



Sen. Thomas Cullerton

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LRB101 06968 AXK 58068 a

1 AMENDMENT TO SENATE BILL 142

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 142 as follows:

3 on page 1, line 13, by replacing "21B-80, 34-18.5, and 34-84b"  
4 with "and 34-18.5"; and

5 by deleting line 6 on page 24 through line 20 on page 27; and

6 by deleting line 12 on page 38 through line 22 on page 40; and

7 by replacing line 23 on page 40 through line 21 on page 41 with  
8 the following:

9 "Section 15. The Criminal Code of 2012 is amended by  
10 changing Sections 11-1.50 and 11-1.60 as follows:

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

12 Sec. 11-1.50. Criminal sexual abuse.

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

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

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

7 (b) A person commits criminal sexual abuse if that person  
8 is under 17 years of age and commits an act of sexual  
9 penetration or sexual conduct with a victim who is at least 9  
10 years of age but under 17 years of age.

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

15 (c-5) A person commits criminal sexual abuse if he or she  
16 commits an act of sexual conduct with a victim who is at least  
17 18 years of age but under 21 years of age when the act was  
18 committed and who is a student attending classes at a public or  
19 private secondary school and the accused held or holds the  
20 position of a teacher, administrator, or other employee of the  
21 same school at the time of the offense.

22 (d) Sentence. Criminal sexual abuse for a violation of  
23 subsection (b) or (c) of this Section is a Class A misdemeanor.  
24 Criminal sexual abuse for a violation of paragraph (1) or (2)  
25 of subsection (a) or (c-5) of this Section is a Class 4 felony.  
26 A second or subsequent conviction for a violation of subsection

1 (a) of this Section is a Class 2 felony. For purposes of this  
2 Section it is a second or subsequent conviction if the accused  
3 has at any time been convicted under this Section or under any  
4 similar statute of this State or any other state for any  
5 offense involving sexual abuse or sexual assault that is  
6 substantially equivalent to or more serious than the sexual  
7 abuse prohibited under this Section.

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

9 (720 ILCS 5/11-1.60) (was 720 ILCS 5/12-16)

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

11 (a) A person commits aggravated criminal sexual abuse if  
12 that person commits criminal sexual abuse and any of the  
13 following aggravating circumstances exist (i) during the  
14 commission of the offense or (ii) for purposes of paragraph  
15 (7), as part of the same course of conduct as the commission of  
16 the offense:

17 (1) the person displays, threatens to use, or uses a  
18 dangerous weapon or any other object fashioned or used in a  
19 manner that leads the victim, under the circumstances,  
20 reasonably to believe that the object is a dangerous  
21 weapon;

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

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

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

25 (5) the person acts in a manner that threatens or

1           endangers the life of the victim or any other person;

2           (6) the person commits the criminal sexual abuse during  
3           the course of committing or attempting to commit any other  
4           felony; or

5           (7) the person delivers (by injection, inhalation,  
6           ingestion, transfer of possession, or any other means) any  
7           controlled substance to the victim for other than medical  
8           purposes without the victim's consent or by threat or  
9           deception.

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

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

14           (1) that person is 17 years of age or over and: (i)  
15           commits an act of sexual conduct with a victim who is under  
16           13 years of age; or (ii) commits an act of sexual conduct  
17           with a victim who is at least 13 years of age but under 17  
18           years of age and the person uses force or threat of force  
19           to commit the act; or

20           (2) that person is under 17 years of age and: (i)  
21           commits an act of sexual conduct with a victim who is under  
22           9 years of age; or (ii) commits an act of sexual conduct  
23           with a victim who is at least 9 years of age but under 17  
24           years of age and the person uses force or threat of force  
25           to commit the act.

26          (d) A person commits aggravated criminal sexual abuse if

1 that person commits an act of sexual penetration or sexual  
2 conduct with a victim who is at least 13 years of age but under  
3 17 years of age and the person is at least 5 years older than  
4 the victim.

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

8 (f) A person commits aggravated criminal sexual abuse if  
9 that person commits an act of sexual conduct with a victim who  
10 is at least 13 years of age but under 18 years of age and the  
11 person is 17 years of age or over and holds a position of  
12 trust, authority, or supervision in relation to the victim.

13 (f-5) A person commits aggravated criminal sexual abuse if  
14 he or she commits an act of sexual penetration with a victim  
15 who is at least 18 years of age but under 21 years of age when  
16 the act was committed and who is a student attending classes at  
17 a public or private secondary school and the accused held or  
18 holds the position of a teacher, administrator, or other  
19 employee of the same school at the time of the offense.

20 (g) Sentence. Aggravated criminal sexual abuse is a Class 2  
21 felony. However, aggravated criminal sexual abuse for a  
22 violation of subsection (f-5) is a Class 3 felony.

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