



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB2082

Introduced 2/15/2019, by Sen. Heather A. Steans

SYNOPSIS AS INTRODUCED:

775 ILCS 40/5
775 ILCS 40/30
775 ILCS 40/70

Amends the Illinois Torture Inquiry and Relief Commission Act. Changes the definition of "claim of torture" to include allegations of torture occurring throughout the State (rather than occurring within a county of more than 3,000,000 inhabitants). Provides that, subject to appropriation, the Illinois Torture Inquiry and Relief Commission shall employ a legal staff. Provides that the Act applies to any claims of torture filed after the effective date of the Act (rather than filed not later than 10 years after the effective date of the Act).

LRB101 11218 LNS 56477 b

1 AN ACT concerning human rights.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Torture Inquiry and Relief
5 Commission Act is amended by changing Sections 5, 30, and 70 as
6 follows:

7 (775 ILCS 40/5)

8 Sec. 5. Definitions. As used in this Act:

9 (1) "Claim of torture" means a claim on behalf of a living
10 person convicted of a felony in Illinois asserting that he was
11 tortured into confessing to the crime for which the person was
12 convicted and the tortured confession was used to obtain the
13 conviction and for which there is some credible evidence
14 related to allegations of torture occurring throughout this
15 State ~~within a county of more than 3,000,000 inhabitants.~~

16 (2) "Commission" means the Illinois Torture Inquiry and
17 Relief Commission established by this Act.

18 (3) "Convicted person" means the person making a claim of
19 torture under this Act.

20 (4) "Director" means the Director of the Illinois Torture
21 Inquiry and Relief Commission.

22 (5) "Victim" means the victim of the crime, or if the
23 victim of the crime is deceased, the next of kin of the victim,

1 which shall be the parent, spouse, child, or sibling of the
2 deceased victim.

3 (Source: P.A. 99-688, eff. 7-29-16.)

4 (775 ILCS 40/30)

5 Sec. 30. Director and other staff. The Commission shall
6 employ a Director. The Director shall be an attorney licensed
7 to practice in Illinois at the time of appointment and at all
8 times during service as Director. The Director shall assist the
9 Commission in developing rules and standards for cases accepted
10 for review, coordinate investigation of cases accepted for
11 review, maintain records for all case investigations, prepare
12 reports outlining Commission investigations and
13 recommendations to the trial court, and apply for and accept on
14 behalf of the Commission any funds that may become available
15 from government grants, private gifts, donations, or bequests
16 from any source.

17 Subject to the approval of the Chair, the Director shall
18 employ such other staff and shall contract for services as is
19 necessary to assist the Commission in the performance of its
20 duties, and as funds permit.

21 The Commission may meet in an area provided by the Illinois
22 Human Rights Commission, or any other State agency. The
23 Illinois Human Rights Commission shall provide, directly or
24 through any other State agency, office space for the Commission
25 and the Commission staff.

1 Subject to appropriation, the Commission shall employ a
2 legal staff.

3 (Source: P.A. 96-223, eff. 8-10-09.)

4 (775 ILCS 40/70)

5 Sec. 70. Filing of claims. This Act applies to any claims
6 of torture filed after the effective date of this Act ~~not later~~
7 ~~than 10 years after the effective date of this Act.~~

8 (Source: P.A. 99-688, eff. 7-29-16.)