

## 104TH GENERAL ASSEMBLY

### State of Illinois

### 2025 and 2026

### SB1448

Introduced 1/31/2025, by Sen. Willie Preston

#### SYNOPSIS AS INTRODUCED:

235 ILCS 5/6-2	from Ch. 43, par. 120
720 ILCS 5/10-9	
720 ILCS 5/11-9.3	
720 ILCS 5/11-14.3	
720 ILCS 5/11-14.4	
720 ILCS 5/11-18	from Ch. 38, par. 11-18
720 ILCS 5/11-18.1	from Ch. 38, par. 11-18.1
725 ILCS 5/108B-3	from Ch. 38, par. 108B-3
725 ILCS 5/124B-300	
740 ILCS 128/10	

Amends the Criminal Code of 2012. Provides that a person commits the offense of trafficking in persons when the person knowingly: (1) maintains by any means, or attempts to recruit, entice, harbor, transport, provide, obtain, advertise or maintain by any means, another person, intending or knowing that the person will be subjected to prostitution or a commercial sex act; or (2) recruits, entices, harbors, transports, provides, obtains, advertises, or maintains by any means, or attempts to recruit, entice, harbor, transport, provide, obtain, advertise or maintain by any means, another person, intending or knowing that the person will be subjected to prostitution or a commercial sex act as a result of coercion. Provides that in determining sentences for human trafficking within statutory maximums, the sentencing court may provide for substantially increased sentences in cases involving more than 5 (rather than 10) victims. Changes the name of the offense of promoting prostitution to promoting or facilitating prostitution. Provides that a person commits the offense if the person: (1) owns, manages, or operates an interactive computer service or conspires or attempts to do so, with the intent to promote or facilitate the prostitution of another person; or (2) owns, manages, or operates an interactive computer service or conspires or attempts to do so, with the intent to promote or facilitate the prostitution of another person, and: (A) promotes or facilitates the prostitution of 5 or more persons; or (B) acts in reckless disregard of the fact that such conduct contributed to sex trafficking in violation of the trafficking in persons law. Defines "interactive computer service". Amends various other Acts to make conforming changes.

LRB104 02893 RLC 12903 b

A BILL FOR

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 Liquor Control Act of 1934 is amended by  
5 changing Section 6-2 as follows:

6 (235 ILCS 5/6-2) (from Ch. 43, par. 120)

7 Sec. 6-2. Issuance of licenses to certain persons  
8 prohibited.

9 (a) Except as otherwise provided in subsection (b) of this  
10 Section and in paragraph (1) of subsection (a) of Section  
11 3-12, no license of any kind issued by the State Commission or  
12 any local commission shall be issued to:

13 (1) A person who is not a resident of any city, village  
14 or county in which the premises covered by the license are  
15 located; except in case of railroad or boat licenses.

16 (2) A person who is not of good character and  
17 reputation in the community in which he resides.

18 (3) (Blank).

19 (4) A person who has been convicted of a felony under  
20 any Federal or State law, unless the Commission determines  
21 that such person will not be impaired by the conviction in  
22 engaging in the licensed practice after considering  
23 matters set forth in such person's application in

1       accordance with Section 6-2.5 of this Act and the  
2       Commission's investigation.

3           (5) A person who has been convicted of keeping a place  
4       of prostitution or keeping a place of juvenile  
5       prostitution, promoting or facilitating prostitution that  
6       involves keeping a place of prostitution, or promoting  
7       juvenile prostitution that involves keeping a place of  
8       juvenile prostitution.

9           (6) A person who has been convicted of pandering.

10          (7) A person whose license issued under this Act has  
11       been revoked for cause.

12          (8) A person who at the time of application for  
13       renewal of any license issued hereunder would not be  
14       eligible for such license upon a first application.

15          (9) A copartnership, if any general partnership  
16       thereof, or any limited partnership thereof, owning more  
17       than 5% of the aggregate limited partner interest in such  
18       copartnership would not be eligible to receive a license  
19       hereunder for any reason other than residence within the  
20       political subdivision, unless residency is required by  
21       local ordinance.

22          (10) A corporation or limited liability company, if  
23       any member, officer, manager or director thereof, or any  
24       stockholder or stockholders owning in the aggregate more  
25       than 5% of the stock of such corporation, would not be  
26       eligible to receive a license hereunder for any reason

1 other than residence within the political subdivision.

2 (10a) A corporation or limited liability company  
3 unless it is incorporated or organized in Illinois, or  
4 unless it is a foreign corporation or foreign limited  
5 liability company which is qualified under the Business  
6 Corporation Act of 1983 or the Limited Liability Company  
7 Act to transact business in Illinois. The Commission shall  
8 permit and accept from an applicant for a license under  
9 this Act proof prepared from the Secretary of State's  
10 website that the corporation or limited liability company  
11 is in good standing and is qualified under the Business  
12 Corporation Act of 1983 or the Limited Liability Company  
13 Act to transact business in Illinois.

14 (11) A person whose place of business is conducted by  
15 a manager or agent unless the manager or agent possesses  
16 the same qualifications required by the licensee.

17 (12) A person who has been convicted of a violation of  
18 any Federal or State law concerning the manufacture,  
19 possession or sale of alcoholic liquor, subsequent to the  
20 passage of this Act or has forfeited his bond to appear in  
21 court to answer charges for any such violation, unless the  
22 Commission determines, in accordance with Section 6-2.5 of  
23 this Act, that the person will not be impaired by the  
24 conviction in engaging in the licensed practice.

25 (13) A person who does not beneficially own the  
26 premises for which a license is sought, or does not have a

1        lease thereon for the full period for which the license is  
2        to be issued.

3            (14) Any law enforcing public official, including  
4        members of local liquor control commissions, any mayor,  
5        alderperson, or member of the city council or commission,  
6        any president of the village board of trustees, any member  
7        of a village board of trustees, or any president or member  
8        of a county board; and no such official shall have a direct  
9        interest in the manufacture, sale, or distribution of  
10       alcoholic liquor, except that a license may be granted to  
11       such official in relation to premises that are not located  
12       within the territory subject to the jurisdiction of that  
13       official if the issuance of such license is approved by  
14       the State Liquor Control Commission and except that a  
15       license may be granted, in a city or village with a  
16       population of 55,000 or less, to any alderperson, member  
17       of a city council, or member of a village board of trustees  
18       in relation to premises that are located within the  
19       territory subject to the jurisdiction of that official if  
20       (i) the sale of alcoholic liquor pursuant to the license  
21       is incidental to the selling of food, (ii) the issuance of  
22       the license is approved by the State Commission, (iii) the  
23       issuance of the license is in accordance with all  
24       applicable local ordinances in effect where the premises  
25       are located, and (iv) the official granted a license does  
26       not vote on alcoholic liquor issues pending before the

1 board or council to which the license holder is elected.  
2 Notwithstanding any provision of this paragraph (14) to  
3 the contrary, an alderperson or member of a city council  
4 or commission, a member of a village board of trustees  
5 other than the president of the village board of trustees,  
6 or a member of a county board other than the president of a  
7 county board may have a direct interest in the  
8 manufacture, sale, or distribution of alcoholic liquor as  
9 long as he or she is not a law enforcing public official, a  
10 mayor, a village board president, or president of a county  
11 board. To prevent any conflict of interest, the elected  
12 official with the direct interest in the manufacture,  
13 sale, or distribution of alcoholic liquor shall not  
14 participate in any meetings, hearings, or decisions on  
15 matters impacting the manufacture, sale, or distribution  
16 of alcoholic liquor. Furthermore, the mayor of a city with  
17 a population of 55,000 or less or the president of a  
18 village with a population of 55,000 or less may have an  
19 interest in the manufacture, sale, or distribution of  
20 alcoholic liquor as long as the council or board over  
21 which he or she presides has made a local liquor control  
22 commissioner appointment that complies with the  
23 requirements of Section 4-2 of this Act.

24 (15) A person who is not a beneficial owner of the  
25 business to be operated by the licensee.

26 (16) A person who has been convicted of a gambling

1 offense as proscribed by any of subsections (a) (3)  
2 through (a) (11) of Section 28-1 of, or as proscribed by  
3 Section 28-1.1 or 28-3 of, the Criminal Code of 1961 or the  
4 Criminal Code of 2012, or as proscribed by a statute  
5 replaced by any of the aforesaid statutory provisions.

6 (17) A person or entity to whom a federal wagering  
7 stamp has been issued by the federal government, unless  
8 the person or entity is eligible to be issued a license  
9 under the Raffles and Poker Runs Act or the Illinois Pull  
10 Tabs and Jar Games Act.

11 (18) A person who intends to sell alcoholic liquors  
12 for use or consumption on his or her licensed retail  
13 premises who does not have liquor liability insurance  
14 coverage for that premises in an amount that is at least  
15 equal to the maximum liability amounts set out in  
16 subsection (a) of Section 6-21.

17 (19) A person who is licensed by any licensing  
18 authority as a manufacturer of beer, or any partnership,  
19 corporation, limited liability company, or trust or any  
20 subsidiary, affiliate, or agent thereof, or any other form  
21 of business enterprise licensed as a manufacturer of beer,  
22 having any legal, equitable, or beneficial interest,  
23 directly or indirectly, in a person licensed in this State  
24 as a distributor or importing distributor. For purposes of  
25 this paragraph (19), a person who is licensed by any  
26 licensing authority as a "manufacturer of beer" shall also

1 mean a brewer and a non-resident dealer who is also a  
2 manufacturer of beer, including a partnership,  
3 corporation, limited liability company, or trust or any  
4 subsidiary, affiliate, or agent thereof, or any other form  
5 of business enterprise licensed as a manufacturer of beer.

6 (20) A person who is licensed in this State as a  
7 distributor or importing distributor, or any partnership,  
8 corporation, limited liability company, or trust or any  
9 subsidiary, affiliate, or agent thereof, or any other form  
10 of business enterprise licensed in this State as a  
11 distributor or importing distributor having any legal,  
12 equitable, or beneficial interest, directly or indirectly,  
13 in a person licensed as a manufacturer of beer by any  
14 licensing authority, or any partnership, corporation,  
15 limited liability company, or trust or any subsidiary,  
16 affiliate, or agent thereof, or any other form of business  
17 enterprise, except for a person who owns, on or after the  
18 effective date of this amendatory Act of the 98th General  
19 Assembly, no more than 5% of the outstanding shares of a  
20 manufacturer of beer whose shares are publicly traded on  
21 an exchange within the meaning of the Securities Exchange  
22 Act of 1934. For the purposes of this paragraph (20), a  
23 person who is licensed by any licensing authority as a  
24 "manufacturer of beer" shall also mean a brewer and a  
25 non-resident dealer who is also a manufacturer of beer,  
26 including a partnership, corporation, limited liability



1 company, or trust or any subsidiary, affiliate, or agent  
2 thereof, or any other form of business enterprise licensed  
3 as a manufacturer of beer.

4 (b) A criminal conviction of a corporation is not grounds  
5 for the denial, suspension, or revocation of a license applied  
6 for or held by the corporation if the criminal conviction was  
7 not the result of a violation of any federal or State law  
8 concerning the manufacture, possession or sale of alcoholic  
9 liquor, the offense that led to the conviction did not result  
10 in any financial gain to the corporation and the corporation  
11 has terminated its relationship with each director, officer,  
12 employee, or controlling shareholder whose actions directly  
13 contributed to the conviction of the corporation. The  
14 Commission shall determine if all provisions of this  
15 subsection (b) have been met before any action on the  
16 corporation's license is initiated.

17 (Source: P.A. 101-541, eff. 8-23-19; 102-15, eff. 6-17-21.)

18 Section 10. The Criminal Code of 2012 is amended by  
19 changing Sections 10-9, 11-9.3, 11-14.3, 11-14.4, 11-18, and  
20 11-18.1 as follows:

21 (720 ILCS 5/10-9)

22 Sec. 10-9. Trafficking in persons, involuntary servitude,  
23 and related offenses.

24 (a) Definitions. In this Section:

1           (1) "Intimidation" has the meaning prescribed in Section  
2 12-6.

3           (2) "Commercial sexual activity" means any sex act on  
4 account of which anything of value is given, promised to, or  
5 received by any person.

6           (2.5) "Company" means any sole proprietorship,  
7 organization, association, corporation, partnership, joint  
8 venture, limited partnership, limited liability partnership,  
9 limited liability limited partnership, limited liability  
10 company, or other entity or business association, including  
11 all wholly owned subsidiaries, majority-owned subsidiaries,  
12 parent companies, or affiliates of those entities or business  
13 associations, that exist for the purpose of making profit.

14           (3) "Financial harm" includes intimidation that brings  
15 about financial loss, criminal usury, or employment contracts  
16 that violate the Frauds Act.

17           (4) (Blank).

18           (5) "Labor" means work of economic or financial value.

19           (6) "Maintain" means, in relation to labor or services, to  
20 secure continued performance thereof, regardless of any  
21 initial agreement on the part of the victim to perform that  
22 type of service.

23           (7) "Obtain" means, in relation to labor or services, to  
24 secure performance thereof.

25           (7.5) "Serious harm" means any harm, whether physical or  
26 nonphysical, including psychological, financial, or

1 reputational harm, that is sufficiently serious, under all the  
2 surrounding circumstances, to compel a reasonable person of  
3 the same background and in the same circumstances to perform  
4 or to continue performing labor or services in order to avoid  
5 incurring that harm.

6 (8) "Services" means activities resulting from a  
7 relationship between a person and the actor in which the  
8 person performs activities under the supervision of or for the  
9 benefit of the actor. Commercial sexual activity and  
10 sexually-explicit performances are forms of activities that  
11 are "services" under this Section. Nothing in this definition  
12 may be construed to legitimize or legalize prostitution.

13 (9) "Sexually-explicit performance" means a live,  
14 recorded, broadcast (including over the Internet), or public  
15 act or show intended to arouse or satisfy the sexual desires or  
16 appeal to the prurient interests of patrons.

17 (10) "Trafficking victim" means a person subjected to the  
18 practices set forth in subsection (b), (c), or (d).

19 (b) Involuntary servitude. A person commits involuntary  
20 servitude when he or she knowingly subjects, attempts to  
21 subject, or engages in a conspiracy to subject another person  
22 to labor or services obtained or maintained through any of the  
23 following means, or any combination of these means:

24 (1) causes or threatens to cause physical harm to any  
25 person;

26 (2) physically restrains or threatens to physically

1       restrain another person;

2           (3) abuses or threatens to abuse the law or legal  
3       process;

4           (4) knowingly destroys, conceals, removes,  
5       confiscates, or possesses any actual or purported passport  
6       or other immigration document, or any other actual or  
7       purported government identification document, of another  
8       person;

9           (5) uses intimidation, or exerts financial control  
10      over any person; or

11          (6) uses any scheme, plan, or pattern intended to  
12      cause the person to believe that, if the person did not  
13      perform the labor or services, that person or another  
14      person would suffer serious harm or physical restraint.

15      Sentence. Except as otherwise provided in subsection (e)  
16      or (f), a violation of subsection (b)(1) is a Class X felony,  
17      (b)(2) is a Class 1 felony, (b)(3) is a Class 2 felony, (b)(4)  
18      is a Class 3 felony, (b)(5) and (b)(6) is a Class 4 felony.

19      (c) Involuntary sexual servitude of a minor. A person  
20      commits involuntary sexual servitude of a minor when he or she  
21      knowingly recruits, entices, harbors, transports, provides, or  
22      obtains by any means, or attempts to recruit, entice, harbor,  
23      provide, or obtain by any means, another person under 18 years  
24      of age, knowing that the minor will engage in commercial  
25      sexual activity, a sexually-explicit performance, or the  
26      production of pornography, or causes or attempts to cause a

1 minor to engage in one or more of those activities and:

2 (1) there is no overt force or threat and the minor is  
3 between the ages of 17 and 18 years;

4 (2) there is no overt force or threat and the minor is  
5 under the age of 17 years; or

6 (3) there is overt force or threat.

7 Sentence. Except as otherwise provided in subsection (e)  
8 or (f), a violation of subsection (c)(1) is a Class 1 felony,  
9 (c)(2) is a Class X felony, and (c)(3) is a Class X felony.

10 (d) Trafficking in persons. A person commits trafficking  
11 in persons when he or she knowingly: (1) recruits, entices,  
12 harbors, transports, provides, or obtains by any means, or  
13 attempts to recruit, entice, harbor, transport, provide, or  
14 obtain by any means, another person, intending or knowing that  
15 the person will be subjected to involuntary servitude; ~~or~~ (2)  
16 benefits, financially or by receiving anything of value, from  
17 participation in a venture that has engaged in an act of  
18 involuntary servitude or involuntary sexual servitude of a  
19 minor; (3) maintains by any means, or attempts to recruit,  
20 entice, harbor, transport, provide, obtain, advertise or  
21 maintain by any means, another person, intending or knowing  
22 that the person will be subjected to prostitution or a  
23 commercial sex act; or (4) recruits, entices, harbors,  
24 transports, provides, obtains, advertises, or maintains by any  
25 means, or attempts to recruit, entice, harbor, transport,  
26 provide, obtain, advertise or maintain by any means, another

1 person, intending or knowing that the person will be subjected  
2 to prostitution or a commercial sex act as a result of  
3 coercion. A company commits trafficking in persons when the  
4 company knowingly benefits, financially or by receiving  
5 anything of value, from participation in a venture that has  
6 engaged in an act of prostitution of another person,  
7 involuntary servitude of another person, or involuntary sexual  
8 servitude of a minor.

9 Sentence. Except as otherwise provided in subsection (e)  
10 or (f), a violation of this subsection by a person is a Class 1  
11 felony. A violation of this subsection by a company is a  
12 business offense for which a fine of up to \$100,000 may be  
13 imposed.

14 (e) Aggravating factors. A violation of this Section  
15 involving kidnapping or an attempt to kidnap, aggravated  
16 criminal sexual assault or an attempt to commit aggravated  
17 criminal sexual assault, or an attempt to commit first degree  
18 murder is a Class X felony.

19 (f) Sentencing considerations.

20 (1) Bodily injury. If, pursuant to a violation of this  
21 Section, a victim suffered bodily injury, the defendant  
22 may be sentenced to an extended-term sentence under  
23 Section 5-8-2 of the Unified Code of Corrections. The  
24 sentencing court must take into account the time in which  
25 the victim was held in servitude, with increased penalties  
26 for cases in which the victim was held for between 180 days

1 and one year, and increased penalties for cases in which  
2 the victim was held for more than one year.

3 (2) Number of victims. In determining sentences within  
4 statutory maximums, the sentencing court should take into  
5 account the number of victims, and may provide for  
6 substantially increased sentences in cases involving more  
7 than 5 ~~10~~ victims.

8 (g) Restitution. Restitution is mandatory under this  
9 Section. In addition to any other amount of loss identified,  
10 the court shall order restitution including the greater of (1)  
11 the gross income or value to the defendant of the victim's  
12 labor or services or (2) the value of the victim's labor as  
13 guaranteed under the Minimum Wage Law and overtime provisions  
14 of the Fair Labor Standards Act (FLSA) or the Minimum Wage Law,  
15 whichever is greater.

16 (g-5) Fine distribution. If the court imposes a fine under  
17 subsection (b), (c), or (d) of this Section, it shall be  
18 collected and distributed to the Specialized Services for  
19 Survivors of Human Trafficking Fund in accordance with Section  
20 5-9-1.21 of the Unified Code of Corrections.

21 (h) Trafficking victim services. Subject to the  
22 availability of funds, the Department of Human Services may  
23 provide or fund emergency services and assistance to  
24 individuals who are victims of one or more offenses defined in  
25 this Section.

26 (i) Certification. The Attorney General, a State's

1 Attorney, or any law enforcement official shall certify in  
2 writing to the United States Department of Justice or other  
3 federal agency, such as the United States Department of  
4 Homeland Security, that an investigation or prosecution under  
5 this Section has begun and the individual who is a likely  
6 victim of a crime described in this Section is willing to  
7 cooperate or is cooperating with the investigation to enable  
8 the individual, if eligible under federal law, to qualify for  
9 an appropriate special immigrant visa and to access available  
10 federal benefits. Cooperation with law enforcement shall not  
11 be required of victims of a crime described in this Section who  
12 are under 18 years of age. This certification shall be made  
13 available to the victim and his or her designated legal  
14 representative.

15 (j) A person who commits involuntary servitude,  
16 involuntary sexual servitude of a minor, or trafficking in  
17 persons under subsection (b), (c), or (d) of this Section is  
18 subject to the property forfeiture provisions set forth in  
19 Article 124B of the Code of Criminal Procedure of 1963.

20 (Source: P.A. 101-18, eff. 1-1-20.)

21 (720 ILCS 5/11-9.3)

22 Sec. 11-9.3. Presence within school zone by child sex  
23 offenders prohibited; approaching, contacting, residing with,  
24 or communicating with a child within certain places by child  
25 sex offenders prohibited.



1           (a) It is unlawful for a child sex offender to knowingly be  
2 present in any school building, on real property comprising  
3 any school, or in any conveyance owned, leased, or contracted  
4 by a school to transport students to or from school or a school  
5 related activity when persons under the age of 18 are present  
6 in the building, on the grounds or in the conveyance, unless  
7 the offender is a parent or guardian of a student attending the  
8 school and the parent or guardian is: (i) attending a  
9 conference at the school with school personnel to discuss the  
10 progress of his or her child academically or socially, (ii)  
11 participating in child review conferences in which evaluation  
12 and placement decisions may be made with respect to his or her  
13 child regarding special education services, or (iii) attending  
14 conferences to discuss other student issues concerning his or  
15 her child such as retention and promotion and notifies the  
16 principal of the school of his or her presence at the school or  
17 unless the offender has permission to be present from the  
18 superintendent or the school board or in the case of a private  
19 school from the principal. In the case of a public school, if  
20 permission is granted, the superintendent or school board  
21 president must inform the principal of the school where the  
22 sex offender will be present. Notification includes the nature  
23 of the sex offender's visit and the hours in which the sex  
24 offender will be present in the school. The sex offender is  
25 responsible for notifying the principal's office when he or  
26 she arrives on school property and when he or she departs from

1 school property. If the sex offender is to be present in the  
2 vicinity of children, the sex offender has the duty to remain  
3 under the direct supervision of a school official.

4 (a-5) It is unlawful for a child sex offender to knowingly  
5 be present within 100 feet of a site posted as a pick-up or  
6 discharge stop for a conveyance owned, leased, or contracted  
7 by a school to transport students to or from school or a school  
8 related activity when one or more persons under the age of 18  
9 are present at the site.

10 (a-10) It is unlawful for a child sex offender to  
11 knowingly be present in any public park building, a playground  
12 or recreation area within any publicly accessible privately  
13 owned building, or on real property comprising any public park  
14 when persons under the age of 18 are present in the building or  
15 on the grounds and to approach, contact, or communicate with a  
16 child under 18 years of age, unless the offender is a parent or  
17 guardian of a person under 18 years of age present in the  
18 building or on the grounds.

19 (b) It is unlawful for a child sex offender to knowingly  
20 loiter within 500 feet of a school building or real property  
21 comprising any school while persons under the age of 18 are  
22 present in the building or on the grounds, unless the offender  
23 is a parent or guardian of a student attending the school and  
24 the parent or guardian is: (i) attending a conference at the  
25 school with school personnel to discuss the progress of his or  
26 her child academically or socially, (ii) participating in

1 child review conferences in which evaluation and placement  
2 decisions may be made with respect to his or her child  
3 regarding special education services, or (iii) attending  
4 conferences to discuss other student issues concerning his or  
5 her child such as retention and promotion and notifies the  
6 principal of the school of his or her presence at the school or  
7 has permission to be present from the superintendent or the  
8 school board or in the case of a private school from the  
9 principal. In the case of a public school, if permission is  
10 granted, the superintendent or school board president must  
11 inform the principal of the school where the sex offender will  
12 be present. Notification includes the nature of the sex  
13 offender's visit and the hours in which the sex offender will  
14 be present in the school. The sex offender is responsible for  
15 notifying the principal's office when he or she arrives on  
16 school property and when he or she departs from school  
17 property. If the sex offender is to be present in the vicinity  
18 of children, the sex offender has the duty to remain under the  
19 direct supervision of a school official.

20 (b-2) It is unlawful for a child sex offender to knowingly  
21 loiter on a public way within 500 feet of a public park  
22 building or real property comprising any public park while  
23 persons under the age of 18 are present in the building or on  
24 the grounds and to approach, contact, or communicate with a  
25 child under 18 years of age, unless the offender is a parent or  
26 guardian of a person under 18 years of age present in the

1 building or on the grounds.

2 (b-5) It is unlawful for a child sex offender to knowingly  
3 reside within 500 feet of a school building or the real  
4 property comprising any school that persons under the age of  
5 18 attend. Nothing in this subsection (b-5) prohibits a child  
6 sex offender from residing within 500 feet of a school  
7 building or the real property comprising any school that  
8 persons under 18 attend if the property is owned by the child  
9 sex offender and was purchased before July 7, 2000 (the  
10 effective date of Public Act 91-911).

11 (b-10) It is unlawful for a child sex offender to  
12 knowingly reside within 500 feet of a playground, child care  
13 institution, day care center, part day child care facility,  
14 day care home, group day care home, or a facility providing  
15 programs or services exclusively directed toward persons under  
16 18 years of age. Nothing in this subsection (b-10) prohibits a  
17 child sex offender from residing within 500 feet of a  
18 playground or a facility providing programs or services  
19 exclusively directed toward persons under 18 years of age if  
20 the property is owned by the child sex offender and was  
21 purchased before July 7, 2000. Nothing in this subsection  
22 (b-10) prohibits a child sex offender from residing within 500  
23 feet of a child care institution, day care center, or part day  
24 child care facility if the property is owned by the child sex  
25 offender and was purchased before June 26, 2006. Nothing in  
26 this subsection (b-10) prohibits a child sex offender from

1 residing within 500 feet of a day care home or group day care  
2 home if the property is owned by the child sex offender and was  
3 purchased before August 14, 2008 (the effective date of Public  
4 Act 95-821).

5 (b-15) It is unlawful for a child sex offender to  
6 knowingly reside within 500 feet of the victim of the sex  
7 offense. Nothing in this subsection (b-15) prohibits a child  
8 sex offender from residing within 500 feet of the victim if the  
9 property in which the child sex offender resides is owned by  
10 the child sex offender and was purchased before August 22,  
11 2002.

12 This subsection (b-15) does not apply if the victim of the  
13 sex offense is 21 years of age or older.

14 (b-20) It is unlawful for a child sex offender to  
15 knowingly communicate, other than for a lawful purpose under  
16 Illinois law, using the Internet or any other digital media,  
17 with a person under 18 years of age or with a person whom he or  
18 she believes to be a person under 18 years of age, unless the  
19 offender is a parent or guardian of the person under 18 years  
20 of age.

21 (c) It is unlawful for a child sex offender to knowingly  
22 operate, manage, be employed by, volunteer at, be associated  
23 with, or knowingly be present at any: (i) facility providing  
24 programs or services exclusively directed toward persons under  
25 the age of 18; (ii) day care center; (iii) part day child care  
26 facility; (iv) child care institution; (v) school providing

1 before and after school programs for children under 18 years  
2 of age; (vi) day care home; or (vii) group day care home. This  
3 does not prohibit a child sex offender from owning the real  
4 property upon which the programs or services are offered or  
5 upon which the day care center, part day child care facility,  
6 child care institution, or school providing before and after  
7 school programs for children under 18 years of age is located,  
8 provided the child sex offender refrains from being present on  
9 the premises for the hours during which: (1) the programs or  
10 services are being offered or (2) the day care center, part day  
11 child care facility, child care institution, or school  
12 providing before and after school programs for children under  
13 18 years of age, day care home, or group day care home is  
14 operated.

15 (c-2) It is unlawful for a child sex offender to  
16 participate in a holiday event involving children under 18  
17 years of age, including but not limited to distributing candy  
18 or other items to children on Halloween, wearing a Santa Claus  
19 costume on or preceding Christmas, being employed as a  
20 department store Santa Claus, or wearing an Easter Bunny  
21 costume on or preceding Easter. For the purposes of this  
22 subsection, child sex offender has the meaning as defined in  
23 this Section, but does not include as a sex offense under  
24 paragraph (2) of subsection (d) of this Section, the offense  
25 under subsection (c) of Section 11-1.50 of this Code. This  
26 subsection does not apply to a child sex offender who is a

1 parent or guardian of children under 18 years of age that are  
2 present in the home and other non-familial minors are not  
3 present.

4 (c-5) It is unlawful for a child sex offender to knowingly  
5 operate, manage, be employed by, or be associated with any  
6 carnival, amusement enterprise, or county or State fair when  
7 persons under the age of 18 are present.

8 (c-6) It is unlawful for a child sex offender who owns and  
9 resides at residential real estate to knowingly rent any  
10 residential unit within the same building in which he or she  
11 resides to a person who is the parent or guardian of a child or  
12 children under 18 years of age. This subsection shall apply  
13 only to leases or other rental arrangements entered into after  
14 January 1, 2009 (the effective date of Public Act 95-820).

15 (c-7) It is unlawful for a child sex offender to knowingly  
16 offer or provide any programs or services to persons under 18  
17 years of age in his or her residence or the residence of  
18 another or in any facility for the purpose of offering or  
19 providing such programs or services, whether such programs or  
20 services are offered or provided by contract, agreement,  
21 arrangement, or on a volunteer basis.

22 (c-8) It is unlawful for a child sex offender to knowingly  
23 operate, whether authorized to do so or not, any of the  
24 following vehicles: (1) a vehicle which is specifically  
25 designed, constructed or modified and equipped to be used for  
26 the retail sale of food or beverages, including but not

1 limited to an ice cream truck; (2) an authorized emergency  
2 vehicle; or (3) a rescue vehicle.

3 (d) Definitions. In this Section:

4 (1) "Child sex offender" means any person who:

5 (i) has been charged under Illinois law, or any  
6 substantially similar federal law or law of another  
7 state, with a sex offense set forth in paragraph (2) of  
8 this subsection (d) or the attempt to commit an  
9 included sex offense, and the victim is a person under  
10 18 years of age at the time of the offense; and:

11 (A) is convicted of such offense or an attempt  
12 to commit such offense; or

13 (B) is found not guilty by reason of insanity  
14 of such offense or an attempt to commit such  
15 offense; or

16 (C) is found not guilty by reason of insanity  
17 pursuant to subsection (c) of Section 104-25 of  
18 the Code of Criminal Procedure of 1963 of such  
19 offense or an attempt to commit such offense; or

20 (D) is the subject of a finding not resulting  
21 in an acquittal at a hearing conducted pursuant to  
22 subsection (a) of Section 104-25 of the Code of  
23 Criminal Procedure of 1963 for the alleged  
24 commission or attempted commission of such  
25 offense; or

26 (E) is found not guilty by reason of insanity



1 following a hearing conducted pursuant to a  
2 federal law or the law of another state  
3 substantially similar to subsection (c) of Section  
4 104-25 of the Code of Criminal Procedure of 1963  
5 of such offense or of the attempted commission of  
6 such offense; or

7 (F) is the subject of a finding not resulting  
8 in an acquittal at a hearing conducted pursuant to  
9 a federal law or the law of another state  
10 substantially similar to subsection (a) of Section  
11 104-25 of the Code of Criminal Procedure of 1963  
12 for the alleged violation or attempted commission  
13 of such offense; or

14 (ii) is certified as a sexually dangerous person  
15 pursuant to the Illinois Sexually Dangerous Persons  
16 Act, or any substantially similar federal law or the  
17 law of another state, when any conduct giving rise to  
18 such certification is committed or attempted against a  
19 person less than 18 years of age; or

20 (iii) is subject to the provisions of Section 2 of  
21 the Interstate Agreements on Sexually Dangerous  
22 Persons Act.

23 Convictions that result from or are connected with the  
24 same act, or result from offenses committed at the same  
25 time, shall be counted for the purpose of this Section as  
26 one conviction. Any conviction set aside pursuant to law

1 is not a conviction for purposes of this Section.

2 (2) Except as otherwise provided in paragraph (2.5),  
3 "sex offense" means:

4 (i) A violation of any of the following Sections  
5 of the Criminal Code of 1961 or the Criminal Code of  
6 2012: 10-4 (forcible detention), 10-7 (aiding or  
7 abetting child abduction under Section 10-5(b)(10)),  
8 10-5(b)(10) (child luring), 11-1.40 (predatory  
9 criminal sexual assault of a child), 11-6 (indecent  
10 solicitation of a child), 11-6.5 (indecent  
11 solicitation of an adult), 11-9.1 (sexual exploitation  
12 of a child), 11-9.2 (custodial sexual misconduct),  
13 11-9.5 (sexual misconduct with a person with a  
14 disability), 11-11 (sexual relations within families),  
15 11-14.3(a)(1) (promoting or facilitating prostitution  
16 by advancing prostitution), 11-14.3(a)(2)(A)  
17 (promoting or facilitating prostitution by profiting  
18 from prostitution by compelling a person to be a  
19 prostitute), 11-14.3(a)(2)(C) (promoting or  
20 facilitating prostitution by profiting from  
21 prostitution by means other than as described in  
22 subparagraphs (A) and (B) of paragraph (2) of  
23 subsection (a) of Section 11-14.3), 11-14.4 (promoting  
24 juvenile prostitution), 11-18.1 (patronizing a  
25 juvenile prostitute), 11-20.1 (child pornography),  
26 11-20.1B (aggravated child pornography), 11-21

1 (harmful material), 11-25 (grooming), 11-26 (traveling  
2 to meet a minor or traveling to meet a child), 12-33  
3 (ritualized abuse of a child), 11-20 (obscenity) (when  
4 that offense was committed in any school, on real  
5 property comprising any school, in any conveyance  
6 owned, leased, or contracted by a school to transport  
7 students to or from school or a school related  
8 activity, or in a public park), 11-30 (public  
9 indecency) (when committed in a school, on real  
10 property comprising a school, in any conveyance owned,  
11 leased, or contracted by a school to transport  
12 students to or from school or a school related  
13 activity, or in a public park). An attempt to commit  
14 any of these offenses.

15 (ii) A violation of any of the following Sections  
16 of the Criminal Code of 1961 or the Criminal Code of  
17 2012, when the victim is a person under 18 years of  
18 age: 11-1.20 (criminal sexual assault), 11-1.30  
19 (aggravated criminal sexual assault), 11-1.50  
20 (criminal sexual abuse), 11-1.60 (aggravated criminal  
21 sexual abuse). An attempt to commit any of these  
22 offenses.

23 (iii) A violation of any of the following Sections  
24 of the Criminal Code of 1961 or the Criminal Code of  
25 2012, when the victim is a person under 18 years of age  
26 and the defendant is not a parent of the victim:

1           10-1 (kidnapping),  
2           10-2 (aggravated kidnapping),  
3           10-3 (unlawful restraint),  
4           10-3.1 (aggravated unlawful restraint),  
5           11-9.1(A) (permitting sexual abuse of a child).

6           An attempt to commit any of these offenses.

7           (iv) A violation of any former law of this State  
8           substantially equivalent to any offense listed in  
9           clause (2)(i) or (2)(ii) of subsection (d) of this  
10          Section.

11          (2.5) For the purposes of subsections (b-5) and (b-10)  
12          only, a sex offense means:

13           (i) A violation of any of the following Sections  
14           of the Criminal Code of 1961 or the Criminal Code of  
15           2012:

16           10-5(b)(10) (child luring), 10-7 (aiding or  
17           abetting child abduction under Section 10-5(b)(10)),  
18           11-1.40 (predatory criminal sexual assault of a  
19           child), 11-6 (indecent solicitation of a child),  
20           11-6.5 (indecent solicitation of an adult), 11-9.2  
21           (custodial sexual misconduct), 11-9.5 (sexual  
22           misconduct with a person with a disability), 11-11  
23           (sexual relations within families), 11-14.3(a)(1)  
24           (promoting or facilitating prostitution by advancing  
25           prostitution), 11-14.3(a)(2)(A) (promoting or  
26           facilitating prostitution by profiting from

1 prostitution by compelling a person to be a  
2 prostitute), 11-14.3(a)(2)(C) (promoting or  
3 facilitating prostitution by profiting from  
4 prostitution by means other than as described in  
5 subparagraphs (A) and (B) of paragraph (2) of  
6 subsection (a) of Section 11-14.3), 11-14.4 (promoting  
7 juvenile prostitution), 11-18.1 (patronizing a  
8 juvenile prostitute), 11-20.1 (child pornography),  
9 11-20.1B (aggravated child pornography), 11-25  
10 (grooming), 11-26 (traveling to meet a minor or  
11 traveling to meet a child), or 12-33 (ritualized abuse  
12 of a child). An attempt to commit any of these  
13 offenses.

14 (ii) A violation of any of the following Sections  
15 of the Criminal Code of 1961 or the Criminal Code of  
16 2012, when the victim is a person under 18 years of  
17 age: 11-1.20 (criminal sexual assault), 11-1.30  
18 (aggravated criminal sexual assault), 11-1.60  
19 (aggravated criminal sexual abuse), and subsection (a)  
20 of Section 11-1.50 (criminal sexual abuse). An attempt  
21 to commit any of these offenses.

22 (iii) A violation of any of the following Sections  
23 of the Criminal Code of 1961 or the Criminal Code of  
24 2012, when the victim is a person under 18 years of age  
25 and the defendant is not a parent of the victim:

26 10-1 (kidnapping),

1 10-2 (aggravated kidnapping),

2 10-3 (unlawful restraint),

3 10-3.1 (aggravated unlawful restraint),

4 11-9.1(A) (permitting sexual abuse of a child).

5 An attempt to commit any of these offenses.

6 (iv) A violation of any former law of this State  
7 substantially equivalent to any offense listed in this  
8 paragraph (2.5) of this subsection.

9 (3) A conviction for an offense of federal law or the  
10 law of another state that is substantially equivalent to  
11 any offense listed in paragraph (2) of subsection (d) of  
12 this Section shall constitute a conviction for the purpose  
13 of this Section. A finding or adjudication as a sexually  
14 dangerous person under any federal law or law of another  
15 state that is substantially equivalent to the Sexually  
16 Dangerous Persons Act shall constitute an adjudication for  
17 the purposes of this Section.

18 (4) "Authorized emergency vehicle", "rescue vehicle",  
19 and "vehicle" have the meanings ascribed to them in  
20 Sections 1-105, 1-171.8 and 1-217, respectively, of the  
21 Illinois Vehicle Code.

22 (5) "Child care institution" has the meaning ascribed  
23 to it in Section 2.06 of the Child Care Act of 1969.

24 (6) "Day care center" has the meaning ascribed to it  
25 in Section 2.09 of the Child Care Act of 1969.

26 (7) "Day care home" has the meaning ascribed to it in

1 Section 2.18 of the Child Care Act of 1969.

2 (8) "Facility providing programs or services directed  
3 towards persons under the age of 18" means any facility  
4 providing programs or services exclusively directed  
5 towards persons under the age of 18.

6 (9) "Group day care home" has the meaning ascribed to  
7 it in Section 2.20 of the Child Care Act of 1969.

8 (10) "Internet" has the meaning set forth in Section  
9 16-0.1 of this Code.

10 (11) "Loiter" means:

11 (i) Standing, sitting idly, whether or not the  
12 person is in a vehicle, or remaining in or around  
13 school or public park property.

14 (ii) Standing, sitting idly, whether or not the  
15 person is in a vehicle, or remaining in or around  
16 school or public park property, for the purpose of  
17 committing or attempting to commit a sex offense.

18 (iii) Entering or remaining in a building in or  
19 around school property, other than the offender's  
20 residence.

21 (12) "Part day child care facility" has the meaning  
22 ascribed to it in Section 2.10 of the Child Care Act of  
23 1969.

24 (13) "Playground" means a piece of land owned or  
25 controlled by a unit of local government that is  
26 designated by the unit of local government for use solely

1 or primarily for children's recreation.

2 (14) "Public park" includes a park, forest preserve,  
3 bikeway, trail, or conservation area under the  
4 jurisdiction of the State or a unit of local government.

5 (15) "School" means a public or private preschool or  
6 elementary or secondary school.

7 (16) "School official" means the principal, a teacher,  
8 or any other certified employee of the school, the  
9 superintendent of schools or a member of the school board.

10 (e) For the purposes of this Section, the 500 feet  
11 distance shall be measured from: (1) the edge of the property  
12 of the school building or the real property comprising the  
13 school that is closest to the edge of the property of the child  
14 sex offender's residence or where he or she is loitering, and  
15 (2) the edge of the property comprising the public park  
16 building or the real property comprising the public park,  
17 playground, child care institution, day care center, part day  
18 child care facility, or facility providing programs or  
19 services exclusively directed toward persons under 18 years of  
20 age, or a victim of the sex offense who is under 21 years of  
21 age, to the edge of the child sex offender's place of residence  
22 or place where he or she is loitering.

23 (f) Sentence. A person who violates this Section is guilty  
24 of a Class 4 felony.

25 (Source: P.A. 102-997, eff. 1-1-23.)



1 (720 ILCS 5/11-14.3)

2 Sec. 11-14.3. Promoting or facilitating prostitution.

3 (a) Any person who knowingly performs any of the following  
4 acts commits promoting or facilitating prostitution:

5 (1) advances prostitution as defined in Section  
6 11-0.1;

7 (2) profits from prostitution by:

8 (A) compelling a person to become a prostitute;

9 (B) arranging or offering to arrange a situation  
10 in which a person may practice prostitution; or

11 (C) any means other than those described in  
12 subparagraph (A) or (B), including from a person who  
13 patronizes a prostitute. This paragraph (C) does not  
14 apply to a person engaged in prostitution who is under  
15 18 years of age. A person cannot be convicted of  
16 promoting or facilitating prostitution under this  
17 paragraph (C) if the practice of prostitution  
18 underlying the offense consists exclusively of the  
19 accused's own acts of prostitution under Section 11-14  
20 of this Code;

21 (3) owns, manages, or operates an interactive computer  
22 service or conspires or attempts to do so, with the intent  
23 to promote or facilitate the prostitution of another  
24 person; or

25 (4) owns, manages, or operates an interactive computer  
26 service or conspires or attempts to do so, with the intent

1 to promote or facilitate the prostitution of another  
2 person, and:

3 (A) promotes or facilitates the prostitution of 5  
4 or more persons; or

5 (B) acts in reckless disregard of the fact that  
6 such conduct contributed to sex trafficking, in  
7 violation of paragraph (2) or (4) of subsection (d) of  
8 Section 10-9.

9 (b) Sentence.

10 (1) A violation of subdivision (a)(1) is a Class 4  
11 felony, unless committed within 1,000 feet of real  
12 property comprising a school, in which case it is a Class 3  
13 felony. A second or subsequent violation of subdivision  
14 (a)(1), or any combination of convictions under  
15 subdivision (a)(1), (a)(2)(A), or (a)(2)(B) and Section  
16 11-14 (prostitution), 11-14.1 (solicitation of a sexual  
17 act), 11-14.4 (promoting juvenile prostitution), 11-15  
18 (soliciting for a prostitute), 11-15.1 (soliciting for a  
19 juvenile prostitute), 11-16 (pandering), 11-17 (keeping a  
20 place of prostitution), 11-17.1 (keeping a place of  
21 juvenile prostitution), 11-18 (patronizing a prostitute),  
22 11-18.1 (patronizing a juvenile prostitute), 11-19  
23 (pimping), 11-19.1 (juvenile pimping or aggravated  
24 juvenile pimping), or 11-19.2 (exploitation of a child),  
25 is a Class 3 felony.

26 (2) A violation of subdivision (a)(2)(A) or (a)(2)(B)

1 is a Class 4 felony, unless committed within 1,000 feet of  
2 real property comprising a school, in which case it is a  
3 Class 3 felony.

4 (3) A violation of subdivision (a)(2)(C) is a Class 4  
5 felony, unless committed within 1,000 feet of real  
6 property comprising a school, in which case it is a Class 3  
7 felony. A second or subsequent violation of subdivision  
8 (a)(2)(C), or any combination of convictions under  
9 subdivision (a)(2)(C) and subdivision (a)(1), (a)(2)(A),  
10 or (a)(2)(B) of this Section (promoting or facilitating  
11 prostitution), 11-14 (prostitution), 11-14.1  
12 (solicitation of a sexual act), 11-14.4 (promoting  
13 juvenile prostitution), 11-15 (soliciting for a  
14 prostitute), 11-15.1 (soliciting for a juvenile  
15 prostitute), 11-16 (pandering), 11-17 (keeping a place of  
16 prostitution), 11-17.1 (keeping a place of juvenile  
17 prostitution), 11-18 (patronizing a prostitute), 11-18.1  
18 (patronizing a juvenile prostitute), 11-19 (pimping),  
19 11-19.1 (juvenile pimping or aggravated juvenile pimping),  
20 or 11-19.2 (exploitation of a child), is a Class 3 felony.

21 If the court imposes a fine under this subsection (b), it  
22 shall be collected and distributed to the Specialized Services  
23 for Survivors of Human Trafficking Fund in accordance with  
24 Section 5-9-1.21 of the Unified Code of Corrections.

25 (c) In this Section, "interactive computer service" has  
26 the meaning ascribed to the term in 47 U.S.C. 230(f).

1 (Source: P.A. 98-1013, eff. 1-1-15.)

2 (720 ILCS 5/11-14.4)

3 Sec. 11-14.4. Promoting juvenile prostitution.

4 (a) Any person who knowingly performs any of the following  
5 acts commits promoting juvenile prostitution:

6 (1) advances prostitution as defined in Section  
7 11-0.1, where the minor engaged in prostitution, or any  
8 person engaged in prostitution in the place, is under 18  
9 years of age or is a person with a severe or profound  
10 intellectual disability at the time of the offense;

11 (2) profits from prostitution by any means where the  
12 prostituted person is under 18 years of age or is a person  
13 with a severe or profound intellectual disability at the  
14 time of the offense;

15 (3) profits from prostitution by any means where the  
16 prostituted person is under 13 years of age at the time of  
17 the offense;

18 (4) confines a child under the age of 18 or a person  
19 with a severe or profound intellectual disability against  
20 his or her will by the infliction or threat of imminent  
21 infliction of great bodily harm or permanent disability or  
22 disfigurement or by administering to the child or the  
23 person with a severe or profound intellectual disability,  
24 without his or her consent or by threat or deception and  
25 for other than medical purposes, any alcoholic intoxicant

1 or a drug as defined in the Illinois Controlled Substances  
2 Act or the Cannabis Control Act or methamphetamine as  
3 defined in the Methamphetamine Control and Community  
4 Protection Act and:

5 (A) compels the child or the person with a severe  
6 or profound intellectual disability to engage in  
7 prostitution;

8 (B) arranges a situation in which the child or the  
9 person with a severe or profound intellectual  
10 disability may practice prostitution; or

11 (C) profits from prostitution by the child or the  
12 person with a severe or profound intellectual  
13 disability.

14 (b) For purposes of this Section, administering drugs, as  
15 defined in subdivision (a)(4), or an alcoholic intoxicant to a  
16 child under the age of 13 or a person with a severe or profound  
17 intellectual disability shall be deemed to be without consent  
18 if the administering is done without the consent of the  
19 parents or legal guardian or if the administering is performed  
20 by the parents or legal guardian for other than medical  
21 purposes.

22 (c) If the accused did not have a reasonable opportunity  
23 to observe the prostituted person, it is an affirmative  
24 defense to a charge of promoting juvenile prostitution, except  
25 for a charge under subdivision (a)(4), that the accused  
26 reasonably believed the person was of the age of 18 years or

1 over or was not a person with a severe or profound intellectual  
2 disability at the time of the act giving rise to the charge.

3 (d) Sentence. A violation of subdivision (a)(1) is a Class  
4 1 felony, unless committed within 1,000 feet of real property  
5 comprising a school, in which case it is a Class X felony. A  
6 violation of subdivision (a)(2) is a Class 1 felony. A  
7 violation of subdivision (a)(3) is a Class X felony. A  
8 violation of subdivision (a)(4) is a Class X felony, for which  
9 the person shall be sentenced to a term of imprisonment of not  
10 less than 6 years and not more than 60 years. A second or  
11 subsequent violation of subdivision (a)(1), (a)(2), or (a)(3),  
12 or any combination of convictions under subdivision (a)(1),  
13 (a)(2), or (a)(3) and Sections 11-14 (prostitution), 11-14.1  
14 (solicitation of a sexual act), 11-14.3 (promoting or  
15 facilitating prostitution), 11-15 (soliciting for a  
16 prostitute), 11-15.1 (soliciting for a juvenile prostitute),  
17 11-16 (pandering), 11-17 (keeping a place of prostitution),  
18 11-17.1 (keeping a place of juvenile prostitution), 11-18  
19 (patronizing a prostitute), 11-18.1 (patronizing a juvenile  
20 prostitute), 11-19 (pimping), 11-19.1 (juvenile pimping or  
21 aggravated juvenile pimping), or 11-19.2 (exploitation of a  
22 child) of this Code, is a Class X felony.

23 (e) Forfeiture. Any person convicted of a violation of  
24 this Section that involves promoting juvenile prostitution by  
25 keeping a place of juvenile prostitution or convicted of a  
26 violation of subdivision (a)(4) is subject to the property

1 forfeiture provisions set forth in Article 124B of the Code of  
2 Criminal Procedure of 1963.

3 (f) For the purposes of this Section, "prostituted person"  
4 means any person who engages in, or agrees or offers to engage  
5 in, any act of sexual penetration as defined in Section 11-0.1  
6 of this Code for any money, property, token, object, or  
7 article or anything of value, or any touching or fondling of  
8 the sex organs of one person by another person, for any money,  
9 property, token, object, or article or anything of value, for  
10 the purpose of sexual arousal or gratification.

11 (Source: P.A. 99-143, eff. 7-27-15.)

12 (720 ILCS 5/11-18) (from Ch. 38, par. 11-18)

13 Sec. 11-18. Patronizing a prostitute.

14 (a) Any person who knowingly performs any of the following  
15 acts with a person not his or her spouse commits patronizing a  
16 prostitute:

17 (1) Engages in an act of sexual penetration as defined  
18 in Section 11-0.1 of this Code with a prostitute; or

19 (2) Enters or remains in a place of prostitution with  
20 intent to engage in an act of sexual penetration as  
21 defined in Section 11-0.1 of this Code; or

22 (3) Engages in any touching or fondling with a  
23 prostitute of the sex organs of one person by the other  
24 person, with the intent to achieve sexual arousal or  
25 gratification.

1 (b) Sentence.

2 Patronizing a prostitute is a Class 4 felony, unless  
3 committed within 1,000 feet of real property comprising a  
4 school, in which case it is a Class 3 felony. A person  
5 convicted of a second or subsequent violation of this Section,  
6 or of any combination of such number of convictions under this  
7 Section and Sections 11-14 (prostitution), 11-14.1  
8 (solicitation of a sexual act), 11-14.3 (promoting or  
9 facilitating prostitution), 11-14.4 (promoting juvenile  
10 prostitution), 11-15 (soliciting for a prostitute), 11-15.1  
11 (soliciting for a juvenile prostitute), 11-16 (pandering),  
12 11-17 (keeping a place of prostitution), 11-17.1 (keeping a  
13 place of juvenile prostitution), 11-18.1 (patronizing a  
14 juvenile prostitute), 11-19 (pimping), 11-19.1 (juvenile  
15 pimping or aggravated juvenile pimping), or 11-19.2  
16 (exploitation of a child) of this Code, is guilty of a Class 3  
17 felony. If the court imposes a fine under this subsection (b),  
18 it shall be collected and distributed to the Specialized  
19 Services for Survivors of Human Trafficking Fund in accordance  
20 with Section 5-9-1.21 of the Unified Code of Corrections.

21 (c) (Blank).

22 (Source: P.A. 98-1013, eff. 1-1-15.)

23 (720 ILCS 5/11-18.1) (from Ch. 38, par. 11-18.1)

24 Sec. 11-18.1. Patronizing a minor engaged in prostitution.

25 (a) Any person who engages in an act of sexual penetration



1 as defined in Section 11-0.1 of this Code with a person engaged  
2 in prostitution who is under 18 years of age or is a person  
3 with a severe or profound intellectual disability commits  
4 patronizing a minor engaged in prostitution.

5 (a-5) Any person who engages in any touching or fondling,  
6 with a person engaged in prostitution who either is under 18  
7 years of age or is a person with a severe or profound  
8 intellectual disability, of the sex organs of one person by  
9 the other person, with the intent to achieve sexual arousal or  
10 gratification, commits patronizing a minor engaged in  
11 prostitution.

12 (b) It is an affirmative defense to the charge of  
13 patronizing a minor engaged in prostitution that the accused  
14 reasonably believed that the person was of the age of 18 years  
15 or over or was not a person with a severe or profound  
16 intellectual disability at the time of the act giving rise to  
17 the charge.

18 (c) Sentence. A person who commits patronizing a juvenile  
19 prostitute is guilty of a Class 3 felony, unless committed  
20 within 1,000 feet of real property comprising a school, in  
21 which case it is a Class 2 felony. A person convicted of a  
22 second or subsequent violation of this Section, or of any  
23 combination of such number of convictions under this Section  
24 and Sections 11-14 (prostitution), 11-14.1 (solicitation of a  
25 sexual act), 11-14.3 (promoting or facilitating prostitution),  
26 11-14.4 (promoting juvenile prostitution), 11-15 (soliciting

1 for a prostitute), 11-15.1 (soliciting for a juvenile  
2 prostitute), 11-16 (pandering), 11-17 (keeping a place of  
3 prostitution), 11-17.1 (keeping a place of juvenile  
4 prostitution), 11-18 (patronizing a prostitute), 11-19  
5 (pimping), 11-19.1 (juvenile pimping or aggravated juvenile  
6 pimping), or 11-19.2 (exploitation of a child) of this Code,  
7 is guilty of a Class 2 felony. The fact of such conviction is  
8 not an element of the offense and may not be disclosed to the  
9 jury during trial unless otherwise permitted by issues  
10 properly raised during such trial.

11 (Source: P.A. 99-143, eff. 7-27-15.)

12 Section 15. The Code of Criminal Procedure of 1963 is  
13 amended by changing Sections 108B-3 and 124B-300 as follows:

14 (725 ILCS 5/108B-3) (from Ch. 38, par. 108B-3)

15 Sec. 108B-3. Authorization for the interception of private  
16 communication.

17 (a) The State's Attorney, or a person designated in  
18 writing or by law to act for him and to perform his duties  
19 during his absence or disability, may authorize, in writing,  
20 an ex parte application to the chief judge of a court of  
21 competent jurisdiction for an order authorizing the  
22 interception of a private communication when no party has  
23 consented to the interception and (i) the interception may  
24 provide evidence of, or may assist in the apprehension of a

1 person who has committed, is committing or is about to commit,  
2 a violation of Section 8-1(b) (solicitation of murder), 8-1.2  
3 (solicitation of murder for hire), 9-1 (first degree murder),  
4 10-9 (involuntary servitude, involuntary sexual servitude of a  
5 minor, or trafficking in persons), paragraph (1), (2), or (3)  
6 of subsection (a) of Section 11-14.4 (promoting juvenile  
7 prostitution), subdivision (a)(2)(A) or (a)(2)(B) of Section  
8 11-14.3 (promoting or facilitating prostitution), 11-15.1  
9 (soliciting for a minor engaged in prostitution), 11-16  
10 (pandering), 11-17.1 (keeping a place of juvenile  
11 prostitution), 11-18.1 (patronizing a minor engaged in  
12 prostitution), 11-19.1 (juvenile pimping and aggravated  
13 juvenile pimping), or 29B-1 (money laundering) of the Criminal  
14 Code of 1961 or the Criminal Code of 2012, Section 401, 401.1  
15 (controlled substance trafficking), 405, 405.1 (criminal drug  
16 conspiracy) or 407 of the Illinois Controlled Substances Act  
17 or any Section of the Methamphetamine Control and Community  
18 Protection Act, a violation of Section 24-2.1, 24-2.2, 24-3,  
19 24-3.1, 24-3.3, 24-3.4, 24-4, or 24-5 or subsection  
20 24-1(a)(4), 24-1(a)(6), 24-1(a)(7), 24-1(a)(9), 24-1(a)(10),  
21 or 24-1(c) of the Criminal Code of 1961 or the Criminal Code of  
22 2012 or conspiracy to commit money laundering or conspiracy to  
23 commit first degree murder; (ii) in response to a clear and  
24 present danger of imminent death or great bodily harm to  
25 persons resulting from: (1) a kidnapping or the holding of a  
26 hostage by force or the threat of the imminent use of force; or

1 (2) the occupation by force or the threat of the imminent use  
2 of force of any premises, place, vehicle, vessel or aircraft;  
3 (iii) to aid an investigation or prosecution of a civil action  
4 brought under the Illinois Streetgang Terrorism Omnibus  
5 Prevention Act when there is probable cause to believe the  
6 interception of the private communication will provide  
7 evidence that a streetgang is committing, has committed, or  
8 will commit a second or subsequent gang-related offense or  
9 that the interception of the private communication will aid in  
10 the collection of a judgment entered under that Act; or (iv)  
11 upon information and belief that a streetgang has committed,  
12 is committing, or is about to commit a felony.

13 (b) The State's Attorney or a person designated in writing  
14 or by law to act for the State's Attorney and to perform his or  
15 her duties during his or her absence or disability, may  
16 authorize, in writing, an ex parte application to the chief  
17 judge of a circuit court for an order authorizing the  
18 interception of a private communication when no party has  
19 consented to the interception and the interception may provide  
20 evidence of, or may assist in the apprehension of a person who  
21 has committed, is committing or is about to commit, a  
22 violation of an offense under Article 29D of the Criminal Code  
23 of 1961 or the Criminal Code of 2012.

24 (b-1) Subsection (b) is inoperative on and after January  
25 1, 2005.

26 (b-2) No conversations recorded or monitored pursuant to

1 subsection (b) shall be made inadmissible in a court of law by  
2 virtue of subsection (b-1).

3 (c) As used in this Section, "streetgang" and  
4 "gang-related" have the meanings ascribed to them in Section  
5 10 of the Illinois Streetgang Terrorism Omnibus Prevention  
6 Act.

7 (Source: P.A. 96-710, eff. 1-1-10; 96-1464, eff. 8-20-10;  
8 97-897, eff. 1-1-13; 97-1150, eff. 1-25-13.)

9 (725 ILCS 5/124B-300)

10 Sec. 124B-300. Persons and property subject to forfeiture.  
11 A person who commits the offense of involuntary servitude,  
12 involuntary servitude of a minor, or trafficking of persons  
13 under Section 10A-10 or Section 10-9 of the Criminal Code of  
14 1961 or the Criminal Code of 2012, promoting juvenile  
15 prostitution, keeping a place of juvenile prostitution, or  
16 promoting or facilitating prostitution that involves keeping a  
17 place of prostitution under subsection (a)(1) or (a)(4) of  
18 Section 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2  
19 of the Criminal Code of 1961 or of the Criminal Code of 2012  
20 shall forfeit to the State of Illinois any profits or proceeds  
21 and any property he or she has acquired or maintained in  
22 violation of Section 10A-10 or Section 10-9 of the Criminal  
23 Code of 1961 or the Criminal Code of 2012, promoting juvenile  
24 prostitution, keeping a place of juvenile prostitution, or  
25 promoting or facilitating prostitution that involves keeping a

1 place of prostitution under subsection (a)(1) or (a)(4) of  
2 Section 11-14.4 or under Section 11-14.3, 11-17.1, or 11-19.2  
3 of the Criminal Code of 1961 or of the Criminal Code of 2012  
4 that the sentencing court determines, after a forfeiture  
5 hearing under this Article, to have been acquired or  
6 maintained as a result of maintaining a person in involuntary  
7 servitude or participating in trafficking of persons.

8 (Source: P.A. 97-1150, eff. 1-25-13; 98-1013, eff. 1-1-15.)

9 Section 20. The Trafficking Victims Protection Act is  
10 amended by changing Section 10 as follows:

11 (740 ILCS 128/10)

12 Sec. 10. Definitions. As used in this Act:

13 "Human trafficking" means a violation or attempted  
14 violation of subsection (d) of Section 10-9 of the Criminal  
15 Code of 2012.

16 "Involuntary servitude" means a violation or attempted  
17 violation of subsection (b) of Section 10-9 of the Criminal  
18 Code of 2012.

19 "Sex trade" means a violation or attempted violation of  
20 any of the following Sections of the Criminal Code of 1961 or  
21 the Criminal Code of 2012: 11-14.3 (promoting or facilitating  
22 prostitution); 11-14.4 (promoting juvenile prostitution);  
23 11-15 (soliciting for a prostitute); 11-15.1 (soliciting for a  
24 juvenile prostitute); 11-16 (pandering); 11-17 (keeping a

1 place of prostitution); 11-17.1 (keeping a place of juvenile  
2 prostitution); 11-19 (pimping); 11-19.1 (juvenile pimping and  
3 aggravated juvenile pimping); 11-19.2 (exploitation of a  
4 child); 11-20 (obscenity); 11-20.1 (child pornography);  
5 11-20.1B or 11-20.3 (aggravated child pornography); or  
6 subsection (c) of Section 10-9 (involuntary sexual servitude  
7 of a minor).

8 "Sex trade" activity may involve adults and youth of all  
9 genders and sexual orientations.

10 "Victim of the sex trade" means, for the following sex  
11 trade acts, the person or persons indicated:

12 (1) soliciting for a prostitute: the prostitute who is  
13 the object of the solicitation;

14 (2) soliciting for a juvenile prostitute: the juvenile  
15 prostitute, or person with a severe or profound  
16 intellectual disability, who is the object of the  
17 solicitation;

18 (3) promoting or facilitating prostitution as  
19 described in subdivision (a) (2) (A) or (a) (2) (B) of Section  
20 11-14.3 of the Criminal Code of 1961 or the Criminal Code  
21 of 2012, or pandering: the person intended or compelled to  
22 act as a prostitute;

23 (4) keeping a place of prostitution: any person  
24 intended or compelled to act as a prostitute, while  
25 present at the place, during the time period in question;

26 (5) keeping a place of juvenile prostitution: any

1 juvenile intended or compelled to act as a prostitute,  
2 while present at the place, during the time period in  
3 question;

4 (6) promoting or facilitating prostitution as  
5 described in subdivision (a)(2)(C) of Section 11-14.3 of  
6 the Criminal Code of 1961 or the Criminal Code of 2012, or  
7 pimping: the prostitute from whom anything of value is  
8 received;

9 (7) promoting juvenile prostitution as described in  
10 subdivision (a)(2) or (a)(3) of Section 11-14.4 of the  
11 Criminal Code of 1961 or the Criminal Code of 2012, or  
12 juvenile pimping and aggravated juvenile pimping: the  
13 juvenile, or person with a severe or profound intellectual  
14 disability, from whom anything of value is received for  
15 that person's act of prostitution;

16 (8) promoting juvenile prostitution as described in  
17 subdivision (a)(4) of Section 11-14.4 of the Criminal Code  
18 of 1961 or the Criminal Code of 2012, or exploitation of a  
19 child: the juvenile, or person with a severe or profound  
20 intellectual disability, intended or compelled to act as a  
21 prostitute or from whom anything of value is received for  
22 that person's act of prostitution;

23 (9) obscenity: any person who appears in or is  
24 described or depicted in the offending conduct or  
25 material;

26 (10) child pornography or aggravated child



1        pornography: any child, or person with a severe or  
2        profound intellectual disability, who appears in or is  
3        described or depicted in the offending conduct or  
4        material; or

5                (11) involuntary sexual servitude of a minor as  
6        defined in subsection (c) of Section 10-9 of the Criminal  
7        Code of 1961 or the Criminal Code of 2012.

8        (Source: P.A. 99-143, eff. 7-27-15; 100-939, eff. 1-1-19.)