

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 1. Short title. This Act may be cited as the Gang
5 Crime Witness Protection Act of 2013.

6 Section 5. Definition. As used in this Act, "gang crime"
7 means any criminal offense committed by a member of a "gang" as
8 that term is defined in Section 10 of the Illinois Streetgang
9 Terrorism Omnibus Prevention Act when the offense is in
10 furtherance of any activity, enterprise, pursuit, or
11 undertaking of a gang.

12 Section 10. Program. The Illinois Criminal Justice
13 Information Authority shall establish and administer a program
14 to assist victims and witnesses who are actively aiding in the
15 prosecution of perpetrators of gang crime, and appropriate
16 related persons. Financial assistance may be provided, upon
17 application by a State's Attorney or the Attorney General, or a
18 chief executive of a police agency with the approval from the
19 State's Attorney or Attorney General, investigating or
20 prosecuting a gang crime occurring under the State's Attorney's
21 or Attorney General's respective jurisdiction, from funds
22 deposited in the Gang Crime Witness Protection Program Fund and

1 appropriated from that Fund for the purposes of this Act.

2 Section 15. Funding. The Illinois Criminal Justice
3 Information Authority, in consultation with the Attorney
4 General, shall adopt rules for the implementation of the Gang
5 Crime Witness Protection Program. Assistance shall be subject
6 to the following limitations:

7 (a) Funds shall be limited to payment of the following:

8 (1) temporary living costs;

9 (2) moving expenses;

10 (3) rent;

11 (4) security deposits; and

12 (5) other appropriate expenses of relocation or
13 transition;

14 (b) Approval of applications made by State's Attorneys
15 shall be conditioned upon county funding for costs at a
16 level of at least 25%, unless this requirement is waived by
17 the administrator, in accordance with adopted rules, for
18 good cause shown;

19 (c) Counties providing assistance consistent with the
20 limitations in this Act may apply for reimbursement of up
21 to 75% of their costs; and

22 (d) No more than 50% of funding available in any given
23 fiscal year may be used for costs associated with any
24 single county.

25 (e) Before the Illinois Criminal Justice Information

1 Authority distributes moneys from the Gang Crime Witness
2 Protection Program Fund as provided in this Section, it
3 shall retain 2% of those moneys for administrative
4 purposes.

5 Section 20. Gang Crime Witness Protection Program Fund.
6 There is created in the State Treasury the Gang Crime Witness
7 Protection Program Fund into which shall be deposited
8 appropriated funds, grants, or other funds made available to
9 the Illinois Criminal Justice Information Authority to assist
10 State's Attorneys and the Attorney General in protecting
11 victims and witnesses who are aiding in the prosecution of
12 perpetrators of gang crime, and appropriate related persons.
13 Within 30 days after the effective date of this Act, all moneys
14 in the Gang Crime Witness Protection Fund shall be transferred
15 into the Gang Crime Witness Protection Program Fund.

16 Section 25. Beginning of operation. The program created by
17 this Act shall begin operation on July 1, 2013.

18 Section 90. The State Finance Act is amended by adding
19 Section 5.826 as follows:

20 (30 ILCS 105/5.826 new)

21 Sec. 5.826. The Gang Crime Witness Protection Program Fund.

22 Section 99. Effective date. This Act takes effect July 1,

1 2013.