

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 changing Section 114-8 as follows:

6 (725 ILCS 5/114-8) (from Ch. 38, par. 114-8)

7 Sec. 114-8. Motion for severance.

8 (a) If it appears that a defendant or the State is
9 prejudiced by a joinder of related prosecutions or defendants
10 in a single charge or by joinder of separate charges or
11 defendants for trial the court may order separate trials, grant
12 a severance of defendants, or provide any other relief as
13 justice may require.

14 (b) In the case of a prosecution of multiple defendants for
15 criminal sexual assault, aggravated criminal sexual assault,
16 predatory criminal sexual assault of a child, criminal sexual
17 abuse, or aggravated criminal sexual abuse arising out of the
18 same course of conduct, the court, in deciding a motion to
19 sever the charges and try the defendants separately, must
20 consider, subject to constitutional limitations, the impact
21 upon the alleged victim of multiple trials requiring the
22 victim's testimony.

23 (Source: Laws 1963, p. 2836.)