



Sen. Iris Y. Martinez

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09900SB1813sam004

LRB099 08769 RLC 34644 a

1 AMENDMENT TO SENATE BILL 1813

2 AMENDMENT NO. _____. Amend Senate Bill 1813, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Torture Inquiry and Relief
6 Commission Act is amended by changing Sections 5, 35, and 70 as
7 follows:

8 (775 ILCS 40/5)

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

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

1 ~~Burge or any officer under the supervision of Jon Burge.~~

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

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

6 (4) "Director" means the Director of the Illinois Torture
7 Inquiry and Relief Commission.

8 (5) "Victim" means the victim of the crime, or if the
9 victim of the crime is deceased, the next of kin of the victim,
10 which shall be the parent, spouse, child, or sibling of the
11 deceased victim.

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

13 (775 ILCS 40/35)

14 Sec. 35. Duties. The Commission shall have the following
15 duties and powers:

16 (1) To establish the criteria and screening process to
17 be used to determine which cases shall be accepted for
18 review.

19 (2) To conduct inquiries into claims of torture ~~with~~
20 ~~priority to be given to those cases in which the convicted~~
21 ~~person is currently incarcerated solely for the crime to~~
22 ~~which he or she claims torture by Jon Burge or officers~~
23 ~~under his command, or both.~~

24 (3) To coordinate the investigation of cases accepted
25 for review.

1 (4) To maintain records for all case investigations.

2 (5) To prepare written reports outlining Commission
3 investigations and recommendations to the trial court at
4 the completion of each inquiry.

5 (6) To apply for and accept any funds that may become
6 available for the Commission's work from government
7 grants, private gifts, donations, or bequests from any
8 source.

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

10 (775 ILCS 40/70)

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

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

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.".