



## 103RD GENERAL ASSEMBLY

### State of Illinois

2023 and 2024

HB2574

Introduced 2/15/2023, by Rep. Angelica Guerrero-Cuellar

#### SYNOPSIS AS INTRODUCED:

725 ILCS 5/111-1.5 new

Amends the Code of Criminal Procedure of 1963. Provides that, in a county with more than 3,000,000 inhabitants, if a law enforcement agency, peace officer, or member of the public presents evidence to the Office of the State's Attorney that there is probable cause that a person has committed an offense within that county and the State's Attorney or Assistant State's Attorney, after evaluating the evidence presented to the State's Attorney or Assistant State's Attorney, refuses to file a complaint, seek an indictment, present the evidence to a grand jury for investigation of the case, or sign an information charging the person with an offense, the State's Attorney or Assistant State's Attorney must provide a written statement to the local law enforcement agency of the jurisdiction where the alleged offense occurred of the reasons why the State's Attorney or Assistant State's Attorney did not seek prosecution of the case.

LRB103 05159 RLC 50174 b

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 adding Section 111-1.5 as follows:

6 (725 ILCS 5/111-1.5 new)

7 Sec. 111-1.5. State's Attorney; counties exceeding  
8 3,000,000; nonprosecution of case. In a county with more than  
9 3,000,000 inhabitants, if a law enforcement agency, peace  
10 officer, or member of the public presents evidence to the  
11 Office of the State's Attorney that there is probable cause  
12 that a person has committed an offense within that county and  
13 the State's Attorney or Assistant State's Attorney, after  
14 evaluating the evidence presented to the State's Attorney or  
15 Assistant State's Attorney, refuses to file a complaint, seek  
16 an indictment, present the evidence to a grand jury for  
17 investigation of the case, or sign an information charging the  
18 person with an offense, the State's Attorney or Assistant  
19 State's Attorney must provide a written statement to the local  
20 law enforcement agency of the jurisdiction where the alleged  
21 offense occurred of the reasons why the State's Attorney or  
22 Assistant State's Attorney did not seek prosecution of the  
23 case.