

HB3678



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3678

Introduced 2/22/2021, by Rep. Joe Sosnowski

SYNOPSIS AS INTRODUCED:

705 ILCS 305/18 rep.
725 ILCS 5/112-2

from Ch. 38, par. 112-2

Amends the Code of Criminal Procedure of 1963. Changes the oath taken by grand jurors. Amends the Jury Act to delete a duplicative provision concerning the oath taken by the foreman of a Grand Jury. Effective immediately.

LRB102 17003 RLC 22424 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 (705 ILCS 305/18 rep.)

5 Section 5. The Jury Act is amended by repealing Section
6 18.

7 Section 10. The Code of Criminal Procedure of 1963 is
8 amended by changing Section 112-2 as follows:

9 (725 ILCS 5/112-2) (from Ch. 38, par. 112-2)

10 Sec. 112-2. Impaneling the Grand Jury. (a) The Grand Jury
11 shall consist of 16 persons, 12 of whom shall be necessary to
12 constitute a quorum.

13 (b) The Grand Jury shall be impaneled, sworn and
14 instructed as to its duties by the court. The court shall
15 select and swear one of the grand jurors to serve as foreman.

16 (c) Before the Grand Jury shall enter upon the discharge
17 of their duties the following oath shall be administered to
18 the jurors:

19 "Do each of you swear (or affirm) that you will diligently
20 inquire into all matters presented to you; that you will
21 return no indictment through malice or ill will, or fail to
22 return one due to fear or reward; and that in all your

1 decisions you will present the truth, the whole truth, and
2 nothing but the truth, according to the best of your skill and
3 understanding. ~~You and each of you do solemnly swear (or~~
4 ~~affirm, as the case may be), that you will diligently inquire~~
5 ~~into and true presentment make of all such matters and things~~
6 ~~as shall be given you in charge, or shall otherwise come to~~
7 ~~your knowledge, touching the present service; you shall~~
8 ~~present no person through malice, hatred or ill will; nor~~
9 ~~shall you leave any unpresented through fear, favor,~~
10 ~~affection, or for any fee or reward, or for any hope or promise~~
11 ~~thereof; but in all of your presentments, you shall present~~
12 ~~the truth, the whole truth, and nothing but the truth,~~
13 ~~according to the best of your skill and understanding; so help~~
14 ~~you God."~~

15 (Source: P.A. 85-690.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.