



Kane County Juvenile Justice Council
Legislative Updates – April 2023

HB679 – House Amendment 1

The amendment contains this proposed language (underlined) to revise The Illinois Domestic Violence Act of 1986 by changing Section 304 as follows:

- (a) Whenever a law enforcement officer has reason to believe that a person has been abused, neglected, or exploited by a family or household member, the officer shall immediately use all reasonable means to prevent further abuse, neglect, or exploitation, including:
1. Arresting the abusing, neglecting and exploiting party, where appropriate, except in situations where the alleged offending party is a juvenile and there are no factors of aggravation, the law enforcement officer may seek to divert or find alternative placement without initiating an arrest.

March 27, 2023 - Rule 19(a) / Re-referred to Rules Committee

HB0990 – JUV-Subsequent Firearm Offense

Amends the Juvenile Court Act of 1987. Provides that if the minor (1) has previously been placed on probation for an offense that involves the possession or discharge of a firearm not causing any injury; and (2) is convicted of a subsequent offense involving the possession or discharge of a firearm not causing any injury, then the court shall require the minor to participate in social service programs offered through juvenile probation and comply with referral recommendations for no less than 3 months. Provides that if the minor does not complete the referral recommendations, the court shall commit the minor to the Department of Juvenile Justice to complete the recommended services. Provides that a minor convicted of a subsequent offense involving the use of a firearm causing serious injury, great bodily harm, or death shall be committed to the Department of Juvenile Justice with the Department providing services, including, but not limited to, education, mental health services, drug treatment, and mentoring.

March 10, 2023 – Re-referred to Rules Committee

HB1084 – Juv Detention – Limit Isolation

Amends the Unified Code of Corrections. Provides that a minor placed in a State or county juvenile detention facility may not be placed in isolation for discipline, punishment, retaliation, or any other reason except as a temporary response to a minor's behavior that poses a serious and immediate risk of physical harm to any individual, including the minor. Provides that if a minor placed in a State or county juvenile detention facility poses a serious and immediate risk of physical harm to any individual, including the minor, before a staff member of the facility places the minor in isolation, the staff member shall attempt to use other less restrictive options, unless attempting those options poses a threat to the safety or security of any minor or staff. Limits the amount of time the minor may be placed in isolation.

March 27, 2023 – Re-referred to Rules Committee

HB1294 – Juvenile Court-Fitness

Specifies the unfitness standard for a child. Sets forth procedures to raise the issue of the unfitness of a child. Specifies the burden of proof and a presumption. Provides requirements for a fitness evaluation and hearing to determine the fitness of a child. Provides the requirements for the services to attain fitness, the period to obtain fitness, initial and subsequent progress reports, periodic hearings, and in-court assistance to render a child fit.

March 24, 2023 – Referred to Assignments

HB1357 – Sch Cd – Student Arrest Data

Amends the School Code. Each school year, beginning with the 2023-2024 school year, requires a school board and charter school to collect data on student referrals to law enforcement and school-related arrests



of students and on the reason for referring students to law enforcement and school-related arrests of students and submit that data annually to the State Board of Education. Requires the State Board to prepare a report (to be posted on the State Board's website) on student referrals to law enforcement and school-related arrests of students in all school districts and charter schools in this State for each school year, beginning with the 2023-2024 school year. Sets forth what the report must include.

January 31, 2023 – Referred to Rules Committee

HB2037 – Sch-Parent Advisory Committee

By December 31, 2023, requires the State Board of Education to create a Parent Advisory Committee for the purpose of reviewing and making recommendations to the State Board with respect to the State Board's process of adopting new teaching or learning standards.

February 7, 2023 – Referred to Rules Committee

HB2328 – Juv-Placement-Youth Services

Provides that the Illinois Juvenile Justice Commission shall study and make recommendations to the General Assembly regarding the availability of youth services to reduce the use of detention and prevent deeper criminal involvement. Amends the Juvenile Court Act of 1987. Provides that placement of a minor away from his or her home must be a last resort and the least restrictive alternative available. Provides that any minor 14 (rather than 10) years of age or older may be kept or detained in an authorized detention facility if the minor is arrested pursuant to the Act and there is probable cause to believe that the minor is a delinquent minor and that secure custody is a matter of immediate and urgent necessity in light of specified factors. Provides that no minor under 14 (instead of 12) years of age shall be detained in a county jail or a municipal lockup for more than 6 hours. Provides that a minor found to be guilty may be committed to the Department of Juvenile Justice if the minor is at least 14 (rather than 13) years and under 20 years of age, if the minor was found guilty of a felony offense or first degree murder. Provides that a minor under the age of 14 who is in violation of the law may be the subject of a petition under the Minors Requiring Authoritative Intervention Article of the Act, or may be held accountable through a community mediation program.

March 10, 2023 – Re-referred to Rules Committee

HB2454 – Sch Cd & Juv Ct & Cd Corre-Rehabil

Amends the School Code – specifics included in the synopsis. Amends the Juvenile Court Act of 1987. Deletes a provision that permits a guilty minor to be committed to the Department of Juvenile Justice for an offense that is a Class 3 or Class 4 felony violation of the Illinois Controlled Substances Act if the commitment occurs upon a third or subsequent judicial finding of a violation of probation for substantial noncompliance with court-ordered treatment or programming. Amends the Unified Code of Corrections. Provides that, upon the discharge of a youth, the Department of Juvenile Justice may continue to provide services to the youth for up to 12 months to allow the youth to participate in vocational, rehabilitative, or supportive programs. Provides that the continuance of services may be requested by the youth, the youth's parent or guardian, or the Director of Juvenile Justice. Effective immediately.

March 10, 2023 – Re-referred to Rules Committee

HB2889 – Juv Ct – Speedy Trial – Detention

Amends the Juvenile Court Act of 1987. Provides that if the minor has multiple delinquency petitions filed against him or her, remaining petitions pending against the minor respondent shall be adjudicated within 120 (rather than 160) days from the date on which a finding relative to the first petition prosecuted is rendered. Restructures the provisions concerning alleged delinquent minors and pretrial detention of alleged delinquent minors.

March 27, 2023 – Re-referred to Rules Committee



HB2927 – Juv Ct – Sight and Sound – Age 18

Amends the Juvenile Court Act of 1987. Provides that if a person 18 years of age or older is confined in a county jail for any matter or proceeding under the Act, the provision that the minor's confinement shall be implemented in such a manner that there will be no contact by sight, sound, or otherwise between the minor and adult prisoners does not apply.

March 10, 2023 – Re-referred to Rules Committee

HB3230 – Behavioral Health Crisis Care

Creates the Strengthening and Transforming Behavioral Health Crisis Care in Illinois Act. Requires the Department of Human Services, Division of Mental Health, to use an independent third-party expert to conduct a cost analysis and determine actuarially sound costs associated with developing and maintaining a statewide initiative for the coordination and delivery of the continuum of behavioral health crisis response services in the State, including crisis call centers, mobile crisis response team services, crisis receiving and stabilization centers, and other acute behavioral health services.

March 29, 2023 – Referred to Assignments

HB3242 -MENA- Racial Classification

Amends the Uniform Racial Classification Act and the Data Governance and Organization to Support Equity and Racial Justice Act. Adds "Middle Eastern or Northern African" as a racial classification for purposes of the Acts.

February 17, 2023 – Referred to Rules Committee

HB3359 – Juv Ct – Disqualified Offense

Amends the Juvenile Court Act of 1987. Precludes the court from ordering the automatic expungement of the juvenile court and law enforcement records of a delinquent minor based on an attempt to commit a disqualified offense.

March 10, 2023 – Re-referred to Rules Committee

HB3411 – Sch Cd – Student Social Assess

Amends the School Boards Article of the School Code. Provides that school boards shall require that each student is assessed by a teacher or school staff member no less than 3 times per year on social emotional learning utilizing a comprehensive, evidence-based, social emotional learning system.

March 10, 2023 – Re-referred to Rules Committee

HB3444 – Probation – Young Adults

Amends the Unified Code of Corrections. In provisions that specify offenses for which a period of probation, a term of periodic imprisonment, or conditional discharge shall not be imposed, provides exceptions for certain offenses in cases where the offender is under the age of 26 at the time of the offense. Provides that, at a sentencing hearing, the court shall consider the developmental appropriateness of the sentence and apply great weight to factors of youthfulness such as the diminished culpability of youth and young adults as compared to adults and capacity for growth and maturity.

February 17, 2023 – Referred to Rules Committee

HB3449 – Mental Hlth – School Standards

Amends the Children's Mental Health Act of 2003. In a provision requiring the Illinois State Board of Education to develop and implement a plan to incorporate social and emotional development standards for the purpose of enhancing and measuring children's school readiness and ability to achieve academic success, provides that the plan shall be reviewed and revised periodically by the Board of Education at least once every 3 years. Requires the plan to include the teaching of grade-appropriate mental health topics, including, but not limited to, types of mental illness, how to find help for mental illness for peers



and yourself, suicide prevention, substance abuse prevention, coping strategies, appropriate language to use surrounding mental health, and how to incorporate technology in a mental health crisis.

March 10, 2023 – Re-referred to Rules Committee

HB3600 – Sch Cd – In School Suspension

Amends the School Boards Article of the School Code. Provides that if a student is sent home for a full or partial school day, subjected to an in-school suspension, told not to come to school for non-medical reasons, or for other reasons that are not valid causes for absence, including behaviors that do not rise to the level of gross disobedience or misconduct, removal from the educational environment must be documented and the student's parent or guardian must be provided a notice in writing describing the action taken and the specific reason or reasons for the action. Provides that the written notice to the parents or guardian of a student with a disability provided must include a description of the school district's responsibility to convene a meeting of the student's IEP team or Section 504 plan team to review the student's behavioral intervention plan or to develop such a plan, and the parent's right to request such a meeting, if the cumulative number of days of removal of the student exceeds 10 in a school year.

March 27, 2023 – Referred to Assignments

HB3933 – Children – Mental Health Service

Amends the Bill of Rights for Children. Provides that every juvenile for whom a delinquency petition has been filed and who is detained shall have access to mental health services and professionals. Provides that juvenile probation officers, employees of juvenile detention centers, employees of the Department of Juvenile Justice, and juvenile police officers shall receive specific training to address the mental health needs of juveniles.

March 10, 2023 – Re-referred to Rules Committee

SB1463 – Minors – No Fees or Fines

Amends the Juvenile Court Act of 1987. Provides that the court shall not order any assessments, such as fees, fines, or administrative costs, except for assessments made in traffic, boating, or fish and game law, or municipal ordinance violations as provided in the Act, against a minor subject to the Minors Requiring Authoritative Intervention Article, Addicted Minors Article, or Delinquent Minors Article of the Act or against the minor's parent, guardian, or legal custodian.

March 30, 2023 – Referred to Rules Committee

SB2361 – Juvenile Detention Centers

Amends the Unified Code of Corrections. Provides that, 2 years after the effective date of the amendatory Act, the Department of Juvenile Justice shall exercise control and supervision of all county detention centers in the State.

March 10, 2023 – Re-referred to Assignments

SB2369 – Children-Detention-Alternative

Amends the Department of Children and Family Services Act. Provides that the Department of Human Services and the Department of Children and Family Services shall require that all participants in the Comprehensive Community-Based Youth Services Network provide alternatives to detention for all youths age 10 through 12 who have been referred to a juvenile detention center and who cannot be returned to their homes and cannot be placed with an alternative family member except when: (1) the youth has a criminal history with multiple documented incidents of violence or injury to others; or (2) the youth is in a medical crisis and shall instead be transported to an emergency room.

March 10, 2023 – Re-referred to Assignments



SB2370 – Juv Ct – Reimbursement – Placement

Provides that the Department of Children and Family Services shall reimburse any county probation department for the costs of placement of any youth in care, whether the youth in care is in the custody of a county juvenile detention center or appropriate placement that meets the needs of the youth in care.

March 10, 2023 – Re-referred to Assignments

SB2405 – Youth Advisory Council

Creates the Illinois Legislative Youth Advisory Council Act. Provides that the purpose of the Council is to facilitate communication between the youth of the State of Illinois and the elected branches of State government regarding the issues, interests, and needs important to youth in the State of Illinois. Creates an Advisory Board, consisting of 2 members of the House of Representatives, one each appointed by the Speaker of the House of Representatives and the Minority Leader of the House of Representatives; and 2 members of the Senate, one each appointed by the President of the Senate and the Minority Leader of the Senate, to facilitate the functions of the Council.

February 10, 2023 – Referred to Assignments