



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4428

Introduced 1/20/2026, by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

705 ILCS 105/12.3 new
725 ILCS 5/103-1

from Ch. 38, par. 103-1

Amends the Clerks of Courts Act. Makes legislative findings. Creates the court reminder program. Requires that the circuit clerk provide a defendant with notice by text message of all court hearings to defendants who have been charged with a violation of the Criminal Code of 2012 or the Illinois Vehicle Code as follows: provide at least 2 text notices before each court appearance with one notice the day before the required court appearance; maintain a copy of the content and a delivery receipt as part of the records of the clerk's office; and for court appearances that can be attended virtually, provide the link to the virtual court appearance in at least the final reminder sent before the appearance. Makes the Act inapplicable if a circuit clerk does not have the needed information from a defendant to send a text message notification. Requires that the circuit clerk must take all reasonable actions to get the needed information to provide reminders and to coordinate with law enforcement and the courts in that effort. Allows the circuit clerk to use an existing electronic notice provisions developed under the Clerks of the Courts Act or developed under Supreme Court Rule as long as those programs comply with the new requirements of the amendatory Act. Authorizes the Administrative Office of the Illinois Courts to adopt rules to further implement the Act.

LRB104 16918 JRC 30332 b

1 AN ACT concerning courts.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Clerks of Courts Act is amended by adding
5 Section 12.3 as follows:

6 (705 ILCS 105/12.3 new)

7 Sec. 12.3. Court reminder program.

8 (a) The General Assembly finds that using modern
9 technology, such as text messaging, has become a standard and
10 reliable way to communicate and remind people of important
11 dates. Using text messaging to remind defendants of hearings
12 in criminal court and traffic court would increase appearance
13 rates of defendants, reduce duplicative court hearings, and
14 reduce the number of defendants who are arrested for failing
15 to appear in court.

16 (b) The clerk of the circuit court in a county must provide
17 a defendant who has been charged with a violation the Criminal
18 Code of 2012 or the Illinois Vehicle Code and is scheduled to
19 appear before the circuit court with notice by text message of
20 all hearings before the circuit court as follows:

21 (1) The circuit clerk must provide at least 2 text
22 notices to the defendant before each court appearance with
23 one notice the day before the required court appearance.

1 (2) The circuit clerk must maintain a copy of the
2 content of the message and a delivery receipt as part of
3 the records of the clerk's office.

4 (3) For court appearances that can be attended
5 virtually, the circuit clerk must provide the link to the
6 virtual court appearance in at least the final reminder
7 sent before the appearance.

8 (c) This Section does not apply if a circuit clerk does not
9 have the information needed from a defendant to send a text
10 message notification to the defendant. The circuit clerk must
11 take all reasonable actions to get the information to send a
12 text notification and to coordinate with law enforcement and
13 the courts in that effort.

14 (d) The circuit clerk may use an existing electronic
15 notice program under Section 12.1 as long as it complies with
16 subsection (b) of this Section.

17 (e) The circuit clerk may use an existing text message
18 notification program under Supreme Court Rule 14 as long as it
19 complies with subsection (b) of this Section.

20 (f) The Administrative Office of the Illinois Courts may
21 adopt rules to further implement this Act.

22 Section 10. The Code of Criminal Procedure of 1963 is
23 amended by changing Section 103-1 as follows:

24 (725 ILCS 5/103-1) (from Ch. 38, par. 103-1)

1 Sec. 103-1. Rights on arrest.

2 (a) After an arrest on a warrant the person making the
3 arrest shall inform the person arrested that a warrant has
4 been issued for his arrest and the nature of the offense
5 specified in the warrant.

6 (b) After an arrest without a warrant the person making
7 the arrest shall inform the person arrested of the nature of
8 the offense on which the arrest is based.

9 (b-5) This subsection is intended to implement and be
10 interpreted consistently with the Vienna Convention on
11 Consular Relations, to which the United States is a party.
12 Article 36 of that Convention guarantees that when foreign
13 nationals are arrested or detained, they must be advised of
14 their right to have their consular officials notified, and if
15 an individual chooses to exercise that right, a law
16 enforcement official is required to notify the consulate. It
17 does not create any new substantive State right or remedy.

18 (1) In accordance with federal law and the provisions
19 of this Section, the law enforcement official in charge of
20 a custodial facility shall ensure that any individual
21 booked and detained at the facility, within 48 hours of
22 booking or detention, shall be advised that if that
23 individual is a foreign national, he or she has a right to
24 communicate with an official from the consulate of his or
25 her country. This subsection (b-5) does not create any
26 affirmative duty to investigate whether an arrestee or

1 detainee is a foreign national.

2 (2) If the foreign national requests consular
3 notification or the notification is mandatory by law, the
4 law enforcement official in charge of the custodial
5 facility shall ensure the notice is given to the
6 appropriate officer at the consulate of the foreign
7 national in accordance with the U.S. Department of State
8 Instructions for Consular Notification and Access.

9 (3) The law enforcement official in charge of the
10 custodial facility where a foreign national is located
11 shall ensure that the foreign national is allowed to
12 communicate with, correspond with, and be visited by, a
13 consular officer of his or her country.

14 (c) No person arrested for a traffic, regulatory or
15 misdemeanor offense, except in cases involving weapons or a
16 controlled substance, shall be strip searched unless there is
17 reasonable belief that the individual is concealing a weapon
18 or controlled substance.

19 (d) "Strip search" means having an arrested person remove
20 or arrange some or all of his or her clothing so as to permit a
21 visual inspection of the genitals, buttocks, anus, female
22 breasts or undergarments of such person.

23 (e) All strip searches conducted under this Section shall
24 be performed by persons of the same sex as the arrested person
25 and on premises where the search cannot be observed by persons
26 not physically conducting the search.

1 (f) Every peace officer or employee of a police department
2 conducting a strip search shall:

3 (1) Obtain the written permission of the police
4 commander or an agent thereof designated for the purposes
5 of authorizing a strip search in accordance with this
6 Section.

7 (2) Prepare a report of the strip search. The report
8 shall include the written authorization required by
9 paragraph (1) of this subsection (f), the name of the
10 person subjected to the search, the names of the persons
11 conducting the search, and the time, date and place of the
12 search. A copy of the report shall be provided to the
13 person subject to the search.

14 (g) No search of any body cavity other than the mouth shall
15 be conducted without a duly executed search warrant; any
16 warrant authorizing a body cavity search shall specify that
17 the search must be performed under sanitary conditions and
18 conducted either by or under the supervision of a physician
19 licensed to practice medicine in all of its branches in this
20 State.

21 (h) Any peace officer or employee who knowingly or
22 intentionally fails to comply with any provision of this
23 Section, except subsection (b-5) of this Section, is guilty of
24 official misconduct as provided in Section 103-8; provided
25 however, that nothing contained in this Section shall preclude
26 prosecution of a peace officer or employee under another

1 section of this Code.

2 (i) Nothing in this Section shall be construed as limiting
3 any statutory or common law rights of any person for purposes
4 of any civil action or injunctive relief.

5 (j) The provisions of subsections (c) through (h) of this
6 Section shall not apply when the person is taken into custody
7 by or remanded to the sheriff or correctional institution
8 pursuant to a court order.

9 (k) As part of the booking process during an arrest for an
10 alleged violation of the Criminal Code of 2012 or the Illinois
11 Vehicle Code, a peace officer or employee must request from
12 the arrested person a telephone number that may be used by the
13 arrested person to receive text messages from the circuit
14 clerk reminding the arrested person of court dates requiring
15 attendance.

16 (Source: P.A. 99-190, eff. 1-1-16.)