

SB3389



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3389

Introduced 2/10/2010, by Sen. John J. Millner

SYNOPSIS AS INTRODUCED:

725 ILCS 5/111-4

from Ch. 38, par. 111-4

Amends the Code of Criminal Procedure of 1963. Includes in the joinder provisions financial exploitation of an elderly person or person with a disability, identity theft, aggravated identity theft, and certain violations of the Illinois Financial Crime Law. Effective immediately.

LRB096 17970 RLC 33339 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 Code of Criminal Procedure of 1963 is
5 amended by changing Section 111-4 as follows:

6 (725 ILCS 5/111-4) (from Ch. 38, par. 111-4)

7 Sec. 111-4. Joinder of offenses and defendants.

8 (a) Two or more offenses may be charged in the same
9 indictment, information or complaint in a separate count for
10 each offense if the offenses charged, whether felonies or
11 misdemeanors or both, are based on the same act or on 2 or more
12 acts which are part of the same comprehensive transaction.

13 (b) Two or more defendants may be charged in the same
14 indictment, information or complaint if they are alleged to
15 have participated in the same act or in the same comprehensive
16 transaction out of which the offense or offenses arose. Such
17 defendants may be charged in one or more counts together or
18 separately and all of the defendants need not be charged in
19 each count.

20 (c) Two or more acts or transactions in violation of any
21 provision or provisions of Sections 8A-2, 8A-3, 8A-4, 8A-4A and
22 8A-5 of the Illinois Public Aid Code, Sections 16-1, 16-1.3,
23 16-2, 16-3, 16-5, 16-7, 16-8, 16-10, 16A-3, 16B-2, 16C-2,

1 16G-15, 16G-20, 16H-15, 16H-20, 16H-25, 16H-30, 16H-45,
2 16H-50, 16H-55, 17-1, 17-3, 17-6, 17-7, 17-8, 17-9 or 17-10 of
3 the Criminal Code of 1961 and Section 118 of Division I of the
4 Criminal Jurisprudence Act, may be charged as a single offense
5 in a single count of the same indictment, information or
6 complaint, if such acts or transactions by one or more
7 defendants are in furtherance of a single intention and design
8 or if the property, labor or services obtained are of the same
9 person or are of several persons having a common interest in
10 such property, labor or services. In such a charge, the period
11 between the dates of the first and the final such acts or
12 transactions may be alleged as the date of the offense and, if
13 any such act or transaction by any defendant was committed in
14 the county where the prosecution was commenced, such county may
15 be alleged as the county of the offense.

16 (Source: P.A. 95-384, eff. 1-1-08; 96-354, eff. 8-13-09.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.