

# HB4613



## 95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

**HB4613**

by Rep. LaShawn K. Ford

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/17-3

from Ch. 38, par. 17-3

Amends the Criminal Code of 1961. Provides that forgery of a property deed is a Class 2 (rather than a Class 3) felony. Effective immediately.

LRB095 16534 RLC 42565 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

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 17-3 as follows:

6 (720 ILCS 5/17-3) (from Ch. 38, par. 17-3)  
7 Sec. 17-3. Forgery.

8 (a) A person commits forgery when, with intent to defraud,  
9 he knowingly:

10 (1) makes or alters any document apparently capable of  
11 defrauding another in such manner that it purports to have  
12 been made by another or at another time, or with different  
13 provisions, or by authority of one who did not give such  
14 authority; or

15 (2) issues or delivers such document knowing it to have  
16 been thus made or altered; or

17 (3) possesses, with intent to issue or deliver, any  
18 such document knowing it to have been thus made or altered;  
19 or

20 (4) unlawfully uses the digital signature, as defined  
21 in the Financial Institutions Electronic Documents and  
22 Digital Signature Act, of another; or

23 (5) unlawfully uses the signature device of another to

1 create an electronic signature of that other person, as  
2 those terms are defined in the Electronic Commerce Security  
3 Act.

4 (b) An intent to defraud means an intention to cause  
5 another to assume, create, transfer, alter or terminate any  
6 right, obligation or power with reference to any person or  
7 property. As used in this Section, "document" includes, but is  
8 not limited to, any document, representation, or image produced  
9 manually, electronically, or by computer.

10 (c) A document apparently capable of defrauding another  
11 includes, but is not limited to, one by which any right,  
12 obligation or power with reference to any person or property  
13 may be created, transferred, altered or terminated. A document  
14 includes any record or electronic record as those terms are  
15 defined in the Electronic Commerce Security Act.

16 (d) Sentence.

17 (1) Except as otherwise provided in clause (2) of this  
18 subsection (d), forgery ~~Forgery~~ is a Class 3 felony.

19 (2) Forgery of a property deed is a Class 2 felony.

20 (Source: P.A. 94-458, eff. 8-4-05.)

21 Section 99. Effective date. This Act takes effect upon  
22 becoming law.