

HB3371



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB3371

Introduced 2/18/2025, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

725 ILCS 5/111-1

from Ch. 38, par. 111-1

Amends the Code of Criminal Procedure of 1963. Provides that a State's Attorney may charge a felony as a misdemeanor, in the State's Attorney's discretion.

LRB104 10519 RLC 22059 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 Code of Criminal Procedure of 1963 is
5 amended by changing Section 111-1 as follows:

6 (725 ILCS 5/111-1) (from Ch. 38, par. 111-1)

7 Sec. 111-1. Methods of prosecution.

8 (a) When authorized by law a prosecution may be commenced
9 by:

10 (1) A complaint;

11 (2) An information;

12 (3) An indictment.

13 (b) Upon commencement of a prosecution for a violation of
14 Section 11-501 of the Illinois Vehicle Code, or a similar
15 provision of a local ordinance, or Section 9-3 of the Criminal
16 Code of 1961 or the Criminal Code of 2012 relating to the
17 offense of reckless homicide, the victims of these offenses
18 shall have all the rights under this Section as they do in
19 Section 4 of the Rights of Crime Victims and Witnesses Act.

20 For the purposes of this Section "victim" shall mean an
21 individual who has suffered personal injury as a result of the
22 commission of a violation of Section 11-501 of the Illinois
23 Vehicle Code, or a similar provision of a local ordinance, or

1 Section 9-3 of the Criminal Code of 1961 or the Criminal Code
2 of 2012 relating to the offense of reckless homicide. In
3 regard to a violation of Section 9-3 of the Criminal Code of
4 1961 or the Criminal Code of 2012 relating to the offense of
5 reckless homicide, "victim" shall also include, but not be
6 limited to, spouse, guardian, parent, or other family member.

7 (c) Upon arrest after commencement of a prosecution for a
8 sex offense against a person known to be an employee, the
9 State's Attorney shall immediately provide the superintendent
10 of schools or school administrator that employs the employee
11 with a copy of the complaint, information, or indictment.

12 For the purposes of this subsection: "employee" has the
13 meaning provided in subsection (a) of Section 24-5 of the
14 School Code; and "sex offense" has the meaning provided in
15 Section 2 of the Sex Offender Registration Act.

16 This subsection shall not be construed to diminish the
17 rights, privileges, or remedies of an employee under a
18 collective bargaining agreement or employment contract.

19 (d) A State's Attorney may charge a felony as a
20 misdemeanor, in the State's Attorney's discretion.

21 (Source: P.A. 101-521, eff. 8-23-19; 102-558, eff. 8-20-21.)