



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB4209

Introduced 1/14/2026, by Rep. Dan Ugaste

SYNOPSIS AS INTRODUCED:

705 ILCS 405/5-401.1 new
720 ILCS 5/12C-75 new

Amends the Criminal Code of 2012. Provides that it is unlawful for any parent, legal guardian, or other adult person having the care or custody of a minor, by any act or word, or the failure to act or by the lack of supervision and control over the minor to encourage, contribute toward, cause, or tend to cause the minor to commit an offense against the public peace, safety, and morals by reason of the activity of the minor within the State. Provides that it is unlawful for any parent, legal guardian, or other person having custody and care of any minor to assist, aid, abet, allow, permit, or encourage the minor to violate this provision, either by an overt act, by failing to act, or by lack of supervision and control over the minor. Provides that the trier of fact may infer that if a minor is apprehended while on any public streets, highways, alleys, or parks during hours of curfew, it is evidence of a violation of the provision on the part of the parents, legal guardian, or other person having custody or care of the minor. Establishes that a violation is a Class C misdemeanor punished by a fine not exceeding \$2,000 or by imprisonment for a term not exceeding 30 days, or both. Defines terms. Amends the Juvenile Court Act of 1987 to make conforming changes. Contains a severability provision.

LRB104 16253 RLC 29828 b

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 Juvenile Court Act of 1987 is amended by
5 adding Section 5-401.1 as follows:

6 (705 ILCS 405/5-401.1 new)

7 Sec. 5-401.1. Apprehension of minor for an offense against
8 the public peace, safety, and morals. When any person under 18
9 years of age is apprehended for an offense against the public
10 peace, safety, and morals, as defined in Section 12C-75 of the
11 Criminal Code of 2012, and has been brought before the court
12 and upon the court's determination that the person under 18
13 years of age is guilty of the offense, the parent, legal
14 guardian, or other person having care and custody of the
15 person under 18 years of age may be summoned before the court
16 and ordered to provide supervision of the minor. The failure
17 of the parent, legal guardian, or other person having legal
18 custody of the person under 18 years of age, upon a second
19 offense, shall cause the parent, legal guardian, or the other
20 person having custody of the person under 18 years of age to be
21 subject to the penalties prescribed in Section 12C-75 of the
22 Criminal Code of 2012.

1 Section 10. The Criminal Code of 2012 is amended by adding
2 Section 12C-75 as follows:

3 (720 ILCS 5/12C-75 new)

4 Sec. 12C-75. Prevention of criminal activity by a minor.

5 (a) In this Section:

6 "Legal guardian" means a person, other than a parent, to
7 whom legal custody of the minor has been given by court order
8 or who is acting in place of the parent or is responsible for
9 the care and welfare of the minor.

10 "Minor" means an individual who is under 18 years of age.

11 "Offense against the public peace, safety, and morals"
12 includes a delinquency or adult adjudication for:

13 (1) a felony, misdemeanor, or petty offense;

14 (2) violation of any penal law or municipal ordinance;

15 (3) any act or offense for which he or she could be
16 prosecuted in the method partaking of the nature of a
17 criminal action or proceeding;

18 (4) being a disorderly person;

19 (5) knowingly associating with thieves or vicious or
20 immoral people;

21 (6) knowingly visiting gambling places, or patronizing
22 other places or establishments, his or her admission to
23 which constitutes a violation of law;

24 (7) idly roaming the streets at night;

25 (8) habitual truancy from school;

1 (9) deportment endangering the morals, health, or
2 general welfare of the minor;

3 (10) any and all State statutes under the Illinois
4 Vehicle Code as to violations in the operation and use of a
5 motor vehicle but not including violations for parking;

6 (11) unlawful sale, delivery, and use of narcotics or
7 other drugs;

8 (12) criminal defacement of property;

9 (13) criminal damage to property;

10 (14) robbery, aggravated robbery, or armed robbery;

11 (15) assault or aggravated assault;

12 (16) battery or aggravated battery;

13 (17) loitering or destruction or defacing of public
14 property owned by the State, a county, or a township;

15 (18) destruction of playground equipment and public
16 parks;

17 (19) consumption of alcoholic beverages on a public
18 street;

19 (20) drunkenness;

20 (21) lack of supervision by a parent, legal guardian,
21 or other person having the care or custody of a minor.

22 "Person" includes a parent, guardian, or person having
23 custody or control of a minor; or

24 (22) public indecency.

25 "Parent" means any natural parent or any adult person 21
26 years of age or over or who is responsible for the care,

1 custody, and control of a minor.

2 "Public place" means any place to which the public has
3 access, including, but not limited to, a public street, road,
4 thoroughfare, sidewalk, bridge, plaza, park, recreation or
5 shopping area, public transportation facility, vehicle used
6 for public transportation, parking lot, or any other public
7 building, structure, or area.

8 "Supervision" means the exercise of control over a minor,
9 knowing his or her whereabouts, knowing with whom he or she
10 associates and in what activities he or she may engage in which
11 could affect or offend the public peace, safety, and morals.

12 (b) It is unlawful for any parent, legal guardian, or
13 other adult person having the care or custody of a minor, by
14 any act or word, or the failure to act or by the lack of
15 supervision and control over the minor to encourage,
16 contribute toward, cause, or tend to cause the minor to commit
17 an offense against the public peace, safety, and morals by
18 reason of the activity of the minor within this State.

19 (c) It is unlawful for any parent, legal guardian, or
20 other person having custody and care of any minor to assist,
21 aid, abet, allow, permit, or encourage the minor to violate
22 this Section, either by an overt act, by failing to act, or by
23 lack of supervision and control over the minor.

24 (d) The trier of fact may infer that if a minor is
25 apprehended while on any public streets, highways, alleys, or
26 parks during hours of curfew, it is evidence of a violation of

1 this Section on the part of the parents, legal guardian, or
2 other person having custody or care of the minor.

3 (e) Sentence. Any person who violates this Section is
4 guilty of a Class C misdemeanor and shall, upon conviction, be
5 punished by a fine not exceeding \$2,000 or by imprisonment for
6 a term not exceeding 30 days, or both.

7 (f) If any provision of this Section or its application to
8 any person or circumstance is held invalid, the invalidity of
9 that provision or application does not affect other provisions
10 or applications of this Section that can be given effect
11 without the invalid provision or application.