

SB3354



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3354

Introduced 2/14/2020, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

725 ILCS 105/12 new
725 ILCS 105/13 new
725 ILCS 105/14 new

Amends the State Appellate Defender Act. Creates the Public Defender Bail Reform Grant Program to assist county public defenders in implementing a provision of the Code of Criminal Procedure of 1963 which requires counsel at bail hearings. Provides that the Public Defender Bail Reform Grant Program is to be administered by the State Appellate Defender, under the direction of the State Appellate Defender Commission. Provides that the State Appellate Defender shall request funds for this grant program within its annual appropriation. Provides for eligibility and administration of the grant program. Makes other changes. Effective immediately.

LRB101 18392 RLC 67839 b

FISCAL NOTE ACT
MAY APPLY

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 State Appellate Defender Act is amended by
5 adding Sections 12, 13, and 14 as follows:

6 (725 ILCS 105/12 new)

7 Sec. 12. Public Defender Bail Reform Grant Program.

8 (a) There is hereby created a Public Defender Bail Reform
9 Grant Program. The purpose of this grant program is to assist
10 county public defenders in implementing Section 109-1 of the
11 Code of Criminal Procedure of 1963 which requires counsel at
12 bail hearings.

13 (b) The Public Defender Bail Reform Grant Program is to be
14 administered by the State Appellate Defender, under the
15 direction of the Commission. The State Appellate Defender is
16 also required to seek recommendations on administering this
17 grant program from the Illinois Supreme Court Pretrial
18 Commission on Pretrial Practices.

19 (c) The State Appellate Defender shall request funds for
20 this grant program within its annual appropriation. The State
21 Appellate Defender may also seek contributions and grants to
22 supplement all State funds appropriated for this grant program.

1 (725 ILCS 105/13 new)

2 Sec. 13. Grant program; eligibility.

3 (a) On and after July 1, 2020, any county that does not
4 employ a full-time public defender is eligible to apply for a
5 grant under the Public Defender Bail Reform Grant Program. The
6 Commission may also establish a county population threshold for
7 grant eligibility.

8 (b) The application for the grant shall be made by the
9 chief judge of the circuit in which the county is located. The
10 chief judge shall administer the grant. Any group of eligible
11 counties within the same circuit court may jointly apply for a
12 grant under the Public Defender Bail Reform Grant Program.

13 (725 ILCS 105/14 new)

14 Sec. 14. Public Defender Bail Reform Grant Program
15 Administration.

16 (a) The State Appellate Defender may adopt rules for the
17 administration of the Public Defender Bail Reform Grant
18 Program. The rules shall be in effect after the rules are
19 approved by the Supreme Court.

20 (b) The State Appellate Defender shall publish grant
21 guidelines, rules, and grant application forms on the agency's
22 website.

23 (c) The State Appellate Defender may work with any law
24 school to establish internship programs for the training of law
25 students in representing individuals in bail hearings. The

1 State Appellate Defender may also seek permission from the
2 Supreme Court to utilize law students with a provisional
3 license to practice law in representing individuals in eligible
4 counties.

5 Section 99. Effective date. This Act takes effect upon
6 becoming law.