SB2195

LRB10214151KMF19503b

102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2195

Introduced 2/26/2021, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

725 ILCS 185/50 new
725 ILCS 185/51 new
725 ILCS 185/52 new
725 ILCS 185/60 new
725 ILCS 185/61 new
725 ILCS 185/62 new
725 ILCS 185/70 new
725 ILCS 185/71 new
725 ILCS 185/72 new

Amends the Pretrial Services Act. Creates the Public Defender Pretrial Grant Program. Determines which counties and circuit courts are eligible for the program. Provides for the administration of the program. Creates the Pretrial Data Collection Grant Program. Determines which counties and circuit courts are eligible for the program Provides for the administration of the program. Effective Immediately.

LRB102 14151 KMF 19503 b

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 Pretrial Services Act is amended by adding

5   Sections 50, 51, 52, 60, 61, 62, 70, 71, and 72 as follows:

6   (725 ILCS 185/50 new)

7   Sec. 50. Public Defender Pretrial Grant Program.

8   (a) There is created a Public Defender Pretrial Grant

9   Program. The purpose of this grant program is to assist

10   circuit courts and counties in implementing Sections 109-1 and

11   110-5 of the Code of Criminal Procedure of 1963, which

12   requires counsel at pretrial hearings.

13   (b)The Public Defender Pretrial Grant Program is to be

14   administered by the Administrative Office of the Illinois

15   Courts, under the direction of the Illinois Supreme Court.

16   (c) The Administrative Office of the Illinois Courts shall

17   request funds for this grant program in addition to its annual

18   appropriation. The Administrative Office of the Illinois

19   Courts may also seek contributions and grants to supplement

20   all State funds appropriated for this grant program.

21   (725 ILCS 185/51 new)

22   Sec. 51. Eligible counties and circuit courts.

1   (a) Any county that has not employed a full-time public

2 defender on or before January 1, 2021 is eligible to apply for

3 a grant under this amendatory Act of the 102nd General

4 Assembly. Additionally, the Administrative Office of the

5 Illinois Courts may also establish a county population

6 threshold for grant eligibility and workload or caseload

7 guidelines for grant eligibility.

8   (b) The costs of training programs established by the

9 Illinois Judicial College for public defenders with respect to

10 pretrial and pretrial cases may be included in the Public

11 Defender Pretrial Grant Program if sufficient funding is made

12 available.

13   (c) The application for the grant shall be made by the

14 Chief Judge of the Circuit in which the county is located. The

15 Chief Judge shall administer the grant locally. Any group of

16 eligible counties within the same circuit court may jointly

17 apply for a Public Defender Pretrial Grant.

18   (725 ILCS 185/52 new)

19   Sec. 52. Public Defender Pretrial Grant Program

20 administration.

21   (a) The Administrative Office of the Illinois Courts may

22 adopt rules for the administration of the Public Defender

23 Pretrial Grant Program. The rules shall be in effect only

24 after they are approved by the Supreme Court.

25   (b) The Administrative Office of the Illinois Courts shall

1   publish grant guidelines, rules, and grant application forms

2   on the agency's World Wide Web site.

3   (c) The Administrative Office of the Illinois Courts may

4   work with any law school to establish internship programs and

5   mentoring programs for the training of law students and

6   lawyers in representing individuals in pretrial release

7   hearings. The Supreme Court may authorize law students with a

8   provisional license to practice law to represent individuals

9   seeking pretrial release.

10   (725 ILCS 185/60 new)

11   Sec. 60. Pretrial Court Reminder Notification Grant

12   Program.

13   (a) There is hereby created a Pretrial Court Reminder

14   Notification Grant Program. The purpose of this grant program

15   is to assist circuit courts and counties implementing the

16   pretrial provisions of Public Act 100-1 and the pretrial and

17   No Cash Bail provisions enacted by the 102nd General Assembly.

18   (b)The Pretrial Court Reminder Notification Grant Program

19   is to be administered by the Administrative Office of the

20   Illinois Courts, under the direction of the Illinois Supreme

21   Court.

22   (c) The Administrative Office of the Illinois Courts shall

23   request funds for this grant program in addition to its annual

24   appropriation. The Administrative Office of the Illinois

25   Courts may also seek contributions and grants to supplement

1   all State funds appropriated for this grant program.

2   (725 ILCS 185/61 new)

3   Sec. 61. Eligible counties and circuit courts.

4   (a) As of January 1, 2021, any county or circuit court is

5   eligible to apply for a Pretrial Court Reminder Notification

6   Grant under this amendatory Act of the 102nd General Assembly.

7   Additionally, the Administrative Office of the Illinois Courts

8   may also establish a county population threshold for grant

9   eligibility and caseload guidelines for grant eligibility.

10   (b) The costs of training programs established by the

11   Illinois Judicial College for with respect to pretrial and

12   pretrial caseloads may be included in the Pretrial Court

13   Reminder Notification Grant Program, if sufficient funding is

14   made available.

15   (c) The application for the grant shall be made by the

16   Chief Judge of the Circuit in which the county is located. Such

17   Chief Judge shall administer the grant locally. Any group of

18   eligible counties within the same circuit court may jointly

19   apply for a Pretrial Court Reminder Notification Grant.

20   (725 ILCS 185/62 new)

21   Sec. 62. Pretrial Court Reminder Notification Grant

22   Program Administration.

23   (a) The Administrative Office of the Illinois Courts may

24   promulgate rules for the administration of the Pretrial Court

1   Reminder Notification Grant Program. The rules shall be in

2   effect only after they are approved by the Supreme Court.

3   (b) The Administrative Office of the Illinois Courts shall

4   publish grant guidelines, rules, and grant application forms

5   on the agency's World Wide Web site.

6   (c) The Administrative Office of the Illinois Courts may

7   establish uniform provisions, minimum hardware and software

8   components for establishing and maintaining a Pretrial Court

9   Reminder Notification system, and maintain a list of approved

10 vendors meeting sufficient standards to design, implement or

11 support a Pretrial Release Court Reminder Notification system

12 by the circuit court or county applicant.

13   (725 ILCS 185/70 new)

14   Sec. 70. Pretrial Data Collection Grant Program.

15   (a) There is hereby created a Pretrial Data Collection

16 Grant Program. The purpose of this grant program is to assist

17 circuit courts and counties for startup costs and costs

18 implementing pretrial data collection and reporting in Section

19 7.7 of the Illinois Criminal Justice Information Act.

20   (b)The Pretrial Data Collection Grant Program is to be

21 administered by the Administrative Office of the Illinois

22 Courts, under the direction of the Illinois Supreme Court.

23   (c) The Administrative Office of the Illinois Courts shall

24 request funds for this grant program in addition to its annual

25 appropriation. The Administrative Office of the Illinois

1   Courts may also seek contributions and grants to supplement

2   all State funds appropriated for this grant program.

3   (725 ILCS 185/71 new)

4   Sec. 71. Eligible counties and circuit courts.

5   (a) As of January 1, 2021, any county or circuit court is

6   eligible to apply for a Pretrial Data Collection Grant under

7   this amendatory Act of the 102nd General Assembly.

8   Additionally, the Administrative Office of the Illinois Courts

9   may also establish a county population threshold for grant

10 eligibility and caseload guidelines for grant eligibility.

11   (b) The costs of training programs established by the

12 Illinois Judicial College with respect to data collection for

13 Pretrial and bail caseloads may be included in the Pretrial

14 Data Collection Grant Program, if sufficient funding is made

15 available.

16   (c) The application for the grant shall be made by the

17 Chief Judge of the Circuit in which the county is located. Such

18 Chief Judge shall administer the grant locally. Any group of

19 eligible counties within the same circuit court may jointly

20 apply for a Pretrial Release Court Reminder Notification

21 Grant.

22   (725 ILCS 185/72 new)

23   Sec. 72. Pretrial Data Collection Grant Program

24 administration.

1   (a) The Administrative Office of the Illinois Courts may

2   promulgate rules for the administration of the Pretrial Data

3   Collection Grant Program. The rules shall be in effect only

4   after they are approved by the Supreme Court.

5   (b) The Administrative Office of the Illinois Courts shall

6   publish grant guidelines, rules, and grant application forms

7   on the agency's World Wide Web site.

8   (c) The Administrative Office of the Illinois Courts may

9   establish uniform provisions, minimum hardware and software

10 components for establishing and maintaining a Pretrial Data

11 Collection system, and maintain a list of approved vendors

12 meeting sufficient standards to design, implement or support a

13 Pretrial Data Collection Grant system by the circuit court or

14 county applicant.

15   Section 99. Effective date. This Act takes effect upon

16 becoming law.