

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 17-2 and 32-5 as follows:

6 (720 ILCS 5/17-2) (from Ch. 38, par. 17-2)

7 Sec. 17-2. False personation; use of title; solicitation;  
8 certain entities.

9 (a) A person commits a false personation when he or she  
10 falsely represents himself or herself to be a member or  
11 representative of any veterans' or public safety personnel  
12 organization or a representative of any charitable  
13 organization, or when any person exhibits or uses in any manner  
14 any decal, badge or insignia of any charitable, public safety  
15 personnel, or veterans' organization when not authorized to do  
16 so by the charitable, public safety personnel, or veterans'  
17 organization. "Public safety personnel organization" has the  
18 meaning ascribed to that term in Section 1 of the Solicitation  
19 for Charity Act.

20 (a-5) A person commits a false personation when he or she  
21 falsely represents himself or herself to be a veteran in  
22 seeking employment or public office. In this subsection,  
23 "veteran" means a person who has served in the Armed Services

1 or Reserve Forces of the United States.

2 (a-6) A person commits a false personation when he or she  
3 falsely represents himself or herself to be a recipient of, or  
4 wears on his or her person, any of the following medals if that  
5 medal was not awarded to that person by the United States  
6 government, irrespective of branch of service: the  
7 Congressional Medal of Honor, the Distinguished Service Cross,  
8 the Navy Cross, the Air Force Cross, the Silver Star, the  
9 Bronze Star, or the Purple Heart.

10 It is a defense to a prosecution under this subsection  
11 (a-6) that the medal is used, or is intended to be used,  
12 exclusively:

13 (1) for a dramatic presentation, such as a theatrical,  
14 film, or television production, or a historical  
15 re-enactment; or

16 (2) for a costume worn, or intended to be worn, by a  
17 person under 18 years of age.

18 (a-7) A person commits a false personation when he or she  
19 knowingly and falsely represents himself or herself to be:

20 (1) another actual person and does an act in such  
21 assumed character with intent to intimidate, threaten,  
22 injure, defraud, or to obtain a benefit from another; or

23 (2) a representative of an actual person or  
24 organization and does an act in such false capacity with  
25 intent to obtain a benefit or to injure or defraud another.

26 (b) No person shall use the words "Chicago Police,"

1 "Chicago Police Department," "Chicago Patrolman," "Chicago  
2 Sergeant," "Chicago Lieutenant," "Chicago Peace Officer" or  
3 any other words to the same effect in the title of any  
4 organization, magazine, or other publication without the  
5 express approval of the Chicago Police Board.

6 (b-5) No person shall use the words "Cook County Sheriff's  
7 Police" or "Cook County Sheriff" or any other words to the same  
8 effect in the title of any organization, magazine, or other  
9 publication without the express approval of the office of the  
10 Cook County Sheriff's Merit Board. The references to names and  
11 titles in this Section may not be construed as authorizing use  
12 of the names and titles of other organizations or public safety  
13 personnel organizations otherwise prohibited by this Section  
14 or the Solicitation for Charity Act.

15 (b-10) No person may use, in the title of any organization,  
16 magazine, or other publication, the words "officer", "peace  
17 officer", "police", "law enforcement", "trooper", "sheriff",  
18 "deputy", "deputy sheriff", or "state police" in combination  
19 with the name of any state, state agency, public university, or  
20 unit of local government without the express written  
21 authorization of that state, state agency, or unit of local  
22 government.

23 (c) (Blank).

24 (c-1) No person may claim or represent that he or she is  
25 acting on behalf of any police department, chief of a police  
26 department, fire department, chief of a fire department,

1 sheriff's department, or sheriff when soliciting financial  
2 contributions or selling or delivering or offering to sell or  
3 deliver any merchandise, goods, services, memberships, or  
4 advertisements unless the chief of the police department, fire  
5 department, and the corporate or municipal authority thereof,  
6 or the sheriff has first entered into a written agreement with  
7 the person or with an organization with which the person is  
8 affiliated and the agreement permits the activity.

9 (c-2) No person, when soliciting financial contributions  
10 or selling or delivering or offering to sell or deliver any  
11 merchandise, goods, services, memberships, or advertisements  
12 may claim or represent that he or she is representing or acting  
13 on behalf of any nongovernmental organization by any name which  
14 includes "officer", "peace officer", "police", "law  
15 enforcement", "trooper", "sheriff", "deputy", "deputy  
16 sheriff", "State police", or any other word or words which  
17 would reasonably be understood to imply that the organization  
18 is composed of law enforcement personnel unless the person is  
19 actually representing or acting on behalf of the  
20 nongovernmental organization, and the nongovernmental  
21 organization is controlled by and governed by a membership of  
22 and represents a group or association of active duty peace  
23 officers, retired peace officers, or injured peace officers and  
24 before commencing the solicitation or the sale or the offers to  
25 sell any merchandise, goods, services, memberships, or  
26 advertisements, a written contract between the soliciting or

1 selling person and the nongovernmental organization has been  
2 entered into.

3 (c-3) No person may solicit financial contributions or sell  
4 or deliver or offer to sell or deliver any merchandise, goods,  
5 services, memberships, or advertisements on behalf of a police,  
6 sheriff, or other law enforcement department unless that person  
7 is actually representing or acting on behalf of the department  
8 or governmental organization and has entered into a written  
9 contract with the police chief, or head of the law enforcement  
10 department, and the corporate or municipal authority thereof,  
11 or the sheriff, which specifies and states clearly and fully  
12 the purposes for which the proceeds of the solicitation,  
13 contribution, or sale will be used.

14 (c-4) No person, when soliciting financial contributions  
15 or selling or delivering or offering to sell or deliver any  
16 merchandise, goods, services, memberships, or advertisements,  
17 may claim or represent that he or she is representing or acting  
18 on behalf of any nongovernmental organization by any name which  
19 includes the term "fireman", "fire fighter", "paramedic", or  
20 any other word or words which would reasonably be understood to  
21 imply that the organization is composed of fire fighter or  
22 paramedic personnel unless the person is actually representing  
23 or acting on behalf of the nongovernmental organization, and  
24 the nongovernmental organization is controlled by and governed  
25 by a membership of and represents a group or association of  
26 active duty, retired, or injured fire fighters (for the

1 purposes of this Section, "fire fighter" has the meaning  
2 ascribed to that term in Section 2 of the Illinois Fire  
3 Protection Training Act) or active duty, retired, or injured  
4 emergency medical technicians - ambulance, emergency medical  
5 technicians - intermediate, emergency medical technicians -  
6 paramedic, ambulance drivers, or other medical assistance or  
7 first aid personnel, and before commencing the solicitation or  
8 the sale or delivery or the offers to sell or deliver any  
9 merchandise, goods, services, memberships, or advertisements,  
10 a written contract between the soliciting or selling person and  
11 the nongovernmental organization has been entered into.

12 (c-5) No person may solicit financial contributions or sell  
13 or deliver or offer to sell or deliver any merchandise, goods,  
14 services, memberships, or advertisements on behalf of a  
15 department or departments of fire fighters unless that person  
16 is actually representing or acting on behalf of the department  
17 or departments and has entered into a written contract with the  
18 department chief and corporate or municipal authority thereof  
19 which specifies and states clearly and fully the purposes for  
20 which the proceeds of the solicitation, contribution, or sale  
21 will be used.

22 (c-6) No person may claim or represent that he or she is an  
23 airman, airline employee, airport employee, or contractor at an  
24 airport in order to obtain the uniform, identification card,  
25 license, or other identification paraphernalia of an airman,  
26 airline employee, airport employee, or contractor at an

1 airport.

2 (d) Sentence. False personation, unapproved use of a name  
3 or title, or solicitation in violation of subsection (a), (b),  
4 (b-5), or (b-10) of this Section is a Class C misdemeanor.  
5 False personation in violation of subsections (a-5), (a-7), and  
6 (c-6) is a Class A misdemeanor. False personation in violation  
7 of subsection (a-6) of this Section is a petty offense for  
8 which the offender shall be fined at least \$100 and not  
9 exceeding \$200. Engaging in any activity in violation of  
10 subsection (c-1), (c-2), (c-3), (c-4), or (c-5) of this Section  
11 is a Class 4 felony.

12 (e) A violation of this Section may be accomplished in  
13 person or by any means of communication, including but not  
14 limited to the use of an Internet website or any form of  
15 electronic communication.

16 (Source: P.A. 95-331, eff. 8-21-07; 96-328, eff. 8-11-09.)

17 (720 ILCS 5/32-5) (from Ch. 38, par. 32-5)

18 Sec. 32-5. False personation of attorney, judicial, or  
19 governmental officials.

20 (a) A person who falsely represents himself or herself to  
21 be an attorney authorized to practice law for purposes of  
22 compensation or consideration commits a Class 4 felony. This  
23 subsection (a) does not apply to a person who unintentionally  
24 fails to pay attorney registration fees established by Supreme  
25 Court Rule.

1 (b) A person who falsely represents himself or herself to  
2 be a public officer or a public employee or an official or  
3 employee of the federal government commits a Class A  
4 misdemeanor. If the false representation is made in furtherance  
5 of the commission of a felony, the penalty for a violation of  
6 this subsection (b) is a Class 4 felony.

7 (b-5) The trier of fact may infer that a person falsely  
8 represents himself or herself to be a public officer or a  
9 public employee or an official or employee of the federal  
10 government if the person:

11 (1) wears or displays without authority any uniform,  
12 badge, insignia, or facsimile thereof by which a public  
13 officer or public employee or official or employee of the  
14 federal government is lawfully distinguished; or

15 (2) falsely expresses by word or action that he or she  
16 is a public officer or public employee or official or  
17 employee of the federal government and is acting with  
18 approval or authority of a public agency or department.

19 (c) A person who falsely represents himself or herself to  
20 be a public officer or a public employee commits a Class 4  
21 felony if that false representation was for the purpose of  
22 effectuating identity theft as defined in Section 16G-15 of  
23 this Code.

24 (Source: P.A. 94-985, eff. 1-1-07; 95-324, eff. 1-1-08; 95-625,  
25 eff. 6-1-08; 95-876, eff. 8-21-08.)