



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB2072

Introduced 2/14/2005, by Rep. Michael J. Madigan - Barbara Flynn Currie - Robert S. Molaro

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-21.6

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning endangering the life or health of a child.

LRB094 03023 RLC 33024 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 Criminal Code of 1961 is amended by changing  
5 Section 12-21.6 as follows:

6 (720 ILCS 5/12-21.6)

7 Sec. 12-21.6. Endangering the life or health of a child.

8 (a) It is unlawful for any person to willfully cause or  
9 permit the ~~the~~ life or health of a child under the age of 18 to  
10 be endangered or to willfully cause or permit a child to be  
11 placed in circumstances that endanger the child's life or  
12 health, except that it is not unlawful for a person to  
13 relinquish a child in accordance with the Abandoned Newborn  
14 Infant Protection Act.

15 (b) There is a rebuttable presumption that a person  
16 committed the offense if he or she left a child 6 years of age  
17 or younger unattended in a motor vehicle for more than 10  
18 minutes.

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

22 (d) A violation of this Section is a Class A misdemeanor. A  
23 second or subsequent violation of this Section is a Class 3  
24 felony. A violation of this Section that is a proximate cause  
25 of the death of the child is a Class 3 felony for which a  
26 person, if sentenced to a term of imprisonment, shall be  
27 sentenced to a term of not less than 2 years and not more than  
28 10 years.

29 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;  
30 92-515, eff. 6-1-02; 92-651, eff. 7-11-02.)