



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB1389

Introduced 2/20/2015, by Sen. Scott M. Bennett

SYNOPSIS AS INTRODUCED:

725 ILCS 5/106B-10 new

Amends the Code of Criminal Procedure of 1963. Provides that in a prosecution of criminal sexual assault, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual abuse, or aggravated criminal sexual abuse, the court may set any conditions it finds just and appropriate on the taking of testimony of a victim who is a child under the age of 18 years or a moderately, severely, or profoundly intellectually disabled person or a person affected by a developmental disability, including the use of a service or therapy animal that has been evaluated and registered according to national standards, in any proceeding involving that offense. Provides that when deciding whether to permit the child or person to testify with the assistance of a registered service or therapy animal, the court shall take into consideration the age of the child or the person, the interests of the child or the person, the rights of the parties to the litigation, and any other relevant factor that would facilitate the testimony by the child or the person.

LRB099 00118 RLC 20118 b

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 adding Section 106B-10 as follows:

6 (725 ILCS 5/106B-10 new)

7 Sec. 106B-10. Conditions for testimony by a victim who is a
8 child or a moderately, severely, or profoundly intellectually
9 disabled person or a person affected by a developmental
10 disability. In a prosecution of criminal sexual assault,
11 predatory criminal sexual assault of a child, aggravated
12 criminal sexual assault, criminal sexual abuse, or aggravated
13 criminal sexual abuse, the court may set any conditions it
14 finds just and appropriate on the taking of testimony of a
15 victim who is a child under the age of 18 years or a
16 moderately, severely, or profoundly intellectually disabled
17 person or a person affected by a developmental disability,
18 including the use of a service or therapy animal that has been
19 evaluated and registered according to national standards, in
20 any proceeding involving that offense. When deciding whether to
21 permit the child or person to testify with the assistance of a
22 registered service or therapy animal, the court shall take into
23 consideration the age of the child or person, the rights of the

1 parties to the litigation, and any other relevant factor that
2 would facilitate the testimony by the child or the person.