



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB3061

Introduced 1/5/2022, by Sen. Sally J. Turner

SYNOPSIS AS INTRODUCED:

725 ILCS 5/115-11

from Ch. 38, par. 115-11

Amends the Code of Criminal Procedure of 1963. Provides that in a prosecution for a criminal offense defined in the Sex Offense Article of the Criminal Code of 1961 or the Criminal Code of 2012 or for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, or aggravated criminal sexual abuse when the alleged victim of the offense was under 18 years of age at the time of the offense, the court may exclude from the proceedings while the victim is testifying, regardless of the alleged victim's age at the time of the victim's courtroom testimony, all persons, who, in the opinion of the court, do not have a direct interest in the case, except the media. Provides that when the court anticipates videos, photographs, or depictions of a minor under 18 years of age engaged in a sex act to be displayed in open court, the court may exclude from the proceedings all persons who, in the opinion of the court, do not have a direct interest in the case, except the media. Effective immediately.

LRB102 21351 RLC 30463 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 5. The Code of Criminal Procedure of 1963 is
5 amended by changing Section 115-11 as follows:

6 (725 ILCS 5/115-11) (from Ch. 38, par. 115-11)

7 Sec. 115-11. In a prosecution for a criminal offense
8 defined in Article 11 or in Section 11-1.20, 11-1.30, 11-1.40,
9 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15 or 12-16 of the
10 Criminal Code of 1961 or the Criminal Code of 2012, when ~~where~~
11 the alleged victim of the offense was ~~is~~ a minor under 18 years
12 of age at the time of the offense, the court may exclude from
13 the proceedings while the victim is testifying, regardless of
14 the alleged victim's age at the time of the victim's courtroom
15 testimony, all persons, who, in the opinion of the court, do
16 not have a direct interest in the case, except the media. When
17 the court anticipates videos, photographs, or depictions of a
18 minor under 18 years of age engaged in a sex act to be
19 displayed in open court, the court may exclude from the
20 proceedings all persons who, in the opinion of the court, do
21 not have a direct interest in the case, except the media.

22 (Source: P.A. 96-1551, eff. 7-1-11; 97-1150, eff. 1-25-13.)

1 Section 99. Effective date. This Act takes effect upon
2 becoming law.