



Sen. Celina Villanueva

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10300HB0277sam003

LRB103 03803 LNS 73642 a

1 AMENDMENT TO HOUSE BILL 277

2 AMENDMENT NO. _____. Amend House Bill 277, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Illinois Vehicle Code is amended by
6 changing Section 6-308 as follows:

7 (625 ILCS 5/6-308)

8 Sec. 6-308. Procedures for traffic violations.

9 (a) Any person cited for violating this Code or a similar
10 provision of a local ordinance for which a violation is a petty
11 offense as defined by Section 5-1-17 of the Unified Code of
12 Corrections, excluding business offenses as defined by Section
13 5-1-2 of the Unified Code of Corrections or a violation of
14 Section 15-111 or subsection (d) of Section 3-401 of this
15 Code, shall not be required to sign the citation for his or her
16 release. All other provisions of this Code or similar

1 provisions of local ordinances shall be governed by the
2 pretrial release provisions of the Illinois Supreme Court
3 Rules when it is not practical or feasible to take the person
4 before a judge to have conditions of pretrial release set or to
5 avoid undue delay because of the hour or circumstances.

6 (b) Whenever a person fails to appear in court, the court
7 may continue the case for a minimum of 30 days and the clerk of
8 the court shall send notice of the continued court date to the
9 person's last known address and, if the clerk of the court
10 elects to establish a system to send text, email, and
11 telephone notifications, may also send notifications to an
12 email address and may send a text message to the person's last
13 known cellular telephone number. If the person does not have a
14 cellular telephone number, the clerk of the court may reach
15 the person by calling the person's last known landline
16 telephone number regarding continued court dates. The notice
17 shall include a statement that a subsequent failure to appear
18 in court could result in a warrant for the defendant's arrest
19 and other significant consequences affecting their driving
20 privileges. If the person does not (i) appear in court on or
21 before the continued court date, (ii) satisfy the charge
22 without a court appearance if allowed by Illinois Supreme
23 Court Rule, or (iii) satisfy the court that the person's
24 appearance in and surrender to the court is impossible for no
25 fault of the person, the court shall enter an ex parte judgment
26 of conviction imposing a single assessment, specified in the

1 applicable assessment Schedule 10, 10.5, or 11 for the charged
2 offense, as provided in the Criminal and Traffic Assessment
3 Act, plus a fine allowed by statute. The clerk of the court
4 shall notify the Secretary of State, in a form and manner
5 prescribed by the Secretary, of the court's order. ~~If the~~
6 ~~person does not appear in court on or before the continued~~
7 ~~court date or satisfy the court that the person's appearance~~
8 ~~in and surrender to the court is impossible for no fault of the~~
9 ~~person, the court shall enter an order of failure to appear.~~
10 ~~The clerk of the court shall notify the Secretary of State, on~~
11 ~~a report prescribed by the Secretary, of the court's order.~~
12 ~~The Secretary, when notified by the clerk of the court that an~~
13 ~~order of failure to appear has been entered, shall immediately~~
14 ~~suspend the person's driver's license, which shall be~~
15 ~~designated by the Secretary as a Failure to Appear suspension.~~
16 ~~The Secretary shall not remove the suspension, nor issue any~~
17 ~~permit or privileges to the person whose license has been~~
18 ~~suspended, until notified by the ordering court that the~~
19 ~~person has appeared and resolved the violation. Upon~~
20 ~~compliance, the clerk of the court shall present the person~~
21 ~~with a notice of compliance containing the seal of the court,~~
22 ~~and shall notify the Secretary that the person has appeared~~
23 ~~and resolved the violation.~~

24 (c) Illinois Supreme Court Rules shall govern pretrial
25 release and appearance procedures when a person who is a
26 resident of another state that is not a member of the

1 Nonresident Violator Compact of 1977 is cited for violating
2 this Code or a similar provision of a local ordinance.

3 (d) The changes made to this Section by this amendatory
4 Act of the 103rd General Assembly apply to each individual
5 whose license was suspended pursuant to this Section between
6 January 1, 2020 and the effective date of this amendatory Act
7 of the 103rd General Assembly, and the suspension shall be
8 lifted by the Secretary of State without further action by any
9 court.

10 (Source: P.A. 100-674, eff. 1-1-19; 101-652, eff. 1-1-23.)".