

1 AN ACT in relation to 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 113-8 as follows:

6 (720 ILCS 5/113-8 new)

7 Sec. 113-8. Procedures to be followed by State's
8 Attorneys in determining whether to seek the death penalty.
9 The Attorney General and the Illinois State's Attorneys
10 Association shall adopt recommendations as to the procedures
11 that State's Attorneys should follow in deciding whether or
12 not to seek the death penalty in a first degree murder case.
13 The failure of a State's Attorney to follow the adopted
14 procedures is not a ground to have the case decertified as a
15 death penalty case or to have any death penalty sentence
16 vacated.