

1 AN ACT in relation to criminal law.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Criminal Proceeding Interpreter Act is
5 amended by changing Section 1 as follows:

6 (725 ILCS 140/1) (from Ch. 38, par. 165-11)

7 Sec. 1. Whenever any person accused of committing a
8 felony or misdemeanor is to be tried in any court of this
9 State, the court shall upon its own motion or that of defense
10 or prosecution determine whether the accused is capable of
11 understanding the English language and is capable of
12 expressing himself in the English language so as to be
13 understood directly by counsel, court or jury. If the court
14 finds the accused incapable of so understanding or so
15 expressing himself, the court shall appoint an interpreter
16 for the accused whom he can understand and who can understand
17 him. In compliance with the federal Americans with
18 Disabilities Act of 1990, the right to communications access
19 through a sign language interpreter or other means shall
20 extend to a person with a disability who is accused of a
21 violation of any penal statute of this State.

22 If the court appoints an interpreter (excluding a sign
23 interpreter), the court may assess all or part of the fees
24 and costs of the interpreter against the person for whom the
25 service is provided. The court may not assess interpreter
26 fees or costs against a person found to be indigent.

27 (Source: P.A. 88-201.)

28 Section 99. Effective date. This Act takes effect upon
29 becoming law.