



2025 Illinois Legislative Update

Illinois Coalition Against Sexual Assault - December 16, 2025





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Legislative Information

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- Consolidated Statutes
- Bills & Status
- Legislator Information
- Committee Schedules

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- Sexual Assault
Legal Resources
- ICASA Bill Trackers
- The Law Book
- Webinars

The background of the image is a photograph of a library shelf filled with law reports. The books are bound in dark red or maroon leather with gold-colored lettering. The words "LAW REPORTS" are visible on the spines of several books. Below the title, some numbers are visible, such as "172", "173", "174", and "175". The image is slightly blurred, creating a sense of depth. A semi-transparent blue rectangle is overlaid on the lower half of the image, containing the text.

2025 Legislative Session Key Bills

Topic Areas

- SASETA
- Civil Laws
- Criminal Laws
- Trafficking
- School Law
- Anti-Oppression
- Reproductive Health

SASETA



No Sale of Self-Administered Kits

- **HB 2548**
- [Public Act 104-0235](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Amy Briel (D-76)
Sen. Suzy Glowiak Hilton (D-23)

HB 2548

- Unlawful to sell, market, promote, advertise, or otherwise distribute a self-administered sexual assault evidence collection kit to a consumer in Illinois
- Private right of action:
 - Compensatory Damages
 - Punitive Damages up to \$1,500 per violation
 - Attorney's fees and costs
- Enforcement by Office of the Attorney General (OAG) or State's Attorney
 - Injunctive relief
 - Civil Penalty up to \$1,500 per violation

SASETA Voucher for Taxi/Rideshare

- **SB 1274**
- [Public Act 104-0371](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Sen. Suzy Glowiak Hilton (D-23)
Rep. Martha Deuter (D-45)

SB 1274

- Sexual Assault Services Vouchers may be used to seek payment for transportation by taxi or rideshare service:
 - back to the hospital where the survivor initially presented,
 - to the survivor's residence, or
 - to a survivor services shelter
- Rideshare or taxi may be arranged by the hospital with patient's written consent
- Begins January 1, 2026

SASETA Amendment

- **SB 1602**
- [Public Act 104-0386](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Sen. Julie Morrison (D-29)
Rep. Kelly Cassidy (D-14)

SB 1602

- New terms and changes to definitions
- Factors for IDPH to evaluate unduly burdensome survivor transfers
- Clarifies Qualified Medical Provider (QMP) may offer kit to nonacute survivor
- Changes to consent for those unable to consent for themselves and adds assent
- Transfer hospitals issue vouchers and provide notice about billing; can seek reimbursement
- New Violations and Penalties section
- QMP list and continuing education

New Terms

- “Acute Sexual Assault”
 - For survivors under 13 = 72 hours
 - For survivors 13+ = 168 hours (7 days)
- “Assent” - “the expressed willingness to participate in an activity or give permission”
- “Medical forensic examination” (MFE) replaces “Medical forensic services”
 - Health care by a QMP working at a treatment hospital or Approved Pediatric Health Care Facility (APHCF)
 - Other requirements remain the same

Definition Changes

- “Follow up healthcare” expanded to include care following visits to transfer hospitals as a result of sexual assault
- “Sexual assault nurse examiner” must be certified by International Association of Forensic Nurses (IAFN) or complete training that meets the IAFN Guidelines and is approved by the SANE Program Coordinator at the OAG
- “Sexual assault survivor” expanded to include presenting for medical care and treatment

Factors 1-4 for Considering if a Plan Results in Unduly Burdensome Transfers

1. Geographic proximity, with priority given to plans transferring to the closest treatment hospital
2. If an areawide treatment plan for the region exists
3. The average daily, monthly, and annual number of survivors who present and receive medical forensic examinations
4. How many QMPs are employed at the hospital

Factors 5-7 for Considering if a Plan Results in Unduly Burdensome Transfers

5. Other agreements between hospitals
6. The number of transfer hospitals with which a treatment hospital has agreements and its capacity
7. Provisions in the plan for initial and return transportation, including hospital- and survivor-facilitated options to minimize survivor wait times, taking into consideration factors outside the hospital's control

Hospitals Near 4-Year Public Universities

- Hospitals outside of Cook County located within a 20-mile radius of a 4-year public university must submit an areawide treatment plan that includes at least one treatment hospital or treatment hospital with approved pediatric transfer within the 20-miles radius

Offer to Complete a Kit

- QMP shall offer to complete an Illinois State Police (ISP) kit for any acute sexual assault
- If accepted, “evidence collection shall be completed” based on:
 - QMP’s clinical discretion
 - Best practices for evidence collection
 - Information provided by the survivor
- Survivor may decline any portion of the kit; any evidence collected constitutes a kit “completed” for reporting to IDPH
- Nothing prohibits a QMP from offering a kit to a survivor with a nonacute complaint

Consent & Assent to the Exam

- Any person able to consent may consent to the MFE, including evidence collection
- If a minor is unable to consent, but assents, consent may be provided by:
 - Parent or guardian
 - Health care power of attorney
- If an adult is unable to consent, but assents, consent may be provided by:
 - Guardian
 - Health care power of attorney

Consent to Release Evidence for Testing

- Survivors 13+ sign the consent to release
- For survivors under 13, the consent may be signed by:
 - Parent or guardian
 - Health care power of attorney
- If not available or unwilling to release the evidence, then a State's Attorney or the OAG may petition the court to authorize its release for testing

Sexual Assault Services Vouchers

- Must be issued by the hospital or Approved Pediatric Health Care Facility (APHCF) where the survivor first presents
- Transfer hospitals will need to have a protocol for issuing vouchers
- Survivors can use the voucher for follow-up health care within 180 days of the initial hospital visit for sexual assault
- Transfer hospitals may use the voucher to seek payment for “medical care and treatment” as defined in the [Administrative Code](#) and be reimbursed at rates under the Public Aid Code

Exception for Treatment Hospital with Approved Pediatric Transfer

- A QMP qualified to treat pediatric survivors may offer the MFE to a pediatric survivor with IDPH prior approval
- Prior to approval, IDPH must confirm:
 - The hospital is working toward becoming a full treatment hospital, and
 - Consult with the treatment hospital that received pediatric survivors from that hospital in the approved plan
- Approval is valid for one year and may be renewed

SASETA Violations

- IDPH must have a complaint system
- If IDPH determines a hospital or APHCF is not in compliance with its plan or has violated SASETA or its rules, it issues a written notice of violation
- 10 days to submit a plan of correction
 - If plan is acceptable, 60 days to implement
 - If plan of correction is unacceptable, 10 days to submit an acceptable plan

Penalties

- Failure to submit or implement an acceptable plan of correction may result in fines:
 - 1st violation \$1,500 - \$3,000
 - 2nd or subsequent violations: \$3,000 - \$5,000
- In imposing a fine, IDPH shall consider:
 - The violation and adequacy of the response
 - Historical pattern or practice of noncompliance
 - The number of patients affected by the violation
- The hospital or APHCF may request an administrative hearing
- The OAG may sue to enforce collection of fines

SANE Program Changes

- OAG shall maintain a list of QMPs
- SANE Program Coordinator shall review documentation from health care professionals to ascertain if qualifications are met:
 - Didactic and clinical training that meets or is substantially similar to the IAFN SANE Education Guidelines
 - Board-certified or board-eligible child abuse pediatricians in the current Pediatric Resource Center Directory
- Must verify continuing education and competency every 3 years

CIVIL LAWS



Employee Work Devices

- **HB 1278**
- [Public Act 104-0171](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Daniel Didech (D-59)
Sen. Mary Edly Allen (D-31)

HB 1278

- Prohibits employers from retaliating against employees or removing employer-issued devices if such equipment was used to document incidents of violence
- Employers must allow employees access to related recordings stored on devices

Stalking Definition Change

- **HB 2873**
- [Public Act 104-0251](#)
- Effective Date: August 15, 2025
- Primary Sponsors: Rep. Jennifer Gong-Gershowitz (D-17)
Sen. Michael Halpin (D-36)

HB 2873

- Expands stalking definition to include:
“harassment that is conduct not necessary to accomplish a reasonable purpose, would cause a reasonable person emotional distress, or causes emotional distress”
- Creates rebuttable presumption that certain conduct causes emotional distress:
 - Appearing at petitioners' job or school
 - Repeated phone calls
 - Stalking, surveilling, or following petitioner
 - Making threats against the petitioner or their family

Public Expression Protection

- **SB 1181**
- [Public Act 104-0431](#)
- Effective Date: August 21, 2025
- Primary Sponsors: Sen. Steve Stadelman (D-34)
Rep. Daniel Didech (D-59)

SB 1181

- Amends Illinois Citizen Participation Act's (ICPA) anti-SLAPP statute
- Activity of press is considered “participating and communicating with the government” and is protected speech
- When a motion to dismiss a case is filed, all other proceedings are stayed
- Protections of ICPA apply regardless of plaintiff's motives
- Prevailing party is entitled to reasonable attorney's fees and court costs if motion is deemed to be frivolous
- Applies to cases filed on or after January 1, 2026

ICPA and Survivors of Gender-Based Violence

- House floor debate on May 22, 2025:
 - Protects reports of sexual assault and domestic violence to law enforcement
 - Public speech about gender-based violence is protected

Fact Finding Conferences

- **SB 2487**
- [Public Act 104-0425](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Sen. Adriane Johnson (D-30)
Rep. Dagmara Avelar (D-85)

SB 2487

- Fact finding conferences are discretionary instead of mandatory during investigations under Illinois Human Rights Act (IHRA)
- Option remains for both parties to consent to a fact finding conference
- Increases civil penalties for IHRA violations
- Applies to pending charges and charges filed after January 1, 2026

Civil Penalties

- Violations of IHRA:
 - Maximum \$16,000 fine for 1st violation
 - Maximum \$42,500 fine for 2nd violation within 5-year period
 - Maximum \$70,000 for 3rd or subsequent violation within 7-year period

New Employment Laws

- **HB 3200: Mental Health Unemployment Insurance**

- Creates a limited pilot program that allows individuals to receive unemployment benefits if they voluntarily leave their job due to a mental health disability that could not otherwise be accommodated

- **HB 3638: Workplace Protections and Transparency**

- Prohibits employer contracts that restrict or prevent employees from engaging in “concerted activity” to address workplace issues

Therapy AI Restrictions

- **HB 1806: Wellness and Oversight for Psychological Resources Act**
 - Prohibits licensed professionals from using AI to make therapeutic decisions, directly interact with clients, recommend plans without review, or detect emotional and mental states

CRIMINAL LAW: VICTIMS' RIGHTS



Victims' Rights Parity

- **HB 1302**
- [Public Act 104-0173](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Ann Williams (D-11)
Sen. Robert Peters (D-13)

HB 1302

- Requires 7 days' notice to victims about court proceedings in the Rights of Crime Victims and Witnesses Act (RCVWA)
- Adds definition of “court proceedings” to Organized Retail Theft Act
- Expands provisions about law enforcement not discouraging reports in the:
 - Sexual Assault Incident Procedure Act (SAIPA),
 - Illinois Domestic Violence Act (IDVA), and
 - 112A Criminal Protective Orders

7 Days' Notice

- Requires State's Attorneys give victims 7-days' notice of court proceedings
- For preliminary and pretrial release hearings, if 7-days' notice is impossible, notice must be provided as soon as practicable and must be in advance of the proceeding

Not Discourage Reports

- Law enforcement officers shall not discourage or attempt to discourage a victim from filing a police report
 - SAIPA: concerning sexual assault or sexual abuse
 - IDVA: concerning an incident of abuse, neglect, or exploitation, and may not refuse to complete a written report
 - 112A-29: concerning an incident of abuse

Sexual Images Jurisdiction

- **HB 3671**
- [Public Act 104-0323](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Martha Deuter (D-45)
Sen. Suzy Glowiak Hilton (D-23)

HB 3671

- Amends the “Place of Trial” section of the Criminal Code of 2012
- A person who commits the criminal offense of non-consensual dissemination of private sexual images may be tried in the county:
 - Where the offense occurred, or
 - Where the victim resides

Right to be Free from Deception

- **HB 3710**
- [Public Act 104-0362](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Kelly Cassidy (D-14)
Sen. Celina Villanueva (D-12)

HB 3710

- Adds right to be free from deception during the investigation to the RCVWA:
 - “When a person reports being a crime victim . . . the right to be treated with fairness and respect during the investigatory process, including the right to be free from deception, which is the knowing communication of false facts about evidence.”

PRB Changes & Victims' Rights

- **SB 19**
- [Public Act 104-0011](#)
- Effective Date: June 20, 2025
- Primary Sponsors: Sen. Don Harmon (D-39)
Rep. Will Guzzardi (D-39)

SB 19

- Prisoner Review Board (PRB) Changes
 - Adds advocacy for victims of crime, survivors of sexual violence, domestic violence, and intimate partner violence to the list of fields for which 5 years of experience would qualify one to be a member
 - Required gender-based violence training
 - New Director of Victim and Witness Services
 - Victim Impact Statements
 - Victim Notifications
- OAG review of witness notification system
- Expands petitioners for DV Orders of Protection
- Notice of protective orders at release

PRB Victim Impact Statements

- PRB shall publish on its website and provide to registered victims information on how to submit a victim impact statement
- PRB shall consider victim impact statements from any registered victims in parole decisions
- Also applies to hearings regarding Mandatory Supervised Release (MSR) and Executive Clemency

PRB Victim Notifications

- If the victim has requested notification, PRB shall notify the victim of a prisoner's
 - Pardon
 - Commutation of sentence
 - Release on furlough
 - Early release from State custody
 - Discharge from Parole or MSR
 - Escape from custody
- Most recent information available as to victim's residence/location
- In addition to other statewide victim notification systems

Review of Statewide Witness Notification System

- OAG must conduct a review of the witness notification system and make recommendations to the General Assembly for improvements in the procedures and technologies by July 1, 2026
- Focused on timely notice to victims and witnesses

Expansion of DVOP Petitioners

- Amends Illinois Domestic Violence Act to add persons who can file DVOP petitions:
 - A crime victim who was abused by an offender prior to incarceration and the offender is incarcerated
 - Any person who previously suffered abuse by a person convicted of (1) domestic violence or (2) a violent crime, as defined in RCVWA
- A petition for a DVOP may not be denied solely because the respondent or petitioner is incarcerated at time of filing

Notice to Releasees of Protective Orders

- When releasing a person from its custody to parole, MSR, or final discharge, the Department of Corrections shall notify the person of all protective orders issued against them under Article 112A, the IDVA, the CNCO Act, or the SNCO Act, identified in a current LEADS report

Anna's Law

- **SB 1195**
- [Public Act 104-0084](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Sen. Mary Edly-Allen (D-31)
Rep. Jackie Haas (R-79)

SB 1195

- Amends the Illinois Police Training Act
 - Curriculum for probationary law enforcement officers and in-service training requirements completed every 3 years must include instruction addressing trauma-informed programs, procedures, and practices meant to minimize traumatization of victims
 - ILETSB training on trauma-informed responses and investigations of sexual assault and sexual abuse must include identifying conflicts of interest and options to address those conflicts when a responding or investigating officer is familiar with the victim or accused

CRIMINAL LAW: CHILDREN



Child Sex Abuse Material

- **HB 2690**
- [Public Act 104-0245](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Mary Beth Canty (D-54)
Sen. Cristina Castro (D-22)

HB 2690

- Updates the law to replace “child pornography” with “child sex abuse material” throughout
 - Explicitly recognizes that pornography implies consent and seeks to remove that from the law
 - The bill also updates and improves other areas of law related to sex crimes

Definition Updates

- Changes the definition of family member in major sex crimes to include siblings and anyone living with the family continuously for 3 months
- Update the definition of unable to give knowing consent to include if the victim was asleep, unconscious, or otherwise unaware

Additions to Statutes

- Adds to Sexual Exploitation of a child the offense of having a child participate in the recording of a sex act of individuals over the age of 18 – Class 4 Felony
- Adds involuntary servitude, involuntary sexual servitude of a minor, and trafficking to the rape shield statute

Grooming

- Updates the grooming statute to specify the individual is 5 years older or in a position of trust, authority or supervision over the child
- Sets a statute of limitations for grooming for 10 years after the victim attains 17 years of age if they were under 17 at time of the offense

Facility Dogs

- Expands the potential usage of facility dogs to include child witnesses and any person who has an intellectual or developmental disability
- Removes the listing of crimes that qualify for a facility dog expanding the crimes where one could be utilized

Child Abuse Policy Updates

- **HB 1715: DCFS Police/Security Repeal**

- Repealed a provision that allowed DCFS to appoint persons to a police and security force with all powers possessed by police or sheriffs in certain circumstances

- **HB 2586: Alicia's Law**

- Adds the investigation of online crimes against children explicitly to the mission of the Illinois State Police Department of Criminal Investigations

Diversion Option for Minors

- **HB 3281: Juveniles Perpetrating Domestic Violence**

- Amends the Illinois Domestic Violence Act to allow officers to not arrest an offending juvenile when “based on the totality of the circumstances” they believe that they can divert the juvenile or assist the juvenile and the juvenile’s family in finding alternative placement

Juvenile Justice Reform

- **HB 3492**
- [Public Act 104-0449](#)
- Effective Date: June 1, 2026; later for some provisions
- Primary Sponsors: Rep. Justin Slaughter (D-27)
Sen. Robert Peters (D-13)

HB 3492

- Reforms the Children and Family Services Act and the Juvenile Court Act of 1987
 - Raises the minimum age for detention to 12 starting July 2026 and to 13 in July 2027, and states that placement of a minor away from their home must be a last resort
 - Allows for community mediation for minors under the age of 13
 - Creates the Youth Nonviolent Crime Resource Program and the Child First Reform Task Force



HUMAN TRAFFICKING

No Statute of Limitations for Minors

- **HB 2602**
- [Public Act 104-0241](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Anne Stava (D-81)
Sen. Meg Loughran Cappel (D-49)

HB 2602

- Eliminates the statute of limitations when a victim was under 18 at the time of the offense for:
 - Involuntary servitude
 - Involuntary sexual servitude of a minor
 - Trafficking in persons
- Applies to prosecutions for conduct occurring on or after January 1, 2026

License Plate Photo Investigations

- **HB 3339**
- [Public Act 104-0018](#)
- Effective Date: June 30, 2025
- Primary Sponsors: Rep. Thaddeus Jones (D-29)
Sen. Laura Murphy (D-28)

HB 3339

- Expands the forcible felony definition under the Expressway Camera Act to include trafficking in persons and involuntary servitude
- License plate images collected by roadside cameras may be used in law enforcement investigations
- Photos must be deleted within 120 days unless needed for an investigation

Human Trafficking Recognition Training

- **SB 1422**
- [Public Act 104-0099](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Sen. Michael Halpin (D-36)
Rep. Gregg Johnson (D-72)

SB 1422

- Expands human trafficking recognition training requirements to include restaurant and truck stop employees
- Department of Human Services shall notify non-compliant employers and give them 30 days to correct violations
- Adds fines of up to \$1,500 for each offense

Statewide Response to Trafficking

- **SB 2323**
- [Public Act 104-0159](#)
- Effective Date: August 13, 2025 (some provisions)
January 1, 2026 (some provisions)
- Primary Sponsors: Sen. Julie Morrison (D-29)
Rep. Ann Williams (D-11)

SB 2323

- Creates the Illinois Statewide Trauma-Informed Response to Human Trafficking Act
- Assigns responsibilities to state agencies with the goal of identifying and responding to human trafficking
 - Department of Children and Family Services (DCFS)
 - Department of Human Services (DHS)
 - Illinois State Police (ISP)
 - Illinois Law Enforcement Training and Standards Board (ILETSB)
 - Department of Juvenile Justice (DJJ)

DCFS

- Maintain a human trafficking unit tasked with coordinating services, initiating prevention efforts, and providing access to resources
- Ensure youth in care are screened and provide necessary services
- Develop screening and follow-up protocols to respond to minor survivors
- Refer minor survivors to local Children's Advocacy Centers (CACs)
- Increase trauma-informed placement options for youth in care

DHS

- Develop a strategic plan to establish a statewide response to human trafficking and recommend funding levels for statewide services for survivors
- Develop service standards for organizations providing services to trafficking survivors
- Develop training curriculum for individuals who provide services to survivors
- Provide consultation to medical or legal associations in the development of trainings for healthcare professionals and lawyers who serve trafficking survivors

Law Enforcement Requirements

- Develop strategic plan to improve law enforcement response to trafficking
- Create protocols for police investigations and multi-disciplinary response to referrals
- Develop guidelines for law enforcement detection, investigation and response policy
- Provide support to local law enforcement encountering survivors of human trafficking
- Law enforcement agencies must develop and implement written trafficking policies

Other Requirements

- DJJ tasks:
 - Adopt screening and care protocols to ensure identified youth receive services
 - Provide statewide training and services to equip staff to help trafficked youth
- CAC tasks:
 - Expand capacity to identify and respond to child trafficking through protocols, collaboration, and DHS-aligned standards
 - Ensure trauma-informed care by training all CAC staff and coordinating responses

SCHOOL LAW



Cyberbullying

- **HB 3851**
- [Public Act 104-0338](#)
- Effective Date: July 1, 2026
- Primary Sponsors: Rep. Janet Yang Rohr (D-41)
Sen. Meg Loughran Cappel (D-49)

HB 3851

- Updates School Code sections on bullying
 - Includes the posting or distribution of sexually explicit images as part of bullying
 - Cyber-bullying includes posting or distribution of unauthorized digital replicas
 - Defines artificial intelligence and unauthorized digital replicas within the School Code

Denial of Free Education Prohibited

- **HB 3247**
- [Public Act 104-0288](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Lilian Jiménez (D-4)
Sen. Karina Villa (D-25)

HB 3247

- No child can be denied a free public education on the basis of actual or perceived immigration status
- Schools cannot
 - request or collect information about citizenship
 - disclose anything related to citizenship in a directory
 - cannot threaten to disclose immigration status of a child or a person associated with the child

Law Enforcement

- Schools must develop procedures for reviewing and authorizing requests by law enforcement to enter a school or school facility by July 1, 2026
 - Includes judicial and non-judicial warrants and subpoenas

School Counseling for All Students

- **SB 405**
- [Public Act 104-0353](#)
- Effective Date: August 15, 2025
- Primary Sponsors: Sen. Adriane Johnson (D-30)
Rep. Abdelnasser Rashid (D-21)

SB 405

- Amends the School Code to require school counselors to provide services and address needs of students regardless of citizenship status

Law Enforcement MOUs

- **SB 1519**
- [Public Act 104-0430](#)
- Effective Date: August 20, 2025
- Primary Sponsors: Sen. Karina Villa (D-25)
Rep. La Shawn K. Ford (D-8)

SB 1519

- Beginning July 1, 2026, schools that have a school resource officer must establish an MOU with local law enforcement that covers the role and training of the officer
- Schools must create guidelines for a reciprocal reporting system for criminal and civil offenses committed by students with local law enforcement

Sexual Misconduct Climate Survey

- **SB 1928**
- [Public Act 104-0127](#)
- Effective Date: August 15, 2025
- Primary Sponsors: Sen. Mary Edly-Allen (D-31)
Rep. Katie Stuart (D-112)

SB 1928

- Amends the Preventing Sexual Violence in Higher Education Act
 - Only requires the climate survey on college campuses every two years
 - Changes who is appointed to the task force in charge of the survey,
 - Removes the civil penalty for institutions that fail to carry out the survey

ANTI- OPPRESSION



Gender Neutral Changes

- **HB 1083**
- [Public Act 104-0040](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Daniel Didech (D-59)
Sen. Sara Feigenholtz (D-6)

HB 1083

- Makes changes to gender-neutral terms:
 - Downstate Forest Preserve District Act concerning boards of commissioners
 - Rights of Married Persons Act
 - Illinois Religious Freedom Protection and Civil Union Act
 - Conveyances Act
 - Provides recording of a quitclaim deed is exempt from fees if executed for the sole purpose of reflecting a legal name change, and the grantor and grantee are the same

Protections from ICE Enforcement

- **HB 1312**
- [Public Act 104-0440](#)
- Effective Date: December 9, 2025
- Primary Sponsors: Rep. Emanuel "Chris" Welch (D-7)
Sen. Don Harmon (D-39)

HB 1312

- Creates the following Acts:
 - The Illinois Bivens Act
 - The Court Access, Safety and Participation Act (CASPA)
 - The Health Care Sanctity and Privacy Law
- Amends the following Acts:
 - The Whistleblower Act to protect good faith reports of violations of the Illinois Bivens Act
 - The Public Higher Education Act
 - The Childcare Act of 1969

Bivens Act

- Allows a civil action against any person conducting civil immigration enforcement who knowingly engages in conduct that violates the Illinois or U.S. Constitutions
- “Civil immigration enforcement” does not include actions by a law enforcement officer acting within their powers and duties consistent with Illinois law and qualified immunity is a defense
- Remedies include monetary, injunctive, and declaratory relief, and punitive damages

CASPA: Civil Arrest Prohibited

- Creates privilege from civil arrest for parties, witnesses, or court companions attending State court proceedings
- Including while at, going to, or returning from the court proceeding:
 - At the place of the proceeding
 - Within the courthouse building and premises, including parking facilities
 - On any sidewalk, parkway, and street surrounding the courthouse
 - On any public way within 1,000 feet of the courthouse

CASPA: Civil Action for Violations

- Courts may issue orders to protect the privilege
- A person who violates the privilege or a related court order is liable for civil damages for false imprisonment if they knew or reasonably should have known the person arrested was duly and in good faith attending a court proceeding
 - Actual damages for harm caused
 - Statutory damages of \$10,000
 - Equitable or declaratory relief the court deems appropriate and just
 - Costs and reasonable attorney fees
- Qualified immunity is a defense

Health Care Sanctity and Privacy Law

- General acute care hospitals must implement a policy on interactions with law enforcement agents by 1/1/2026; other hospitals by 3/1/2026
 - Designate a contact person (legal counsel)
 - Procedures to verify identify and authority of law enforcement agents involved in civil immigration activities at the hospital
 - Designate spaces for law enforcement to wait
 - Procedures for providing privacy notices to patients and ensuring information is disclosed only in strict compliance with the law
 - Training for staff on the policy
- Post phone number for immigration rights information

Higher Education Response to Immigration Enforcement

- Schools must NOT:
 - Threaten to or disclose actual or perceived citizenship or immigration status of an employee, student, or associated person
 - Designate immigration status, citizenship, place of birth, nationality, or national origin as directory information
 - Violations enforceable by civil action
- Schools must:
 - Develop procedures for reviewing and authorizing law enforcement requests to enter campus by 1/1/2026
 - Post immigration resources on website

Day Care Centers Response to Immigration Enforcement

- Licensed day care centers must not disclose or threaten to disclose information regarding the actual or perceived citizenship or immigration status of a child or associated person
- If a child's parent or guardian faces immigration enforcement action, centers shall use emergency contact information and release child to persons designated or who present a properly executed appointment of short-term guardian form
- Resources for families about rights and preparedness on DCFS or Department of Early Childhood's website, including the form
- Must adopt policies to comply and train staff

Maternal Health Bias Training

- **HB 2517**
- [Public Act 104-0061](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Lisa Davis (D-32)
Sen. Willie Preston (D-16)

HB 2517

- Amends the Department of Professional Regulation Law
- Health care professionals who provide maternal health care services must complete:
 - One-hour course on implicit bias awareness that includes training in potential maternal health risk factors associated with childbearing individuals who are part of a marginalized racial or ethnic group with increased maternal mortality rates

State Public Defenders Act

- **HB 3363**
- [Public Act 104-0300](#)
- Effective Date: January 1, 2026 (some provisions)
January 1, 2027 (some provisions)
- Primary Sponsors: Rep. Dave Vella (D-68)
Sen. Robert Peters (D-13)

HB 3363

- Creates Office of the State Public Defender to support and supplement existing county public defenders and appointed counsel
 - Public Defender Advisory Board
 - Client Community Advisory Board
- Creates State Public Defender Commission:
 - Appoints the State Public Defender
 - Identifies operational costs and funding sources for the Office
 - Sets performance standards and metrics, and authorizes collection of data

REPRO- DUCTIVE RIGHTS



Protection of Abortion Pills

- **HB 3637**
- [Public Act 104-0432](#)
- Effective Date: January 1, 2026
- Primary Sponsors: Rep. Dagmara Avelar (D-85)
Sen. Karina Villa (D-25)

HB 3637

- Intended to protect Illinois residents and doctors in accessing abortion drugs if the FDA revokes approval
- If a drug was approved by the FDA prior to January 1, 2025, the revocation of approval shall not cause it to be considered adulterated if it is still recommended for use by the World Health Organization

Contraception on Campus

- **HB 3709: Availability of Contraception and Abortion Medication to College Students**
 - Beginning with 2025-2026 school year public higher education institutions must provide access to health care professionals who prescribe contraception and abortion medication through campus health services
 - On-campus pharmacies are required to be able to fill those prescriptions

Questions & Comments

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