



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

**HB4640**

Introduced 2/3/2026, by Rep. Justin Slaughter

#### SYNOPSIS AS INTRODUCED:

705 ILCS 405/5-170

Amends the Juvenile Court Act of 1987. Provides that an oral, written, or sign language statement of a minor made without the presence of counsel throughout a custodial interrogation is inadmissible as evidence against the minor in any proceeding under the Act if imposition of an adult criminal sentence is a possibility, including a sentence under an extended jurisdiction juvenile prosecution and proceeding, or in any proceeding under the Criminal Code of 2012.

LRB104 16358 RLC 29745 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 Juvenile Court Act of 1987 is amended by  
5 changing Section 5-170 as follows:

6 (705 ILCS 405/5-170)

7 Sec. 5-170. Representation by counsel.

8 (a) In a proceeding under this Article, a minor who was  
9 under 15 years of age at the time of the commission of an act  
10 that if committed by an adult would be a violation of Section  
11 9-1, 9-1.2, 9-2, 9-2.1, 9-3, 9-3.2, 9-3.3, 11-1.20, 11-1.30,  
12 11-1.40, 11-1.50, 11-1.60, 12-13, 12-14, 12-14.1, 12-15, or  
13 12-16 of the Criminal Code of 1961 or the Criminal Code of 2012  
14 must be represented by counsel throughout the entire custodial  
15 interrogation of the minor. An oral, written, or sign language  
16 statement of a minor made without the presence of counsel  
17 throughout a custodial interrogation is inadmissible as  
18 evidence against the minor in any proceeding under this Act if  
19 imposition of an adult criminal sentence is a possibility,  
20 including under Section 5-810, or in any proceeding under the  
21 Criminal Code of 2012.

22 (b) In a judicial proceeding under this Article, a minor  
23 may not waive the right to the assistance of counsel in the

1 minor's defense.

2 (Source: P.A. 103-22, eff. 8-8-23.)