

1 AN ACT in relation to criminal law.

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

4 Section 5. The Criminal Proceeding Interpreter Act is  
5 amended by changing Section 1 as follows:

6 (725 ILCS 140/1) (from Ch. 38, par. 165-11)

7 Sec. 1. Whenever any person accused of committing a  
8 felony or misdemeanor is to be tried in any court of this  
9 State, the court shall upon its own motion or that of defense  
10 or prosecution determine whether the accused is capable of  
11 understanding the English language and is capable of  
12 expressing himself in the English language so as to be  
13 understood directly by counsel, court or jury. If the court  
14 finds the accused incapable of so understanding or so  
15 expressing himself, the court shall appoint an interpreter  
16 for the accused whom he can understand and who can understand  
17 him. In compliance with the federal Americans with  
18 Disabilities Act of 1990, the right to communications access  
19 through a sign language interpreter or other means shall  
20 extend to a person with a disability who is accused of a  
21 violation of any penal statute of this State.

22 If the court appoints an interpreter (excluding a sign  
23 interpreter), the court may assess all or part of the fees  
24 and costs of the interpreter against the person for whom the  
25 service is provided. The court may not assess interpreter  
26 fees or costs against a person found to be indigent.

27 (Source: P.A. 88-201.)

28 Section 99. Effective date. This Act takes effect upon  
29 becoming law.