



93RD GENERAL ASSEMBLY
State of Illinois
2003 and 2004

Introduced 2/6/2004, by John J. Cullerton

SYNOPSIS AS INTRODUCED:

New Act

25 ILCS 130/1-3	from Ch. 63, par. 1001-3
25 ILCS 130/1-5	from Ch. 63, par. 1001-5
25 ILCS 130/Art. 12 heading new	
25 ILCS 130/12-5 new	
25 ILCS 130/12-10 new	

Creates the Criminal Law Impact Note Act. Provides that upon the introduction of any bill, the purpose and effect of which is to amend the Criminal Code of 1961, Juvenile Court Act of 1987, Code of Criminal Procedure of 1963, or any other criminal law, the Clerk of the House of Representatives or the Secretary of the Senate shall forward the bill to the Criminal Laws Commission which shall prepare a Criminal Law Impact Note which shall be received prior to the bill being assigned to any committee of the General Assembly. Amends the Legislative Commission Reorganization Act of 1984. Creates the Criminal Laws Commission as a legislative support services agency. Provides that the Criminal Laws Commission shall consist of 16 members, 4 each appointed by the President of the Senate, Minority Leader of the Senate, Speaker of the House of Representatives, and Minority Leader of the House of Representatives. Provides that each member shall serve a 2-year term. Provides that the Commission: (1) shall make a continuing study of the criminal, procedural, and sentencing laws, including those laws applicable to juveniles, and shall make recommendations on proposed changes to those laws; (2) shall report to the General Assembly annually or as it deems necessary or useful on the results of its studies and the performance of its duties; (3) shall be responsible for the preparation of Criminal Law Impact Notes; and (4) may request assistance from any other entity or person as necessary or useful for the performance of its duties.

LRB093 21141 RLC 47201 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT in relation to the General Assembly.

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

4 Section 1. Short title. This Act may be cited as the
5 Criminal Law Impact Note Act.

6 Section 5. Necessity on certain bills. Upon the
7 introduction of any bill, the purpose and effect of which is to
8 amend the Criminal Code of 1961, Juvenile Court Act of 1987,
9 Code of Criminal Procedure of 1963, or any other criminal law,
10 the Clerk of the House of Representatives or the Secretary of
11 the Senate shall forward the bill to the Criminal Laws
12 Commission which shall prepare a Criminal Law Impact Note which
13 shall be received prior to the bill being assigned to any
14 committee of the General Assembly.

15 Section 10. Form and content of note. The note shall
16 provide a statement as to the impact of the proposed bill,
17 including a comment on its constitutionality. The Commission
18 may include any comment or opinion which it deems appropriate
19 regarding the merits of the bill including any recommended
20 modifications.

21 Section 15. Effect of hearings. The fact that a Criminal
22 Law Impact Note is prepared for any bill or any hearing
23 conducted by the Criminal Laws Commission does not preclude or
24 restrict the appearance before any committee of the General
25 Assembly of any official or authorized employee of any State
26 board, commission, department, agency, or other entity who
27 desires to be heard in support of or in opposition to the
28 measure.

29 Section 20. Amended bills; revised notes. Whenever any

1 committee of the General Assembly reports any bill with an
2 amendment of such nature as will substantially affect the
3 impact of the bill on any criminal law, except for those
4 amendments made pursuant to a recommendation contained in a
5 Criminal Law Impact Note, and whenever a bill is amended on the
6 floor of either house, the Criminal Laws Commission may, on its
7 own initiative, or shall, upon the request of any member of the
8 house by which the bill is being considered, prepare a new or
9 revised Criminal Law Impact Note.

10 Section 105. The Legislative Commission Reorganization Act
11 of 1984 is amended by changing Sections 1-3 and 1-5 and adding
12 Article 12 as follows:

13 (25 ILCS 130/1-3) (from Ch. 63, par. 1001-3)

14 Sec. 1-3. Legislative support services agencies. The Joint
15 Committee on Legislative Support Services is responsible for
16 establishing general policy and coordinating activities among
17 the legislative support services agencies. The legislative
18 support services agencies include the following:

- 19 (1) Joint Committee on Administrative Rules;
20 (2) Illinois Economic and Fiscal Commission;
21 (3) Legislative Information System;
22 (4) Legislative Reference Bureau;
23 (5) Legislative Audit Commission;
24 (6) Legislative Printing Unit;
25 (7) Legislative Research Unit; ~~and~~
26 (8) Office of the Architect of the Capitol; and
27 (9) Criminal Laws Commission.

28 (Source: P.A. 93-632, eff. 2-1-04.)

29 (25 ILCS 130/1-5) (from Ch. 63, par. 1001-5)

30 Sec. 1-5. Composition of agencies; directors.

31 (a)(1) Each legislative support services agency listed in
32 Section 1-3 is hereafter in this Section referred to as the
33 Agency.

1 (2) (Blank).

2 (2.1) (Blank).

3 (2.5) The Board of the Office of the Architect of the
4 Capitol shall consist of the Secretary and Assistant Secretary
5 of the Senate and the Clerk and Assistant Clerk of the House of
6 Representatives.

7 (2.6) The Criminal Laws Commission shall consist of 16
8 members. The President of the Senate, Minority Leader of the
9 Senate, Speaker of the House of Representatives, and Minority
10 Leader of the House of Representatives shall each appoint 4
11 members for 2-year terms.

12 (3) The other legislative support services agencies shall
13 each consist of 12 members of the General Assembly, of whom 3
14 shall be appointed by the President of the Senate, 3 shall be
15 appointed by the Minority Leader of the Senate, 3 shall be
16 appointed by the Speaker of the House of Representatives, and 3
17 shall be appointed by the Minority Leader of the House of
18 Representatives. All appointments shall be in writing and filed
19 with the Secretary of State as a public record.

20 Members shall serve a 2-year term, and must be appointed by
21 the Joint Committee during the month of January in each
22 odd-numbered year for terms beginning February 1. Any vacancy
23 in an Agency shall be filled by appointment for the balance of
24 the term in the same manner as the original appointment. A
25 vacancy shall exist when a member no longer holds the elected
26 legislative office held at the time of the appointment or at
27 the termination of the member's legislative service.

28 (b) (Blank).

29 (c) During the month of February of each odd-numbered year,
30 the Joint Committee on Legislative Support Services shall
31 select from the members of each agency, other than the Office
32 of the Architect of the Capitol, 2 co-chairmen and such other
33 officers as the Joint Committee deems necessary. The
34 co-chairmen of each Agency shall serve for a 2-year term,
35 beginning February 1 of the odd-numbered year, and the 2
36 co-chairmen shall not be members of or identified with the same

1 house or the same political party. The co-chairmen of the Board
2 of the Office of the Architect of the Capitol shall be the
3 Secretary of the Senate and the Clerk of the House of
4 Representatives, each ex officio.

5 Each Agency shall meet twice annually or more often upon
6 the call of the chair or any 9 members (or any 3 members in the
7 case of the Office of the Architect of the Capitol). A quorum
8 of the Agency shall consist of a majority of the appointed
9 members.

10 (d) Members of each Agency shall serve without
11 compensation, but shall be reimbursed for expenses incurred in
12 carrying out the duties of the Agency pursuant to rules and
13 regulations adopted by the Joint Committee on Legislative
14 Support Services.

15 (e) Beginning February 1, 1985, and every 2 years
16 thereafter, the Joint Committee shall select an Executive
17 Director who shall be the chief executive officer and staff
18 director of each Agency. The Executive Director shall receive a
19 salary as fixed by the Joint Committee and shall be authorized
20 to employ and fix the compensation of necessary professional,
21 technical and secretarial staff and prescribe their duties,
22 sign contracts, and issue vouchers for the payment of
23 obligations pursuant to rules and regulations adopted by the
24 Joint Committee on Legislative Support Services. The Executive
25 Director and other employees of the Agency shall not be subject
26 to the Personnel Code.

27 The executive director of the Office of the Architect of
28 the Capitol shall be known as the Architect of the Capitol.

29 (Source: P.A. 93-632, eff. 2-1-04.)

30 (25 ILCS 130/Art. 12 heading new)

31 ARTICLE 12.

32

33 (25 ILCS 130/12-5 new)

34 Sec. 12-5. Criminal Laws Commission. The General Assembly

1 finds that the laws addressing criminal offenses, procedures,
2 and sentencing are in need of a comprehensive review as a
3 result of the thousands of individual amendments adopted during
4 the past forty-plus years. The General Assembly also finds that
5 the public would benefit by providing a commission to maintain
6 the criminal laws by reviewing all proposed bills impacting
7 criminal laws. The Criminal Laws Commission is hereby
8 established as a legislative support services agency. The
9 Commission is subject to the provisions of this Act. The
10 Commission shall perform the powers and duties delegated to it
11 under this Act and such other functions as may be provided by
12 law.

13 (25 ILCS 130/12-10 new)

14 Sec. 12-10. Powers and duties. The Criminal Laws Commission
15 shall have the following powers and duties:

16 (1) The Commission shall make a continuing study of the
17 criminal, procedural, and sentencing laws, including those
18 laws applicable to juveniles, and shall make
19 recommendations on proposed changes to those laws.

20 (2) The Commission shall report to the General Assembly
21 annually or as it deems necessary or useful on the results
22 of its studies and the performance of its duties.

23 (3) The Commission shall be responsible for the
24 preparation of Criminal Law Impact Notes as provided in the
25 Criminal Law Impact Note Act.

26 (4) The Commission may request assistance from any
27 other entity or person as necessary or useful for the
28 performance of its duties.