

SB0711



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0711

Introduced 2/8/2007, by Sen. Randall "Randy" M. Hultgren

SYNOPSIS AS INTRODUCED:

725 ILCS 5/111-4

from Ch. 38, par. 111-4

Amends the Code of Criminal Procedure of 1963. Provides that 2 or more acts or transactions involving public assistance fraud, theft, retail theft, library theft, unlawful sale of household appliances, and certain other deceptive practices may be charged as a single offense in a single count of the same indictment, information, or complaint, if such acts or transactions by one or more defendants are in furtherance of a single intention and design or (rather than and) if the property, labor, or services obtained are of the same person or are of several persons having a common interest in such property, labor, or services.

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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 111-4 as follows:

6 (725 ILCS 5/111-4) (from Ch. 38, par. 111-4)

7 Sec. 111-4. Joinder of offenses and defendants.

8 (a) Two or more offenses may be charged in the same
9 indictment, information or complaint in a separate count for
10 each offense if the offenses charged, whether felonies or
11 misdemeanors or both, are based on the same act or on 2 or more
12 acts which are part of the same comprehensive transaction.

13 (b) Two or more defendants may be charged in the same
14 indictment, information or complaint if they are alleged to
15 have participated in the same act or in the same comprehensive
16 transaction out of which the offense or offenses arose. Such
17 defendants may be charged in one or more counts together or
18 separately and all of the defendants need not be charged in
19 each count.

20 (c) Two or more acts or transactions in violation of any
21 provision or provisions of Sections 8A-2, 8A-3, 8A-4, 8A-4A and
22 8A-5 of the Illinois Public Aid Code, Sections 16-1, 16-2,
23 16-3, 16-5, 16-7, 16-8, 16-10, 16A-3, 16B-2, 16C-2, 17-1, 17-6,

1 17-7, 17-8, 17-9 or 17-10 of the Criminal Code of 1961 and
2 Section 118 of Division I of the Criminal Jurisprudence Act,
3 may be charged as a single offense in a single count of the
4 same indictment, information or complaint, if such acts or
5 transactions by one or more defendants are in furtherance of a
6 single intention and design or ~~and~~ if the property, labor or
7 services obtained are of the same person or are of several
8 persons having a common interest in such property, labor or
9 services. In such a charge, the period between the dates of the
10 first and the final such acts or transactions may be alleged as
11 the date of the offense and, if any such act or transaction by
12 any defendant was committed in the county where the prosecution
13 was commenced, such county may be alleged as the county of the
14 offense.

15 (Source: P.A. 87-805.)