

# SB2494



## 99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

**SB2494**

Introduced 2/9/2016, by Sen. Melinda Bush

### SYNOPSIS AS INTRODUCED:

55 ILCS 5/3-4007

from Ch. 34, par. 3-4007

Amends the Counties Code. Makes a technical change in a Section concerning the compensation to be paid to the Public Defender.

LRB099 18867 AWJ 43252 b

A BILL FOR

1 AN ACT concerning local government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Counties Code is amended by changing Section  
5 3-4007 as follows:

6 (55 ILCS 5/3-4007) (from Ch. 34, par. 3-4007)  
7 Sec. 3-4007. Compensation.

8 (a) The ~~The~~ public defender shall be paid out of the county  
9 treasury, and, subject to appropriation, shall be paid by the  
10 Department of Revenue out of the Personal Property Tax  
11 Replacement Fund or the General Revenue Fund as provided in  
12 subsection (b), as the sole compensation for his or her  
13 services a salary in an amount fixed by the County Board. When  
14 a Public Defender in a county of 30,000 or more population is  
15 receiving not less than 90% of the compensation of the State's  
16 Attorney of such county, that Public Defender shall not engage  
17 in the private practice of law.

18 (b) The State must pay 66 2/3% of the public defender's  
19 annual salary. If the public defender is employed full-time in  
20 that capacity, his or her salary must be at least 90% of that  
21 county's State's attorney's annual compensation. Subject to  
22 appropriation, these amounts furnished by the State shall be  
23 payable monthly by the Department of Revenue out of the

1 Personal Property Tax Replacement Fund or the General Revenue  
2 Fund to the county in which each Public Defender is employed.

3 (c) In cases where 2 or more adjoining counties have joined  
4 to form a common office of Public Defender, the salary of the  
5 Public Defender shall be set and paid as provided by a joint  
6 resolution of the various county boards involved.

7 (Source: P.A. 97-72, eff. 7-1-11.)