

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.)