

# HB0912



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

HB0912

by Rep. Patrick Windhorst

#### SYNOPSIS AS INTRODUCED:

725 ILCS 5/110-14

from Ch. 38, par. 110-14

Amends the Code of Criminal Procedure of 1963 concerning bail. Provides that the incarceration credit does not apply to a person incarcerated for a felony offense who committed the offense when he or she was released on bond, on pretrial release, in pretrial detention, or serving a sentence of incarceration for a separate offense. Effective immediately.

LRB101 06932 SLF 51965 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 110-14 as follows:

6 (725 ILCS 5/110-14) (from Ch. 38, par. 110-14)

7 Sec. 110-14. Credit for incarceration on bailable offense;  
8 credit against monetary bail for certain offenses.

9 (a) Any person incarcerated on a bailable offense who does  
10 not supply bail and against whom a fine is levied on conviction  
11 of the offense shall be allowed a credit of \$5 for each day so  
12 incarcerated upon application of the defendant. However, in no  
13 case shall the amount so allowed or credited exceed the amount  
14 of the fine.

15 (b) Subsection (a) does not apply to a person incarcerated  
16 for sexual assault as defined in paragraph (1) of subsection  
17 (a) of Section 5-9-1.7 of the Unified Code of Corrections.

18 (b-5) Subsection (a) does not apply to a person  
19 incarcerated for a felony offense who committed the offense  
20 when he or she was released on bond, on pretrial release, in  
21 pretrial detention, or serving a sentence of incarceration for  
22 a separate offense.

23 (c) A person subject to bail on a Category B offense shall

1 have \$30 deducted from his or her 10% cash bond amount every  
2 day the person is incarcerated. The sheriff shall calculate and  
3 apply this \$30 per day reduction and send notice to the circuit  
4 clerk if a defendant's 10% cash bond amount is reduced to \$0,  
5 at which point the defendant shall be released upon his or her  
6 own recognizance.

7 (d) The court may deny the incarceration credit in  
8 subsection (c) of this Section if the person has failed to  
9 appear as required before the court and is incarcerated based  
10 on a warrant for failure to appear on the same original  
11 criminal offense.

12 (Source: P.A. 100-1, eff. 1-1-18; 100-929, eff. 1-1-19.)

13 Section 99. Effective date. This Act takes effect upon  
14 becoming law.