

1 AN ACT concerning criminal law.

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

4 Section 5. The Code of Criminal Procedure of 1963 is
5 amended by adding Section 124A-15 as follows:

6 (725 ILCS 5/124A-15 new)

7 Sec. 124A-15. Reversal of conviction; refund of fines,
8 fees, and costs.

9 (a) A defendant convicted in a criminal prosecution whose
10 conviction is reversed by a finding of factual innocence in a
11 collateral proceeding such as habeas corpus or post-conviction
12 relief under Article 122 of this Code is not liable for any
13 costs or fees of the court or circuit clerk's office, or for
14 any charge of subsistence while detained in custody. If the
15 defendant has paid any costs, fine, or fees, in the case, the
16 clerk or judge shall give him or her a certificate of the
17 payment of those costs, fine, or fees with the items of those
18 expenses, which, when audited and approved according to law,
19 shall be refunded to the defendant.

20 (b) To receive a refund under this Section, a defendant
21 must submit a request for the refund to the clerk of the court
22 on a form and in a manner prescribed by the clerk. The
23 defendant must attach to the form an order from the court

1 demonstrating the defendant's right to the refund and the
2 amount of the refund.