

# SB1699



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB1699

Introduced 2/9/2011, by Sen. John J. Millner

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/16H-60

Amends the Criminal Code of 1961. Provides that a financial crime, the full value of which exceeds \$500,000 but does not exceed \$1,000,000, is a Class 1 non-probationable felony. Provides that a financial crime, the full value of which exceeds \$1,000,000, is a Class X felony.

LRB097 09596 RLC 49733 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 Section 16H-60 as follows:

6 (720 ILCS 5/16H-60)

7 Sec. 16H-60. Sentence.

8 (a) A financial crime, the full value of which does not  
9 exceed \$500, is a Class A misdemeanor.

10 (b) A person who has been convicted of a financial crime,  
11 the full value of which does not exceed \$500, and who has been  
12 previously convicted of a financial crime or any type of theft,  
13 robbery, armed robbery, burglary, residential burglary,  
14 possession of burglary tools, or home invasion, is guilty of a  
15 Class 4 felony. When a person has such prior conviction, the  
16 information or indictment charging that person shall state such  
17 prior conviction so as to give notice of the State's intention  
18 to treat the charge as a felony. The fact of such prior  
19 conviction is not an element of the offense and may not be  
20 disclosed to the jury during trial unless otherwise permitted  
21 by issues properly raised during such trial.

22 (c) A financial crime, the full value of which exceeds \$500  
23 but does not exceed \$10,000, is a Class 3 felony. When a charge

1 of financial crime, the full value of which exceeds \$500 but  
2 does not exceed \$10,000, is brought, the value of the financial  
3 crime involved is an element of the offense to be resolved by  
4 the trier of fact as either exceeding or not exceeding \$500.

5 (d) A financial crime, the full value of which exceeds  
6 \$10,000 but does not exceed \$100,000, is a Class 2 felony. When  
7 a charge of financial crime, the full value of which exceeds  
8 \$10,000 but does not exceed \$100,000, is brought, the value of  
9 the financial crime involved is an element of the offense to be  
10 resolved by the trier of fact as either exceeding or not  
11 exceeding \$10,000.

12 (e) A financial crime, the full value of which exceeds  
13 \$100,000 but does not exceed \$500,000, is a Class 1 felony.  
14 When a charge of financial crime, the full value of which  
15 exceeds \$100,000 but does not exceed \$500,000, is brought, the  
16 value of the financial crime involved is an element of the  
17 offense to be resolved by the trier of fact as either exceeding  
18 or not exceeding \$100,000.

19 (f) A financial crime which is a financial institution  
20 robbery is a Class 1 felony.

21 (g) A financial crime which is a continuing financial  
22 crimes enterprise is a Class 1 felony.

23 (h) A financial crime which is the offense of being an  
24 organizer of a continuing financial crimes enterprise is a  
25 Class X felony.

26 (i) (Blank).

1       (j) A financial crime, the full value of which exceeds  
2       \$500,000 but does not exceed \$1,000,000, is a Class 1  
3       non-probationable felony. When a charge of financial crime, the  
4       full value of which exceeds \$500,000 but does not exceed  
5       \$1,000,000, is brought, the value of the financial crime  
6       involved is an element of the offense to be resolved by the  
7       trier of fact as either exceeding or not exceeding \$500,000.

8       (k) A financial crime, the full value of which exceeds  
9       \$1,000,000, is a Class X felony. When a charge of financial  
10       crime, the full value of which exceeds \$1,000,000, is brought,  
11       the value of the financial crime involved is an element of the  
12       offense to be resolved by the trier of fact as either exceeding  
13       or not exceeding \$1,000,000.

14       (Source: P.A. 96-534, eff. 8-14-09; 96-1301, eff. 1-1-11.)