

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 Sections 31-6 and 31-7 as follows:

6 (720 ILCS 5/31-6) (from Ch. 38, par. 31-6)

7 Sec. 31-6. Escape; failure to report to a penal institution
8 or to report for periodic imprisonment.

9 (a) A person convicted of a felony, adjudicated a
10 delinquent minor for the commission of a felony offense under
11 the Juvenile Court Act of 1987, or charged with the commission
12 of a felony who intentionally escapes from any penal
13 institution or from the custody of an employee of that
14 institution commits a Class 2 felony; however, a person
15 convicted of a felony or adjudicated a delinquent minor for the
16 commission of a felony offense under the Juvenile Court Act of
17 1987 who knowingly fails to report to a penal institution or to
18 report for periodic imprisonment at any time or knowingly fails
19 to return from furlough or from work and day release or who
20 knowingly fails to abide by the terms of home confinement is
21 guilty of a Class 3 felony.

22 (b) A person convicted of a misdemeanor, adjudicated a
23 delinquent minor for the commission of a misdemeanor offense

1 under the Juvenile Court Act of 1987, or charged with the
2 commission of a misdemeanor who intentionally escapes from any
3 penal institution or from the custody of an employee of that
4 institution commits a Class A misdemeanor; however, a person
5 convicted of a misdemeanor or adjudicated a delinquent minor
6 for the commission of a misdemeanor offense under the Juvenile
7 Court Act of 1987 who knowingly fails to report to a penal
8 institution or to report for periodic imprisonment at any time
9 or knowingly fails to return from furlough or from work and day
10 release or who knowingly fails to abide by the terms of home
11 confinement is guilty of a Class B misdemeanor.

12 (b-1) A person committed to the Department of Human
13 Services under the provisions of the Sexually Violent Persons
14 Commitment Act or in detention with the Department of Human
15 Services awaiting such a commitment who intentionally escapes
16 from any secure residential facility or from the custody of an
17 employee of that facility commits a Class 2 felony.

18 (c) A person in the lawful custody of a peace officer for
19 the alleged commission of a felony offense and who
20 intentionally escapes from custody commits a Class 2 felony;
21 however, a person in the lawful custody of a peace officer for
22 the alleged commission of a misdemeanor offense who
23 intentionally escapes from custody commits a Class A
24 misdemeanor.

25 (c-5) A person in the lawful custody of a peace officer for
26 an alleged violation of a term or condition of probation,

1 conditional discharge, parole, or mandatory supervised release
2 for a felony who intentionally escapes from custody is guilty
3 of a Class 2 felony.

4 (c-6) A person in the lawful custody of a peace officer for
5 an alleged violation of a term or condition of supervision,
6 probation, or conditional discharge for a misdemeanor who
7 intentionally escapes from custody is guilty of a Class A
8 misdemeanor.

9 (d) A person who violates this Section while armed with a
10 dangerous weapon commits a Class 1 felony.

11 (Source: P.A. 89-647, eff. 1-1-97; 89-656, eff. 1-1-97; 89-689,
12 eff. 12-31-96; 90-14, eff. 7-1-97; 90-793, eff. 8-14-98.)

13 (720 ILCS 5/31-7) (from Ch. 38, par. 31-7)
14 Sec. 31-7. Aiding escape.

15 (a) Whoever, with intent to aid any prisoner in escaping
16 from any penal institution, conveys into the institution or
17 transfers to the prisoner anything for use in escaping commits
18 a Class A misdemeanor.

19 (b) Whoever knowingly aids a person convicted of a felony,
20 adjudicated a delinquent minor for the commission of a felony
21 offense under the Juvenile Court Act of 1987, or charged with
22 the commission of a felony in escaping from any penal
23 institution or from the custody of any employee of that
24 institution commits a Class 2 felony; however, whoever
25 knowingly aids a person convicted of a felony, adjudicated a

1 delinquent minor for the commission of a felony offense under
2 the Juvenile Court Act of 1987, or charged with the commission
3 of a felony in failing to return from furlough or from work and
4 day release is guilty of a Class 3 felony.

5 (c) Whoever knowingly aids a person convicted of a
6 misdemeanor, adjudicated a delinquent minor for the commission
7 of a misdemeanor offense under the Juvenile Court Act of 1987,
8 or charged with the commission of a misdemeanor in escaping
9 from any penal institution or from the custody of an employee
10 of that institution commits a Class A misdemeanor; however,
11 whoever knowingly aids a person convicted of a misdemeanor,
12 adjudicated a delinquent minor for the commission of a
13 misdemeanor offense under the Juvenile Court Act of 1987, or
14 charged with the commission of a misdemeanor in failing to
15 return from furlough or from work and day release is guilty of
16 a Class B misdemeanor.

17 (d) Whoever knowingly aids a person in escaping from any
18 public institution, other than a penal institution, in which he
19 is lawfully detained, or from the custody of an employee of
20 that institution, commits a Class A misdemeanor.

21 (e) Whoever knowingly aids a person in the lawful custody
22 of a peace officer for the alleged commission of a felony
23 offense in escaping from custody commits a Class 2 felony;
24 however, whoever knowingly aids a person in the lawful custody
25 of a peace officer for the alleged commission of a misdemeanor
26 offense in escaping from custody commits a Class A misdemeanor.

1 (f) An officer or employee of any penal institution who
2 recklessly permits any prisoner in his custody to escape
3 commits a Class A misdemeanor.

4 (f-5) With respect to a person in the lawful custody of a
5 peace officer for an alleged violation of a term or condition
6 of probation, conditional discharge, parole, or mandatory
7 supervised release for a felony, whoever intentionally aids
8 that person to escape from that custody is guilty of a Class 2
9 felony.

10 (f-6) With respect to a person who is in the lawful custody
11 of a peace officer for an alleged violation of a term or
12 condition of supervision, probation, or conditional discharge
13 for a misdemeanor, whoever intentionally aids that person to
14 escape from that custody is guilty of a Class A misdemeanor.

15 (g) A person who violates this Section while armed with a
16 dangerous weapon commits a Class 1 ~~2~~ felony.

17 (Source: P.A. 89-656, eff. 1-1-97; 89-689, eff. 12-31-96.)

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.