



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB1810

Introduced 2/9/2011, by Sen. Michael Noland

SYNOPSIS AS INTRODUCED:

725 ILCS 5/103-6

from Ch. 38, par. 103-6

Amends the Code of Criminal Procedure of 1963. Provides that a person accused of an offense that is an ordinance violation, petty offense, Class B misdemeanor, or Class C misdemeanor is not entitled to a trial by jury (rather than an ordinance violation punishable by fine only and the defendant either fails to file a demand for a trial by jury at the time of entering his or her plea of not guilty or fails to pay to the clerk of the circuit court at the time of entering his or her plea of not guilty any jury fee required to be paid to the clerk). Provides that a defendant is not entitled to trial by jury if the defendant either fails to file a demand for a trial by jury at the time of entering his or her plea of not guilty or fails to pay to the clerk of the circuit court at the time of entering his or her plea of not guilty any jury fee required to be paid to the clerk. Effective immediately.

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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 changing Section 103-6 as follows:

6 (725 ILCS 5/103-6) (from Ch. 38, par. 103-6)

7 Sec. 103-6. Waiver of jury trial. Every person accused of
8 an offense shall have the right to a trial by jury unless (i)
9 understandingly waived by defendant in open court or (ii) the
10 offense is an ordinance violation, petty offense, Class B
11 misdemeanor, or Class C misdemeanor or (iii) punishable by fine
12 ~~only and~~ the defendant either fails to file a demand for a
13 trial by jury at the time of entering his or her plea of not
14 guilty or fails to pay to the clerk of the circuit court at the
15 time of entering his or her plea of not guilty any jury fee
16 required to be paid to the clerk.

17 (Source: P.A. 86-1386.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.