

SB2379



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB2379

Introduced 2/10/2023, by Sen. Celina Villanueva

SYNOPSIS AS INTRODUCED:

20 ILCS 4112/15
20 ILCS 4112/20

Amends the Right to Counsel in Immigration Proceedings Act. Provides that the Task Force shall submit a report of its findings in the investigation and its recommendations for how to fully provide legal representation for covered individuals facing covered proceedings by no later than July 1, 2024 Repeals the Act July 1, 2025 (previously 2024). Effective immediately.

LRB103 28046 DTM 54425 b

A BILL FOR

1 AN ACT concerning State government.

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

4 Section 5. The Right to Counsel in Immigration Proceedings
5 Act is amended by changing Sections 1, 5, 10, 15, 20, and 99 as
6 follows:

7 (20 ILCS 4112/15)

8 (Section scheduled to be repealed on July 1, 2024)

9 Sec. 15. Task Force on Counsel in Immigration Proceedings.

10 (a) The Task Force on Counsel in Immigration Proceedings
11 is established.

12 (b) The Task Force shall consist of the following 7
13 members:

14 (1) the Governor, or his or her designee;

15 (2) the President of the Senate, or his or her
16 designee;

17 (3) the Minority Leader of the Senate, or his or her
18 designee;

19 (4) the Speaker of the House of Representatives, or
20 his or her designee;

21 (5) the Minority Leader of the House of
22 Representatives, or his or her designee;

23 (6) the Attorney General, or his or her designee; and

1 (7) the Secretary of Human Services, or his or her
2 designee.

3 (c) Members of the Task Force shall serve without
4 compensation.

5 (d) The Department of Human Services shall provide
6 administrative and other support to the Task Force.

7 (e) The Task Force shall investigate the implementation of
8 universal representation for covered individuals in
9 immigration removal proceedings as described in subsection (f)
10 of Section 5. The Task Force investigation shall include, but
11 is not limited to, the following matters:

12 (1) the estimated number of covered individuals facing
13 a covered proceeding;

14 (2) the current infrastructure for providing
15 independent, competent, and zealous legal representation
16 in a covered proceeding;

17 (3) the additional resources, including salaries and
18 benefits for attorneys and support staff, training,
19 supervision, and material resources that would need to be
20 added to the existing infrastructure described in
21 paragraph (2) in order to provide independent, competent,
22 and zealous legal representation for the number of covered
23 individuals described in paragraph (1), including
24 mechanisms for subcontracted relationships with
25 independent experts and social service providers;

26 (4) the estimated annual cost of the additional

1 resources described in paragraph (3);

2 (5) funding sources, public and private, that are or
3 would be available to pay for the additional resources
4 described in paragraph (3); and

5 (6) the estimated annual cost of bond payment support
6 needed for covered individuals facing a covered
7 proceeding, and the feasibility of a State-sponsored bond
8 fund for those individuals.

9 (f) In order for the Governor and General Assembly to
10 evaluate different scopes of legal representation in
11 immigration court proceedings, the Task Force investigation
12 described in subsection (e) shall provide additional findings
13 in the following categories:

14 (1) State domiciliary versus non-State domiciliary
15 covered individuals, and, among the State domiciliary
16 covered individuals, the regions of residence within the
17 State;

18 (2) household income above and below 250% of the
19 federal poverty line;

20 (3) type of proceedings in which the covered
21 individuals need legal representation; and

22 (4) current percentages of covered individuals in
23 covered proceedings with and without legal representation.

24 (g) The Task Force shall submit a report of its findings in
25 the investigation described in subsection (e) and its
26 recommendations for how to fully provide legal representation

1 for covered individuals facing covered proceedings no later
2 than July 1, 2024 ~~2023~~.

3 (Source: P.A. 102-827, eff. 5-13-22.)

4 (20 ILCS 4112/20)

5 (Section scheduled to be repealed on July 1, 2024)

6 Sec. 20. Repeal. This Act is repealed on July 1, 2025 ~~2024~~.

7 (Source: P.A. 102-827, eff. 5-13-22.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.