



## 104TH GENERAL ASSEMBLY

### State of Illinois

2025 and 2026

SB0131

Introduced 1/17/2025, by Sen. Adriane Johnson

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/11-1.20	was 720 ILCS 5/12-13
720 ILCS 5/11-1.30	was 720 ILCS 5/12-14
720 ILCS 5/11-1.40	was 720 ILCS 5/12-14.1
720 ILCS 5/11-1.50	was 720 ILCS 5/12-15
720 ILCS 5/11-1.60	was 720 ILCS 5/12-16
720 ILCS 5/11-1.70	was 720 ILCS 5/12-17

Amends the Criminal Code of 2012. In the statutes concerning the offenses of criminal sexual assault, aggravated criminal sexual assault, predatory criminal sexual assault of a child, criminal sexual abuse, and aggravated criminal sexual abuse, increases the age of consensual acts of sexual penetration or sexual conduct from 17 years of age to 18 years of age. In those statutes, increases from 17 to 18 years of age for which more enhanced penalties may be imposed for violations of those provisions.

LRB104 06334 RLC 16369 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 Sections 11-1.20, 11-1.30, 11-1.40, 11-1.50, 11-1.60,  
6 and 11-1.70 as follows:

7 (720 ILCS 5/11-1.20) (was 720 ILCS 5/12-13)

8 Sec. 11-1.20. Criminal sexual assault.

9 (a) A person commits criminal sexual assault if that  
10 person commits an act of sexual penetration and:

11 (1) uses force or threat of force;

12 (2) knows that the victim is unable to understand the  
13 nature of the act or is unable to give knowing consent;

14 (3) is a family member of the victim, and the victim is  
15 under 18 years of age; or

16 (4) is 18 ~~17~~ years of age or over and holds a position  
17 of trust, authority, or supervision in relation to the  
18 victim, and the victim is at least 13 years of age but  
19 under 18 years of age.

20 (b) Sentence.

21 (1) Criminal sexual assault is a Class 1 felony,  
22 except that:

23 (A) A person who is convicted of the offense of

1 criminal sexual assault as defined in paragraph (a) (1)  
2 or (a) (2) after having previously been convicted of  
3 the offense of criminal sexual assault or the offense  
4 of exploitation of a child, or who is convicted of the  
5 offense of criminal sexual assault as defined in  
6 paragraph (a) (1) or (a) (2) after having previously  
7 been convicted under the laws of this State or any  
8 other state of an offense that is substantially  
9 equivalent to the offense of criminal sexual assault  
10 or to the offense of exploitation of a child, commits a  
11 Class X felony for which the person shall be sentenced  
12 to a term of imprisonment of not less than 30 years and  
13 not more than 60 years, except that if the person is  
14 under the age of 18 years at the time of the offense,  
15 he or she shall be sentenced under Section 5-4.5-105  
16 of the Unified Code of Corrections. The commission of  
17 the second or subsequent offense is required to have  
18 been after the initial conviction for this paragraph  
19 (A) to apply.

20 (B) A person who has attained the age of 18 years  
21 at the time of the commission of the offense and who is  
22 convicted of the offense of criminal sexual assault as  
23 defined in paragraph (a) (1) or (a) (2) after having  
24 previously been convicted of the offense of aggravated  
25 criminal sexual assault or the offense of predatory  
26 criminal sexual assault of a child, or who is

1 convicted of the offense of criminal sexual assault as  
2 defined in paragraph (a)(1) or (a)(2) after having  
3 previously been convicted under the laws of this State  
4 or any other state of an offense that is substantially  
5 equivalent to the offense of aggravated criminal  
6 sexual assault or the offense of predatory criminal  
7 sexual assault of a child shall be sentenced to a term  
8 of natural life imprisonment. The commission of the  
9 second or subsequent offense is required to have been  
10 after the initial conviction for this paragraph (B) to  
11 apply. An offender under the age of 18 years at the  
12 time of the commission of the offense covered by this  
13 subparagraph (B) shall be sentenced under Section  
14 5-4.5-105 of the Unified Code of Corrections.

15 (C) A second or subsequent conviction for a  
16 violation of paragraph (a)(3) or (a)(4) or under any  
17 similar statute of this State or any other state for  
18 any offense involving criminal sexual assault that is  
19 substantially equivalent to or more serious than the  
20 sexual assault prohibited under paragraph (a)(3) or  
21 (a)(4) is a Class X felony.

22 (Source: P.A. 99-69, eff. 1-1-16.)

23 (720 ILCS 5/11-1.30) (was 720 ILCS 5/12-14)

24 Sec. 11-1.30. Aggravated Criminal Sexual Assault.

25 (a) A person commits aggravated criminal sexual assault if

1 that person commits criminal sexual assault and any of the  
2 following aggravating circumstances exist during the  
3 commission of the offense or, for purposes of paragraph (7),  
4 occur as part of the same course of conduct as the commission  
5 of the offense:

6 (1) the person displays, threatens to use, or uses a  
7 dangerous weapon, other than a firearm, or any other  
8 object fashioned or used in a manner that leads the  
9 victim, under the circumstances, reasonably to believe  
10 that the object is a dangerous weapon;

11 (2) the person causes bodily harm to the victim,  
12 except as provided in paragraph (10);

13 (3) the person acts in a manner that threatens or  
14 endangers the life of the victim or any other person;

15 (4) the person commits the criminal sexual assault  
16 during the course of committing or attempting to commit  
17 any other felony;

18 (5) the victim is 60 years of age or older;

19 (6) the victim is a person with a physical disability;

20 (7) the person delivers (by injection, inhalation,  
21 ingestion, transfer of possession, or any other means) any  
22 controlled substance to the victim without the victim's  
23 consent or by threat or deception for other than medical  
24 purposes;

25 (8) the person is armed with a firearm;

26 (9) the person personally discharges a firearm during

1 the commission of the offense; or

2 (10) the person personally discharges a firearm during  
3 the commission of the offense, and that discharge  
4 proximately causes great bodily harm, permanent  
5 disability, permanent disfigurement, or death to another  
6 person.

7 (b) A person commits aggravated criminal sexual assault if  
8 that person is under 18 ~~17~~ years of age and: (i) commits an act  
9 of sexual penetration with a victim who is under 9 years of  
10 age; or (ii) commits an act of sexual penetration with a victim  
11 who is at least 9 years of age but under 13 years of age and  
12 the person uses force or threat of force to commit the act.

13 (c) A person commits aggravated criminal sexual assault if  
14 that person commits an act of sexual penetration with a victim  
15 who is a person with a severe or profound intellectual  
16 disability.

17 (d) Sentence.

18 (1) Aggravated criminal sexual assault in violation of  
19 paragraph (2), (3), (4), (5), (6), or (7) of subsection  
20 (a) or in violation of subsection (b) or (c) is a Class X  
21 felony. A violation of subsection (a)(1) is a Class X  
22 felony for which 10 years shall be added to the term of  
23 imprisonment imposed by the court. A violation of  
24 subsection (a)(8) is a Class X felony for which 15 years  
25 shall be added to the term of imprisonment imposed by the  
26 court. A violation of subsection (a)(9) is a Class X

1 felony for which 20 years shall be added to the term of  
2 imprisonment imposed by the court. A violation of  
3 subsection (a)(10) is a Class X felony for which 25 years  
4 or up to a term of natural life imprisonment shall be added  
5 to the term of imprisonment imposed by the court. An  
6 offender under the age of 18 years at the time of the  
7 commission of aggravated criminal sexual assault in  
8 violation of paragraphs (1) through (10) of subsection (a)  
9 shall be sentenced under Section 5-4.5-105 of the Unified  
10 Code of Corrections.

11 (2) A person who has attained the age of 18 years at  
12 the time of the commission of the offense and who is  
13 convicted of a second or subsequent offense of aggravated  
14 criminal sexual assault, or who is convicted of the  
15 offense of aggravated criminal sexual assault after having  
16 previously been convicted of the offense of criminal  
17 sexual assault or the offense of predatory criminal sexual  
18 assault of a child, or who is convicted of the offense of  
19 aggravated criminal sexual assault after having previously  
20 been convicted under the laws of this or any other state of  
21 an offense that is substantially equivalent to the offense  
22 of criminal sexual assault, the offense of aggravated  
23 criminal sexual assault or the offense of predatory  
24 criminal sexual assault of a child, shall be sentenced to  
25 a term of natural life imprisonment. The commission of the  
26 second or subsequent offense is required to have been

1 after the initial conviction for this paragraph (2) to  
2 apply. An offender under the age of 18 years at the time of  
3 the commission of the offense covered by this paragraph  
4 (2) shall be sentenced under Section 5-4.5-105 of the  
5 Unified Code of Corrections.

6 (Source: P.A. 99-69, eff. 1-1-16; 99-143, eff. 7-27-15;  
7 99-642, eff. 7-28-16.)

8 (720 ILCS 5/11-1.40) (was 720 ILCS 5/12-14.1)

9 Sec. 11-1.40. Predatory criminal sexual assault of a  
10 child.

11 (a) A person commits predatory criminal sexual assault of  
12 a child if that person is 18 ~~17~~ years of age or older, and  
13 commits an act of contact, however slight, between the sex  
14 organ or anus of one person and the part of the body of another  
15 for the purpose of sexual gratification or arousal of the  
16 victim or the accused, or an act of sexual penetration, and:

17 (1) the victim is under 13 years of age; or

18 (2) the victim is under 13 years of age and that  
19 person:

20 (A) is armed with a firearm;

21 (B) personally discharges a firearm during the  
22 commission of the offense;

23 (C) causes great bodily harm to the victim that:

24 (i) results in permanent disability; or

25 (ii) is life threatening; or

1 (D) delivers (by injection, inhalation, ingestion,  
2 transfer of possession, or any other means) any  
3 controlled substance to the victim without the  
4 victim's consent or by threat or deception, for other  
5 than medical purposes.

6 (b) Sentence.

7 (1) A person convicted of a violation of subsection  
8 (a)(1) commits a Class X felony, for which the person  
9 shall be sentenced to a term of imprisonment of not less  
10 than 6 years and not more than 60 years. A person convicted  
11 of a violation of subsection (a)(2)(A) commits a Class X  
12 felony for which 15 years shall be added to the term of  
13 imprisonment imposed by the court. A person convicted of a  
14 violation of subsection (a)(2)(B) commits a Class X felony  
15 for which 20 years shall be added to the term of  
16 imprisonment imposed by the court. A person who has  
17 attained the age of 18 years at the time of the commission  
18 of the offense and who is convicted of a violation of  
19 subsection (a)(2)(C) commits a Class X felony for which  
20 the person shall be sentenced to a term of imprisonment of  
21 not less than 50 years or up to a term of natural life  
22 imprisonment. An offender under the age of 18 years at the  
23 time of the commission of predatory criminal sexual  
24 assault of a child in violation of subsections (a)(1),  
25 (a)(2)(A), (a)(2)(B), and (a)(2)(C) shall be sentenced  
26 under Section 5-4.5-105 of the Unified Code of

1 Corrections.

2 (1.1) A person convicted of a violation of subsection  
3 (a)(2)(D) commits a Class X felony for which the person  
4 shall be sentenced to a term of imprisonment of not less  
5 than 50 years and not more than 60 years. An offender under  
6 the age of 18 years at the time of the commission of  
7 predatory criminal sexual assault of a child in violation  
8 of subsection (a)(2)(D) shall be sentenced under Section  
9 5-4.5-105 of the Unified Code of Corrections.

10 (1.2) A person who has attained the age of 18 years at  
11 the time of the commission of the offense and convicted of  
12 predatory criminal sexual assault of a child committed  
13 against 2 or more persons regardless of whether the  
14 offenses occurred as the result of the same act or of  
15 several related or unrelated acts shall be sentenced to a  
16 term of natural life imprisonment and an offender under  
17 the age of 18 years at the time of the commission of the  
18 offense shall be sentenced under Section 5-4.5-105 of the  
19 Unified Code of Corrections.

20 (2) A person who has attained the age of 18 years at  
21 the time of the commission of the offense and who is  
22 convicted of a second or subsequent offense of predatory  
23 criminal sexual assault of a child, or who is convicted of  
24 the offense of predatory criminal sexual assault of a  
25 child after having previously been convicted of the  
26 offense of criminal sexual assault or the offense of

1 aggravated criminal sexual assault, or who is convicted of  
2 the offense of predatory criminal sexual assault of a  
3 child after having previously been convicted under the  
4 laws of this State or any other state of an offense that is  
5 substantially equivalent to the offense of predatory  
6 criminal sexual assault of a child, the offense of  
7 aggravated criminal sexual assault or the offense of  
8 criminal sexual assault, shall be sentenced to a term of  
9 natural life imprisonment. The commission of the second or  
10 subsequent offense is required to have been after the  
11 initial conviction for this paragraph (2) to apply. An  
12 offender under the age of 18 years at the time of the  
13 commission of the offense covered by this paragraph (2)  
14 shall be sentenced under Section 5-4.5-105 of the Unified  
15 Code of Corrections.

16 (Source: P.A. 98-370, eff. 1-1-14; 98-756, eff. 7-16-14;  
17 98-903, eff. 8-15-14; 99-69, eff. 1-1-16.)

18 (720 ILCS 5/11-1.50) (was 720 ILCS 5/12-15)

19 Sec. 11-1.50. Criminal sexual abuse.

20 (a) A person commits criminal sexual abuse if that person:

21 (1) commits an act of sexual conduct by the use of  
22 force or threat of force; or

23 (2) commits an act of sexual conduct and knows that  
24 the victim is unable to understand the nature of the act or  
25 is unable to give knowing consent.

1 (b) A person commits criminal sexual abuse if that person  
2 is under 18 ~~17~~ years of age and commits an act of sexual  
3 penetration or sexual conduct with a victim who is at least 9  
4 years of age but under 18 ~~17~~ years of age.

5 (c) A person commits criminal sexual abuse if that person  
6 commits an act of sexual penetration or sexual conduct with a  
7 victim who is at least 13 years of age but under 18 ~~17~~ years of  
8 age and the person is less than 5 years older than the victim.

9 (d) Sentence. Criminal sexual abuse for a violation of  
10 subsection (b) or (c) of this Section is a Class A misdemeanor.  
11 Criminal sexual abuse for a violation of paragraph (1) or (2)  
12 of subsection (a) of this Section is a Class 4 felony. A second  
13 or subsequent conviction for a violation of subsection (a) of  
14 this Section is a Class 2 felony. For purposes of this Section  
15 it is a second or subsequent conviction if the accused has at  
16 any time been convicted under this Section or under any  
17 similar statute of this State or any other state for any  
18 offense involving sexual abuse or sexual assault that is  
19 substantially equivalent to or more serious than the sexual  
20 abuse prohibited under this Section.

21 (Source: P.A. 96-1551, eff. 7-1-11.)

22 (720 ILCS 5/11-1.60) (was 720 ILCS 5/12-16)

23 Sec. 11-1.60. Aggravated criminal sexual abuse.

24 (a) A person commits aggravated criminal sexual abuse if  
25 that person commits criminal sexual abuse and any of the

1 following aggravating circumstances exist (i) during the  
2 commission of the offense or (ii) for purposes of paragraph  
3 (7), as part of the same course of conduct as the commission of  
4 the offense:

5 (1) the person displays, threatens to use, or uses a  
6 dangerous weapon or any other object fashioned or used in  
7 a manner that leads the victim, under the circumstances,  
8 reasonably to believe that the object is a dangerous  
9 weapon;

10 (2) the person causes bodily harm to the victim;

11 (3) the victim is 60 years of age or older;

12 (4) the victim is a person with a physical disability;

13 (5) the person acts in a manner that threatens or  
14 endangers the life of the victim or any other person;

15 (6) the person commits the criminal sexual abuse  
16 during the course of committing or attempting to commit  
17 any other felony; or

18 (7) the person delivers (by injection, inhalation,  
19 ingestion, transfer of possession, or any other means) any  
20 controlled substance to the victim for other than medical  
21 purposes without the victim's consent or by threat or  
22 deception.

23 (b) A person commits aggravated criminal sexual abuse if  
24 that person commits an act of sexual conduct with a victim who  
25 is under 18 years of age and the person is a family member.

26 (c) A person commits aggravated criminal sexual abuse if:

1           (1) that person is 18 ~~17~~ years of age or over and: (i)  
2           commits an act of sexual conduct with a victim who is under  
3           13 years of age; or (ii) commits an act of sexual conduct  
4           with a victim who is at least 13 years of age but under 18  
5           ~~17~~ years of age and the person uses force or threat of  
6           force to commit the act; or

7           (2) that person is under 18 ~~17~~ years of age and: (i)  
8           commits an act of sexual conduct with a victim who is under  
9           9 years of age; or (ii) commits an act of sexual conduct  
10          with a victim who is at least 9 years of age but under 18  
11          ~~17~~ years of age and the person uses force or threat of  
12          force to commit the act.

13          (d) A person commits aggravated criminal sexual abuse if  
14          that person commits an act of sexual penetration or sexual  
15          conduct with a victim who is at least 13 years of age but under  
16          18 ~~17~~ years of age and the person is at least 5 years older  
17          than the victim.

18          (e) A person commits aggravated criminal sexual abuse if  
19          that person commits an act of sexual conduct with a victim who  
20          is a person with a severe or profound intellectual disability.

21          (f) A person commits aggravated criminal sexual abuse if  
22          that person commits an act of sexual conduct with a victim who  
23          is but under 18 years of age and the person is 18 ~~17~~ years of  
24          age or over and holds a position of trust, authority, or  
25          supervision in relation to the victim.

26          (g) Sentence. Aggravated criminal sexual abuse for a

1 violation of subsection (a), (b), (c), (d) or (e) of this  
2 Section is a Class 2 felony. Aggravated criminal sexual abuse  
3 for a violation of subsection (f) of this Section is a Class 1  
4 felony.

5 (Source: P.A. 102-567, eff. 1-1-22.)

6 (720 ILCS 5/11-1.70) (was 720 ILCS 5/12-17)

7 Sec. 11-1.70. Defenses with respect to offenses described  
8 in Sections 11-1.20 through 11-1.60.

9 (a) It shall be a defense to any offense under Section  
10 11-1.20, 11-1.30, 11-1.40, 11-1.50, or 11-1.60 of this Code  
11 where force or threat of force is an element of the offense  
12 that the victim consented.

13 (b) It shall be a defense under subsection (b) and  
14 subsection (c) of Section 11-1.50 and subsection (d) of  
15 Section 11-1.60 of this Code that the accused reasonably  
16 believed the person to be 18 ~~17~~ years of age or over.

17 (c) A person who initially consents to sexual penetration  
18 or sexual conduct is not deemed to have consented to any sexual  
19 penetration or sexual conduct that occurs after he or she  
20 withdraws consent during the course of that sexual penetration  
21 or sexual conduct.

22 (Source: P.A. 102-567, eff. 1-1-22.)