



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB5545

Introduced 1/31/2022, by Rep. Lamont J. Robinson, Jr.

SYNOPSIS AS INTRODUCED:

15 ILCS 205/4
740 ILCS 45/4.1

from Ch. 14, par. 4
from Ch. 70, par. 74.1

Amends the Crime Victims Compensation Act. Requires the Attorney General to conduct an annual awareness campaign informing individuals of the rights granted to individuals under the Act. Makes a corresponding change in the Attorney General Act.

LRB102 25333 LNS 34609 b

1 AN ACT concerning the Attorney General.

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

4 Section 5. The Attorney General Act is amended by changing
5 Section 4 as follows:

6 (15 ILCS 205/4) (from Ch. 14, par. 4)

7 Sec. 4. The duties of the Attorney General shall be--

8 First - To appear for and represent the people of the State
9 before the supreme court in all cases in which the State or the
10 people of the State are interested.

11 Second - To institute and prosecute all actions and
12 proceedings in favor of or for the use of the State, which may
13 be necessary in the execution of the duties of any State
14 officer.

15 Third - To defend all actions and proceedings against any
16 State officer, in his official capacity, in any of the courts
17 of this State or the United States.

18 Fourth - To consult with and advise the several State's
19 Attorneys in matters relating to the duties of their office;
20 and when, in his judgment, the interest of the people of the
21 State requires it, he shall attend the trial of any party
22 accused of crime, and assist in the prosecution. When the
23 Attorney General has requested in writing that a State's

1 Attorney initiate court proceedings to enforce any provisions
2 of the Election Code or to initiate a criminal prosecution
3 with respect to a violation of the Election Code, and when the
4 State's Attorney has declined in writing to initiate those
5 proceedings or prosecutions or when the State's Attorney has
6 neither initiated the proceedings or prosecutions nor
7 responded in writing to the Attorney General within 60 days of
8 the receipt of the request, the Attorney General may,
9 concurrently with or independently of the State's Attorney,
10 initiate such proceedings or prosecutions. The Attorney
11 General may investigate and prosecute any violation of the
12 Election Code at the request of the State Board of Elections or
13 a State's Attorney.

14 Fifth - To investigate alleged violations of the statutes
15 which the Attorney General has a duty to enforce and to conduct
16 other investigations in connection with assisting in the
17 prosecution of a criminal offense at the request of a State's
18 Attorney.

19 Sixth - To consult with and advise the governor and other
20 State officers, and give, when requested, written opinions
21 upon all legal or constitutional questions relating to the
22 duties of such officers respectively.

23 Seventh - To prepare, when necessary, proper drafts for
24 contracts and other writings relating to subjects in which the
25 State is interested.

26 Eighth - To give written opinions, when requested by

1 either branch of the general assembly, or any committee
2 thereof, upon constitutional or legal questions.

3 Ninth - To enforce the proper application of funds
4 appropriated to the public institutions of the State,
5 prosecute breaches of trust in the administration of such
6 funds, and, when necessary, prosecute corporations for failure
7 or refusal to make the reports required by law.

8 Tenth - To keep, a register of all cases prosecuted or
9 defended by him, in behalf of the State or its officers, and of
10 all proceedings had in relation thereto, and to deliver the
11 same to his successor in office.

12 Eleventh - To keep on file in his office a copy of the
13 official opinions issued by the Attorney General and deliver
14 same to his successor.

15 Twelfth - To pay into the State treasury all moneys
16 received by him for the use of the State.

17 Thirteenth - To attend to and perform any other duty which
18 may, from time to time, be required of him by law.

19 Fourteenth - To attend, present evidence to and prosecute
20 indictments returned by each Statewide Grand Jury.

21 Fifteenth - To give written binding and advisory public
22 access opinions as provided in Section 7 of this Act.

23 Sixteenth - To fulfill the duties of the Attorney General
24 set forth in the Crime Victims Compensation Act.

25 (Source: P.A. 95-699, eff. 11-9-07; 96-542, eff. 1-1-10.)

1 Section 10. The Crime Victims Compensation Act is amended
2 by changing Section 4.1 as follows:

3 (740 ILCS 45/4.1) (from Ch. 70, par. 74.1)

4 Sec. 4.1. Attorney General duties.

5 (a) In addition to other powers and duties set forth in
6 this Act and other powers exercised by the Attorney General,
7 the Attorney General shall:

8 (1) investigate all claims and prepare and present an
9 investigatory report and a draft award determination to
10 the Court of Claims for a review period of 28 business
11 days;

12 (2) upon conclusion of the review by the Court of
13 Claims, provide the applicant with a compensation
14 determination letter;

15 (3) prescribe and furnish all applications and other
16 forms required to be filed in the office of the Attorney
17 General by the terms of this Act; and

18 (4) represent the interests of the State of Illinois
19 in any hearing before the Court of Claims.

20 The changes made to this Section by this amendatory Act of
21 the 101st General Assembly apply to actions commenced or
22 pending on or after January 1, 2022.

23 (b) The Attorney General shall conduct an annual awareness
24 campaign informing individuals of the rights granted to
25 individuals under this Act, including, but not limited to, who

1 may apply for compensation and how to apply for compensation.

2 (Source: P.A. 101-652, eff. 7-1-21; 102-27, eff. 6-25-21.)