



Sen. William Delgado

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09500HB0230sam001

LRB095 04122 RLC 47648 a

1 AMENDMENT TO HOUSE BILL 230

2 AMENDMENT NO. _____. Amend House Bill 230 on page 1, by
3 replacing lines 4 through 9 with the following:

4 "Section 5. The Public Employment Office Act is amended by
5 adding Section 2 as follows:

6 20 ILCS 1015/2

7 Sec. 2. Persons unjustly imprisoned; job training and
8 continuing education. The Department of Employment Security
9 shall establish an"; and

10 on page 1, by replacing lines 12 and 13 with the following:

11 "of this State; and if the person"; and

12 on page 2, by replacing lines 18 and 19 with the following:

13 "imprisoned received ~~shall receive~~ a"; and

14 on page 3, line 20, by inserting after "calendar year." the

1 following:

2 "The transmission by the Prisoner Review Board or the clerk of
3 the circuit court of the information described in Section 11(b)
4 to the clerk of the Court of Claims is conclusive evidence of
5 the validity of the claim."; and

6 on page 6, by replacing lines 14 through 26 with the following:

7 "(b) Whenever a person has served a term of imprisonment
8 and has received a pardon by the Governor stating that such
9 pardon was issued on the ground of innocence of the crime for
10 which he or she was imprisoned, the Prisoner Review Board shall
11 transmit this information to the clerk of the Court of Claims,
12 together with the claimant's current address. Whenever a person
13 has served a term of imprisonment and has received a
14 certificate of innocence from the Circuit Court as provided in
15 Section 2-702 of the Code of Civil Procedure, the clerk of the
16 issuing Circuit Court shall transmit this information to the
17 clerk of the Court of Claims, together with the claimant's
18 current address. The clerk of the Court of Claims shall
19 immediately docket the case for consideration by the Court of
20 Claims, and shall provide notice to the claimant of such
21 docketing together with all hearing dates and applicable
22 deadlines. The Court of Claims shall hear the case and render a
23 decision within 90 days after its docketing."; and

24 on page 7, by replacing lines 17 through 24 with the following:

1 "(c) All claims arising under paragraph (c) of Section 8 of
2 this Act must be automatically heard by the court ~~filed~~ within
3 120 days ~~2 years~~ after the person asserting such claim is
4 either issued a certificate of innocence from the Circuit Court
5 as provided in Section 2-702 of the Code of Civil Procedure
6 ~~discharged from prison~~, or is granted a pardon by the Governor,
7 whichever occurs later, without the person asserting the claim
8 being required to file a petition under Section 11 of this Act,
9 except as otherwise provided by the Crime Victims Compensation
10 Act. Any claims filed by the claimant under paragraph (c) of
11 Section 8 of this Act must be filed within 2 years after the
12 person asserting such claim is either issued a certificate of
13 innocence as provided in Section 2-702 of the Code of Civil
14 Procedure, or is granted a pardon by the Governor, whichever
15 occurs later."; and

16 on page 14, by replacing line 9 with the following:

17 "or she was incarcerated. Upon entry of the certificate of
18 innocence, the clerk of the court shall transmit a copy of the
19 certificate of innocence to the clerk of the Court of Claims,
20 together with the claimant's current address."