



Kane County Juvenile Justice Council
Legislative Updates – October 2023

HB3414 - JUV CT&CD CORR-MINOR-PROSECUTE

Amends the Juvenile Court Act of 1987. Provides that the judge shall enter an order permitting prosecution under the criminal laws of Illinois unless the judge makes a finding based on clear and convincing evidence that the minor would be amenable to the care, treatment, and training programs available through the facilities of the juvenile court based on an evaluation of: (1) any involvement of the minor in the child welfare system, (2) whether there is evidence the minor was subjected to outside pressure, including peer pressure, familial pressure, or negative influences, and (3) the minor's degree of participation and specific role in the offense. Amends the Unified Code of Corrections. Provides that when a person commits an offense and the person is under 18 years of age at the time of the commission of the offense, the court, at the sentencing hearing shall consider the following additional factors in mitigation in determining the appropriate sentence: (1) the person's family, home environment, educational and social background, including any history of domestic or sexual violence or sexual exploitation; (2) childhood trauma, including adverse childhood experiences, the person's involvement in the child welfare system; (3) involvement of the person in the community; (4) if a comprehensive mental health evaluation of the person was conducted by a qualified mental health professional; and (5) the outcome of the evaluation.

June 30, 2023 - Public Act 103-0191 (Effective January 1, 2024)

SB 1463 – 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.

July 28, 2023 – Public Act 103-0379 (Effective immediately)

SB 183 - SCH CD-TRANSFER ALT SCHOOL

Amends the School Code. Provides that school officials shall limit the number and duration of transfers to alternative schools in place of discipline. Requires a school district to create an Alternative School Bill of Rights by which a pupil who is offered a transfer to an alternative school in place of disciplinary action shall be provided with certain information by the appropriate administrator.

August 4, 2023 – Public Act 103-0473 (Effective January 1, 2024)

SB1709 - MENTAL HEALTH-STUDENT ACCESS

Provides that the Department of Human Resources shall partner with the State Board of Education to provide technical assistance for the provision of mental health care during school days with the goal of increasing the availability and accessibility of mental health resources for students.

June 30, 2023 - Public Act 103-0222 (Effective January 1, 2024)

HB3140 - YOUTH CONFINEMENT-RESTRICTIONS

Creates the End Youth Solitary Confinement Act. Provides that the use of room confinement at a juvenile or correctional facility for discipline, punishment, retaliation, or any reason other than as a temporary response to a juvenile's behavior that poses a serious and immediate risk of physical harm to any individual, including the juvenile, is prohibited.

June 30, 2023 – Public Act 103-0178 (Effective January 1, 2024)