



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB5240

Introduced 2/10/2026, by Rep. Harry Benton

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12C-5

was 720 ILCS 5/12-21.6

Amends the Criminal Code of 2012. Provides that the offense of endangering the life or health of a child, includes leaving a child under 12 years of age unattended. Provides that, for the offense of endangering the life or health of a child, defines "unattended" as either: (1) not accompanied by a person 12 (rather than 14) years of age or older; or (2) if accompanied by a person 12 (rather than 14) years of age or older, out of sight of that person.

LRB104 19702 RLC 33151 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 Criminal Code of 2012 is amended by
5 changing Section 12C-5 as follows:

6 (720 ILCS 5/12C-5) (was 720 ILCS 5/12-21.6)

7 Sec. 12C-5. Endangering the life or health of a child.

8 (a) A person commits endangering the life or health of a
9 child when he or she knowingly: (1) causes or permits the life
10 or health of a child under the age of 18 to be endangered; ~~or~~
11 (2) causes or permits a child to be placed in circumstances
12 that endanger the child's life or health; or (3) leaves a child
13 under 12 years of age unattended. It is not a violation of this
14 Section for a person to relinquish a child in accordance with
15 the Abandoned Newborn Infant Protection Act.

16 (b) A trier of fact may infer that a child 6 years of age
17 or younger is unattended if that child is left in a motor
18 vehicle for more than 10 minutes.

19 (c) "Unattended" means either: (i) not accompanied by a
20 person 12 ~~14~~ years of age or older; or (ii) if accompanied by a
21 person 12 ~~14~~ years of age or older, out of sight of that
22 person.

23 (d) Sentence. A violation of this Section is a Class A

1 misdemeanor. A second or subsequent violation of this Section
2 is a Class 3 felony. A violation of this Section that is a
3 proximate cause of the death of the child is a Class 3 felony
4 for which a person, if sentenced to a term of imprisonment,
5 shall be sentenced to a term of not less than 2 years and not
6 more than 10 years. A parent, who is found to be in violation
7 of this Section with respect to his or her child, may be
8 sentenced to probation for this offense pursuant to Section
9 12C-15.

10 (Source: P.A. 97-1109, eff. 1-1-13.)