

# Criminal Justice Legislation

## Bill Status of HB0020 96th General Assembly

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**Short Description:** POLICE-AFRICAN AMER SENSITIVE

### House Sponsors

Rep. [Mary E. Flowers](#) - [LaShawn K. Ford](#)

### Hearings

Judiciary II - Criminal Law Committee Hearing Feb 11 2009 8:30AM Stratton Building Room D-1  
Springfield, IL

### Synopsis As Introduced

Amends the Illinois Police Training Act. Requires that the training of probationary and permanent police officers, including those of home rule units, include sensitivity training with regard to the African American male population of Illinois. Effective immediately.

### Actions

Date	Chamber	Action
12/9/2008	House	Prefiled with Clerk by <a href="#">Rep. Mary E. Flowers</a>
<b>1/14/2009</b>	<b>House</b>	<b>First Reading</b>
1/14/2009	House	Referred to <a href="#">Rules Committee</a>
2/4/2009	House	Added Chief Co-Sponsor <a href="#">Rep. LaShawn K. Ford</a>
<b>2/4/2009</b>	<b>House</b>	<b>Assigned to <a href="#">Judiciary II - Criminal Law Committee</a></b>

## Bill Status of HB0067 96th General Assembly

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**Short Description:** CRIM ID-EXPUNGE-20 YRS

### House Sponsors

Rep. [LaShawn K. Ford](#)

### Hearings

Judiciary II - Criminal Law Committee Hearing Feb 11 2009 8:30AM Stratton Building Room D-1  
Springfield, IL

### Statutes Amended In Order of Appearance

[20 ILCS 2630/5](#)

from Ch. 38, par. 206-5

### Synopsis As Introduced

Amends the Criminal Identification Act. Provides that notwithstanding any other provision of the Act to the contrary and cumulative with any rights to expungement or sealing of criminal records, whenever a person has been convicted of or placed on supervision for an offense, other than a capital offense, or for a violation of an ordinance of a unit of local government and 20 years has elapsed since the completion of the person's sentence or term of supervision and the person has not been convicted of or placed on supervision for any misdemeanor or felony offense or misdemeanor ordinance violation within such period, he or she may, upon verified petition to the chief judge of the circuit where the person had been convicted, any judge of the circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the defendant's trial, have a court order entered expunging the record of arrest from the official records of the arresting authority and order that the records of the clerk of the circuit court and the Department of State Police be sealed until further order of the court upon good cause shown or as otherwise provided by law, and the name of the defendant obliterated from the official index requested to be kept by the circuit court clerk in connection with the arrest and conviction for the offense for which he had been charged, but the order shall not affect any index issued by the circuit court clerk before the entry of the order.

### Actions

Date	Chamber	Action
1/8/2009	House	Prefiled with Clerk by <a href="#">Rep. LaShawn K. Ford</a>
<b>1/14/2009</b>	<b>House</b>	<b>First Reading</b>
1/14/2009	House	Referred to <a href="#">Rules Committee</a>
<b>2/4/2009</b>	<b>House</b>	<b>Assigned to <a href="#">Judiciary II - Criminal Law Committee</a></b>

## Bill Status of HB0164 96th General Assembly

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**Short Description:** CRIM CD-AGG ASSAULT & BATTERY

### House Sponsors

Rep. [William Davis](#) - [Sidney H. Mathias](#)

### Hearings

Judiciary II - Criminal Law Committee Hearing Feb 11 2009 8:30AM Stratton Building Room D-1  
Springfield, IL

### Statutes Amended In Order of Appearance

[720 ILCS 5/12-2](#)

from Ch. 38, par. 12-2

[720 ILCS 5/12-4](#)

from Ch. 38, par. 12-4

### Synopsis As Introduced

Amends the Criminal Code of 1961. Adds, to the elements of aggravated assault and aggravated battery, that a person, in committing an assault or battery, knows the individual assaulted or harmed to be a private social service agency employee, such as a caseworker, investigator, or other person, and the caseworker, investigator, or other person is upon the grounds of a private social service agency or grounds adjacent thereto, or is in any part of a building being used for service delivery, or upon the grounds of a private residence of an adult service recipient or any other adult person being interviewed or investigated in the worker's discharge of his or her duties, or on the grounds adjacent thereto, or is in any part of a building in which the recipient of services resides or is located, including social services staff working under contract with a State agency.

### Actions

Date	Chamber	Action
1/13/2009	House	Prefiled with Clerk by <a href="#">Rep. William Davis</a>
<b>1/14/2009</b>	<b>House</b>	<b>First Reading</b>
1/14/2009	House	Referred to <a href="#">Rules Committee</a>
2/4/2009	House	Added Chief Co-Sponsor <a href="#">Rep. Sidney H. Mathias</a>
<b>2/4/2009</b>	<b>House</b>	<b>Assigned to <a href="#">Judiciary II - Criminal Law Committee</a></b>

## Bill Status of HB0558 96th General Assembly

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**Short Description:** JUV CT-TERMINATE PARENT RIGHTS

### House Sponsors

Rep. [Linda Chapa LaVia](#)

### Last Action

Date	Chamber	Action
2/9/2009	House	Assigned to <a href="#">Judiciary II - Criminal Law Committee</a>

### Statutes Amended In Order of Appearance

<a href="#">20 ILCS 505/35.2</a>	from Ch. 23, par. 5035.2
<a href="#">705 ILCS 405/1-2</a>	from Ch. 37, par. 801-2
<a href="#">750 ILCS 50/1</a>	from Ch. 40, par. 1501

### Synopsis As Introduced

Amends the Children and Family Services Act. Provides that if (i) a child is found to be an abused minor under the Juvenile Court Act of 1987, (ii) the perpetrator of the abuse was the child's parent, (iii) the parent was convicted of aggravated participation in methamphetamine manufacturing, and (iv) the child who has been found to be an abused minor was the child who resided or was present at the place where the methamphetamine was manufactured or was endangered by the manufacture of the methamphetamine, then the Department of Children and Family Services shall cause to be filed a petition seeking termination of the parent's parental rights. Amends the Juvenile Court Act of 1987 to provide that conviction of a person of aggravated participation in methamphetamine manufacturing under similar circumstances is an aggravating circumstance under which it may be appropriate to expedite termination of the person's parental rights. Amends the Adoption Act add similar provisions with respect to depravity as a ground of unfitness and with respect to the definition of "abused child". Imposes conditions on any rulemaking authority.

### Actions

Date	Chamber	Action
2/4/2009	House	Filed with the Clerk by <a href="#">Rep. Linda Chapa LaVia</a>
<b>2/4/2009</b>	<b>House</b>	<b>First Reading</b>
2/4/2009	House	Referred to <a href="#">Rules Committee</a>
<b>2/9/2009</b>	<b>House</b>	<b>Assigned to <a href="#">Judiciary II - Criminal Law Committee</a></b>

## Bill Status of HB0653 96th General Assembly

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**Short Description:** JUV&CRIM CD-JUV SEX OFFENDER

### House Sponsors

Rep. [Jack McGuire](#)

### Last Action

Date	Chamber	Action
2/6/2009	House	Referred to <a href="#">Rules Committee</a>

### Statutes Amended In Order of Appearance

[705 ILCS 405/5-130](#)

[720 ILCS 5/3-6](#)

from Ch. 38, par. 3-6

### Synopsis As Introduced

Amends the Juvenile Court Act of 1987. Provides that the definition of delinquent minor shall not apply to any person who (i) was a minor under 17 years of age at the time of the commission of an act which if committed by an adult would constitute the offense of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or aggravated criminal sexual abuse, when the victim of any such offense was under 18 years of age, and (ii) has not been subject to a delinquency proceeding under the Act for such act before his or her 21st birthday. Provides that in that case, the person may be charged and prosecuted under the criminal laws of this State in the same manner as a person who has committed an offense on or after his or her 17th birthday. Amends the Criminal Code of 1961. Provides that when the victim is under 18 years of age at the time of the offense, a prosecution for criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, or aggravated criminal sexual abuse, regardless of the age of the accused at the time of the commission of the offense, may be commenced within 20 years after the child victim attains 18 years of age. Effective immediately.

### Actions

Date	Chamber	Action
2/5/2009	House	Filed with the Clerk by <a href="#">Rep. Jack McGuire</a>
2/6/2009	House	First Reading
2/6/2009	House	Referred to <a href="#">Rules Committee</a>

## Bill Status of HB0682 96th General Assembly

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**Short Description:** JUV CT-RECORDS-DISCLOSURE

### House Sponsors

Rep. [William D. Burns](#)

### Last Action

Date	Chamber	Action
2/6/2009	House	Referred to <a href="#">Rules Committee</a>

### Statutes Amended In Order of Appearance

[705 ILCS 405/1-7](#)

from Ch. 37, par. 801-7

[705 ILCS 405/5-905](#)

### Synopsis As Introduced

Amends the Juvenile Court Act of 1987. Permits persons or their staff charged by a unit of local government with the duty of investigating the conduct of law enforcement officers to inspect and copy law enforcement records maintained by law enforcement agencies that relate to a minor who has been arrested or taken into custody before his or her 17th birthday. Effective immediately.

### Actions

Date	Chamber	Action
2/5/2009	House	Filed with the Clerk by <a href="#">Rep. William D. Burns</a>
2/6/2009	House	First Reading
2/6/2009	House	Referred to <a href="#">Rules Committee</a>

## Bill Status of HB0761 96th General Assembly

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**Short Description:** JUV CT-PERMANENCY HEARING

### House Sponsors

Rep. [Constance A. Howard](#)

### Last Action

Date	Chamber	Action
2/6/2009	House	Referred to <a href="#">Rules Committee</a>

### Statutes Amended In Order of Appearance

[705 ILCS 405/5-745](#)

### Synopsis As Introduced

Amends the Juvenile Court Act of 1987. Provides that if the minor is in the custody of the Illinois Department of Children and Family Services, pursuant to an order entered under the Delinquent Minors Article, the court shall conduct permanency hearings as set out in the Abused, Neglected, or Dependent Minors Article of the Act.

### Actions

Date	Chamber	Action
2/6/2009	House	Filed with the Clerk by <a href="#">Rep. Constance A. Howard</a>
2/6/2009	House	First Reading
2/6/2009	House	Referred to <a href="#">Rules Committee</a>

## Bill Status of HB0765 96th General Assembly

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**Short Description:** CRIM ID-EXPUNGED&SEALED REC

### House Sponsors

Rep. [Constance A. Howard](#)

### Last Action

Date	Chamber	Action
2/6/2009	House	Filed with the Clerk by <a href="#">Rep. Constance A. Howard</a>

### Statutes Amended In Order of Appearance

[20 ILCS 2630/12](#)

### Synopsis As Introduced

Amends the Criminal Identification Act. Provides that the record of an arrest or criminal charge which did not result in a conviction may not be considered by any private or public entity in employment matters, certification, licensing, revocation of certification or licensure, or registration. Provides that employers may not ask if an applicant has been the subject of an arrest or criminal charge which did not result in a conviction. Provides that an employer who by means of an inquiry made to the applicant or an employment application form, which fails to comply with these provisions, obtains from an applicant information that the applicant has had records expunged or sealed or has been the subject of an arrest or criminal charge which did not result in a conviction, is presumed to have based the decision to hire or not hire the applicant on the applicant's disclosure of this information. Provides that the presumption may be rebutted by clear and convincing evidence.

### Actions

Date	Chamber	Action
2/6/2009	House	Filed with the Clerk by <a href="#">Rep. Constance A. Howard</a>

## Bill Status of SB0101 96th General Assembly

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**Short Description:** PARENTING TIME-CUSTODY VIOLATN

### Senate Sponsors

Sen. [Iris Y. Martinez](#)

### Hearings

Criminal Law Hearing Feb 11 2009 9:00AM Capitol 212 Springfield

### Last Action

Date	Chamber	Action
2/4/2009	Senate	Assigned to <a href="#">Criminal Law</a>

### Statutes Amended In Order of Appearance

[720 ILCS 5/10-5.5](#)

[750 ILCS 5/607.1](#)

from Ch. 40, par. 607.1

### Synopsis As Introduced

Amends the Criminal Code of 1961. In provisions concerning the offense of unlawful visitation interference, changes the name of the offense to unlawful parenting time interference and changes references from "visitation" to "parenting time"; also adds references to "custody time". Amends the Illinois Marriage and Dissolution of Marriage Act. Provides for the enforcement of parenting time (instead of visitation) orders and a process to address parenting time abuse (instead of visitation abuse). Provides that parenting time may arise from court ordered visitation, parenting time, custody, or joint custody. Changes the name of the activity to parenting time (instead of visitation).

### Actions

Date	Chamber	Action
1/30/2009	Senate	Filed with Secretary by <a href="#">Sen. Iris Y. Martinez</a>
<b>1/30/2009</b>	<b>Senate</b>	<b>First Reading</b>
1/30/2009	Senate	Referred to <a href="#">Assignments</a>
<b>2/4/2009</b>	<b>Senate</b>	<b>Assigned to <a href="#">Criminal Law</a></b>