



Rep. Karen A. Yarbrough

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LRB097 09651 RLC 54776 a

1 AMENDMENT TO HOUSE BILL 1738

2 AMENDMENT NO. _____. Amend House Bill 1738, AS AMENDED, by
3 inserting immediately below the enacting clause the following:

4 "Section 2. The Department of State Police Law of the Civil
5 Administrative Code of Illinois is amended by changing Section
6 2605-90 as follows:

7 (20 ILCS 2605/2605-90)

8 (This Section may contain text from a Public Act with a
9 delayed effective date)

10 Sec. 2605-90. Training; death and homicide investigations.
11 The Department shall provide training in death and homicide
12 investigation for State police officers. The training shall
13 include: (1) ensuring compatibility of equipment for
14 electronic recording of interrogations, (2) how to sound proof
15 rooms during interrogations, (3) reviewing and transcribing
16 recordings, (4) storage of tapes and discs, and (5) the use of

1 recording equipment and proper interviewing techniques. Only
2 State police officers who successfully complete the training
3 may be assigned as lead investigators in death and homicide
4 investigations. Satisfactory completion of the training shall
5 be evidenced by a certificate issued to the officer by the
6 Department.

7 (Source: P.A. 96-1111, eff. 1-1-12.)

8 Section 2.1. The Illinois Criminal Justice Information Act
9 is amended by changing Sections 7.5 and 7.6 as follows:

10 (20 ILCS 3930/7.5)

11 Sec. 7.5. Grants for electronic recording equipment.

12 (a) The Authority, from appropriations made to it for that
13 purpose, shall make grants to local law enforcement agencies
14 for the purpose of: (1) purchasing equipment for electronic
15 recording of interrogations and (2) offsetting the expenses
16 incurred in ensuring equipment compatibility, sound proofing
17 of rooms during interrogations, reviewing and transcribing
18 recordings, storage of tapes and discs, and law enforcement
19 officer training in the use of recording equipment and proper
20 interviewing techniques.

21 (b) The Authority shall promulgate rules to implement this
22 Section.

23 (Source: P.A. 93-206, eff. 7-18-03; 93-517, eff. 8-6-03.)

1 (20 ILCS 3930/7.6)

2 Sec. 7.6. Capital Crimes Database.

3 (a) ~~A Subject to appropriation,~~ a Capital Crimes Database
4 shall be created within the Illinois Criminal Justice
5 Information Authority (ICJIA). The General Assembly shall
6 appropriate moneys to the ICJIA for the purposes of
7 implementing this Section.

8 (b) The ICJIA shall collect and retain in the Capital
9 Crimes Database all information on the prosecution, pendency,
10 and disposition of capital and capital eligible cases in
11 Illinois, including the races of the defendants and victims.
12 The Capital Crimes Database shall serve as a repository for all
13 of the foregoing collected information.

14 (c) The ICJIA shall develop administrative rules to provide
15 for the coordination and collection of information in the
16 Capital Crimes Database.

17 (d) Agencies required to provide information on capital
18 cases to the ICJIA, as the ICJIA may request, for the Capital
19 Crimes Database shall include, but not be limited to:

20 (1) Office of the Attorney General.

21 (2) Illinois Department of Corrections.

22 (3) Illinois State Police.

23 (4) All county State's Attorneys.

24 (5) All county public defenders.

25 (6) Office of the State's Attorneys Appellate
26 Prosecutor.

1 (7) Office of the State Appellate Defender.

2 (e) Agencies requested to provide information on capital
3 cases to the ICJIA for the Capital Crimes Database shall
4 include, but not be limited to:

5 (1) Administrative Office of Illinois Courts.

6 (2) All county circuit court clerks.

7 (f) The ICJIA shall develop procedures and protocols for
8 the submission of information relating to capital and capital
9 eligible cases to the Database in conjunction with the agencies
10 submitting information.

11 (Source: P.A. 95-688, eff. 10-23-07.)"; and

12 by inserting immediately after the last line of Section 3 the
13 following:

14 "Section 4. The Illinois Police Training Act is amended by
15 changing Section 10.11 as follows:

16 (50 ILCS 705/10.11)

17 (This Section may contain text from a Public Act with a
18 delayed effective date)

19 Sec. 10.11. Training; death and homicide investigation.
20 The Illinois Law Enforcement Training ~~and~~ Standards Board shall
21 conduct or approve a training program in death and homicide
22 investigation for the training of law enforcement officers of
23 local government agencies. The training shall include: (1)

1 ensuring compatibility of equipment for electronic recording
2 of interrogations, (2) how to sound proof rooms during
3 interrogations, (3) reviewing and transcribing recordings, (4)
4 storage of tapes and discs, and (5) the use of recording
5 equipment and proper interviewing techniques. Only law
6 enforcement officers who successfully complete the training
7 program may be assigned as lead investigators in death and
8 homicide investigations. Satisfactory completion of the
9 training program shall be evidenced by a certificate issued to
10 the law enforcement officer by the Illinois Law Enforcement
11 Training ~~and~~ Standards Board.

12 (Source: P.A. 96-1111, eff. 1-1-12.)"; and

13 in Sec. 9-1 of Section 5, by inserting immediately below the
14 last line of subsection (h-5) the following:

15 "(h-6) Trial judge overturning death sentence.

16 Upon application of the State or the defendant or upon the
17 court's own motion, the trial judge who presided over a capital
18 case in which the jury determined that death was the
19 appropriate sentence may overturn the jury verdict of death, if
20 the court determines that imposition of the death penalty is
21 unjust, and may sentence the defendant to a term of natural
22 life imprisonment."; and

23 in Sec. 9-1 of Section 5, by inserting immediately below the
24 last line of subsection (k) the following:

1 "(1) Statewide Death Penalty Review Committee.

2 Subject to constitutional limitations, the Statewide Death
3 Penalty Review Committee is established to review all decisions
4 to seek capital punishment, with authority to approve or
5 disapprove the State's Attorney's decision or position. The
6 Committee shall be composed of the Governor, the Attorney
7 General, a Circuit Judge appointed by the Chief Justice of the
8 Supreme Court, a public defender appointed by the State
9 Appellate Defender, the Cook County State's Attorney, and a
10 State's Attorney in a county of less than 3,000,000 inhabitants
11 appointed by the Executive Director of the Office of the
12 State's Attorneys Appellate Prosecutor."; and

13 by inserting after the last line of Section 10 the following:

14 "Section 15. The Code of Criminal Procedure of 1963 is
15 amended by changing Section 107A-5 as follows:

16 (725 ILCS 5/107A-5)

17 Sec. 107A-5. Lineup and photo spread procedure.

18 (a) All lineups shall be photographed or otherwise
19 recorded. These photographs shall be disclosed to the accused
20 and his or her defense counsel during discovery proceedings as
21 provided in Illinois Supreme Court Rules. All photographs of
22 suspects shown to an eyewitness during the photo spread shall
23 be disclosed to the accused and his or her defense counsel

1 during discovery proceedings as provided in Illinois Supreme
2 Court Rules.

3 (b) Each eyewitness who views a lineup or photo spread
4 shall sign a form containing the following information:

5 (1) The suspect might not be in the lineup or photo
6 spread and the eyewitness is not obligated to make an
7 identification.

8 (2) The eyewitness should not assume that the person
9 administering the lineup or photo spread knows which person
10 is the suspect in the case.

11 (c) Suspects in a lineup or photo spread should not appear
12 to be substantially different from "fillers" or "distracters"
13 in the lineup or photo spread, based on the eyewitness'
14 previous description of the perpetrator, or based on other
15 factors that would draw attention to the suspect.

16 (d) In homicide investigations, all eyewitness
17 identification procedures must be electronically recorded by
18 both audio and video equipment.

19 (e) In homicide investigations, blind administration shall
20 be required of all eyewitness identification procedures. Blind
21 administration may be achieved by use of either of 2 methods:

22 (1) the administrator may not be aware of which person
23 or photograph in the array is the police suspect and which
24 are the fillers. The administrator must assign a number to
25 each person in the array, and use that number when
26 recording the witness' response; or

1 (a) The Capital Litigation Trust Fund is created as a
2 special fund in the State Treasury. The Trust Fund shall be
3 administered by the State Treasurer to provide moneys for the
4 appropriations to be made, grants to be awarded, and
5 compensation and expenses to be paid under this Act. All
6 interest earned from the investment or deposit of moneys
7 accumulated in the Trust Fund shall, under Section 4.1 of the
8 State Finance Act, be deposited into the Trust Fund.

9 (b) Moneys deposited into the Trust Fund shall not be
10 considered general revenue of the State of Illinois.

11 (c) Moneys deposited into the Trust Fund shall be used
12 exclusively for the purposes of providing funding for the
13 prosecution and defense of capital cases and for providing
14 funding for post-conviction proceedings in capital cases under
15 Article 122 of the Code of Criminal Procedure of 1963 and in
16 relation to petitions filed under Section 2-1401 of the Code of
17 Civil Procedure in relation to capital cases as provided in
18 this Act and shall not be appropriated, loaned, or in any
19 manner transferred to the General Revenue Fund of the State of
20 Illinois.

21 (d) Every fiscal year the State Treasurer shall transfer
22 from the General Revenue Fund to the Capital Litigation Trust
23 Fund an amount equal to the full amount of moneys appropriated
24 by the General Assembly (both by original and supplemental
25 appropriation), less any unexpended balance from the previous
26 fiscal year, from the Capital Litigation Trust Fund for the

1 specific purpose of making funding available for the
2 prosecution and defense of capital cases and for the litigation
3 expenses associated with post-conviction proceedings in
4 capital cases under Article 122 of the Code of Criminal
5 Procedure of 1963 and in relation to petitions filed under
6 Section 2-1401 of the Code of Civil Procedure in relation to
7 capital cases. The Public Defender and State's Attorney in Cook
8 County, the State Appellate Defender, the State's Attorneys
9 Appellate Prosecutor, and the Attorney General shall make
10 annual requests for appropriations from the Trust Fund.

11 (1) The Public Defender in Cook County shall request
12 appropriations to the State Treasurer for expenses
13 incurred by the Public Defender and for funding for private
14 appointed defense counsel in Cook County.

15 (2) The State's Attorney in Cook County shall request
16 an appropriation to the State Treasurer for expenses
17 incurred by the State's Attorney.

18 (3) The State Appellate Defender shall request a direct
19 appropriation from the Trust Fund for expenses incurred by
20 the State Appellate Defender in providing assistance to
21 trial attorneys under item (c)(5) of Section 10 of the
22 State Appellate Defender Act and for expenses incurred by
23 the State Appellate Defender in representing petitioners
24 in capital cases in post-conviction proceedings under
25 Article 122 of the Code of Criminal Procedure of 1963 and
26 in relation to petitions filed under Section 2-1401 of the

1 Code of Civil Procedure in relation to capital cases and
2 for the representation of those petitioners by attorneys
3 approved by or contracted with the State Appellate Defender
4 and an appropriation to the State Treasurer for payments
5 from the Trust Fund for the defense of cases in counties
6 other than Cook County.

7 (4) The State's Attorneys Appellate Prosecutor shall
8 request a direct appropriation from the Trust Fund to pay
9 expenses incurred by the State's Attorneys Appellate
10 Prosecutor and an appropriation to the State Treasurer for
11 payments from the Trust Fund for expenses incurred by
12 State's Attorneys in counties other than Cook County.

13 (5) The Attorney General shall request a direct
14 appropriation from the Trust Fund to pay expenses incurred
15 by the Attorney General in assisting the State's Attorneys
16 in counties other than Cook County and to pay for expenses
17 incurred by the Attorney General when the Attorney General
18 is ordered by the presiding judge of the Criminal Division
19 of the Circuit Court of Cook County to prosecute or
20 supervise the prosecution of Cook County cases and for
21 expenses incurred by the Attorney General in representing
22 the State in post-conviction proceedings in capital cases
23 under Article 122 of the Code of Criminal Procedure of 1963
24 and in relation to petitions filed under Section 2-1401 of
25 the Code of Civil Procedure in relation to capital cases.

26 The Public Defender and State's Attorney in Cook County,

1 the State Appellate Defender, the State's Attorneys Appellate
2 Prosecutor, and the Attorney General may each request
3 supplemental appropriations from the Trust Fund during the
4 fiscal year.

5 (e) Moneys in the Trust Fund shall be expended only as
6 follows:

7 (1) To pay the State Treasurer's costs to administer
8 the Trust Fund. The amount for this purpose may not exceed
9 5% in any one fiscal year of the amount otherwise
10 appropriated from the Trust Fund in the same fiscal year.

11 (2) To pay the capital litigation expenses of trial
12 defense and post-conviction proceedings in capital cases
13 under Article 122 of the Code of Criminal Procedure of 1963
14 and in relation to petitions filed under Section 2-1401 of
15 the Code of Civil Procedure in relation to capital cases
16 including, but not limited to, DNA testing, including DNA
17 testing under Section 116-3 of the Code of Criminal
18 Procedure of 1963, analysis, and expert testimony,
19 investigatory and other assistance, expert, forensic, and
20 other witnesses, and mitigation specialists, and grants
21 and aid provided to public defenders, appellate defenders,
22 and any attorney approved by or contracted with the State
23 Appellate Defender representing petitioners in
24 post-conviction proceedings in capital cases under Article
25 122 of the Code of Criminal Procedure of 1963 and in
26 relation to petitions filed under Section 2-1401 of the

1 Code of Civil Procedure in relation to capital cases or
2 assistance to attorneys who have been appointed by the
3 court to represent defendants who are charged with capital
4 crimes. Reasonable and necessary capital litigation
5 expenses include travel and per diem (lodging, meals, and
6 incidental expenses).

7 (3) To pay the compensation of trial attorneys, other
8 than public defenders or appellate defenders, who have been
9 appointed by the court to represent defendants who are
10 charged with capital crimes or attorneys approved by or
11 contracted with the State Appellate Defender to represent
12 petitioners in post-conviction proceedings in capital
13 cases under Article 122 of the Code of Criminal Procedure
14 of 1963 and in relation to petitions filed under Section
15 2-1401 of the Code of Civil Procedure in relation to
16 capital cases.

17 (4) To provide State's Attorneys with funding for
18 capital litigation expenses and for expenses of
19 representing the State in post-conviction proceedings in
20 capital cases under Article 122 of the Code of Criminal
21 Procedure of 1963 and in relation to petitions filed under
22 Section 2-1401 of the Code of Civil Procedure in relation
23 to capital cases including, but not limited to,
24 investigatory and other assistance and expert, forensic,
25 and other witnesses necessary to prosecute capital cases.
26 State's Attorneys in any county other than Cook County

1 seeking funding for capital litigation expenses and for
2 expenses of representing the State in post-conviction
3 proceedings in capital cases under Article 122 of the Code
4 of Criminal Procedure of 1963 and in relation to petitions
5 filed under Section 2-1401 of the Code of Civil Procedure
6 in relation to capital cases including, but not limited to,
7 investigatory and other assistance and expert, forensic,
8 or other witnesses under this Section may request that the
9 State's Attorneys Appellate Prosecutor or the Attorney
10 General, as the case may be, certify the expenses as
11 reasonable, necessary, and appropriate for payment from
12 the Trust Fund, on a form created by the State Treasurer.
13 Upon certification of the expenses and delivery of the
14 certification to the State Treasurer, the Treasurer shall
15 pay the expenses directly from the Capital Litigation Trust
16 Fund if there are sufficient moneys in the Trust Fund to
17 pay the expenses.

18 (5) To provide financial support through the Attorney
19 General pursuant to the Attorney General Act for the
20 several county State's Attorneys outside of Cook County,
21 but shall not be used to increase personnel for the
22 Attorney General's Office, except when the Attorney
23 General is ordered by the presiding judge of the Criminal
24 Division of the Circuit Court of Cook County to prosecute
25 or supervise the prosecution of Cook County cases.

26 (6) To provide financial support through the State's

1 Attorneys Appellate Prosecutor pursuant to the State's
2 Attorneys Appellate Prosecutor's Act for the several
3 county State's Attorneys outside of Cook County, but shall
4 not be used to increase personnel for the State's Attorneys
5 Appellate Prosecutor.

6 (7) To provide financial support to the State Appellate
7 Defender pursuant to the State Appellate Defender Act.

8 (8) To provide financial support for victims' services
9 in capital cases.

10 Moneys expended from the Trust Fund shall be in addition to
11 county funding for Public Defenders and State's Attorneys, and
12 shall not be used to supplant or reduce ordinary and customary
13 county funding.

14 (f) Moneys in the Trust Fund shall be appropriated to the
15 State Appellate Defender, the State's Attorneys Appellate
16 Prosecutor, the Attorney General, and the State Treasurer. The
17 State Appellate Defender shall receive an appropriation from
18 the Trust Fund to enable it to provide assistance to appointed
19 defense counsel and attorneys approved by or contracted with
20 the State Appellate Defender to represent petitioners in
21 post-conviction proceedings in capital cases under Article 122
22 of the Code of Criminal Procedure of 1963 and in relation to
23 petitions filed under Section 2-1401 of the Code of Civil
24 Procedure in relation to capital cases throughout the State and
25 to Public Defenders in counties other than Cook. The State's
26 Attorneys Appellate Prosecutor and the Attorney General shall

1 receive appropriations from the Trust Fund to enable them to
2 provide assistance to State's Attorneys in counties other than
3 Cook County and when the Attorney General is ordered by the
4 presiding judge of the Criminal Division of the Circuit Court
5 of Cook County to prosecute or supervise the prosecution of
6 Cook County cases. Moneys shall be appropriated to the State
7 Treasurer to enable the Treasurer (i) to make grants to Cook
8 County, (ii) to pay the expenses of Public Defenders, the State
9 Appellate Defender, the Attorney General, the Office of the
10 State's Attorneys Appellate Prosecutor, and State's Attorneys
11 in counties other than Cook County, (iii) to pay the expenses
12 and compensation of appointed defense counsel and attorneys
13 approved by or contracted with the State Appellate Defender to
14 represent petitioners in post-conviction proceedings in
15 capital cases under Article 122 of the Code of Criminal
16 Procedure of 1963 and in relation to petitions filed under
17 Section 2-1401 of the Code of Civil Procedure in relation to
18 capital cases in counties other than Cook County, and (iv) to
19 pay the costs of administering the Trust Fund. All expenditures
20 and grants made from the Trust Fund shall be subject to audit
21 by the Auditor General.

22 (g) For Cook County, grants from the Trust Fund shall be
23 made and administered as follows:

24 (1) For each State fiscal year, the State's Attorney
25 and Public Defender must each make a separate application
26 to the State Treasurer for capital litigation grants.

1 (2) The State Treasurer shall establish rules and
2 procedures for grant applications. The rules shall require
3 the Cook County Treasurer as the grant recipient to report
4 on a periodic basis to the State Treasurer how much of the
5 grant has been expended, how much of the grant is
6 remaining, and the purposes for which the grant has been
7 used. The rules may also require the Cook County Treasurer
8 to certify on a periodic basis that expenditures of the
9 funds have been made for expenses that are reasonable,
10 necessary, and appropriate for payment from the Trust Fund.

11 (3) The State Treasurer shall make the grants to the
12 Cook County Treasurer as soon as possible after the
13 beginning of the State fiscal year.

14 (4) The State's Attorney or Public Defender may apply
15 for supplemental grants during the fiscal year.

16 (5) Grant moneys shall be paid to the Cook County
17 Treasurer in block grants and held in separate accounts for
18 the State's Attorney, the Public Defender, and court
19 appointed defense counsel other than the Cook County Public
20 Defender, respectively, for the designated fiscal year,
21 and are not subject to county appropriation.

22 (6) Expenditure of grant moneys under this subsection
23 (g) is subject to audit by the Auditor General.

24 (7) The Cook County Treasurer shall immediately make
25 payment from the appropriate separate account in the county
26 treasury for capital litigation expenses to the State's

1 Attorney, Public Defender, or court appointed defense
2 counsel other than the Public Defender, as the case may be,
3 upon order of the State's Attorney, Public Defender or the
4 court, respectively.

5 (h) If a defendant in a capital case in Cook County is
6 represented by court appointed counsel other than the Cook
7 County Public Defender, the appointed counsel shall petition
8 the court for an order directing the Cook County Treasurer to
9 pay the court appointed counsel's reasonable and necessary
10 compensation and capital litigation expenses from grant moneys
11 provided from the Trust Fund. The petitions shall be supported
12 by itemized bills showing the date, the amount of time spent,
13 the work done and the total being charged for each entry. The
14 court shall not authorize payment of bills that are not
15 properly itemized. The petitions shall be filed under seal and
16 considered ex parte but with a court reporter present for all
17 ex parte conferences. The petitions shall be reviewed by both
18 the trial judge and the presiding judge of the circuit court or
19 the presiding judge's designee. The petitions and orders shall
20 be kept under seal and shall be exempt from Freedom of
21 Information requests until the conclusion of the trial and
22 appeal of the case, even if the prosecution chooses not to
23 pursue the death penalty prior to trial or sentencing. Orders
24 denying petitions for compensation or expenses are final.
25 Counsel may not petition for expenses that may have been
26 provided or compensated by the State Appellate Defender under

1 item (c) (5) of Section 10 of the State Appellate Defender Act.

2 (i) In counties other than Cook County, and when the
3 Attorney General is ordered by the presiding judge of the
4 Criminal Division of the Circuit Court of Cook County to
5 prosecute or supervise the prosecution of Cook County cases,
6 and excluding capital litigation expenses or services that may
7 have been provided by the State Appellate Defender under item
8 (c) (5) of Section 10 of the State Appellate Defender Act:

9 (1) Upon certification by the circuit court, on a form
10 created by the State Treasurer, that all or a portion of
11 the expenses are reasonable, necessary, and appropriate
12 for payment from the Trust Fund and the court's delivery of
13 the certification to the Treasurer, the Treasurer shall pay
14 the certified expenses of Public Defenders and the State
15 Appellate Defender from the money appropriated to the
16 Treasurer for capital litigation expenses of Public
17 Defenders and post-conviction proceeding expenses in
18 capital cases of the State Appellate Defender and expenses
19 in relation to petitions filed under Section 2-1401 of the
20 Code of Civil Procedure in relation to capital cases in any
21 county other than Cook County, if there are sufficient
22 moneys in the Trust Fund to pay the expenses.

23 (2) If a defendant in a capital case is represented by
24 court appointed counsel other than the Public Defender, the
25 appointed counsel shall petition the court to certify
26 compensation and capital litigation expenses including,

1 but not limited to, investigatory and other assistance,
2 expert, forensic, and other witnesses, and mitigation
3 specialists as reasonable, necessary, and appropriate for
4 payment from the Trust Fund. If a petitioner in a capital
5 case who has filed a petition for post-conviction relief
6 under Article 122 of the Code of Criminal Procedure of 1963
7 or a petition under Section 2-1401 of the Code of Civil
8 Procedure in relation to capital cases is represented by an
9 attorney approved by or contracted with the State Appellate
10 Defender other than the State Appellate Defender, that
11 attorney shall petition the court to certify compensation
12 and litigation expenses of post-conviction proceedings
13 under Article 122 of the Code of Criminal Procedure of 1963
14 or in relation to petitions filed under Section 2-1401 of
15 the Code of Civil Procedure in relation to capital cases.
16 Upon certification on a form created by the State Treasurer
17 of all or a portion of the compensation and expenses
18 certified as reasonable, necessary, and appropriate for
19 payment from the Trust Fund and the court's delivery of the
20 certification to the Treasurer, the State Treasurer shall
21 pay the certified compensation and expenses from the money
22 appropriated to the Treasurer for that purpose, if there
23 are sufficient moneys in the Trust Fund to make those
24 payments.

25 (3) A petition for capital litigation expenses or
26 post-conviction proceeding expenses or expenses incurred

1 in filing a petition under Section 2-1401 of the Code of
2 Civil Procedure in relation to capital cases under this
3 subsection shall be considered under seal and reviewed ex
4 parte with a court reporter present. Orders denying
5 petitions for compensation or expenses are final.

6 (i-5) The General Assembly shall fully fund the Capital
7 Litigation Trust Fund to pay for trial expenses, and where
8 appropriate appellate expenses, of the prosecutor and defense
9 in capital prosecutions in all areas of the State.

10 (j) If the Trust Fund is discontinued or dissolved by an
11 Act of the General Assembly or by operation of law, any balance
12 remaining in the Trust Fund shall be returned to the General
13 Revenue Fund after deduction of administrative costs, any other
14 provision of this Act to the contrary notwithstanding.

15 (Source: P.A. 96-381, eff. 1-1-10. Repealed by P.A. 96-1543,
16 eff. 1-1-12.)

17 (P.A. 96-1543, Sec. 15 rep.)

18 Section 25. "An Act concerning criminal law", approved
19 March 9, 2011, Public Act 96-1543, is amended by repealing
20 Section 15.

21 Section 99. Effective date. This Act takes effect January
22 1, 2012, except that this Section and Section 25 take effect
23 July 1, 2011."