

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 11-6 as follows:

6 (720 ILCS 5/11-6) (from Ch. 38, par. 11-6)

7 Sec. 11-6. Indecent solicitation of a child.

8 (a) A person of the age of 17 years and upwards commits the
9 offense of indecent solicitation of a child if the person, with
10 the intent that the offense of aggravated criminal sexual
11 assault, criminal sexual assault, predatory criminal sexual
12 assault of a child, or aggravated criminal sexual abuse be
13 committed, knowingly solicits a child or one whom he or she
14 believes to be a child to perform an act of sexual penetration
15 or sexual conduct as defined in Section 12-12 of this Code.

16 (a-5) A person of the age of 17 years and upwards commits
17 the offense of indecent solicitation of a child if the person
18 knowingly discusses an act of sexual conduct or sexual
19 penetration with a child or with one whom he or she believes to
20 be a child by means of the Internet with the intent that the
21 offense of aggravated criminal sexual assault, predatory
22 criminal sexual assault of a child, or aggravated criminal
23 sexual abuse be committed.

1 (a-6) It is not a defense to subsection (a-5) that the
2 person did not solicit the child to perform sexual conduct or
3 sexual penetration with the person.

4 (b) Definitions. As used in this Section:

5 "Solicit" means to command, authorize, urge, incite,
6 request, or advise another to perform an act by any means
7 including, but not limited to, in person, over the phone,
8 in writing, by computer, or by advertisement of any kind.

9 "Child" means a person under 17 years of age.

10 "Internet" means an interactive computer service or
11 system or an information service, system, or access
12 software provider that provides or enables computer access
13 by multiple users to a computer server, and includes, but
14 is not limited to, an information service, system, or
15 access software provider that provides access to a network
16 system commonly known as the Internet, or any comparable
17 system or service and also includes, but is not limited to,
18 a World Wide Web page, newsgroup, message board, mailing
19 list, or chat area on any interactive computer service or
20 system or other online service.

21 "Sexual penetration" or "sexual conduct" are defined
22 in Section 12-12 of this Code.

23 (c) Sentence. Indecent solicitation of a child under
24 subsection (a) is:

25 (1) a Class 1 felony when the act, if done, would be
26 predatory criminal sexual assault of a child or aggravated

1 criminal sexual assault;

2 (2) a Class 2 felony when the act, if done, would be
3 criminal sexual assault;

4 (3) a Class 3 felony when the act, if done, would be
5 aggravated criminal sexual abuse.

6 Indecent solicitation of a child under subsection (a-5) is
7 a Class 4 felony.

8 (Source: P.A. 91-226, eff. 7-22-99.)