

# Bill Tracker

March 4, 2020

## In the House



The Illinois Coalition Against Sexual Assault (ICASA), the statewide association of 30 community-based rape crisis centers, takes the following positions on legislation impacting sexual assault victims.

### Support

**HB 4788:** Provides victims with the right to timely notice regarding charging decisions and a meeting with the State's Attorney to discuss the charging decision with an attorney, advocate and/or support person allowed to join them. Clarifies that the victim can seek injunctive relief to enforce crime victims' rights and not be charged a filing fee for that motion. It also provides a civil cause of action for a victim when state officials willfully or wantonly violate a victim's rights.

**House Sponsors:** Rep. Kalish (D), Rep. Cassidy (D), Rep. Morgan (D), Rep. Didech, (D), Rep. Mason (D), and Rep. Batinick (R)

**Status:** First Reading; referred to Rules Committee

**HB 3921:** Provides that all sexual assault evidence submitted under the Act shall be analyzed within 30 days (rather than 6 months) after receipt of all necessary evidence and standards by the State Police Laboratory or other designated laboratory if sufficient staffing and resources are available.

**House Sponsors:** Rep. Skillicorn (R)

**Status:** First Reading; referred to Rules Committee

**HB 4892:** Allows forensic testing that results in complete consumption of an evidentiary sample if the forensic testing utilizes methods sufficiently established in the particular field that have gained general acceptance and is not conducted in bad faith. A forensic scientist must take all reasonable measures to preserve a portion of the sample for subsequent forensic testing, unless complete consumption is required to pursue a meaningful analytical result. Intentional failure to comply is a Class 4 felony.

**House Sponsors:** Rep. Connor (D) and Rep. Carroll (D)

**Status:** First Reading; Judiciary – Criminal Committee



For more information on these bills, contact Sarah Beuning by phone (217-753-4117) or email ([sbeuning@icasa.org](mailto:sbeuning@icasa.org)).

**HB 5107:** Provides that the duration of a civil no contact order is permanent if a judgment of conviction for criminal sexual assault, aggravated criminal sexual assault, criminal sexual abuse, or aggravated criminal sexual abuse is entered.

**House Sponsors:** Rep. West (D)

**Status:** First Reading; assigned to Judiciary - Criminal Committee

**HB 4663:** The Responsible Education for Adolescent and Children's Health (REACH) Act requires comprehensive, inclusive, and age-appropriate personal health and safety education to be taught in public schools in grades K-12. ICASA understands that this bill is expected to be amended as stated above.

**House Sponsors:** Rep. Willis (D), Rep. West (D), Rep. Gong-Gershowitz (D), and Rep. Conroy (D)

**Status:** First Reading; referred to Rules Committee

**HB 5012:** The Healthy Youth Act builds on current sexual health education standards in Illinois to include knowledge and skills that support youth in responsible and informed decision making. Topics include: anatomy and physiology; healthy relationships; identity; personal safety; pregnancy and reproduction; puberty, growth and adolescent development; and sexually transmitted infections, including HIV.

**House Sponsors:** Rep. Lilly (D), Rep. Williams (D), Rep. Cassidy (D), Rep. West, (D), Rep. Mussman (D), Rep. Pizer (D), Rep. Moeller (D), Rep. Slaughter (D), Rep. Gabel (D), Rep. Mayfield (D), Rep. Welch (D), Rep. Guzzardi (D), Rep. Conroy (D), Rep. Walker (D), Rep. Harris (D), Rep. Harper (D), and Rep. Morgan (D)

**Status:** First Reading; referred to Rules Committee

## Oppose

**HB 4860:** Provides that a public employee commits failure to report a sex offense when they know or have reason to know that a sex offense has been committed and fail to report to a law enforcement the commission of that offense and the name, address, and description of the alleged offender, if known. First violation is a Class A misdemeanor and subsequent violations are Class 4 felonies.

**House Sponsor:** Rep. Marron (R)

**Status:** Referred to Rules Committee in the House



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# Bill Tracker

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## In the Senate

The Illinois Coalition Against Sexual Assault (ICASA), the statewide association of 30 community-based rape crisis centers, takes the following positions on legislation impacting sexual assault victims.

### Support

**HB 3191:** Allows court to order that a pro se defendant must question victim through a court-appointed attorney in cases of criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, or aggravated criminal sexual abuse when victim's testimony will describe an act or attempted act of sexual conduct, and court finds direct questioning will cause victim to suffer serious emotional or mental distress.

**Senate Sponsors:** Sen. Bertino-Tarrant (D), Sen. Holmes (D), Sen Cunningham (D), Sen. Plummer (R), and Sen Muñoz (D)

**House Sponsor:** Rep. Connor (D)

**Status:** Passed the House 111-000-001; re-referred to Assignments

**SB 3579:** Provides that consent is not a viable defense if the victim is a patient and the accused is a health care provider charged with criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse or aggravated criminal sexual abuse and the act of sexual conduct or sexual penetration occurs during a treatment session, consultation, interview, or examination.

**Senate Sponsors:** Sen. Bush (D)

**Status:** First Reading; assigned to Criminal Law Committee

**SB 3825:** Requires higher education institutions to conduct a sexual misconduct climate survey; establishes a task force to develop questions for the survey.

**Senate Sponsor:** Sen. Steans(D)

**Status:** First Reading; referred to Assignments



For more information on these bills, contact Sarah Beuning by phone (217-753-4117) or email ([sbeuning@icasa.org](mailto:sbeuning@icasa.org)).

**SB 3426:** Includes electronic communication in the definition of “contact” in the Stalking No Contact Order Act and provides that the court may restrain the respondent from having any electronic communication with the petitioner.

**Senate Sponsors:** Sen. Bush (D), Sen. Murphy (D), Sen. Muñoz (D), and Sen. Hastings (D)

**Status:** First Reading; assigned to Criminal Law Committee

**SB 2762, Senate Amendment 1:** The Responsible Education for Adolescent and Children’s Health (REACH) Act requires comprehensive, inclusive, and age-appropriate personal health and safety education to be taught in public schools in grades K-12.

**Senate Sponsors:** Sen. Villivalam (D), Sen. Martinez (D), Sen. Villanueva (D), Sen. Holmes (D), Sen. Gillespie (D), Sen. Aquino (D), Sen. Peters (D), Sen. Hunter (D), Sen. Feigenholtz (D), Sen. Fine (D), Sen. Jones (D), and Sen. Steans (D)

**Status:** First Reading; assigned to Executive Committee

**SB 3788:** The Healthy Youth Act builds on current sexual health education standards in Illinois to include knowledge and skills that support youth in responsible and informed decision making. Topics include: anatomy and physiology; healthy relationships; identity; personal safety; pregnancy and reproduction; puberty, growth and adolescent development; and sexually transmitted infections, including HIV.

**Senate Sponsors:** Sen. Villanueva (D) and Sen. Fine (D)

**Status:** First Reading; referred to Assignments

## Oppose

**SB 2525:** Deletes language in the Jury Act providing that jurors must be free from all legal exception, of fair character, of approved integrity, of sound judgment, and well informed. Provides that no person who is qualified and able to serve as a juror may be excluded from jury service on the basis of previous criminal conviction, and places previous criminal conviction in the same protected status level as race, color, religion, sex, national origin and economic status.

**Senate Sponsors:** Sen. Peters (D)

**Status:** First Reading; assigned to Judiciary Committee



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