

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 Capital Crimes Litigation Act is amended  
5 by changing Section 5 as follows:

6 (725 ILCS 124/5)

7 (Section scheduled to be repealed on July 1, 2004)

8 Sec. 5. Appointment of trial counsel in death penalty  
9 cases. If an indigent defendant is charged with an offense  
10 for which a sentence of death is authorized, and the State's  
11 Attorney has not, at or before arraignment, filed a  
12 certificate indicating he or she will not seek the death  
13 penalty or stated on the record in open court that the death  
14 penalty will not be sought, the trial court shall immediately  
15 appoint the Public Defender, or such other qualified attorney  
16 or attorneys as the Illinois Supreme Court shall by rule  
17 provide, to represent the defendant as trial counsel. If the  
18 Public Defender is appointed, he or she shall immediately  
19 assign an such attorney or attorneys who are public defenders  
20 to represent the defendant. The counsel shall meet the  
21 qualifications as the Supreme Court shall by rule provide.

22 (Source: P.A. 91-589, eff. 1-1-00.)