

HB3687



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB3687

by Rep. Sonya M. Harper

SYNOPSIS AS INTRODUCED:

725 ILCS 5/111-1

from Ch. 38, par. 111-1

Amends the Code of Criminal Procedure of 1963. Provides that upon commencement of a prosecution for a sex offense against a person known to be an employee of a school, the State's Attorney shall immediately provide the superintendent of schools or school administrator that employs the employee with a copy of the complaint, information, or indictment. Provides that the notification shall not diminish the rights, privileges, or remedies of an employee under a collective bargaining agreement or employment contract. Defines "employee" and "sex offense". Effective immediately.

LRB101 09335 AWJ 54431 b

A BILL FOR

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 changing Section 111-1 as follows:

6 (725 ILCS 5/111-1) (from Ch. 38, par. 111-1)

7 Sec. 111-1. Methods of prosecution. When authorized by law
8 a prosecution may be commenced by:

9 (a) A complaint;

10 (b) An information;

11 (c) An indictment.

12 (d) Upon commencement of a prosecution for a violation of
13 Section 11-501 of the Illinois Vehicle Code, or a similar
14 provision of a local ordinance, or Section 9-3 of the Criminal
15 Code of 1961 or the Criminal Code of 2012 relating to the
16 offense of reckless homicide, the victims of these offenses
17 shall have all the rights under this Section as they do in
18 Section 4 of the Bill of Rights for Victims and Witnesses of
19 Violent Crime Act.

20 For the purposes of this Section "victim" shall mean an
21 individual who has suffered personal injury as a result of the
22 commission of a violation of Section 11-501 of the Illinois
23 Vehicle Code, or a similar provision of a local ordinance, or

1 Section 9-3 of the Criminal Code of 1961 or the Criminal Code
2 of 2012 relating to the offense of reckless homicide. In regard
3 to a violation of Section 9-3 of the Criminal Code of 1961 or
4 the Criminal Code of 2012 relating to the offense of reckless
5 homicide, "victim" shall also include, but not be limited to,
6 spouse, guardian, parent, or other family member.

7 (e) Upon commencement of a prosecution for a sex offense
8 against a person known to be an employee, the State's Attorney
9 shall immediately provide the superintendent of schools or
10 school administrator that employs the employee with a copy of
11 the complaint, information, or indictment.

12 For the purposes of this subsection: "employee" has the
13 meaning provided in subsection (a) of Section 24-5 of the
14 School Code; and "sex offense" has the meaning provided in
15 Section 2 of the Sex Offender Registration Act.

16 This subsection shall not be construed to diminish the
17 rights, privileges, or remedies of an employee under a
18 collective bargaining agreement or employment contract.

19 (Source: P.A. 97-1150, eff. 1-25-13.)

20 Section 99. Effective date. This Act takes effect upon
21 becoming law.