

**SB2871**



**99TH GENERAL ASSEMBLY**

**State of Illinois**

**2015 and 2016**

**SB2871**

Introduced 2/17/2016, by Sen. John G. Mulroe

**SYNOPSIS AS INTRODUCED:**

705 ILCS 405/5-505

Amends the Juvenile Court Act of 1987. Provides that during a hearing prior to trial, a minor who is charged with the commission of a delinquent act, may be required to provide the court, probation department, and law enforcement access to all social media accounts, to refrain from using any social media account, and to remove any photographs or depictions of firearms or other dangerous weapons from those social media accounts. Effective immediately.

LRB099 19915 SLF 44314 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 Juvenile Court Act of 1987 is amended by  
5 changing Section 5-505 as follows:

6 (705 ILCS 405/5-505)

7 Sec. 5-505. Pre-trial conditions order.

8 (1) If a minor is charged with the commission of a  
9 delinquent act, at any appearance of the minor before the court  
10 prior to trial, the court may conduct a hearing to determine  
11 whether the minor should be required to do any of the  
12 following:

13 (a) not violate any criminal statute of any  
14 jurisdiction;

15 (b) make a report to and appear in person before any  
16 person or agency as directed by the court;

17 (c) refrain from possessing a firearm or other  
18 dangerous weapon, or an automobile;

19 (d) reside with his or her parents or in a foster home;

20 (e) attend school;

21 (f) attend a non-residential program for youth;

22 (g) comply with curfew requirements as designated by  
23 the court;

1 (h) refrain from entering into a designated geographic  
2 area except upon terms as the court finds appropriate. The  
3 terms may include consideration of the purpose of the  
4 entry, the time of day, other persons accompanying the  
5 minor, advance approval by the court, and any other terms  
6 the court may deem appropriate;

7 (i) refrain from having any contact, directly or  
8 indirectly, with certain specified persons or particular  
9 types of persons, including but not limited to members of  
10 street gangs and drug users or dealers;

11 (i-5) provide the court, probation department, and law  
12 enforcement with access to all social medial accounts, on a  
13 social networking website as defined in Section 17-0.5 of  
14 the Criminal Code of 2012, to refrain from using any social  
15 media account on a social networking website, and to remove  
16 any photographs or other depictions of firearms or other  
17 dangerous weapons from those social media accounts on a  
18 social networking website;

19 (j) comply with any other conditions as may be ordered  
20 by the court.

21 No hearing may be held unless the minor is represented by  
22 counsel. If the court determines that there is probable cause  
23 to believe the minor is a delinquent minor and that it is in  
24 the best interests of the minor that the court impose any or  
25 all of the conditions listed in paragraphs (a) through (j) of  
26 this subsection (1), then the court shall order the minor to

1 abide by all of the conditions ordered by the court.

2 (2) If the court issues a pre-trial conditions order as  
3 provided in subsection (1), the court shall inform the minor  
4 and provide a copy of the pre-trial conditions order effective  
5 under this Section.

6 (3) The provisions of the pre-trial conditions order issued  
7 under this Section may be continued through the sentencing  
8 hearing if the court deems the action reasonable and necessary.  
9 Nothing in this Section shall preclude the minor from applying  
10 to the court at any time for modification or dismissal of the  
11 order or the State's Attorney from applying to the court at any  
12 time for additional provisions under the pre-trial conditions  
13 order, modification of the order, or dismissal of the order.

14 (Source: P.A. 90-590, eff. 1-1-99.)

15 Section 99. Effective date. This Act takes effect upon  
16 becoming law.