

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 changing Section 114-8 as follows:

6 (725 ILCS 5/114-8) (from Ch. 38, par. 114-8)

7 Sec. 114-8. Motion for severance.

8 (a) If it appears that a defendant or the State is  
9 prejudiced by a joinder of related prosecutions or defendants  
10 in a single charge or by joinder of separate charges or  
11 defendants for trial the court may order separate trials, grant  
12 a severance of defendants, or provide any other relief as  
13 justice may require.

14 (b) In the case of a prosecution of multiple defendants for  
15 criminal sexual assault, aggravated criminal sexual assault,  
16 predatory criminal sexual assault of a child, criminal sexual  
17 abuse, or aggravated criminal sexual abuse arising out of the  
18 same course of conduct, the court, in deciding a motion to  
19 sever the charges and try the defendants separately, must  
20 consider the impact upon the alleged victim of multiple trials  
21 requiring the victim's testimony.

22 (Source: Laws 1963, p. 2836.)