

1 AN ACT concerning criminal law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Criminal Code of 2012 is amended by
5 changing Section 11-14.1 as follows:

6 (720 ILCS 5/11-14.1)

7 Sec. 11-14.1. Solicitation of a sexual act.

8 (a) Any person who offers a person not his or her spouse
9 any money, property, token, object, or article or anything of
10 value for that person or any other person not his or her spouse
11 to perform any act of sexual penetration as defined in Section
12 11-0.1 of this Code, or any touching or fondling of the sex
13 organs of one person by another person for the purpose of
14 sexual arousal or gratification, commits solicitation of a
15 sexual act.

16 (b) Sentence. Solicitation of a sexual act is a Class A
17 misdemeanor. Solicitation of a sexual act from a person who is
18 under the age of 18 or who is a person with a severe or
19 profound intellectual disability is a Class 4 felony. If the
20 court imposes a fine under this subsection (b), it shall be
21 collected and distributed to the Specialized Services for
22 Survivors of Human Trafficking Fund in accordance with Section
23 5-9-1.21 of the Unified Code of Corrections.

1 (b-5) (Blank). ~~It is an affirmative defense to a charge of~~
2 ~~solicitation of a sexual act with a person who is under the age~~
3 ~~of 18 or who is a person with a severe or profound intellectual~~
4 ~~disability that the accused reasonably believed the person was~~
5 ~~of the age of 18 years or over or was not a person with a~~
6 ~~severe or profound intellectual disability at the time of the~~
7 ~~act giving rise to the charge.~~

8 (c) This Section does not apply to a person engaged in
9 prostitution who is under 18 years of age.

10 (d) A person cannot be convicted under this Section if the
11 practice of prostitution underlying the offense consists
12 exclusively of the accused's own acts of prostitution under
13 Section 11-14 of this Code.

14 (Source: P.A. 98-1013, eff. 1-1-15; 99-143, eff. 7-27-15.)