



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB4125

Introduced 1/22/2020, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

705 ILCS 305/18 rep.
725 ILCS 5/112-2

from Ch. 38, par. 112-2

Amends the Code of Criminal Procedure of 1963. Changes the oath taken by grand jurors. Amends the Jury Act to delete a duplicative provision concerning the oath taken by the foreman of a Grand Jury. Effective immediately.

LRB101 14594 RLC 63504 b

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 (705 ILCS 305/18 rep.)

5 Section 5. The Jury Act is amended by repealing Section 18.

6 Section 10. The Code of Criminal Procedure of 1963 is
7 amended by changing Section 112-2 as follows:

8 (725 ILCS 5/112-2) (from Ch. 38, par. 112-2)

9 Sec. 112-2. Impaneling the Grand Jury. (a) The Grand Jury
10 shall consist of 16 persons, 12 of whom shall be necessary to
11 constitute a quorum.

12 (b) The Grand Jury shall be impaneled, sworn and instructed
13 as to its duties by the court. The court shall select and swear
14 one of the grand jurors to serve as foreman.

15 (c) Before the Grand Jury shall enter upon the discharge of
16 their duties the following oath shall be administered to the
17 jurors:

18 "Do each of you swear (or affirm) that you will diligently
19 inquire into all matters presented to you; that you will return
20 no indictment through malice or ill will, or fail to return one
21 due to fear or reward; and that in all your decisions you will
22 present the truth, the whole truth, and nothing but the truth,

1 according to the best of your skill and understanding. ~~You and~~
2 ~~each of you do solemnly swear (or affirm, as the case may be),~~
3 ~~that you will diligently inquire into and true presentment make~~
4 ~~of all such matters and things as shall be given you in charge,~~
5 ~~or shall otherwise come to your knowledge, touching the present~~
6 ~~service; you shall present no person through malice, hatred or~~
7 ~~ill will; nor shall you leave any unpresented through fear,~~
8 ~~favor, affection, or for any fee or reward, or for any hope or~~
9 ~~promise thereof; but in all of your presentments, you shall~~
10 ~~present the truth, the whole truth, and nothing but the truth,~~
11 ~~according to the best of your skill and understanding; so help~~
12 ~~you God."~~

13 (Source: P.A. 85-690.)

14 Section 99. Effective date. This Act takes effect upon
15 becoming law.