



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4195

by Rep. Thomas M. Bennett

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12C-5

was 720 ILCS 5/12-21.6

Amends the Criminal Code of 2012. Provides that endangering the life or health of a child that is a proximate cause of bodily harm to the child is a Class 4 felony (rather than a Class A misdemeanor).

LRB100 15651 RLC 30752 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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

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

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

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

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

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

21 (d) Sentence. A violation of this Section is a Class A
22 misdemeanor. A second or subsequent violation of this Section
23 is a Class 3 felony. A violation of this Section that is a

1 proximate cause of bodily harm to the child is a Class 4
2 felony. A violation of this Section that is a proximate cause
3 of the death of the child is a Class 3 felony for which a
4 person, if sentenced to a term of imprisonment, shall be
5 sentenced to a term of not less than 2 years and not more than
6 10 years. A parent, who is found to be in violation of this
7 Section with respect to his or her child, may be sentenced to
8 probation for this offense pursuant to Section 12C-15.
9 (Source: P.A. 97-1109, eff. 1-1-13.)