



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4315

Introduced 1/16/2024, by Rep. Travis Weaver

SYNOPSIS AS INTRODUCED:

705 ILCS 405/5-505

Amends the Juvenile Court Act of 1987. Provides that, if a minor is charged with the commission of a delinquent act and if the court has made a probable cause determination, then the court must conduct a hearing and must order the minor to take certain actions, but authorizes (and does not require) the court to order the minor to take other actions. (Now, if a minor is charged with the commission of a delinquent act, a court is authorized (but not required) to conduct a hearing and is authorized (but not required) to order the minor to take certain actions.)

LRB103 34146 RJT 63964 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 Juvenile Court Act of 1987 is amended by
5 changing Section 5-505 as follows:

6 (705 ILCS 405/5-505)

7 Sec. 5-505. Pre-trial conditions order.

8 (1) If a minor is charged with the commission of a
9 delinquent act and the court has made a probable cause
10 determination, ~~at any appearance of the minor before the court~~
11 ~~prior to trial~~, the court shall ~~may~~ conduct a hearing and order
12 the minor ~~to determine whether the minor should be required to~~
13 do ~~any of~~ the following:

14 (a) not violate any criminal statute of any
15 jurisdiction;

16 (b) make a report to and appear in person before any
17 person or agency as directed by the court;

18 (c) refrain from possessing a firearm or other
19 dangerous weapon, ~~or an automobile~~;

20 (d) reside with and follow the rules of the minor's
21 parents or ~~in a~~ foster home; and

22 (e) attend school. ~~+~~

23 (1.5) The court may order the minor to do any of the

1 following:

2 (a) ~~(f)~~ attend a non-residential program for youth;

3 (b) ~~(g)~~ comply with curfew requirements as designated
4 by the court;

5 (c) ~~(h)~~ refrain from entering into a designated
6 geographic area except upon terms as the court finds
7 appropriate. The terms may include consideration of the
8 purpose of the entry, the time of day, other persons
9 accompanying the minor, advance approval by the court, and
10 any other terms the court may deem appropriate;

11 (d) ~~(i)~~ refrain from having any contact, directly or
12 indirectly, with certain specified persons or particular
13 types of persons, including but not limited to members of
14 street gangs and drug users or dealers; or

15 (e) ~~(j)~~ comply with any other conditions as may be
16 ordered by the court.

17 No hearing may be held unless the minor is represented by
18 counsel. If the court determines that there is probable cause
19 to believe the minor is a delinquent minor and that it is in
20 the best interests of the minor that the court impose any or
21 all of the conditions listed in ~~paragraphs (a) through (j) of~~
22 this subsection (1), then the court shall order the minor to
23 abide by all of the conditions ordered by the court.

24 (2) If the court issues a pre-trial conditions order as
25 provided in subsection (1), the court shall inform the minor
26 and provide a copy of the pre-trial conditions order effective

1 under this Section.

2 (3) The provisions of the pre-trial conditions order
3 issued under this Section may be continued through the
4 sentencing hearing if the court deems the action reasonable
5 and necessary. Nothing in this Section shall preclude the
6 minor from applying to the court at any time for modification
7 or dismissal of the order or the State's Attorney from
8 applying to the court at any time for additional provisions
9 under the pre-trial conditions order, modification of the
10 order, or dismissal of the order.

11 (Source: P.A. 103-22, eff. 8-8-23.)