



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5580

by Rep. Marcus C. Evans, Jr.

SYNOPSIS AS INTRODUCED:

725 ILCS 5/106B-10

Amends the Code of Criminal Procedure of 1963. Provides that in a prosecution of any violent crime as defined in the Rights of Crime Victims and Witnesses Act, the court may set any conditions it finds just and appropriate on the taking of testimony of a victim who is a child under the age of 18 years or a moderately, severely, or profoundly intellectually disabled person or a person affected by a developmental disability, involving the use of a facility dog in any proceeding involving that offense.

LRB101 19296 RLC 68763 b

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 106B-10 as follows:

6 (725 ILCS 5/106B-10)

7 Sec. 106B-10. Conditions for testimony by a victim who is a
8 child or a moderately, severely, or profoundly intellectually
9 disabled person or a person affected by a developmental
10 disability. In a prosecution of criminal sexual assault,
11 predatory criminal sexual assault of a child, aggravated
12 criminal sexual assault, criminal sexual abuse, ~~or~~ aggravated
13 criminal sexual abuse, or any violent crime as defined in
14 subsection (c) of Section 3 of the Rights of Crime Victims and
15 Witnesses Act, the court may set any conditions it finds just
16 and appropriate on the taking of testimony of a victim who is a
17 child under the age of 18 years or a moderately, severely, or
18 profoundly intellectually disabled person or a person affected
19 by a developmental disability, involving the use of a facility
20 dog in any proceeding involving that offense. When deciding
21 whether to permit the child or person to testify with the
22 assistance of a facility dog, the court shall take into
23 consideration the age of the child or person, the rights of the

1 parties to the litigation, and any other relevant factor that
2 would facilitate the testimony by the child or the person. As
3 used in this Section, "facility dog" means a dog that is a
4 graduate of an assistance dog organization that is a member of
5 Assistance Dogs International.

6 (Source: P.A. 99-94, eff. 1-1-16.)