

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
5 Accelerated Resolution Court Act.

6 Section 5. Accelerated Resolution Court pilot program. The
7 Accelerated Resolution Court pilot program is hereby created in
8 Cook County. Under this pilot program, the Cook County Sheriff
9 or his or her designee, acting in his or her official capacity
10 as Director of the Cook County Department of Corrections, may
11 refer eligible defendants to the Accelerated Resolution Court
12 provided that notice is given to the prosecuting State's
13 Attorney, the defendant's counsel of record, and the Presiding
14 Judge of the Criminal Division of the Circuit Court of Cook
15 County.

16 Section 10. Eligibility.

17 (a) To be eligible for the program the defendant must be:

18 (1) in the custody of the Cook County Department of
19 Corrections 72 hours after bond has been set;

20 (2) unable to post bond or ineligible to be placed on
21 electronic monitoring due to homelessness or a lack of a
22 sufficient host site approved by the Sheriff; and

1 (3) charged with:

2 (A) retail theft of property the full retail value
3 of which does not exceed \$300 under Section 16-25 of
4 the Criminal Code of 2012;

5 (B) criminal trespass to real property under
6 Section 21-3 of the Criminal Code of 2012; or

7 (C) criminal trespass to State supported land
8 under Section 21-5 of the Criminal Code of 2012.

9 (b) A defendant shall be excluded from the program if the
10 defendant has been convicted of a crime of violence in the past
11 10 years excluding incarceration time, specifically first
12 degree murder, second degree murder, predatory criminal sexual
13 assault of a child, aggravated criminal sexual assault,
14 criminal sexual assault, armed robbery, aggravated arson,
15 arson, aggravated kidnaping, kidnapping, aggravated battery
16 resulting in great bodily harm or permanent disability,
17 aggravated stalking, stalking, or any offense involving the
18 discharge of a firearm.

19 Section 15. Procedure.

20 (a) Once referred to the Accelerated Resolution Court by
21 the Cook County Sheriff or his or her designee, notice shall be
22 given by the Sheriff to the prosecuting State's Attorney, the
23 defendant's counsel of record, and the Presiding Judge of the
24 Criminal Division of the Circuit Court of Cook County. Any
25 referred case shall be adjudicated within 30 days.

1 (b) If a case within the Accelerated Resolution Court is
2 not resolved within 30 days of referral, then the defendant
3 shall be released from custody on his or her own recognizance
4 provided the defendant agrees to the terms and conditions of
5 release provided by the court pending adjudication of the
6 charge.

7 (c) Nothing in this Act shall be construed as prohibiting a
8 defendant from requesting a continuance. Any continuance
9 granted on behalf of the defendant shall toll the 30-day
10 requirement of this Act. Lack of participation by the victim or
11 other continuances required on behalf of the State do not toll
12 the 30-day requirement of this Act.

13 (d) If a person is released on his or her own recognizance,
14 the conditions of the release shall be that he or she shall:

15 (1) appear to answer the charge in the court having
16 jurisdiction on a day certain and thereafter ordered by the
17 court until discharged or final order of the court;

18 (2) submit himself or herself to the orders and process
19 of the court;

20 (3) not depart this State without leave of the court;

21 (4) not violate any criminal statute of any
22 jurisdiction;

23 (5) at a time and place designated by the court,
24 surrender all firearms in his or her possession to a law
25 enforcement officer as required under paragraph (5) of
26 subsection (a) of Section 110-10 of the Code of Criminal

1 Procedure of 1963; and

2 (6) file written notice with the clerk of the court
3 before which the proceeding is pending of any change in his
4 or her address within 24 hours after the change. The
5 address of a defendant who has been released on his or her
6 own recognizance shall at all times remain a matter of
7 public record with the clerk of the court.

8 (e) The Court may impose other conditions, such as the
9 following, if the court finds that the conditions are
10 reasonably necessary to assure the defendant's appearance in
11 court, protect the public from the defendant, or prevent the
12 defendant's unlawful interference with the orderly
13 administration of justice:

14 (1) refrain from going to certain described
15 geographical areas or premises;

16 (2) refrain from engaging in certain activities or
17 indulging in intoxicating liquors or in certain drugs;

18 (3) undergo treatment for drug addiction or
19 alcoholism;

20 (4) attend or reside in a facility designated by the
21 court; or

22 (5) other reasonable conditions as the court may
23 impose.

24 (f) A failure to appear as required by the recognizance
25 shall constitute an offense subject to the penalty provided in
26 Section 32-10 of the Criminal Code of 2012 for violation of

1 bail bond.

2 (g) The State may appeal any order permitting release by
3 personal recognizance.

4 Section 20. Repeal. This Act is repealed on June 30, 2017.

5 Section 99. Effective date. This Act takes effect July 1,
6 2015.