

HB1276



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB1276

Introduced 1/31/2023, by Rep. Amy Elik

SYNOPSIS AS INTRODUCED:

625 ILCS 5/11-204.1

from Ch. 95 1/2, par. 11-204.1

Amends the Illinois Vehicle Code. Provides that any person convicted of a first offense of aggravated fleeing or attempting to elude a police officer is guilty of a Class 2 felony (instead of a Class 4 felony). Provides that any person convicted of a second or subsequent offense of aggravated fleeing or attempting to elude a police officer is guilty of a Class 1 felony (instead of a Class 3 felony).

LRB103 04834 RJT 49844 b

A BILL FOR

1 AN ACT concerning transportation.

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

4 Section 5. The Illinois Vehicle Code is amended by
5 changing Section 11-204.1 as follows:

6 (625 ILCS 5/11-204.1) (from Ch. 95 1/2, par. 11-204.1)

7 Sec. 11-204.1. Aggravated fleeing or attempting to elude a
8 peace officer.

9 (a) The offense of aggravated fleeing or attempting to
10 elude a peace officer is committed by any driver or operator of
11 a motor vehicle who flees or attempts to elude a peace officer,
12 after being given a visual or audible signal by a peace officer
13 in the manner prescribed in subsection (a) of Section 11-204
14 of this Code, and such flight or attempt to elude:

15 (1) is at a rate of speed at least 21 miles per hour
16 over the legal speed limit;

17 (2) causes bodily injury to any individual;

18 (3) causes damage in excess of \$300 to property;

19 (4) involves disobedience of 2 or more official
20 traffic control devices; or

21 (5) involves the concealing or altering of the
22 vehicle's registration plate or digital registration
23 plate.

1 (b) Any person convicted of a first violation of this
2 Section shall be guilty of a Class 2 ~~4~~ felony. Upon notice of
3 such a conviction the Secretary of State shall forthwith
4 revoke the driver's license of the person so convicted, as
5 provided in Section 6-205 of this Code. Any person convicted
6 of a second or subsequent violation of this Section shall be
7 guilty of a Class 1 ~~3~~ felony, and upon notice of such a
8 conviction the Secretary of State shall forthwith revoke the
9 driver's license of the person convicted, as provided in
10 Section 6-205 of the Code.

11 (c) The motor vehicle used in a violation of this Section
12 is subject to seizure and forfeiture as provided in Sections
13 36-1 and 36-2 of the Criminal Code of 2012.

14 (Source: P.A. 101-395, eff. 8-16-19.)