



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

SB0150

Introduced 1/31/2007, by Sen. John J. Cullerton

SYNOPSIS AS INTRODUCED:

New Act

Creates the Joint Criminal Law Review Commission Act. Creates the Joint Criminal Law Review Commission. Provides that the Commission shall review and evaluate all proposed legislation filed in the Illinois General Assembly relating to criminal or penal offenses to ensure that such legislation is necessary and uniform and adheres to generally accepted drafting principles. Provides that the Commission shall review and evaluate each filed legislative proposal to determine whether it: (1) is constitutional; (2) is not duplicative of or inadvertently inconsistent with existing law; (3) contains an appropriate mental state; and (4) is placed in an appropriate place within the Illinois Compiled Statutes. Provides that the Commission shall report its recommendations to the General Assembly on an annual basis or as it deems necessary or useful as to existing law and on a regular basis or as it deems necessary or useful during the legislative session as to proposed legislation. Effective immediately.

LRB095 07564 RLC 27714 b

FISCAL NOTE ACT
MAY APPLY

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 1. Short title. This Act may be cited as the Joint
5 Criminal Law Review Commission Act.

6 Section 5. Joint Criminal Law Review Commission.

7 (a) There is created the Joint Criminal Law Review
8 Commission, hereinafter referred to as the Commission,
9 consisting of 13 members appointed as follows:

10 (1) Three members appointed by the President of the
11 Senate;

12 (2) Three members appointed by the Minority Leader of
13 the Senate;

14 (3) Three members appointed by the Speaker of the House
15 of Representatives;

16 (4) Three members appointed by the Minority Leader of
17 the House of Representatives; and

18 (5) One member appointed by the Governor.

19 (b) Commission members shall serve 2-year terms or until
20 their successors are appointed.

21 (c) Commission intent. The Commission is intended to:

22 (1) make the criminal laws of Illinois easier to
23 understand, access, apply, and interpret;

1 (2) promote obedience to the rule of law; and

2 (3) reduce the cost and increase the efficiency of the
3 criminal justice system by eliminating disputes relating
4 to criminal laws that result in retrials, delays, and
5 mistakes in the process.

6 (d) Commission review.

7 (1) The Commission shall conduct an ongoing study,
8 review, and evaluation of the existing laws pertaining to
9 criminal or penal offenses in the State to ensure that
10 these provisions are constitutional, consistent,
11 appropriately located, and drafted concisely; and

12 (2) The Commission shall review and evaluate all
13 proposed legislation filed in the Illinois General
14 Assembly relating to criminal or penal offenses to ensure
15 that such legislation is necessary and uniform and adheres
16 to generally accepted drafting principles. The Commission
17 shall review and evaluate each filed legislative proposal
18 to determine whether it:

19 (A) is constitutional;

20 (B) is not duplicative of or inadvertently
21 inconsistent with existing law;

22 (C) contains an appropriate mental state; and

23 (D) is placed in an appropriate place within the
24 Illinois Compiled Statutes.

25 (e) Commission recommendations. As to clause (d)(1),
26 review and evaluation of existing law, the Commission shall

1 make recommendations to the General Assembly for actions to be
2 taken. As to clause (d)(2), review and evaluation of proposed
3 legislation, the Commission shall make one of the 3 following
4 recommendations to the General Assembly:

5 (1) approve the legislative proposal;

6 (2) approve the legislative proposal with specific
7 changes; or

8 (3) do not approve the legislative proposal.

9 (f) Commission authority. The Commission shall make
10 ongoing recommendations to the General Assembly regarding
11 proposed legislation. Commission recommendations shall be
12 advisory in nature.

13 (g) The Commission shall report to the General Assembly
14 annually or as it deems necessary or useful on the results of
15 its study, review, and evaluation as set forth in clause (d)(1)
16 and the performance of the Commission's duties. The Commission
17 shall also report to the General Assembly on a regular basis or
18 as it deems necessary or useful during the legislative session
19 on the Commission's recommendations relating to proposed
20 legislation as set forth in clause (d)(2).

21 (h) The Commission may request assistance from any other
22 entity as necessary or useful for the performance of its
23 duties.

24 Section 99. Effective date. This Act takes effect upon
25 becoming law.