



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

SB3744

Introduced 2/9/2024, by Sen. Willie Preston

SYNOPSIS AS INTRODUCED:

See Index

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.

LRB103 38751 RLC 68888 b

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,
20 11-18.1, and 33G-3 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 (720 ILCS 5/33G-3)

13 (Section scheduled to be repealed on June 1, 2025)

14 Sec. 33G-3. Definitions. As used in this Article:

15 (a) "Another state" means any State of the United States
16 (other than the State of Illinois), or the District of
17 Columbia, or the Commonwealth of Puerto Rico, or any territory
18 or possession of the United States, or any political
19 subdivision, or any department, agency, or instrumentality
20 thereof.

21 (b) "Enterprise" includes:

22 (1) any partnership, corporation, association,
23 business or charitable trust, or other legal entity; and

24 (2) any group of individuals or other legal entities,
25 or any combination thereof, associated in fact although

1 not itself a legal entity. An association in fact must be
2 held together by a common purpose of engaging in a course
3 of conduct, and it may be associated together for purposes
4 that are both legal and illegal. An association in fact
5 must:

6 (A) have an ongoing organization or structure,
7 either formal or informal;

8 (B) the various members of the group must function
9 as a continuing unit, even if the group changes
10 membership by gaining or losing members over time; and

11 (C) have an ascertainable structure distinct from
12 that inherent in the conduct of a pattern of predicate
13 activity.

14 As used in this Article, "enterprise" includes licit and
15 illicit enterprises.

16 (c) "Labor organization" includes any organization, labor
17 union, craft union, or any voluntary unincorporated
18 association designed to further the cause of the rights of
19 union labor that is constituted for the purpose, in whole or in
20 part, of collective bargaining or of dealing with employers
21 concerning grievances, terms or conditions of employment, or
22 apprenticeships or applications for apprenticeships, or of
23 other mutual aid or protection in connection with employment,
24 including apprenticeships or applications for apprenticeships.

25 (d) "Operation or management" means directing or carrying
26 out the enterprise's affairs and is limited to any person who

1 knowingly serves as a leader, organizer, operator, manager,
2 director, supervisor, financier, advisor, recruiter, supplier,
3 or enforcer of an enterprise in violation of this Article.

4 (e) "Predicate activity" means any act that is a Class 2
5 felony or higher and constitutes a violation or violations of
6 any of the following provisions of the laws of the State of
7 Illinois (as amended or revised as of the date the activity
8 occurred or, in the instance of a continuing offense, the date
9 that charges under this Article are filed in a particular
10 matter in the State of Illinois) or any act under the law of
11 another jurisdiction for an offense that could be charged as a
12 Class 2 felony or higher in this State:

13 (1) under the Criminal Code of 1961 or the Criminal
14 Code of 2012: 8-1.2 (solicitation of murder for hire), 9-1
15 (first degree murder), 9-3.3 (drug-induced homicide), 10-1
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23 (aggravated criminal sexual abuse), 11-6 (indecent
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16 silencer equipped firearm), 24-1.8 (unlawful possession of
17 a firearm by a street gang member), 24-3.2 (unlawful
18 discharge of firearm projectiles), 24-3.9 (aggravated
19 possession of a stolen firearm), 24-3A (gunrunning), 26-5
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22 catastrophe), 29D-15.2 (possession of a deadly substance),
23 29D-20 (making a terrorist threat), 29D-25 (falsely making
24 a terrorist threat), 29D-29.9 (material support for
25 terrorism), 29D-35 (hindering prosecution of terrorism),
26 31A-1.2 (unauthorized contraband in a penal institution),

1 or 33A-3 (armed violence);

2 (2) under the Cannabis Control Act: Sections 5
3 (manufacture or delivery of cannabis), 5.1 (cannabis
4 trafficking), or 8 (production or possession of cannabis
5 plants), provided the offense either involves more than
6 500 grams of any substance containing cannabis or involves
7 more than 50 cannabis sativa plants;

8 (3) under the Illinois Controlled Substances Act:
9 Sections 401 (manufacture or delivery of a controlled
10 substance), 401.1 (controlled substance trafficking), 405
11 (calculated criminal drug conspiracy), or 405.2 (street
12 gang criminal drug conspiracy); or

13 (4) under the Methamphetamine Control and Community
14 Protection Act: Sections 15 (methamphetamine
15 manufacturing), or 55 (methamphetamine delivery).

16 (f) "Pattern of predicate activity" means:

17 (1) at least 3 occurrences of predicate activity that
18 are in some way related to each other and that have
19 continuity between them, and that are separate acts. Acts
20 are related to each other if they are not isolated events,
21 including if they have similar purposes, or results, or
22 participants, or victims, or are committed a similar way,
23 or have other similar distinguishing characteristics, or
24 are part of the affairs of the same enterprise. There is
25 continuity between acts if they are ongoing over a
26 substantial period, or if they are part of the regular way

1 some entity does business or conducts its affairs; and
2 (2) which occurs after the effective date of this
3 Article, and the last of which falls within 3 years
4 (excluding any period of imprisonment) after the first
5 occurrence of predicate activity.

6 (g) "Unlawful death" includes the following offenses:
7 under the Code of 1961 or the Criminal Code of 2012: Sections
8 9-1 (first degree murder) or 9-2 (second degree murder).
9 (Source: P.A. 97-686, eff. 6-11-12; 97-1150, eff. 1-25-13.)

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

12 (725 ILCS 5/108B-3) (from Ch. 38, par. 108B-3)

13 Sec. 108B-3. Authorization for the interception of private
14 communication.

15 (a) The State's Attorney, or a person designated in
16 writing or by law to act for him and to perform his duties
17 during his absence or disability, may authorize, in writing,
18 an ex parte application to the chief judge of a court of
19 competent jurisdiction for an order authorizing the
20 interception of a private communication when no party has
21 consented to the interception and (i) the interception may
22 provide evidence of, or may assist in the apprehension of a
23 person who has committed, is committing or is about to commit,
24 a violation of Section 8-1(b) (solicitation of murder), 8-1.2

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

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

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

22 (b-1) Subsection (b) is inoperative on and after January
23 1, 2005.

24 (b-2) No conversations recorded or monitored pursuant to
25 subsection (b) shall be made inadmissible in a court of law by
26 virtue of subsection (b-1).

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

5 (Source: P.A. 96-710, eff. 1-1-10; 96-1464, eff. 8-20-10;
6 97-897, eff. 1-1-13; 97-1150, eff. 1-25-13.)

7 (725 ILCS 5/124B-300)

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

1 of the Criminal Code of 1961 or of the Criminal Code of 2012
2 that the sentencing court determines, after a forfeiture
3 hearing under this Article, to have been acquired or
4 maintained as a result of maintaining a person in involuntary
5 servitude or participating in trafficking of persons.

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

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

9 (740 ILCS 128/10)

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

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

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

17 "Sex trade" means a violation or attempted violation of
18 any of the following Sections of the Criminal Code of 1961 or
19 the Criminal Code of 2012: 11-14.3 (promoting or facilitating
20 prostitution); 11-14.4 (promoting juvenile prostitution);
21 11-15 (soliciting for a prostitute); 11-15.1 (soliciting for a
22 juvenile prostitute); 11-16 (pandering); 11-17 (keeping a
23 place of prostitution); 11-17.1 (keeping a place of juvenile
24 prostitution); 11-19 (pimping); 11-19.1 (juvenile pimping and

1 aggravated juvenile pimping); 11-19.2 (exploitation of a
2 child); 11-20 (obscenity); 11-20.1 (child pornography);
3 11-20.1B or 11-20.3 (aggravated child pornography); or
4 subsection (c) of Section 10-9 (involuntary sexual servitude
5 of a minor).

6 "Sex trade" activity may involve adults and youth of all
7 genders and sexual orientations.

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

10 (1) soliciting for a prostitute: the prostitute who is
11 the object of the solicitation;

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

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

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

24 (5) keeping a place of juvenile prostitution: any
25 juvenile intended or compelled to act as a prostitute,
26 while present at the place, during the time period in

1 question;

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

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

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

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

24 (10) child pornography or aggravated child
25 pornography: any child, or person with a severe or
26 profound intellectual disability, who appears in or is

1 described or depicted in the offending conduct or
2 material; or

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

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

1 INDEX

2 Statutes amended in order of appearance

3 235 ILCS 5/6-2 from Ch. 43, par. 120

4 720 ILCS 5/10-9

5 720 ILCS 5/11-9.3

6 720 ILCS 5/11-14.3

7 720 ILCS 5/11-14.4

8 720 ILCS 5/11-18 from Ch. 38, par. 11-18

9 720 ILCS 5/11-18.1 from Ch. 38, par. 11-18.1

10 720 ILCS 5/33G-3

11 725 ILCS 5/108B-3 from Ch. 38, par. 108B-3

12 725 ILCS 5/124B-300

13 740 ILCS 128/10