

SB3581



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

SB3581

Introduced 2/14/2020, by Sen. Melinda Bush

SYNOPSIS AS INTRODUCED:

725 ILCS 5/106B-10

Amends the Code of Criminal Procedure of 1963. Provides that in a prosecution of an offense that is a violent crime as defined in the Rights of Crime Victims and Witnesses Act, 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, involving the use of a facility dog in any proceeding involving that offense.

LRB101 20003 RLC 69530 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 106B-10 as follows:

6 (725 ILCS 5/106B-10)

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, or any violent crime as defined in
14 subsection (c) of Section 3 of the Rights of Crime Victims and
15 Witnesses Act, the court may set any conditions it finds just
16 and appropriate on the taking of testimony of a victim who is a
17 child under the age of 18 years or a moderately, severely, or
18 profoundly intellectually disabled person or a person affected
19 by a developmental disability, involving the use of a facility
20 dog in any proceeding involving that offense. When deciding
21 whether to permit the child or person to testify with the
22 assistance of a facility dog, 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. As
3 used in this Section, "facility dog" means a dog that is a
4 graduate of an assistance dog organization that is a member of
5 Assistance Dogs International.

6 (Source: P.A. 99-94, eff. 1-1-16.)