

# HB1740



## 100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB1740

by Rep. Michael J. Madigan

### SYNOPSIS AS INTRODUCED:

725 ILCS 140/1

from Ch. 38, par. 165-11

Amends the Criminal Proceeding Interpreter Act. Makes a technical change in a Section concerning the appointment of an interpreter.

LRB100 03326 SLF 13331 b

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 Criminal Proceeding Interpreter Act is  
5 amended by changing Section 1 as follows:

6 (725 ILCS 140/1) (from Ch. 38, par. 165-11)

7 Sec. 1. Whenever any person accused of committing a felony  
8 or misdemeanor is to be tried in any court of this State, the  
9 ~~the~~ court shall upon its own motion or that of defense or  
10 prosecution determine whether the accused is capable of  
11 understanding the English language and is capable of expressing  
12 himself in the English language so as to be understood directly  
13 by counsel, court or jury. If the court finds the accused  
14 incapable of so understanding or so expressing himself, the  
15 court shall appoint an interpreter for the accused whom he can  
16 understand and who can understand him. In compliance with the  
17 federal Americans with Disabilities Act of 1990, the right to  
18 communications access through a sign language interpreter or  
19 other means shall extend to a person with a disability who is  
20 accused of a violation of any penal statute of this State.

21 (Source: P.A. 88-201.)