

**SB1360**



**101ST GENERAL ASSEMBLY**

**State of Illinois**

**2019 and 2020**

**SB1360**

Introduced 2/13/2019, by Sen. Brian W. Stewart

**SYNOPSIS AS INTRODUCED:**

730 ILCS 5/3-6-5

from Ch. 38, par. 1003-6-5

Amends the Unified Code of Corrections. Provides that if it is determined that a person who is charged with committing an offense while confined by the Department of Corrections is indigent and eligible for representation by the public defender, the expense of the defense shall be paid by the Department (rather than in all cases of prisoner crime committed while the prisoner is confined by the Department the expense of prosecution shall be paid by the Department).

LRB101 09038 SLF 54131 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 Unified Code of Corrections is amended by  
5 changing Section 3-6-5 as follows:

6 (730 ILCS 5/3-6-5) (from Ch. 38, par. 1003-6-5)

7 Sec. 3-6-5. Crimes Committed by Persons Confined by the  
8 Department.

9 When any person is charged with committing an offense while  
10 confined by the Department, cognizance thereof shall be taken  
11 by the circuit court of the county wherein such crime was  
12 committed. Such court shall adjudicate and sentence the person  
13 charged with such crime in the same manner and subject to the  
14 same rules and limitations as are now established by law in  
15 relation to other persons charged with crime. If it is  
16 determined that the person is indigent and eligible for  
17 representation by the public defender, the expense of the  
18 defense shall be paid by the Department. ~~The expense of~~  
19 ~~prosecution shall be paid by the Department.~~

20 (Source: P.A. 77-2097.)