

SB3943



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3943

Introduced 5/2/2024, by Sen. Bill Cunningham

SYNOPSIS AS INTRODUCED:

725 ILCS 210/3

from Ch. 14, par. 203

Amends the State's Attorneys Appellate Prosecutor Act. Requires the board of governors of the Office of the State's Attorneys Appellate Prosecutor to meet at least once every 6 months instead of every 3 months.

LRB103 40481 JRC 72882 b

A BILL FOR

1 AN ACT concerning state government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The State's Attorneys Appellate Prosecutor's
5 Act is amended by changing Section 3 as follows:

6 (725 ILCS 210/3) (from Ch. 14, par. 203)

7 Sec. 3. There is created the Office of the State's
8 Attorneys Appellate Prosecutor as a judicial agency of State
9 government.

10 (a) The Office of the State's Attorneys Appellate
11 Prosecutor shall be governed by a board of governors which
12 shall consist of 10 members as follows:

13 (1) Eight State's Attorneys, 2 to be elected from each
14 District containing less than 3,000,000 inhabitants;

15 (2) The State's Attorney of Cook County or his or her
16 designee; and

17 (3) One State's Attorney to be bi-annually appointed
18 by the other 9 members.

19 (b) Voting for elected members shall be by District with
20 each of the State's Attorneys voting from their respective
21 district. Each board member must be duly elected or appointed
22 and serving as State's Attorney in the district from which he
23 was elected or appointed.

1 (c) Elected members shall serve for a term of 2 years
2 commencing upon their election and until their successors are
3 duly elected or appointed and qualified.

4 (d) A bi-annual election of members of the board shall be
5 held within 30 days prior or subsequent to the beginning of
6 each odd numbered calendar year, and the board shall certify
7 the results to the Secretary of State.

8 (e) The board shall promulgate rules of procedure for the
9 election of its members and the conduct of its meetings and
10 shall elect a Chairman and a Vice-Chairman and such other
11 officers as it deems appropriate. The board shall meet at
12 least once every 6 ~~3~~ months, and in addition thereto as
13 directed by the Chairman, or upon the special call of any 5
14 members of the board, in writing, sent to the Chairman,
15 designating the time and place of the meeting.

16 (f) Five members of the board shall constitute a quorum
17 for the purpose of transacting business.

18 (g) Members of the board shall serve without compensation,
19 but shall be reimbursed for necessary expenses incurred in the
20 performance of their duties.

21 (h) A position shall be vacated by either a member's
22 resignation, removal or inability to serve as State's
23 Attorney.

24 (i) Vacancies on the board of elected members shall be
25 filled within 90 days of the occurrence of the vacancy by a
26 special election held by the State's Attorneys in the district

1 where the vacancy occurred. Vacancies on the board of the
2 appointed member shall be filled within 90 days of the
3 occurrence of the vacancy by a special election by the
4 members. In the case of a special election, the tabulation and
5 certification of the results may be conducted at any regularly
6 scheduled quarterly or special meeting called for that
7 purpose. A member elected or appointed to fill such position
8 shall serve for the unexpired term of the member whom he is
9 succeeding. Any member may be re-elected or re-appointed for
10 additional terms.

11 (Source: P.A. 102-16, eff. 6-17-21; 102-687, eff. 12-17-21.)