

# HB3121



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB3121

by Rep. Justin Slaughter

#### SYNOPSIS AS INTRODUCED:

725 ILCS 5/110-19 new

Amends the Code of Criminal Procedure of 1963. Provides that a person who is denied: (1) the right of counsel at the hearing at which bail is determined; (2) a rehearing on the amount or conditions of bail; or (3) bail credits if eligible may maintain a civil action for actual and punitive damages against the county that denied the person those rights, notwithstanding the provisions of the Local Governmental and Governmental Employees Tort Immunity Act to the contrary.

LRB101 09690 RLC 54789 b

FISCAL NOTE ACT  
MAY APPLY

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 Code of Criminal Procedure of 1963 is  
5 amended by adding Section 110-19 as follows:

6 (725 ILCS 5/110-19 new)

7 Sec. 110-19. Civil action; denial of rights under Public  
8 Act 100-1. A person who is denied: (1) the right of counsel at  
9 the hearing at which bail is determined under Section 110-5 as  
10 guaranteed by subsection (a-5) of Section 109-1; (2) a  
11 rehearing on the amount or conditions of bail under subsection  
12 (a-5) of Section 110-6; or (3) bail credits if eligible under  
13 Section 110-14 may maintain a civil action for actual and  
14 punitive damages against the county that denied the person  
15 those rights, notwithstanding the provisions of the Local  
16 Governmental and Governmental Employees Tort Immunity Act to  
17 the contrary.