, Department of Public Health, and Illinois State Police) may inspect any business that sells, manufactures, transports, or distributes electronic cigarettes in the State to ensure compliance with the Act. Requires any violation of the Act to be reported to the Department of Revenue within 7 business days. In provisions amending the Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act, removes language providing that no person under 21 years of age shall buy any tobacco product, electronic cigarette, or alternative nicotine product. Provides that any peace officer or duly authorized member of the Illinois State Police, a county sheriff's department, a municipal police department, the Department of Revenue, the Department of Public Health, a local health department, or the Department of Human Services (rather than any peace officer or duly authorized member of the Department of Revenue or the Department of Public Health) may seize specified products. Provides that after the Department of Revenue has seized any tobacco product, nicotine product, or electronic cigarette under the amendatory provisions and a person having any property interest in the seized property has not been charged with an offense under specified provisions, the Department of Revenue must hold a hearing and determine specified information. Removes language providing an immediate effective date. Makes other changes.

**Excerpt from the Public Act not necessary.**

## **Other Illinois Statutes**

### **"ADULT VICTIM PRIVACY" NEW ACT**

#### **NEW ACT**

**Effective Date: 01/01/2022**

**Public Act [102-0652](#)**

#### **Synopsis:**

Creates the Privacy of Adult Victims of Criminal Sexual Offenses Act. Defines "adult victim" and "criminal history record information." Provides that notwithstanding any other law to the contrary, inspection and copying of law enforcement records maintained by any law enforcement agency or all circuit court records maintained by any circuit clerk relating to any investigation or proceeding pertaining to a criminal sexual

## 2021/2022 Law Update for Law Enforcement

offense, by any person not exempted by this Act, shall be restricted to exclude the identity of the adult victim without a court order. Provides that when a criminal sexual offense is committed or alleged to have been committed by a school district employee or any individual contractually employed by a school district, a copy of the criminal history record information relating to the investigation of the offense or alleged offense shall be transmitted to the superintendent of schools if certain conditions are met. Makes other changes. Clarifies language related to restricting the identity of victims of criminal sexual offenses or alleged criminal sexual offenses by providing that such identity shall be restricted unless a court order is issued authorizing the removal of such restriction of a particular case record or particular records of cases maintained by any circuit court clerk. Provides that an advocate and victim's attorney may be exempt from a requirement to exclude a victim's identity in certain records, and removes "parent" from the list of exempt individuals. Provides that a court may for the adult victim's protection and for good cause shown, prohibit any person or agency present in court from further disclosing the adult victim's identity. Provides that a court may prohibit such disclosure only after giving notice and a hearing to all affected parties. Provides that in determining whether to prohibit disclosure of the adult victim's identity the court shall consider: (a) the best interest of the adult victim; and (b) whether such nondisclosure would further a compelling State interest. Provides that the copy of the criminal history record information that is to be provided under a provision concerning criminal sexual offense and school districts shall exclude the identity of the adult victim. Provides that the superintendent shall be restricted from revealing the identity of the adult victim. Provides that the Attorney General and Assistant Attorneys General may be exempt from a requirement to exclude a victim's identity in certain records.

**Excerpt from the Public Act not necessary.**

### "OPEN MEETINGS - BACKGROUND CHECK"

## **NEW ACT - EMPOWERING PUBLIC PARTICIPATION ACT**

**Effective Date: 08/13/2021**

**Public Act [102-0348](#)**

#### **Synopsis:**

Creates the Empowering Public Participation Act. Provides that a law enforcement agency or an officer employed by a law enforcement agency may not knowingly and intentionally conduct a background check of a person for the sole reason of that person speaking at an open meeting of a public body, including police disciplinary boards. Provides exemptions whenever an agency or officer develops a reasonable suspicion of criminal conduct or a reasonable suspicion of a threat to security for the premises in which the meeting is to occur or for the protection of public officials and other persons attending the meeting. Provides that a violation of the prohibition is a Class C misdemeanor. Provides that the provision prohibiting a law enforcement agency or an officer employed by a law enforcement agency from knowingly and intentionally conducting a background check of a person for the sole reason of that person speaking at an open meeting of a public body does not apply whenever the person speaking at an open meeting of the public body is also under consideration for appointment to a government position by that public body. Provides that the Act creates no claims for damages or other relief for violations of the Act. Effective immediately.

**Excerpt from the Public Act not necessary.**

## **"HUMAN TRAFFICKING TASK FORCE"**

### **NEW ACT**

**Effective Date: 08/06/2021**

**Public Act [102-0323](#)**

#### **Synopsis:**

Creates the Human Trafficking Task Force Act. Provides requirements regarding the composition and duties of the task force. Provides that the task force shall provide a report containing specified information to the General Assembly and Governor no later than June 30, 2024. Adds a statement of findings; and includes additional duties for the Task Force. Abolishes the task force and repeals the Act on July 1, 2024. Effective immediately.

**Excerpt from the Public Act not necessary.**

## **"PROTECTING HOUSEHOLD PRIVACY - NEW ACT"**

### **NEW ACT**

**Effective Date: 01/01/2022**

**Public Act [102-0597](#)**

#### **Synopsis:**

Creates Protecting Household Privacy Act. Provides that a law enforcement agency may obtain the data (1) if a law enforcement agency first obtains a warrant under the Code of Criminal Procedure of 1963; (2) a specified emergency situation exists; or (3) with the lawful consent of the owner of the household electronic device or person in actual or constructive possession of the household electronic device, excluding law enforcement personnel. Provides that nothing in the Act shall be construed to apply to the interception, recording, wiretap, or other acquisition of electronic communications as they are transmitted in real time. Provides that in the event of any conflict between the Act and any applicable federal or State law, the requirement that establishes the higher standard for law enforcement to obtain information shall govern. Provides that if a law enforcement agency obtains household electronic data, the agency within 30 days shall destroy all information obtained, except that a supervisor at that agency may retain particular information if (1) there is reasonable suspicion that the information contains evidence of criminal activity, or (2) the information is relevant to an ongoing investigation or pending criminal trial. Defines "digital gateway device". Provides that nothing in the Act prohibits the use of a lawful grand jury subpoena to obtain information which was obtainable by grand jury subpoena prior to the effective date of the Act. Provides that nothing in the Act expands existing civil or criminal liability of an individual or entity arising under any applicable federal or State law.

**Excerpt from the Public Act not necessary.**

## “NOTARY - ELECTRONIC DOCUMENTS”

### **5 ILCS 312/1-104, 5 ILCS 312/6-102.5 new, multiple statutes affected**

**Effective Date: 07/01/2022**

**Public Act: [102-0160](#)**

#### **Synopsis:**

Replaces everything after the enacting clause. Amends the Illinois Notary Public Act. Provides requirements concerning electronic notarization and electronic notaries public. Amends the Uniform Real Property Electronic Recording Act. Provides that a paper or tangible copy of an electronic document that a notary public has certified to be a true and correct copy satisfies specified recording requirements. Provides further requirements concerning the certification of electronic documents by notaries public. Defines terms. Provides that moneys in the Electronic Notarization Fund during the preceding calendar year, shall be distributed, subject to appropriation, to the Secretary of State to fund the Department of Index's implementation and maintenance (rather than implementation only) of the electronic notarization commissions. Provides that an electronic notary public may perform an electronic notarial act for a remotely located individual outside of the United States if the record is to be filed with or relates to a matter before a public official or court, governmental entity, or other entity subject to the jurisdiction of the United States or involves property located in the territorial jurisdiction of the United States or involves a transaction substantially connected with the United States. Modifies the audio-video communication requirements by which a remote notarial action must be performed. Provides for the transmission of a signed and notarized document by overnight mail. Provides that upon written request of a third party, a notary public may supply a copy of a line item representing the requested transaction after personally identifying information has been redacted. Provides that any commissioned notary public may perform any notarial act remotely after first determining, either from personal knowledge or from satisfactory evidence, that the signature is that of the person appearing before the notary and named therein. Specifies factors to establish that a notary public has satisfactory evidence that a person is the person whose true signature is on a document, Makes conforming changes. Effective on the later of: (1) January 1, 2022; or (2) the date on which the Office of the Secretary of State files with the Index Department of the Office of the Secretary of State a notice that the Office of the Secretary of State has adopted the rules necessary for implementation; except that, the changes made to specified provisions of the Illinois Notary Public Act take effect July 1, 2022

**Excerpt from the Public Act not necessary.**

## "AMERICAN-MADE ILLINOIS FLAGS"

### **5 ILCS 465/4**

**Effective Date: 01/01/2022**

**Public Act [102-0268](#)**

**Synopsis:**

Amends the Flag Display Act. Provides that no State institution or agency may purchase any American flags or Illinois State flags (currently, only American flags) except those manufactured in the United States of America.

**Excerpt from the Public Act not necessary.**

## "FLAG DISPLAY - HALF STAFF"

### **5 ILCS 465/11 new**

**Effective Date: 06/01/2022**

**Public Act [102-0680](#)**

**Synopsis:**

Amends the Flag Display Act. Provides for the procedure and the occasions in which the United States national flag shall be flown at half-staff. Defines "half-staff".

**Excerpt from the Public Act.**

(5 ILCS 465/11)

(This Section may contain text from a Public Act with a delayed effective date)

Sec. 11. Display of flag at half-staff. The United States national flag, when flown at half-staff, should be first hoisted to the peak for an instant and then lowered to the half-staff position. The flag should be again raised to the peak before it is lowered for the day. On Memorial Day, the flag should be displayed at half-staff until noon only, then raised to the top of the staff. By order of the Governor, the flag shall be flown at half-staff upon the death of a present or former official of the government, the death of a member of the Armed Forces who dies while serving on active duty, the death of a first responder who dies while serving in the line of duty, or any other death or occurrence that the Governor deems worthy of such a recognition. An order of the Governor to fly the flag at half-staff may be for any length of time up to the greatest length of time enumerated in Section 7 of the United States Flag Code. For the purposes of this Section, "half-staff" means the position of the flag when it is one-half the distance between the top and bottom of the staff.

(Source: P.A. 102-680, eff. 6-1-22.)

## **"LAW ENFORCEMENT - IMMIGRATION"**

### **5 ILCS 805/5, 5 ILCS 805/30 new, 5 ILCS 825/20 new, 5 ILCS 825/25 new, 5 ILCS 825/30 new**

**Effective Date: 08/02/2021**

**Public Act [102-0234](#)**

#### **Synopsis:**

Creates the Illinois Way Forward Act. Amends the Illinois TRUST Act. In a provision concerning prohibition on enforcing federal civil immigration laws, provides that a law enforcement agency or law enforcement official may not inquire about or investigate the citizenship or immigration status or place of birth of any individual in the agency or official's custody or who has otherwise been stopped or detained by the agency or official. Provides that a certain provision shall not be construed to limit the ability of a law enforcement agency or law enforcement official to notify a person in the law enforcement agency's custody about that person's right to communicate with consular officers from that person's country of nationality, or facilitate such communication, in accordance with the Vienna Convention on Consular Relations or other bilateral agreements. Provides that a specified provision shall not be construed to limit the ability of law enforcement agencies or officials to request evidence of citizenship or immigration status for specified purposes. Provides that unless otherwise limited by federal law, a law enforcement agency or law enforcement official may not deny services, benefits, privileges, or opportunities to an individual in custody or under probation status, including but not limited to eligibility or placement in a lower custody classification, educational, rehabilitative, or diversionary programs, on the basis of the individual's citizenship or immigration status, the issuance of an immigration detainer or civil immigration warrant against the individual, or the individual being in immigration removal proceedings. Provides that unless presented with a federal criminal warrant, or otherwise required by federal law, a law enforcement agency or official may not perform specified actions. Provides that law enforcement agencies shall submit a report annually to the Attorney General to ensure compliance with the Illinois TRUST Act. Provides that the Attorney General has enforcement powers to ensure compliance with the Illinois TRUST Act. Amends the Voices of Immigrant Communities Empowering Survivors (VOICES) Act. Makes similar changes. Provides for training officials to ensure compliance with this Act. Makes other changes. Defines terms. Contains a severability provision. Further amends the Illinois TRUST Act. In a provision concerning legislative purpose, provides that the changes made to the definitions of immigration detainer and civil immigration warrant (formerly "non-judicial immigration warrant") by a specified provision of this amendatory Act of the 102nd General Assembly are declarative of existing law. Provides that nothing in this Act shall prevent a law enforcement officer from contacting another law enforcement agency for the purposes of clarifying or confirming the civil or criminal nature of notifications or other records provided by the National Crime Information Center, or the Law Enforcement Agencies Data Administrative System. Adds to definitions of "law enforcement official" and "immigration detainer". Deletes the definition of "non-judicial immigration warrant". Defines "citizenship or immigration status", "civil immigration warrant", "contact information", and "immigration agent". Effective immediately.

**Excerpt from the Public Act not necessary.**

## “FIRST RESPONDERS TASK FORCE”

### **5 ILCS 840/40 new**

**Effective Date: 06/01/2022**

**Public Act [102-0352](#)**

#### **Synopsis:**

Amends the First Responders Suicide Prevention Act. Provides that the First Responders Suicide Prevention Task Force shall make specified recommendations to specified entities. Provides that Task Force recommendations could be accomplished by revising (rather than revamping) agencies' and organizations' employee assistance programs. Provides that specialized training for first responders could be accomplished by not underestimating the crucial importance of mindfulness-based stress reduction techniques and moderate and vigorous intensity activities (rather than meditation). Provides that training components could include recommending comprehensive and evidence-based training (rather than sophisticated trainings) on the importance of preventative measures on the topics of sleep, nutrition, mindfulness, and physical movement (rather than movement). Corrects typographical errors. Makes other changes.

**Excerpt from the Public Act not necessary.**

## “BRANCH POLLING PLACE - COUNTY JAIL”

### **10 ILCS 5/19A-20**

**Effective Date: 06/17/2021 (Some provisions effective July 1, 2023)**

**Public Act [102-0015](#)**

#### **Synopsis:**

Amends the Election Code. Provides dates for the 2022 general primary election and dates to prepare for the 2022 general election. Repeals the provisions on January 1, 2023. Provides that in a county with a population of less than 3,000,000, the sheriff may establish a temporary branch polling place at the county jail. Limits eligibility to a resident of a county who is in custody at the county jail and who has not been convicted of the offense for which the resident is in custody. Allows an elector to be added to a list of permanent vote by mail status voters who receive an official vote by mail ballot for all subsequent elections. Provides that a voter whose application for permanent vote by mail status is accepted by the election authority shall remain on the permanent vote by mail list until the voter requests to be removed from permanent vote by mail status, the voter provides notice to the election authority of a change in registration, or the election authority receives confirmation that the voter has subsequently registered to vote in another county. Provides the notice to be sent by election authorities to all qualified voters before a general election for the option to be placed on the list of permanent vote by mail status voters. Provides the application form for permanent vote by mail status. Allows an election authority to combine the applications for single election vote by mail and permanent vote by mail status on one form. Provides that a political committee selected to conduct an audit shall only be required to conduct the audit if it was required to file at least one quarterly report during the period to be covered by the audit and has a fund

## 2021/2022 Law Update for Law Enforcement

balance of \$10,000 or more, an average closing fund balance of \$10,000 or more on quarterly reports, or average total receipts of \$10,000 or more on quarterly reports. Requires a political committee owing unpaid fines at the time of its random selection to conduct an audit. Amends the Public Officer Simultaneous Tenure Act. Provides that a unit of local government may not adopt an ordinance or resolution that requires a member of the General Assembly to resign his or her office in order to be eligible to seek elected office in the unit of local government and that any such ordinance or resolution is void. Provides that the Section apply to ordinances or resolutions adopted on or after November 8, 2016. Limits home rule powers. Amends the Counties Code. Provides that a sheriff shall enter upon the duties of his or her office on the December 1 following his or her election (rather than on the first day in the month of December following his or her election on which the office of the sheriff is required, by statute or by action of the county board, to be open) Amends the Township Code. Amends the Illinois Municipal Code. Provides that when a person who intends to be a write-in candidate for an uncontested nonpartisan office has not timely filed nomination papers but has filed a written statement or notice of his or her intent, no primary ballot shall be printed (rather than requiring a primary ballot to be prepared and a primary election held if the write-in candidate is the fifth candidate filed). Provides that where no primary is held, a person intending to become a write-in candidate shall refile a declaration of intent to be a write-in candidate for the general election with the appropriate election authority or authorities. Removes language: concerning requirements for the written statement or notice; and providing that an election authority has no duty to conduct a primary and prepare a ballot for an uncontested office, unless the written statement or notice is filed in a timely manner. Amends the Revised Cities and Villages Act of 1941. In the provisions concerning the prohibition on the city treasurer serving 2 terms in succession, allows the city to establish different succession terms by ordinance. Amends various Acts and Codes. Changes all statutory references of alderman and aldermen to alderperson and alderpersons. Changes all statutory references of congressman to congressperson. Makes other and conforming changes. Effective immediately, except certain provisions of the Election Code are effective on July 1, 2023.

**Excerpt from the Public Act not necessary.**

### **“DHS - COMPLIANCE CHECKS - TOBACCO”**

#### **20 ILCS 301/55-36 new**

**Effective Date: 01/01/2022**

**Public Act [102-0576](#)**

#### **Synopsis:**

Amends the Substance Use Disorder Act. Permits the Department of Human Services to conduct compliance checks of retailers as defined in the Tobacco Products Tax Act of 1995 to investigate whether such retailers are selling tobacco products, alternative nicotine products, or e-cigarettes to persons under 21 years of age in violation of the Prevention of Tobacco Use by Persons under 21 Years of Age and Sale and Distribution of Tobacco Products Act. Provides that compliance checks may be conducted by underage individuals under the supervision of local law enforcement and the Illinois State Police. Provides that underage individuals who purchase tobacco products, alternative nicotine products, or e-cigarettes while conducting supervised compliance checks shall not be in violation of any local or State laws pertaining to underage tobacco purchase or possession.



**Excerpt from the Public Act not necessary.**

## **"DHS - CALL4CALM TEXT LINE"**

### **20 ILCS 1305/10-63 new**

**Effective Date: 07/30/2021**

**Public Act [102-0206](#)**

#### **Synopsis:**

Amends the Department of Human Services Act. Provides that subject to appropriation, the Department of Human Services shall permanently establish the Call4Calm text line to support Illinois residents' mental health needs. Provides that an Illinois resident shall be able to utilize the Call4Calm text line if the resident or someone the resident knows is struggling with stress and needs emotional support. Provides that the service shall be free of charge and available 24 hours a day, 7 days a week. Provides that callers seeking assistance shall remain anonymous and shall be linked to a mental health provider that is responsible for the provision of mental health services in the caller's geographic area. Effective immediately.

**Excerpt from the Public Act not necessary.**

## **"FIRST RESPONDER MENTAL HEALTH DATA"**

### **20 ILCS 1705/76.1 new**

**Effective Date: 08/12/2021**

**Public Act [102-0337](#)**

#### **Synopsis:**

Amends the Mental Health and Developmental Disabilities Administrative Act. Provides that the Department of Human Services shall create and maintain an online database and resource page on its website. Provides that the database and resource page shall contain mental health resources specifically geared toward first responders with the goal of connecting those persons with mental health resources related to crisis services, wellness, trauma information, nutrition, stress reduction, anxiety, depression, violence prevention, suicide prevention, and substance use and of encouraging information sharing among families of first responders, first responder organizations, first responder professional organizations, and first responders. Effective immediately.

**Excerpt from the Public Act not necessary.**

**"CRIMINAL LAW - TECH" (ILETSB)**

**20 ILCS 2310/2310-705 new, 20 ILCS 2605/2605-51 new, 50 ILCS 705/7.1 new, 430 ILCS 67/5**

**Effective Date: 06/01/2022**

**Public Act [102-0345](#)**

**Synopsis:**

Amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health, subject to appropriation or other available funding, shall conduct a program to promote awareness of firearms restraining orders to the general public. Provides that beginning July 1, 2022, the program must include the development and dissemination, through print, digital, and broadcast media, of public service announcements that publicize the options victims of domestic violence have to seek help with special emphasis on the firearms restraining order. Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Creates the Commission on Implementing the Firearms Restraining Order Act. Amends the Illinois Police Training Act. Provides that the Illinois Law Enforcement Training Standards Board shall develop and approve a standard curriculum for a training program on the Firearms Restraining Order Act. Provides that the Board shall conduct a training program that trains officers on the use of firearms restraining orders, how to identify situations in which a firearms restraining order is appropriate, and how to safely promote the usage of the firearms restraining order in a domestic violence situation. Provides that the curriculum of police training schools shall also include training on the use of a firearms restraining order by providing instruction on the process used to file a firearms restraining order, how to identify situations in which a firearms restraining order is appropriate, and how to promote a firearms restraining order in a domestic violence situation. Provides that if adequate firearms restraining order training is unavailable, the Illinois Law Enforcement Training Standards Board may approve training to be conducted by a third party. Officers who have successfully completed this program shall be issued a certificate attesting to their attendance. Amends the Firearms Restraining Order Act. Provides that a firearms restraining order includes the seizure of the respondent's ammunition and firearm parts that could be assembled to make an operable firearm. Provides that "family member of the respondent" includes a former spouse and a person with whom the respondent has or allegedly has a child in common. Provides that a petition for a firearms restraining order may be filed in any county where an incident occurred that involved the respondent posing an immediate and present danger of causing personal injury to the respondent or another by having in his or her custody or control, or purchasing, possessing, or receiving, a firearm or ammunition or firearm parts that could be assembled to make an operable firearm. Includes printing a petition for a firearms restraining order for which no fees may be charged by the circuit clerk. Provides that the Illinois State Police shall submit a yearly report to the General Assembly concerning the applications and issuance of firearms restraining orders. Further amends the Department of Public Health Powers and Duties Law of the Civil Administrative Code of Illinois. Provides that the Department of Public Health's program to promote awareness of firearms restraining orders shall include production of materials that can be given to health care workers that assist in identifying people who may benefit from awareness of the Firearms Restraining Order Act (rather than victims of domestic violence and how to safely and discreetly determine if a potential abuser possesses a firearm). Deletes language providing that the program must include the development and dissemination of public service announcements that publicize the options for victims of domestic violence to seek help. Further amends the Department of

## 2021/2022 Law Update for Law Enforcement

State Police Law of the Civil Administrative Code of Illinois. Changes the composition of the Commission on Implementing the Firearms Restraining Order Act. Removes language providing for a member of a nonprofit organization whose mission is to reduce gun violence with experience educating the public about the Firearms Restraining Order Act, nominated by such an organization whose membership is the most numerous in Illinois. Adds to the membership the Director of Public Health or the Director's designee. Further amends the Illinois Police Training Act. Deletes language providing that police officer training shall include how to promote a firearms restraining order in a domestic violence situation. Further amends the Firearms Restraining Order Act. In the definition of "family member of the respondent", replaces new provision that the definition includes a person with whom the respondent has or allegedly has a child in common with a person with whom the respondent has a minor child in common. Makes other changes.

**Excerpt from the Public Act not necessary.**

### "WIRELESS SERVICE - CALL LOCATION"

#### **20 ILCS 2605/2605-52.1 new**

**Effective Date: 01/01/2022**

**Public Act [102-0565](#)**

#### **Synopsis:**

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that upon request of a law enforcement agency or a public safety answering point on behalf of a law enforcement agency, a wireless service provider shall provide call location information concerning the telecommunications device of a user to the requesting law enforcement agency or public safety answering point. Provides that a law enforcement agency or public safety answering point may not request information under this provision unless for the purposes of responding to a call for emergency services or in an emergency situation that involves the risk of death or serious physical harm. Provides that a wireless service provider may establish protocols by which the carrier voluntarily discloses call location information. Provides that a claim for relief may not be brought in a court against a wireless service provider or any other person for providing call location information if acting in good faith. Provides that the Illinois State Police shall obtain contact information from all wireless service providers authorized to do business in the State to facilitate a request from a law enforcement agency or a public safety answering point on behalf of a law enforcement agency for call location information. Provides that the Illinois State Police shall disseminate the contact information to each public safety answering point in the State.

**Excerpt from the Public Act not necessary.**

**"HOME INSPECTOR LICENSE" - (FOID)**

**20 ILCS 2605/2605-304 new, 430 ILCS 65/6.2 new, 430 ILCS 65/8.4 new, 430 ILCS 65/10.5 new, 720 ILCS 5/24-3, 720 ILCS 5/24-8**

**Effective Date: 01/01/2022, (Some Provisions Effective 01/01/2024)**

**Public Act [102-0237](#)**

**Synopsis:**

Amends the Illinois Criminal Justice Information Act. Creates the Firearm Prohibitors and Records Improvement Task Force to identify and research all available grants, resources, and revenue that may be applied for and used by all entities responsible for reporting federal and State firearms prohibitors to the Illinois State Police and the National Instant Criminal Background Check System. Provides that under the Firearm Owners Identification Card Act, these reporting entities include, but are not limited to, hospitals, courts, law enforcement and corrections. Provides that the Illinois Criminal Justice Information Authority shall provide administrative and other support to the Task Force. Provides that the Task Force shall may meet in person or virtually and shall issue a written report of its findings and recommendations to the General Assembly on or before July 1, 2022. Repeals Task Force provisions on July 1, 2023. Amends the Gun Trafficking Information Act. Provides that the Illinois State Police shall audit current practice to assess actual data collection and reporting, and propose policy and practice recommendations to meet implementation and policy maker needs, including but not limited to: (1) Firearm Owner's Identification Card and concealed carry license applications, revocations, and firearm disposessions; (2) Firearm trace data; (3) Usage of firearms restraining orders and domestic violence orders of protection; and (4) Firearm Dealer License Certifications and related inspections. Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Provides that the Illinois State Police shall establish a portal for use by federal, State, or local law enforcement agencies, including Offices of the State's Attorneys and the Office of the Attorney General to capture a report of persons whose Firearm Owner's Identification Cards have been revoked or suspended. Provides that the portal is for law enforcement purposes only. Amends the Firearm Owners Identification Card Act. Provides that the Illinois State Police shall develop an Internet-based system upon which the serial numbers of firearms that have been reported stolen are available for public access for individuals to ensure any firearms are not reported stolen prior to the sale or transfer of a firearm under this provision concerning transfer of firearms. The Illinois State Police shall have the Internet-based system completed and available for use by July 1, 2022. The Department shall adopt rules not inconsistent with this Section to implement this system. Provides that beginning January 1, 2024, any person who is not a federally licensed firearm dealer shall, before selling or transferring the firearms, contact the Illinois State Police with the transferee's or purchaser's Firearm Owner's Identification Card number to determine the validity of the transferee's or purchaser's Firearm Owner's Identification Card and initiate and complete an automated search of its criminal history record information files and those of the Federal Bureau of Investigation, including the National Instant Criminal Background Check System, and of the files of the Department of Human Services relating to mental health and developmental disabilities to obtain any felony conviction or patient hospitalization information which would disqualify a person from obtaining or require revocation of a currently valid Firearm Owner's Identification Card. Provides that the Illinois State Police shall develop an Internet-based system to conduct this check. Provides that each applicant for the issuance of a Firearm Owner's

## 2021/2022 Law Update for Law Enforcement

Identification Card may include a full set of his or her fingerprints in electronic format to the Illinois State Police. Provides that a Firearm Owner's Identification Card of a licensee under the Firearm Concealed Carry Act shall not expire during the term of the licensee's concealed carry license. Provides that the Illinois State Police shall deny an application or shall revoke and seize a Firearm Owner's Identification Card previously issued under the Act if the Illinois State Police finds that the applicant or person to whom such card was issued is or was at the time of issuance subject to a civil no contact order or a stalking no contact order. Provides that if a person who possesses a combined Firearm Owner's Identification Card and a concealed carry license becomes subject to suspension or revocation under the Firearm Concealed Carry Act, but is otherwise eligible for a valid Firearm Owner's Identification Card, the Illinois State Police shall ensure the person's Firearm Owner's Identification Card status is not interrupted. Provides for email notifications and text messages from the Illinois State Police upon request of an applicant or Card holder. Creates expanded rulemaking authority for the Illinois State Police concerning the Firearm Owners Identification Card Act and the Firearm Concealed Carry Act. Provides that the Illinois State Police shall continuously monitor relevant State and federal databases for firearms prohibitors and correlate those records with concealed carry license holders to ensure compliance with this Act and any other State and federal laws. Defines "firearms prohibitor". Amends the Wildlife Code. Provides in various provisions an exemption to carry a firearm on Department of Natural Resources property in accordance with the Firearm Concealed Carry Act. Provides that any person within this State who receives any firearm, stun gun, or taser from a person who is not a federally licensed firearm dealer shall provide a record of the transfer within 10 days of the transfer to a federally licensed firearm dealer and shall not be required to maintain a transfer record. Provides that the federally licensed firearm dealer shall maintain the transfer record for 20 years from date of receipt. Provides that a federally licensed firearm dealer may charge a fee not to exceed \$25 to retain the record. Provides that the record shall be provided and maintained in either an electronic or paper format. Provides that the federally licensed firearm dealer shall not be liable for the accuracy of any information in the transfer record submitted pursuant to this provision. Makes conforming changes in various other Acts. Certain provisions take effect January 1, 2024.

**Excerpt from the Public Act not necessary.**

### **"CRIMINAL PROCEDURES - FORENSIC LAB IMPACT NOTE ACT"**

**20 ILCS 2605/2605-615 new, 725 ILCS 5/111-9 new, 725 ILCS 220/50**

**Effective Date: 08/20/2021**

**Public Act [102-0523](#)**

#### **Synopsis:**

Amends the Department of State Police Law of the Civil Administrative Code of Illinois. Creates the Illinois Forensic Science Commission and provides for membership and duties for the commission. Provides for reporting by publicly funded forensic laboratories of non-conformities with the efficient delivery of forensic services. Amends the Code of Criminal Procedure of 1963. Provides for notification by the State's Attorney to forensic laboratories under specified circumstances. Amends the Sexual Assault Evidence Submission Act. Provides that the Department of State Police may, rather than shall, develop rules to

implement a sexual assault evidence tracking system. Makes other changes. Adds an immediate effective date provision.

**Excerpt from the Public Act not necessary.**

**“PENSION CODE - CTPF - VARIOUS”**

**40 ILCS 5/3-110.11a new, 40 ILCS 5/8 -151, 30 ILCS 805/8.45  
new**

**Effective Date: 08/13/2021**

**Public Act [102-0342](#)**

**Synopsis:**

Amends the Illinois Pension Code. In the Downstate Police Article, allows an officer under that Article to establish optional credit for up to 5 years of service as a participant under the Chicago Police Article if the officer (i) was certified under the law governing the certification of police officers at the time the service was rendered, (ii) applies in writing on or before December 31, 2023, (iii) supplies satisfactory evidence of the employment, (iv) completes 10 years of contributing service under the Downstate Police Article, and (v) makes specified contributions to the fund. The Chicago Municipal Article, provides that unless the performance of an act or acts of duty results solely in the death of the employee, a compensation annuity or supplemental annuity shall not be paid. Provides that the death of any employee as a result of the exposure to and contraction of COVID-19, as evidenced by either (i) a confirmed positive laboratory test for COVID-19 or COVID-19 antibodies or (ii) a confirmed diagnosis of COVID-19 from a licensed medical professional, shall be rebuttably presumed to have been contracted while in the performance of an act or acts of duty and the employee shall be rebuttably presumed to have been fatally injured while in active service. Provides that the presumption shall apply to any employee who was exposed to and contracted COVID-19 on or after March 9, 2020 and on or before June 30, 2021. Provides that the presumption shall not apply if the employee was on a leave of absence from his or her employment or otherwise not required to report for duty at the physical work space generally assigned to the employee, including, but not limited to, working remotely, for a period of 14 or more consecutive days immediately prior to the date of contraction of COVID-19. Makes other changes. Amends the State Mandates Act to require implementation without reimbursement. Further amends the Chicago Municipal Article of the Illinois Pension Code. Provides that for school years beginning on or after July 1, 2021, an age and service or prior service annuity shall not be canceled in the case of an employee who is re-employed by the Board of Education of the city as a Special Education Classroom Assistant or Classroom Assistant on a temporary and non-annual basis or on an hourly basis if the employee: does not work for compensation on more than 120 days in a school year; or does not accept gross compensation for the re-employment in a school year in excess of \$30,000. Effective immediately.

**Excerpt from the Public Act not necessary.**

**“PEN CD - CHICAGO POLICE - SERVICE CREDIT”  
40 ILCS 5/5-214, 30 ILCS 805/8.45 new**

**Effective Date: 07/23/2021**

**Public Act [102-0125](#)**

**Synopsis:**

Amends the Chicago Police Article of the Illinois Pension Code. Makes changes to provisions concerning credit for service while on a leave of absence from the police department and assigned or detailed to perform safety or investigative work. Provides that the changes made by the amendatory Act requiring an applicant to have been on a leave of absence from the police department of the city while assigned or detailed to perform investigative work for the department while employed as a civilian employee of the police department of the city are operative beginning January 1, 2021. Defines "investigative work". Provides that the board may reconsider any application for credit for service for any active policeman assigned or detailed to perform safety or investigative work as an employee for the County of Cook (instead of an application for credit under the provisions), if the application was submitted between specified dates and was denied. Provides that no credit shall be granted for certain service while on a leave of absence or as a temporary police officer if the policeman has not, within 5 years after the date his application for credit has been approved, but prior to his date of retirement, made a specified contribution. Provides that it is the sole responsibility of the policeman to ensure that all sums contributed by the policeman have been received by the fund for the service credit for which the policeman has applied. Amends the State Mandates Act to require implementation without reimbursement. Adds a condition that the application for reconsideration must be made by December 21, 2022. Provides that the changes made by the amendatory Act requiring an applicant to have been on a leave of absence from the police department of the city while assigned or detailed to perform investigative work for the department while employed as a civilian employee of the police department of the city are operative beginning January 1, 2023 (instead of January 1, 2021). Effective immediately.

**Excerpt from the Public Act not necessary.**

**“CORRECTIONS - SUPERVISED RELEASE” (POLICE REFORM TRAILER)  
50 ILCS 705/1, 50 ILCS 706/10-20, 730 ILCS 5/5-8-1**

**Effective Date: 01/07/2022**

**Public Act [102-0694](#)**

**Synopsis:**

Amends the Illinois Police Training Act. Creates a Review Committee for specified purposes and duties within the Illinois Law Enforcement Training Standards Board. Modifies provisions concerning the membership of the Illinois Law Enforcement Certification Review Panel. Adds requirements concerning the discretionary decertification of full-time and part-time law enforcement officers. Modifies provisions concerning emergency orders of suspension for law enforcement officers. Provides further requirements concerning the officer professional conduct database, transparency, and criminal background



## 2021/2022 Law Update for Law Enforcement

investigations. Provides for the use of the terms "law enforcement agency" and "local law enforcement agency" throughout the Act (rather than "government agency" and "local government agency"). Amends the Law Enforcement Officer-Worn Body Camera Act. Provides that nothing in the Act prohibits police agencies from labeling officer-worn body camera video within the recording medium; provided that the labeling does not alter the actual recording of the incident captured on the officer-worn body camera. Provides that the labels, titles, and tags shall not be construed as altering the body camera video in any way. Amends the Illinois State Police Act. Provides for the disclosure of specified public records in accordance with the Freedom of Information Act. Amends the Code of Criminal Procedure of 1963. Provides requirements concerning the right to communicate with an attorney and family when in police custody. Amends the Pretrial Services Act. Provides that the Supreme Court is encouraged to establish a framework that facilitates the hiring and training of new State-employed pretrial services personnel to serve in jurisdictions without an established and functioning circuit-based pretrial services agency. Defines terms. Makes conforming and other changes. Amends the Unified Code of Corrections. Provides that the mandatory supervised release term for a Class 3 or 4 felony is 12 months, except for certain specified offenses. Provides that no later than 30 days after the onset of the term of mandatory supervised release and at the halfway point into the term of mandatory supervised release, the Prisoner Review Board shall conduct a discretionary discharge review, which shall include the results of a standardized risk and needs assessment tool administered by the Department of Corrections. Provides that nothing in this provision shall be construed to prevent the Prisoner Review Board from performing the discretionary discharge review and issuing a determination prior to the onset of the term of mandatory supervised release. Amends the Freedom of Information Act to make a conforming change.

**Excerpt from the Public Act not necessary.**

### **"SCHOOL LAW ENFORCEMENT DRILLS" 105 ILCS 128/20, 105 ILCS 128/25**

**Effective Date: 08/16/2021**

**Public Act [102-0395](#)**

#### **Synopsis:**

Amends the School Safety Drill Act. Provides that a law enforcement drill (i) must not include simulations that mimic an actual school shooting incident or active shooter event, (ii) must be announced in advance to all school personnel and students prior to the commencement of the drill, (iii) must include content that is age appropriate and developmentally appropriate, (iv) must include and involve school personnel, including school-based mental health professionals, and (v) must include trauma-informed approaches to address the concerns and well-being of students and school personnel. Requires a school district to include in its annual review of each school building's emergency and crisis response plans, protocols, and procedures an examination of the efficacy and effects of law enforcement drills.

Provides that (i) school administrators and school support personnel may, in their discretion, exempt a student or students from participating in a walk-through lockdown drill; (ii) schools must provide sufficient information and notification to parents and guardians in advance of any walk-through lockdown drill that involves the participation of students and must also provide to parents and guardians an opportunity to



## 2021/2022 Law Update for Law Enforcement

exempt their child for any reason from participating in the walk-through lockdown drill; (iii) schools must provide alternative safety education and instruction related to an active threat or active shooter event to students who do not participate in a walk-through lockdown drill to provide them with essential information, training, and instruction through less sensorial safety training methods; (iv) during a drill, students must be allowed to ask questions related to the drill; and (v) law enforcement may choose to run an active shooter simulation, but only on school days when students are not present, and parental notification is not required if students are not required to be present.

**Excerpt from the Public Act not necessary.**

### “HOSPITALITY-PANDEMIC RECOVERY”

#### **235 ILCS 5/6-28.8**

**Effective Date: 06/02/2021**

**Public Act [102-0008](#)**

#### **Synopsis:**

Amends the Liquor Control Act of 1934. Provides that payment by credit card during the period during which merchandising credit may be extended shall be considered payment. Provides that a retailer may use a credit card to make purchases from a distributor, and the distributor may charge to the retailer any fees associated with that credit card transaction. Provides that manufacturers, non-resident dealers, foreign importers, distributors, or importing distributors may make certain donations related to COVID-19. Provides that retail license holders may accept those donations. Repeals provisions related to the receipt of items of value on January 1, 2024. Authorizes the delivery and carry out of a single serving of wine if specified conditions are met. Provides that the provision concerning delivery and carry out of mixed drinks is repealed on January 1, 2024 (instead of June 2, 2021). Makes other changes. Amends the Use Tax Act and the Retailers' Occupation Tax Act. Provides that, with respect to certain eating and drinking establishments, the obligation to make quarter monthly payments shall be suspended, and the taxpayer shall, instead, make monthly payments as otherwise provided by law. Effective immediately.

**Excerpt from the Public Act not necessary.**

### “ANCRA - IMPLICIT BIAS TRAINING”

#### **325 ILCS 5/4**

**Effective Date: 01/01/2022**

**Public Act [102-0604](#)**

#### **Synopsis:**

Amends the Abused and Neglected Child Reporting Act. Requires mandated reporters to complete an initial mandated reporter training, including a section on implicit bias training within 3 months of their date

## 2021/2022 Law Update for Law Enforcement

of engagement in a professional or official capacity as a mandated reporter, with certain exceptions, and at least every 3 years thereafter. Provides that the implicit bias trainings shall be in-person or web-based and shall include, at a minimum, information on implicit bias and racial and ethnic sensitivity. Requires the implicit bias trainings to provide tools to adjust automatic patterns of thinking and ultimately eliminate discriminatory behaviors. Provides that, during these trainings, mandated reporters shall complete a pretest to assess baseline implicit bias levels, an implicit bias training task, and a posttest to reevaluate bias levels after training. Provides that the implicit bias curriculum for mandated reporters shall be developed within one year after the effective date of the amendatory Act and shall be created in consultation with organizations demonstrating expertise and or experience in the areas of implicit bias, youth and adolescent developmental issues, prevention of child abuse, exploitation, and neglect, culturally diverse family systems, and the child welfare system. Provides that implicit bias training shall be provided through the Department of Children and Family Services, through authorized entities. Replaces all references to "implicit bias training" with "implicit bias". Provides that the implicit bias section (rather than the implicit bias trainings) shall be in-person or web-based and shall include information on certain topics. Provides that the mandated reporter training, including a section on implicit bias training, shall be provided through the Department of Children and Family Services (rather than the mandated reporter training and the implicit bias training shall be provided through the Department).

**Excerpt from the Public Act not necessary.**

**"DNR - HERPTILES - HERPS - VARIOUS"**

**510 ILCS 68/1-5, 510 ILCS 68/55-15 new, 510 ILCS 68/90-10 new**

**Effective Date: 01/01/2022**

**Public Act 102-0315**

### **Synopsis:**

Amends the Herptiles-Herps Act. Provides that the purpose of the Act is to regulate the protection, control, possession, and propagation of herptiles in this State. Reinserts the definition of "herpetoculture" and inserts the definitions "hybrid", "intergrade", "morphological variation", and "propagation" into the Act. Modifies other definitions. Replaces the term "reptile or amphibian life" with "herptile" throughout the Act. Modifies the possession limits of herptiles. Sets forth provisions relating to the propagation of herptiles and the issuance of a Herptile Endangered and Threatened Species Propagation permit. Modifies other provisions relating to permits. Makes changes to provisions regarding the taking of turtles or bullfrogs. Modifies provisions concerning alligator snapping turtles, crocodilians, monitor lizards, and certain toad species. Inserts a new Article relating to herptile diseases into the Act. Prohibits the possession of herptiles for commercial purposes unless otherwise authorized under the Act. Modifies liability provisions relating to the possession of a herptile. Changes provisions relating to violations, penalties, and enforcement of the Act. Inserts civil and criminal accountability provisions regarding a person who aids or contributes to a violation of the Act or administrative rule. Makes other changes. Amends the Illinois Endangered Species Act. Removes language in the Act referring to certain permitting provisions for endangered and threatened amphibians and reptiles in the Herptiles-Herps Act.

**Excerpt from the Public Act not necessary.**

**“DNR - FISH & AQUATIC LIFE CODE”**

**515 ILCS 5/10-110**

**Effective Date: 01/01/2022**

**Public Act [102-0369](#)**

**Synopsis:**

Amends the Fish and Aquatic Life Code. Provides that it is unlawful for any person to take or attempt to take aquatic life by means of a pitchfork, underwater spear gun, bow and arrow or bow and arrow device, including a sling shot bow, spear, or gig along, upon, across, or from any public right-of-way or highway in the State.

**Excerpt from the Public Act not necessary.**

**“DNR - WILDLIFE CODE - TRAPPING LICENSE EXEMPTION”**

**520 ILCS 5/3.1-2, 520 ILCS 5/1.2q-1 new, 520 ILCS 5/1.2q-2 new**

**Effective Date: 08/20/2021**

**Public Act [102-0524](#)**

**Synopsis:**

Amends the Wildlife Code. Provides that a veteran who is certified by the Department of Veterans' Affairs to be at least 10% disabled with service related disabilities or who is in receipt of total disability pension may trap, as permitted by the Code, without procuring a trapping license. Provides further that a military member returning from mobilization and service outside the United States who is an Illinois resident may trap, as permitted by the Code, without paying any fees required to obtain a trapping license, if he or she applies for the license within 2 years after returning from service abroad or after mobilization. Adds trapping licenses to the terminally ill hunter licensing program. Provides that persons on active duty in the Armed Forces or Illinois residents with a Type 1 or Type 4, Class 2 disability as defined in the Illinois Identification Card Act may trap, as permitted by the Code, without procuring a trapping license. Adds definitions. Effective immediately.

**Excerpt from the Public Act not necessary.**

**“ELECTRONIC SIGNATURE WAIVER” (BOAT REG. & SAFETY ACT)**  
**625 ILCS 45/1-2, 625 ILCS 45/3-7, 625 ILCS 45/3C-4, 625 ILCS 45/4-1, 625 ILCS 45/4-2, 625 ILCS 45/5-3, 625 ILCS 45/5-13**

**Effective Date: 06/01/2022**

**Public Act [102-0595](#)**

**Synopsis:**

Amends the Boat Registration and Safety Act. Changes the definitions Section to put the terms in alphabetical order and changes the definitions of "airboat", "motorboat", "nonpowered watercraft", "operate", "owner", "person", "personal watercraft", and "sailboat". Defines "inland rules", "international regulations", "leeward", "operator", "principally operate", "throwable PDF", "wearable U.S. Coast Guard approved personal flotation device", and "windward side". Makes additional changes and adds provisions in Sections concerning: corrected certificates; towed watercraft; personal flotation devices; navigation lights; interference with navigation; and traffic rules.

**Excerpt from the Public Act not necessary.**

**“COURTS-SECURITY OFFICERS”**  
**705 ILCS 5/11**

**Effective Date: 07/09/2021**

**Public Act [102-0094](#)**

**Synopsis:**

Amends the Supreme Court Act. Provides that the office of marshal for the Supreme Court may also employ court security officers. Authorizes a court security officer to arrest in the same manner as authorized by similarly certified officers of a county sheriff. Allows a court security officer to carry a weapon at his or her place of employment and to and from his or her place of employment. Effective immediately.

**Excerpt from the Public Act not necessary.**

**“CLERKS OF COURTS-PAYMENTS”**  
**New Act: Judicial Districts Act of 2021;**  
**705 ILCS 20/2 new, 705 ILCS 20/3 new, 705 ILCS 20/4 new, 705 ILCS 20/5 new**

**Effective Date: 06/04/2021**

**Public Act [102-0011](#)**

**Synopsis:**

Replaces everything after the enacting clause. Creates the Judicial Districts Act of 2021. Provides for the specific counties to be included in the second, third, fourth, and fifth judicial districts. Amends the Judicial Districts Act. Provides that the judicial districts listed in the Act are effective until the effective date of this amendatory Act. Repeals the Judicial Redistricting Act of 1997 (which has been held unconstitutional). Effective immediately.

**Excerpt from the Public Act not necessary.**

**“JUV CT & CRIM PRO - MINORS STATEMENT”  
705 ILCS 405/5-401.6 new, 725 ILCS 5/103-2.2 new**

**Effective Date: 01/01/2022**

**Public Act [102-0101](#)**

**Synopsis:**

Amends the Juvenile Court Act of 1987 and the Code of Criminal Procedure of 1963. Provides that an oral, written, or sign language statement of a minor, who at the time of the commission of the offense was under 18 years of age, made as a result of a custodial interrogation conducted at a police station or other place of detention on or after the effective date of the amendatory Act shall be presumed to be inadmissible as evidence in a criminal proceeding or a juvenile court proceeding for an act that if committed by an adult would be a misdemeanor offense under the Sex Offenses Article of the Criminal Code of 2012 or a felony offense under the Criminal Code of 2012 if, during the custodial interrogation, a law enforcement officer, juvenile officer, or other public official or employee, knowingly engages in deception. except: (1) limits the presumed inadmissibility to a confession made by the minor during the custodial interrogation (rather than statements) in which the law enforcement officer or juvenile officer (rather than a law enforcement officer, juvenile officer, or other public official or employee) knowingly engaged in deception; (2) provides that the presumption of inadmissibility of the confession may be overcome by a preponderance of the evidence (rather than clear and convincing evidence); and (3) in the definition of "deception" changes false statements regarding leniency to unauthorized statements regarding leniency. Further amends the Juvenile Court Act of 1987. In a provision concerning the prohibition of deceptive tactics, provides that the presumption of inadmissibility of a confession of a minor, who at the time of the commission of the offense was under 18 years of age (rather than by a suspect), at a custodial interrogation at a police station or other place of detention, when such confession is procured through the knowing use of deception, may be overcome by a preponderance of the evidence that the confession was voluntarily given, based on the totality of the circumstances. Further amends the Code of Criminal Procedure of 1963 to make a conforming change.

**Excerpt from the Public Act not necessary.**

**"CRIMINAL PROCEDURES - GRAND JUROR OATH"**  
**725 ILCS 5/112-2**

**Effective Date: 08/20/2021**

**Public Act [102-0495](#)**

**Synopsis:**

Amends the Code of Criminal Procedure of 1963. Changes the oath taken by grand jurors. Amends the Jury Act to delete a duplicative provision concerning the oath taken by the foreman of a Grand Jury. Effective immediately.

**Excerpt from the Public Act not necessary.**

**"NO CONTACT ORDER - SEX CRIMES"**  
**725 ILCS 5/112A-20, 725 ILCS 5/112A-23**

**Effective Date: 01/01/2022**

**Public Act [102-0184](#)**

**Synopsis:**

Amends the Code of Criminal Procedure of 1963. Provides that certain orders may be permanent at the victim's request. If a civil no contact order entered under a specified section of the Code of Criminal Procedure of 1963 conflicts with an order issued pursuant to the Juvenile Court Act of 1987 or the Illinois Marriage and Dissolution of Marriage Act, the conflicting order issued under the Code of Criminal Procedure of 1963 shall be void.

**Excerpt from the Public Act not necessary.**

**"CRIMINAL CODE -CHILD FORENSIC INTERVIEW"**  
**725 ILCS 115/3.5 new**

**Effective Date: 01/01/2022**

**Public Act [102-0477](#)**

**Synopsis:**

Amends the Bill of Rights for Children. Provides that every child reported to the Department of Children and Family Services or law enforcement to be a victim of sexual assault or sexual abuse whose case is accepted by either agency for investigation has the right to have that child's forensic interview conducted by a forensic interviewer from a children's advocacy center accredited according to the Children's Advocacy Center Act and serving the child's area, when such service is available. Provides that the right may be asserted by the child or the child's parent or guardian informing the investigating personnel at the

Department of Children and Family Services or the law enforcement agency that the parent or guardian wants the child to have the child's interview conducted by the children's advocacy center. Provides that every child reported to the Department of Children and Family Services or law enforcement to be a victim of sexual assault or sexual abuse whose case is accepted by either agency for investigation has the right to have that child's forensic interview conducted by a forensic interviewer from a children's advocacy center accredited according to the Children's Advocacy Center Act and serving the child's area or jurisdiction where the incident(s) occurred, rather than just serving the child's area, when such service is accessible based on the CAC's available resources. Provides that each local CAC protocol will outline a process to address situations in which it is deemed not possible for a forensic interview to occur, to ensure a trauma-informed response with follow up services from the CAC. Effective January 1, 2022.

**Excerpt from the Public Act not necessary.**

## **"CRIMINAL PROCEDURES - DRUG ASSET FORFEITURE - VEHICLE"**

### **725 ILCS 150/5**

**Effective Date: 01/01/2022**

**Public Act [102-0499](#)**

#### **Synopsis:**

Amends the Drug Asset Forfeiture Procedure Act. Deletes provision that when the property seized for forfeiture is a vehicle, the law enforcement agency seizing the property shall immediately notify the Secretary of State that forfeiture proceedings are pending regarding the vehicle.

**Excerpt from the Public Act not necessary.**

## **"PRIVACY OF CHILD VICTIMS"**

### **725 ILCS 190/3**

**Effective Date: 01/01/2022**

**Public Act [102-0651](#)**

#### **Synopsis:**

Amends the Privacy of Child Victims of Criminal Sexual Offenses Act. Provides that law enforcement agency records and all circuit court records relating to any investigation or proceeding pertaining to a criminal sexual offense shall be restricted to exclude the identity of a child victim, and shall not be restricted to exclude the identity of any child who is a victim of such criminal sexual offense or alleged criminal sexual offense only if a court order is issued authorizing the disclosure of a particular case or particular cases records maintained by any circuit court clerk. Clarifies language related to restricting the identity of child victims of criminal sexual offenses or alleged criminal sexual offenses by providing that such identity shall be restricted unless a court order is issued authorizing the removal of such restriction of a particular case record or particular records of cases maintained by any circuit court clerk. Further

## 2021/2022 Law Update for Law Enforcement

amends the Privacy of Child Victims of Criminal Sexual Offenses Act. Provides that an advocate and victim's attorney may be exempt from a requirement to exclude a victim's identity in certain records (in addition to the exemptions provided in current law). Provides that the copy of the criminal history record information to be provided under a specified provision shall exclude the identity of the child victim. Provides that, in a provision concerning criminal sexual offense and school districts, a superintendent shall be restricted from revealing the identity of the victim. Provides that nothing in this Article precludes or may be used to preclude a mandated reporter from reporting child abuse or child neglect as required under the Abused and Neglected Child Reporting Act. Provides that the Attorney General and Assistant Attorneys General may be exempt from a requirement to exclude a victim's identity in certain records.

**Excerpt from the Public Act not necessary.**

### **"SEXUAL ASSAULT EVIDENCE TRACK"**

#### **725 ILCS 203/11 new**

**Effective Date: 06/25/2021**

**Public Act [102-0022](#)**

#### **Synopsis:**

Replaces everything after the enacting clause. Amends the Sexual Assault Survivors Emergency Treatment Act. Makes changes to effective and repeal dates. Amends the Code of Criminal Procedure of 1963. Provides that in a prosecution of any violent crime as defined in the Rights of Crime Victims and Witnesses Act, the court may set any conditions it finds just and appropriate on the taking of testimony of a victim who is a child under the age of 18 years or a moderately, severely, or profoundly intellectually disabled person or a person affected by a developmental disability, involving the use of a facility dog in any proceeding involving that offense. Amends the Rights of Crime Victims and Witnesses Act. Provides that the office of the State's Attorney shall consult with the crime victim regarding the State's Attorney's decision not to charge an offense and that the victim has the right to have an attorney, advocate, and other support person of the victim's choice attend this consultation with them. Provides that the office of the State's Attorney shall give the crime victim timely notice of any decision not to pursue charges and consider the safety of the victim when deciding how to give such notice. Provides that no later than January 1, 2023, the Office of the Attorney General shall: (1) designate an administrative authority within the Office of the Attorney General to receive and investigate complaints relating to the provision or violation of the rights of a crime victim; (2) create and administer a course of training for employees and offices of the State of Illinois that fail to comply with provisions of Illinois law pertaining to the treatment of crime victims; and (3) have the authority to make recommendations to employees and offices of the State of Illinois to respond more effectively to the needs of crime victims, including regarding the violation of the rights of a crime victim. Provides for penalties for violations of victim's rights by certain offices and employees. Provides that a prosecuting attorney who seeks to subpoena information or records concerning the victim that are confidential or privileged by law must first request the written consent of the crime victim. Amends the Sexual Assault Evidence Submission Act. In a provision concerning the sexual assault evidence tracking system, provides that the Illinois State Police may (rather than shall) develop rules to implement a sexual assault evidence tracking system. Amends the Sexual Assault Incident



## 2021/2022 Law Update for Law Enforcement

Procedure Act. Provides for victim notification under specified circumstances in various provisions. Makes other changes. Effective immediately.

### **Excerpt from the Public Act.**

(725 ILCS 203/11)

Sec. 11. Victim notification. When sexual assault evidence is collected from a sexual assault survivor, the health care provider or law enforcement officer who collects the evidence must notify a victim about the tracking system. Such notification is satisfied by providing the victim information regarding the Sexual Assault Evidence Tracking System and the victim's unique log-in information contained within the sexual assault evidence kit or generated by the sexual assault evidence tracking system.

(Source: P.A. 102-22, eff. 6-25-21.)

## **"CORRECTIONS - FOID - MENTAL HEALTH"**

### **730 ILCS 5/3-2-13 new, 430 ILCS 65/8, 430 ILCS 65/10**

**Effective Date: 01/01/2022**

**Public Act [102-0645](#)**

#### **Synopsis:**

Amends the Unified Code of Corrections. Amends the Firearm Owners Identification Card Act. In a provision concerning relief from firearm prohibitions, provides that Department of Corrections employees authorized to possess firearms (in addition to active law enforcement officers) may apply to the Director of State Police requesting relief if certain conditions are met. Makes conforming changes to a provision concerning grounds for denial and revocation. Amends the Unified Code of Corrections. Provides that the Department of Corrections shall not make possession of a Firearm Owner's Identification Card a condition of continued employment as a Department employee authorized to possess firearms if the employee's Firearm Owner's Identification Card is revoked or seized because the employee has been a patient of a mental health facility and the employee has not been determined to pose a clear and present danger to himself, herself, or others as determined by a physician, clinical psychologist, or qualified examiner. Provides that nothing in the new provisions shall otherwise impair the Department's ability to determine an employee's fitness for duty. Provides that a collective bargaining agreement already in effect on this issue on the effective date of the amendatory Act cannot be modified, but on or after the effective date of the amendatory Act, the Department cannot require a Firearm Owner's Identification Card as a condition of continued employment in a collective bargaining agreement. Provides that the Department shall document if and why an employee has been determined to pose a clear and present danger. Defines "mental health facility" and "qualified examiner".

**Excerpt from the Public Act not necessary.**

## **"CIV PRO-RESTORATIVE JUSTICE"**

### **735 ILCS 5/804.5**

**Effective Date: 07/15/2021**

**Public Act [102-0100](#)**

#### **Synopsis:**

Amends the Code of Civil Procedure. Provides that anything said or done during or in preparation for a restorative justice practice or as a follow-up to that practice, or the fact that the practice has been planned or convened, is privileged and cannot be referred to, used, or admitted in any civil, criminal, juvenile, or administrative proceeding unless the privilege is waived, during the proceeding or in writing, by the party or parties protected by the privilege. Provides that the legitimacy of a restorative justice practice, if challenged in any civil, juvenile, criminal, or administrative proceeding, shall be determined by a judge. Provides that the privilege does not apply when: (1) disclosure is necessary to prevent death, great bodily harm, or the commission of a crime; (2) necessary to comply with another law; or (3) a court, tribunal, or administrative body requires a report on a restorative justice practice, but such report shall be limited to the fact that a practice has taken place, an opinion regarding the success of the practice, and whether further restorative justice practices are expected. Effective immediately.

**Excerpt from the Public Act not necessary.**

## **"NO CONTACT ORDER - COMMUNICATION"**

### **740 ILCS 21/10, 740 ILCS 22/213, 815 ILCS 518/5, 815 ILCS 615/15**

**Effective Date: 01/01/2022**

**Public Act [102-0220](#)**

#### **Synopsis:**

Amends the Stalking No Contact Order Act. Includes electronic communication in the definition of "contact". Amends the Civil No Contact Order Act. Provides that the court may provide relief in a civil no contact order by restraining the respondent from having any electronic communication with the petitioner. Amends the Internet Dating, Internet Child Care, Internet Senior Care, and Internet Home Care Safety Act. Changes the definition of "internet dating service" to remove the qualifier that such services be performed for a fee. Makes a corresponding change to the Dating Referral Services Act.

**Excerpt from the Public Act not necessary.**

**“VEHICLE FRANCHISE WARRANTY PAY”  
815 ILCS 710/1.1, 815 ILCS 710/6**

**Effective Date: 01/01/2022**

**Public Act [102-0232](#)**

**Synopsis:**

Amends the Motor Vehicle Franchise Act. Provides that the sale of motor vehicles by unlicensed dealers shall be prohibited (rather than should be prevented). Changes the manner in which dealers are reimbursed by manufacturers. Provides that manufacturers must pay a dealer no less than the amount a retail customer pays the dealer for the same services. Authorizes the use of agreed upon time guides. Applies to warranty work and factory recalls. Establishes a manner of determining effective labor rates.

**Excerpt from the Public Act not necessary.**

**“HUMAN TRAFFICKING RECOGNITION”  
820 ILCS 95/5, 820 ILCS 95/10**

**Effective Date: 01/01/2022**

**Public Act [102-0324](#)**

**Synopsis:**

Amends the Lodging Services Human Trafficking Recognition Training Act. Requires restaurants and truck stops to provide employees with training in the recognition of human trafficking and protocols for reporting observed human trafficking to the appropriate authority.

**Excerpt from the Public Act not necessary.**

**“LINE OF DUTY - PROBATION OFFICER”  
820 ILCS 315/2**

**Effective Date: 01/01/2022**

**Public Act [102-0221](#)**

**Synopsis:**

Amends the Line of Duty Compensation Act. Includes probation officers within the scope of the Act.

**Excerpt from the Public Act not necessary.**

**“LINE OF DUTY CLAIM DEADLINE”**

**820 ILCS 315/3**

**Effective Date: 07/30/2021**

**Public Act [102-0215](#)**

**Synopsis:**

Amends the Line of Duty Compensation Act. Provides that a claim for a death benefit for a death occurring after December 31, 2016 and before January 1, 2021 may be filed no later than December 31, 2022. Effective immediately.

**Excerpt from the Public Act not necessary**

**THE END**