



Sen. Antonio Munoz

Filed: 5/30/2008

09500SB2720sam002

LRB095 05884 RLC 51424 a

1 AMENDMENT TO SENATE BILL 2720

2 AMENDMENT NO. _____. Amend Senate Bill 2720 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Illinois Vehicle Code is amended by
5 changing Section 12-612 as follows:

6 (625 ILCS 5/12-612)

7 Sec. 12-612. False or secret compartment in a ~~motor~~
8 vehicle.

9 (a) Offenses. It is unlawful for any person:

10 (1) to own or operate with criminal intent any ~~motor~~
11 vehicle he or she knows to contain a false or secret
12 compartment that is used or has been used to conceal a
13 firearm as prohibited by paragraph (a)(4) of Section 24-1
14 or paragraph (a)(1) of Section 24-1.6 of the Criminal Code
15 of 1961, or controlled substance as prohibited by the
16 Illinois Controlled Substances Act or the Methamphetamine

1 ~~Control and Community Protection Act; or. It is unlawful~~
2 ~~for any person to knowingly~~

3 (2) to install, create, build, or fabricate in any
4 ~~motor~~ vehicle a false or secret compartment knowing that
5 another person intends to use the compartment to conceal a
6 firearm as prohibited by paragraph (a)(4) of Section 24-1
7 of the Criminal Code of 1961, or controlled substance as
8 prohibited by the Illinois Controlled Substances Act or the
9 Methamphetamine Control and Community Protection Act.

10 (b) Definitions. For purposes of this Section: ~~a "false~~

11 (1) "False or secret compartment" means an enclosure
12 integrated into a vehicle that is a modification of the
13 vehicle as built by the original manufacturer.

14 (2) "Vehicle" means any of the following vehicles
15 without regard to whether the vehicles are private or
16 commercial, including, but not limited to, cars, trucks,
17 buses, aircraft, and watercraft ~~any enclosure that is~~
18 ~~intended and designed to be used to conceal, hide, and~~
19 ~~prevent discovery by law enforcement officers of the false~~
20 ~~or secret compartment, or its contents, and which is~~
21 ~~integrated into a vehicle. For purpose of this Section, a~~
22 ~~person's intention to use a false or secret compartment to~~
23 ~~conceal the contents of the compartment from a law~~
24 ~~enforcement officer may be inferred from factors~~
25 ~~including, but not limited to, the discovery of a person,~~
26 ~~firearm, controlled substance, or other contraband within~~

1 ~~the false or secret compartment, or from the discovery of~~
2 ~~evidence of the previous placement of a person, firearm,~~
3 ~~controlled substance, or other contraband within the false~~
4 ~~or secret compartment.~~

5 (c) Forfeiture. Any ~~motor~~ vehicle containing a false or
6 secret compartment, as well as any items within that
7 compartment, shall be subject to seizure by the Department of
8 State Police or by any municipal or other local law enforcement
9 agency within whose jurisdiction that property is found as
10 provided in Sections 36-1 and 36-2 of the Criminal Code of 1961
11 (720 ILCS 5/36-1 and 5/36-2). The removal of the false or
12 secret compartment from the ~~motor~~ vehicle, or the promise to do
13 so, shall not be the basis for a defense to forfeiture of the
14 motor vehicle under Section 36-2 of the Criminal Code of 1961
15 and shall not be the basis for the court to release the vehicle
16 to the owner.

17 (d) Sentence. A violation of this Section is a Class 4
18 felony. The sentence imposed for violation of this Section
19 shall be served consecutively to any other sentence imposed in
20 connection with the firearm, controlled substance, or other
21 contraband concealed in the false or secret compartment.

22 (e) For purposes of this Section, a new owner is not
23 responsible for any conduct that occurred or knowledge of
24 conduct that occurred prior to transfer of title.

25 (Source: P.A. 93-276, eff. 1-1-04.)".