



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5367

Introduced 1/31/2022, by Rep. Brad Halbrook

SYNOPSIS AS INTRODUCED:

55 ILCS 5/4-2003

from Ch. 34, par. 4-2003

Amends the Counties Code. Provides that an assistant State's Attorney shall be named in writing by the State's Attorney of the county (rather than assistant State's Attorneys are to be named by the State's Attorney of the county). Provides that, when the public interest so requires special assistant State's Attorneys in any county, the number of such special assistants shall be determined by the county board and the salaries of such special assistants shall be fixed by the State's Attorney subject to budgetary limitations established by the county board and paid out of the county treasury in quarterly annual installments on the order of the county board on the treasurer of said county. Provides that the special assistant State's Attorneys shall be named in writing by the State's Attorney of the county, and, when so appointed, shall take the oath of office in the same manner as State's Attorneys and shall be under the supervision of the State's Attorney (rather than the State's Attorney may appoint qualified attorneys to assist as Special Assistant State's Attorneys when the public interest so requires). Effective immediately.

LRB102 25430 AWJ 34716 b

1 AN ACT concerning local government.

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

4 Section 5. The Counties Code is amended by changing
5 Section 4-2003 as follows:

6 (55 ILCS 5/4-2003) (from Ch. 34, par. 4-2003)
7 Sec. 4-2003. Assistants.

8 (a) Except as provided in Section 4-2001, where assistant
9 State's Attorneys are required in any county, the number of
10 such assistants shall be determined by the county board, and
11 the salaries of such assistants shall be fixed by the State's
12 Attorney subject to budgetary limitations established by the
13 county board and paid out of the county treasury in quarterly
14 annual installments, on the order of the county board on the
15 treasurer of said county. Such assistant State's Attorneys
16 shall ~~are to~~ be named in writing by the State's Attorney of the
17 county, and when so appointed shall take the oath of office in
18 the same manner as State's Attorneys and shall be under the
19 supervision of the State's Attorney.

20 (b) Except as provided in Section 4-2001 and subsection
21 (a) of this Section, when the public interest so requires
22 special assistant State's Attorneys in any county, the number
23 of such special assistants shall be determined by the county

1 board and the salaries of such special assistants shall be
2 fixed by the State's Attorney subject to budgetary limitations
3 established by the county board and paid out of the county
4 treasury in quarterly annual installments on the order of the
5 county board on the treasurer of said county. The special
6 assistant State's Attorneys shall be named in writing by the
7 State's Attorney of the county, and, when so appointed, shall
8 take the oath of office in the same manner as State's Attorneys
9 and shall be under the supervision of the State's Attorney.
10 ~~The State's Attorney may appoint qualified attorneys to assist~~
11 ~~as Special Assistant State's Attorneys when the public~~
12 ~~interest so requires.~~

13 (Source: P.A. 100-669, eff. 1-1-19.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.