

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

1 Witness Protection Program Fund and appropriated from that Fund
2 for the purposes of this Act.

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

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

9 (1) temporary living costs;

10 (2) moving expenses;

11 (3) rent;

12 (4) security deposits; and

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

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

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

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

1 (e) Before the Illinois Criminal Justice Information
2 Authority distributes moneys from the Gang Crime Witness
3 Protection Program Fund as provided in this Section, it
4 shall retain 2% of those moneys for administrative
5 purposes.

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

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

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

21 (30 ILCS 105/5.826 new)

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

1 Section 99. Effective date. This Act takes effect July 1,
2 2013.