

HB3538



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3538

Introduced 2/24/2011, by Rep. Edward J. Acevedo

SYNOPSIS AS INTRODUCED:

720 ILCS 5/31-4
720 ILCS 5/32-4

from Ch. 38, par. 31-4
from Ch. 38, par. 32-4

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning obstructing justice and in a Section concerning communicating with jurors and witnesses.

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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 Sections 31-4 and 32-4 as follows:

6 (720 ILCS 5/31-4) (from Ch. 38, par. 31-4)

7 Sec. 31-4. Obstructing justice.

8 A person obstructs justice when, with intent to prevent the
9 ~~the~~ apprehension or obstruct the prosecution or defense of any
10 person, he knowingly commits any of the following acts:

11 (a) Destroys, alters, conceals or disguises physical
12 evidence, plants false evidence, furnishes false information;
13 or

14 (b) Induces a witness having knowledge material to the
15 subject at issue to leave the State or conceal himself; or

16 (c) Possessing knowledge material to the subject at issue,
17 he leaves the State or conceals himself.

18 (d) Sentence.

19 (1) Obstructing justice is a Class 4 felony, except as
20 provided in paragraph (2) of this subsection (d).

21 (2) Obstructing justice in furtherance of streetgang
22 related or gang-related activity, as defined in Section 10
23 of the Illinois Streetgang Terrorism Omnibus Prevention

1 Act, is a Class 3 felony.

2 (Source: P.A. 90-363, eff. 1-1-98.)

3 (720 ILCS 5/32-4) (from Ch. 38, par. 32-4)

4 Sec. 32-4. Communicating with jurors and witnesses.

5 (a) A person who, with intent to influence any ~~any~~ person
6 whom he believes has been summoned as a juror, regarding any
7 matter which is or may be brought before such juror,
8 communicates, directly or indirectly, with such juror
9 otherwise than as authorized by law commits a Class 4 felony.

10 (b) A person who, with intent to deter any party or witness
11 from testifying freely, fully and truthfully to any matter
12 pending in any court, or before a Grand Jury, Administrative
13 agency or any other State or local governmental unit, forcibly
14 detains such party or witness, or communicates, directly or
15 indirectly, to such party or witness any knowingly false
16 information or a threat of injury or damage to the property or
17 person of any individual or offers or delivers or threatens to
18 withhold money or another thing of value to any individual
19 commits a Class 3 felony.

20 (c) A person who violates the Juror Protection Act commits
21 a Class 4 felony.

22 (Source: P.A. 94-186, eff. 1-1-06.)