

West's Smith-Hurd Illinois Compiled Statutes Annotated

Chapter 725. Criminal Procedure

Act 5. Code of Criminal Procedure of 1963 (Refs & Annos)

Title III. Proceedings After Arrest

Article 110. Pretrial Release (Refs & Annos)

725 ILCS 5/110-3
Formerly cited as IL ST CH 38 ¶ 110-3

5/110-3. Options for warrant alternatives

Effective: January 1, 2023

Currentness

§ 110-3. Options for warrant alternatives.

(a) Upon failure to comply with any condition of pretrial release, the court having jurisdiction at the time of such failure may, on its own motion or upon motion from the State, issue a summons or a warrant for the arrest of the person at liberty on pretrial release. This Section shall be construed to effectuate the goal of relying upon summonses rather than warrants to ensure the appearance of the defendant in court whenever possible. The contents of such a summons or warrant shall be the same as required for those issued upon complaint under Section 107-9.

(b) A defendant who appears in court on the date assigned or within 48 hours of service, whichever is later, in response to a summons issued for failure to appear in court, shall not be recorded in the official docket as having failed to appear on the initial missed court date. If a person fails to appear in court on the date listed on the summons, the court may issue a warrant for the person's arrest.

(c) For the purpose of any risk assessment or future evaluation of risk of willful flight or risk of failure to appear, a nonappearance in court cured by an appearance in response to a summons shall not be considered as evidence of future likelihood of appearance in court.

Credits

Laws 1963, p. 2836, § 110-3, eff. Jan. 1, 1964. Amended by P.A. 86-298, § 1, eff. Jan. 1, 1990; P.A. 86-984, § 1, eff. Dec. 13, 1989; P.A. 86-1028, Art. II, § 2-20, eff. Feb. 5, 1990; P.A. 101-652, § 10-255, eff. Jan. 1, 2023; P.A. 102-813, § 625, eff. May 13, 2022; P.A. 102-1104, § 70, eff. Jan. 1, 2023.

Formerly Ill.Rev.Stat.1991, ch. 38, ¶ 110-3.

725 I.L.C.S. 5/110-3, IL ST CH 725 § 5/110-3

Current through P.A. 103-471 of the 2023 Reg. Sess. Some statute sections may be more current, see credits for details.

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