



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB3416

Introduced 2/27/2007, by Rep. Ruth Munson - Linda Chapa LaVia

SYNOPSIS AS INTRODUCED:

730 ILCS 5/5-8-2.5 new

Amends the Unified Code of Corrections. Provides that if a streetgang member is convicted of a felony and uses the Internet to commit that felony, the court shall sentence the offender to a penalty that is one class higher than the penalty for the offense that the offender committed, except that if the felony is a Class X felony, first or second degree murder, or an offense for which the death penalty or life imprisonment may be imposed as a consequence of conviction, then the penalty shall be the same as provided by law for such offense.

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CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 Unified Code of Corrections is amended by
5 adding Section 5-8-2.5 as follows:

6 (730 ILCS 5/5-8-2.5 new)

7 Sec. 5-8-2.5. Internet felonies committed by streetgang
8 members; enhanced penalties. If a streetgang member is
9 convicted of a felony and uses the Internet to commit that
10 felony, the court shall sentence the offender to a penalty that
11 is one class higher than the penalty for the offense that the
12 offender committed, except that if the felony is a Class X
13 felony, first or second degree murder, or an offense for which
14 the death penalty or life imprisonment may be imposed as a
15 consequence of conviction, then the penalty shall be the same
16 as provided in Section 9-1 of the Criminal Code of 1961 or
17 Section 5-8-1 or 5-8-2 of this Code for such offense. For the
18 purpose of this Section, "Internet" has the meaning ascribed to
19 it in Section 16J-5 of the Criminal Code of 1961 as added by
20 Public Act 94-179, and "streetgang member" has the meaning
21 ascribed to it in Section 10 of the Illinois Streetgang
22 Terrorism Omnibus Prevention Act.