



## 102ND GENERAL ASSEMBLY

### State of Illinois

2021 and 2022

SB2036

Introduced 2/26/2021, by Sen. Antonio Muñoz

#### SYNOPSIS AS INTRODUCED:

725 ILCS 105/12 new  
725 ILCS 105/13 new  
725 ILCS 105/14 new

Amends the State Appellate Defender Act. Creates the Public Defender Bail Reform Grant Program to assist county public defenders in implementing a provision of the Code of Criminal Procedure of 1963 that requires counsel at bail hearings. Provides that the Public Defender Bail Reform Grant Program is to be administered by the State Appellate Defender under the direction of the State Appellate Defender Commission. Provides that the State Appellate Defender shall request funds for the grant program within its annual appropriation. Provides for eligibility and administration of the grant program. Contains other provisions. Effective immediately.

LRB102 13592 KMF 18941 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 Section 5. The State Appellate Defender Act is amended by  
5 adding Sections 12, 13, and 14 as follows:

6 (725 ILCS 105/12 new)

7 Sec. 12. Public Defender Bail Reform Grant Program.

8 (a) There is hereby created a Public Defender Bail Reform  
9 Grant Program. The purpose of this grant program is to assist  
10 county public defenders in implementing Section 109-1 of the  
11 Code of Criminal Procedure of 1963 which requires counsel at  
12 bail hearings.

13 (b) The Public Defender Bail Reform Grant Program is to be  
14 administered by the State Appellate Defender under the  
15 direction of the Commission. The State Appellate Defender is  
16 also required to seek recommendations on administering this  
17 grant program from the Illinois Supreme Court Pretrial  
18 Commission on Pretrial Practices.

19 (c) The State Appellate Defender shall request funds for  
20 the grant program within its annual appropriation. The State  
21 Appellate Defender may also seek contributions and grants to  
22 supplement all State funds appropriated for the grant program.

1 (725 ILCS 105/13 new)

2 Sec. 13. Grant program; eligibility.

3 (a) Any county that has not employed a full-time public  
4 defender on or before January 1, 2021 is eligible to apply for  
5 a grant under the Public Defender Bail Reform Grant Program.  
6 The Commission may also establish a county population  
7 threshold for grant eligibility.

8 (b) The application for the grant shall be made by the  
9 chief judge of the Circuit in which the county is located. The  
10 chief judge shall administer the grant. Any group of eligible  
11 counties within the same Circuit Court may jointly apply for a  
12 grant under the Public Defender Bail Reform Grant Program.

13 (725 ILCS 105/14 new)

14 Sec. 14. Public Defender Bail Reform Grant Program  
15 Administration.

16 (a) The State Appellate Defender shall have the authority  
17 to adopt rules for the administration of the Public Defender  
18 Bail Reform Grant Program. The rules shall be in effect after  
19 the rules are approved by the Supreme Court.

20 (b) The State Appellate Defender shall publish grant  
21 guidelines, rules, and grant application forms on the agency's  
22 website.

23 (c) The State Appellate Defender may work with any law  
24 school to establish internship programs for the training of  
25 law students in representing individuals in bail hearings. The

1 State Appellate Defender may also seek permission from the  
2 Supreme Court to utilize law students with a provisional  
3 license to practice law in representing individuals in  
4 eligible counties.

5 Section 99. Effective date. This Act takes effect upon  
6 becoming law.