



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

SB3033

Introduced 2/5/2020, by Sen. Neil Anderson

#### SYNOPSIS AS INTRODUCED:

New Act

Creates the Gun Crime Charging and Sentencing Accountability and Transparency Act. Provides that in a criminal case, if a defendant is charged with an offense involving the illegal use or possession of a firearm and subsequently enters into a plea agreement in which the charge will be reduced to a lesser offense or a non-weapons offense in exchange for a plea of guilty, at or before the time of sentencing, the State's Attorney shall file with the court a written statement of his or her reasons in support of the plea agreement, which shall specifically state why the offense or offenses of conviction resulting from the plea agreement do not include the originally charged weapons offense. Provides that the written statement shall be part of the court record in the case and a copy shall be provided to any person upon request. Provides that in a criminal case in which the original charge is or was for an offense involving the illegal use or possession of a firearm, if a defendant pleads guilty or is found guilty of the original charge or lesser offense or a non-weapons offense, in imposing sentence, the judge shall set forth in a written sentencing order his or her reasons for imposing the sentence or accepting the plea agreement. Provides that a copy of the written sentencing order shall be provided to any person upon request.

LRB101 18414 RLC 67862 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 1. Short title. This Act may be cited as the Gun  
5 Crime Charging and Sentencing Accountability and Transparency  
6 Act.

7 Section 5. Plea agreement; State's Attorney. In a criminal  
8 case, if a defendant is charged with an offense involving the  
9 illegal use or possession of a firearm and subsequently enters  
10 into a plea agreement in which the charge will be reduced to a  
11 lesser offense or a non-weapons offense in exchange for a plea  
12 of guilty, at or before the time of sentencing, the State's  
13 Attorney shall file with the court a written statement of his  
14 or her reasons in support of the plea agreement, which shall  
15 specifically state why the offense or offenses of conviction  
16 resulting from the plea agreement do not include the originally  
17 charged weapons offense. The written statement shall be part of  
18 the court record in the case and a copy shall be provided to  
19 any person upon request.

20 Section 10. Sentencing; judge. In a criminal case in which  
21 the original charge is or was for an offense involving the  
22 illegal use or possession of a firearm, if a defendant pleads

1 guilty or is found guilty of the original charge or lesser  
2 offense or a non-weapons offense, in imposing sentence, the  
3 judge shall set forth in a written sentencing order his or her  
4 reasons for imposing the sentence or accepting the plea  
5 agreement. A copy of the written sentencing order shall be  
6 provided to any person upon request.