

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 26-1, 29D-20 and 29D-25 as follows:

6 (720 ILCS 5/26-1) (from Ch. 38, par. 26-1)

7 Sec. 26-1. Elements of the Offense.

8 (a) A person commits disorderly conduct when he knowingly:

9 (1) Does any act in such unreasonable manner as to
10 alarm or disturb another and to provoke a breach of the
11 peace; or

12 (2) Transmits or causes to be transmitted in any manner
13 to the fire department of any city, town, village or fire
14 protection district a false alarm of fire, knowing at the
15 time of such transmission that there is no reasonable
16 ground for believing that such fire exists; or

17 (3) Transmits or causes to be transmitted in any manner
18 to another a false alarm to the effect that a bomb or other
19 explosive of any nature or a container holding poison gas,
20 a deadly biological or chemical contaminant, or
21 radioactive substance is concealed in such place that its
22 explosion or release would endanger human life, knowing at
23 the time of such transmission that there is no reasonable

1 ground for believing that such bomb, explosive or a
2 container holding poison gas, a deadly biological or
3 chemical contaminant, or radioactive substance is
4 concealed in such place; or

5 (4) Transmits or causes to be transmitted in any manner
6 to any peace officer, public officer or public employee a
7 report to the effect that an offense will be committed, is
8 being committed, or has been committed, knowing at the time
9 of such transmission that there is no reasonable ground for
10 believing that such an offense will be committed, is being
11 committed, or has been committed; or

12 (5) Enters upon the property of another and for a lewd
13 or unlawful purpose deliberately looks into a dwelling on
14 the property through any window or other opening in it; or

15 (6) While acting as a collection agency as defined in
16 the "Collection Agency Act" or as an employee of such
17 collection agency, and while attempting to collect an
18 alleged debt, makes a telephone call to the alleged debtor
19 which is designed to harass, annoy or intimidate the
20 alleged debtor; or

21 (7) Transmits or causes to be transmitted a false
22 report to the Department of Children and Family Services
23 under Section 4 of the "Abused and Neglected Child
24 Reporting Act"; or

25 (8) Transmits or causes to be transmitted a false
26 report to the Department of Public Health under the Nursing

1 Home Care Act; or

2 (9) Transmits or causes to be transmitted in any manner
3 to the police department or fire department of any
4 municipality or fire protection district, or any privately
5 owned and operated ambulance service, a false request for
6 an ambulance, emergency medical technician-ambulance or
7 emergency medical technician-paramedic knowing at the time
8 there is no reasonable ground for believing that such
9 assistance is required; or

10 (10) Transmits or causes to be transmitted a false
11 report under Article II of "An Act in relation to victims
12 of violence and abuse", approved September 16, 1984, as
13 amended; or

14 (11) Transmits or causes to be transmitted a false
15 report to any public safety agency without the reasonable
16 grounds necessary to believe that transmitting such a
17 report is necessary for the safety and welfare of the
18 public; or

19 (12) Calls the number "911" for the purpose of making
20 or transmitting a false alarm or complaint and reporting
21 information when, at the time the call or transmission is
22 made, the person knows there is no reasonable ground for
23 making the call or transmission and further knows that the
24 call or transmission could result in the emergency response
25 of any public safety agency.

26 (b) Sentence. A violation of subsection (a)(1) of this

1 Section is a Class C misdemeanor. A violation of subsection
2 (a)(5), (a)(11), or (a)(12) of this Section is a Class A
3 misdemeanor. A violation of subsection (a)(8) or (a)(10) of
4 this Section is a Class B misdemeanor. A violation of
5 subsection (a)(2), (a)(4), (a)(7), or (a)(9) of this Section is
6 a Class 4 felony. A violation of subsection (a)(3) of this
7 Section is a Class 3 felony, for which a fine of not less than
8 \$3,000 and no more than \$10,000 shall be assessed in addition
9 to any other penalty imposed.

10 A violation of subsection (a)(6) of this Section is a
11 Business Offense and shall be punished by a fine not to exceed
12 \$3,000. A second or subsequent violation of subsection (a)(7),
13 (a)(11), or (a)(12) of this Section is a Class 4 felony. A
14 third or subsequent violation of subsection (a)(5) of this
15 Section is a Class 4 felony.

16 (c) In addition to any other sentence that may be imposed,
17 a court shall order any person convicted of disorderly conduct
18 to perform community service for not less than 30 and not more
19 than 120 hours, if community service is available in the
20 jurisdiction and is funded and approved by the county board of
21 the county where the offense was committed. In addition,
22 whenever any person is placed on supervision for an alleged
23 offense under this Section, the supervision shall be
24 conditioned upon the performance of the community service.

25 This subsection does not apply when the court imposes a
26 sentence of incarceration.

1 (d) In addition to any other sentence that may be imposed,
2 the court shall order any person convicted of disorderly
3 conduct under paragraph (3) of subsection (a) involving a false
4 alarm of a threat that a bomb or explosive device has been
5 placed in a school to reimburse the unit of government that
6 employs the emergency response officer or officers that were
7 dispatched to the school for the cost of the search for a bomb
8 or explosive device. For the purposes of this Section,
9 "emergency response" means any incident requiring a response by
10 a police officer, a firefighter, a State Fire Marshal employee,
11 or an ambulance.

12 (Source: P.A. 92-16, eff. 6-28-01; 92-502, eff. 12-19-01;
13 93-431, eff. 8-5-03.)

14 (720 ILCS 5/29D-20)

15 Sec. 29D-20. Making a terrorist threat.

16 (a) A person is guilty of making a terrorist threat when,
17 with the intent to intimidate or coerce a significant portion
18 of a civilian population, he or she in any manner knowingly
19 threatens to commit or threatens to cause the commission of a
20 terrorist act as defined in Section 29D-10(1) and thereby
21 causes a reasonable expectation or fear of the imminent
22 commission of a terrorist act as defined in Section 29D-10(1)
23 or of another terrorist act as defined in Section 29D-10(1).

24 (b) It is not a defense to a prosecution under this Section
25 that at the time the defendant made the terrorist threat,

1 unknown to the defendant, it was impossible to carry out the
2 threat, nor is it a defense that the threat was not made to a
3 person who was a subject or intended victim of the threatened
4 act.

5 (c) Sentence. Making a terrorist threat is a Class X
6 felony.

7 (d) In addition to any other sentence that may be imposed,
8 the court shall order any person convicted of making a
9 terrorist threat involving a threat that a bomb or explosive
10 device has been placed in a school to reimburse the unit of
11 government that employs the emergency response officer or
12 officers that were dispatched to the school for the cost of the
13 search for a bomb or explosive device. For the purposes of this
14 Section, "emergency response" means any incident requiring a
15 response by a police officer, a firefighter, a State Fire
16 Marshal employee, or an ambulance.

17 (Source: P.A. 92-854, eff. 12-5-02.)

18 (720 ILCS 5/29D-25)

19 Sec. 29D-25. Falsely making a terrorist threat.

20 (a) A person is guilty of falsely making a terrorist threat
21 when in any manner he or she knowingly makes a threat to commit
22 or cause to be committed a terrorist act as defined in Section
23 29D-10(1) or otherwise knowingly creates the impression or
24 belief that a terrorist act is about to be or has been
25 committed, or in any manner knowingly makes a threat to commit

1 or cause to be committed a catastrophe as defined in Section
2 20.5-5 (720 ILCS 5/20.5-5) of this Code which he or she knows
3 is false.

4 (b) Sentence. Falsely making a terrorist threat is a Class
5 1 felony.

6 (c) In addition to any other sentence that may be imposed,
7 the court shall order any person convicted of falsely making a
8 terrorist threat, involving a threat that a bomb or explosive
9 device has been placed in a school in which the offender knows
10 that such bomb or explosive device was not placed in the
11 school, to reimburse the unit of government that employs the
12 emergency response officer or officers that were dispatched to
13 the school for the cost of the search for a bomb or explosive
14 device. For the purposes of this Section, "emergency response"
15 means any incident requiring a response by a police officer, a
16 firefighter, a State Fire Marshal employee, or an ambulance.

17 (Source: P.A. 92-854, eff. 12-5-02.)

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