

HB5753



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB5753

by Rep. Constance A. Howard

SYNOPSIS AS INTRODUCED:

725 ILCS 105/10.6

Amends the State Appellate Defender Act. Makes a technical change in a Section concerning the State Appellate Defender's Expungement Program.

LRB095 19664 RLC 46011 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 State Appellate Defender Act is amended by
5 changing Section 10.6 as follows:

6 (725 ILCS 105/10.6)

7 Sec. 10.6. Expungement program.

8 (a) The ~~The~~ State Appellate Defender shall establish,
9 maintain, and carry out an Expungement Program to provide
10 information to persons eligible to have their arrest or
11 criminal history record information ordered expunged, sealed,
12 or impounded.

13 (b) The State Appellate Defender shall develop brochures,
14 pamphlets, and other materials in printed form and through the
15 agency's World Wide Web site. The pamphlets and other materials
16 shall include at a minimum the following information:

17 (1) An explanation of the State's expungement process;

18 (2) The circumstances under which expungement may
19 occur;

20 (3) The criminal offenses that may be expunged;

21 (4) The steps necessary to initiate and complete the
22 expungement process; and

23 (5) Directions on how to contact the State Appellate

1 Defender.

2 (c) The State Appellate Defender shall establish and
3 maintain a statewide toll-free telephone number that a person
4 may use to receive information or assistance concerning the
5 expungement or sealing of arrest or criminal history record
6 information. The State Appellate Defender shall advertise the
7 toll-free telephone number statewide. The State Appellate
8 Defender shall develop an expungement information packet that
9 may be sent to eligible persons seeking expungement of their
10 arrest records, which may include, but is not limited to, a
11 pre-printed expungement petition with instructions on how to
12 complete the petition and a pamphlet containing information
13 that would assist individuals through the expungement process.

14 (d) The State Appellate Defender shall compile a statewide
15 list of volunteer attorneys willing to assist eligible
16 individuals through the expungement process.

17 (e) This Section shall be implemented from funds
18 appropriated by the General Assembly to the State Appellate
19 Defender for this purpose. The State Appellate Defender shall
20 employ the necessary staff and adopt the necessary rules for
21 implementation of this Section.

22 (Source: P.A. 93-210, eff. 7-18-03.)