

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 Statewide Grand Jury Act is amended by  
5 changing Section 3 as follows:

6 (725 ILCS 215/3) (from Ch. 38, par. 1703)

7 Sec. 3. Written application for the appointment of a  
8 Circuit Judge to convene and preside over a Statewide Grand  
9 Jury, with jurisdiction extending throughout the State, shall  
10 be made to the Chief Justice of the Supreme Court. Upon such  
11 written application, the Chief Justice of the Supreme Court  
12 shall appoint a Circuit Judge from the circuit where the  
13 Statewide Grand Jury is being sought to be convened, who  
14 shall make a determination that the convening of a Statewide  
15 Grand Jury is necessary.

16 In such application the Attorney General shall state that  
17 the convening of a Statewide Grand Jury is necessary because  
18 of an alleged offense or offenses set forth in this Section  
19 involving more than one county of the State and identifying  
20 any such offense alleged; and

21 (a) that he or she believes that the grand jury  
22 function for the investigation and indictment of the  
23 offense or offenses cannot effectively be performed by a  
24 county grand jury together with the reasons for such  
25 belief, and

26 (b) (1) that each State's Attorney with  
27 jurisdiction over an offense or offenses to be  
28 investigated has consented to the impaneling of the  
29 Statewide Grand Jury, or

30 (2) if one or more of the State's Attorneys  
31 having jurisdiction over an offense or offenses to

1           be investigated fails to consent to the impaneling  
 2           of the Statewide Grand Jury, the Attorney General  
 3           shall set forth good cause for impaneling the  
 4           Statewide Grand Jury.

5           If the Circuit Judge determines that the convening of a  
 6           Statewide Grand Jury is necessary, he or she shall convene  
 7           and impanel the Statewide Grand Jury with jurisdiction  
 8           extending throughout the State to investigate and return  
 9           indictments:

10           (a) For violations of any of the following or for  
 11           any other criminal offense committed in the course of  
 12           violating any of the following: the Illinois Controlled  
 13           Substances Act, the Cannabis Control Act, the Narcotics  
 14           Profit Forfeiture Act, or the Cannabis and Controlled  
 15           Substances Tax Act; a streetgang related felony offense;  
 16           Section 24-2.1, 24-2.2, 24-3, 24-3A, 24-3.1, 24-3.3,  
 17           24-3.4, 24-4, or 24-5 or subsection 24-1(a)(4),  
 18           24-1(a)(6), 24-1(a)(7), 24-1(a)(9), 24-1(a)(10), or  
 19           24-1(c) of the Criminal Code of 1961; or a money  
 20           laundering offense; provided that the violation or  
 21           offense involves acts occurring in more than one county  
 22           of this State; and

23           (a-5) For violations facilitated by the use of a  
 24           computer, including the use of the Internet, the World  
 25           Wide Web, electronic mail, message board, newsgroup, or  
 26           any other commercial or noncommercial on-line service, of  
 27           any of the following offenses described in Article 11 or  
 28           Sections 12-13, 12-14, 12-14.1, 12-15, 12-16, or 12-16.2  
 29           of the Criminal Code of 1961:--indecent-solicitation-of-a  
 30           child,--sexual--exploitation-of-a-child,--soliciting-for-a  
 31           juvenile--prostitute,--keeping--a--place---of---juvenile  
 32           prostitution,--juvenile-pimping,--or-child-pornography; and

33           (b) For the offenses of perjury, subornation of  
 34           perjury, communicating with jurors and witnesses, and

1 harassment of jurors and witnesses, as they relate to  
2 matters before the Statewide Grand Jury.

3 "Streetgang related" has the meaning ascribed to it in  
4 Section 10 of the Illinois Streetgang Terrorism Omnibus  
5 Prevention Act.

6 Upon written application by the Attorney General for the  
7 convening of an additional Statewide Grand Jury, the Chief  
8 Justice of the Supreme Court shall appoint a Circuit Judge  
9 from the circuit for which the additional Statewide Grand  
10 Jury is sought. The Circuit Judge shall determine the  
11 necessity for an additional Statewide Grand Jury in  
12 accordance with the provisions of this Section. No more than  
13 2 Statewide Grand Juries may be empaneled at any time.

14 (Source: P.A. 91-225, eff. 1-1-00.)