



Sen. Dan Kotowski

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09800HB1443sam003

LRB098 07483 RLC 46357 a

1 AMENDMENT TO HOUSE BILL 1443

2 AMENDMENT NO. _____. Amend House Bill 1443, AS AMENDED, by
3 replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Criminal Code of 2012 is amended by adding
6 Section 12C-50.1 as follows:

7 (720 ILCS 5/12C-50.1 new)

8 Sec. 12C-50.1. Failure to report hazing.

9 (a) For purposes of this Section, "school official"
10 includes any and all paid school administrators, teachers,
11 counselors, support staff, and coaches and any and all
12 volunteer coaches employed by a school, college, university, or
13 other educational institution of this State.

14 (b) A school official commits failure to report hazing
15 when:

16 (1) while fulfilling his or her official

1 responsibilities as a school official, he or she personally
2 observes an act which is not sanctioned or authorized by
3 that educational institution;

4 (2) the act results in bodily harm to any person; and

5 (3) the school official knowingly fails to report the
6 act to supervising educational authorities or, in the event
7 of death or great bodily harm, to law enforcement.

8 (c) Sentence. Failure to report hazing is a Class B
9 misdemeanor. If the act which the person failed to report
10 resulted in death or great bodily harm, the offense is a Class
11 A misdemeanor.

12 (d) It is an affirmative defense to a charge of failure to
13 report hazing under this Section that the person who personally
14 observed the act had a reasonable apprehension that timely
15 action to stop the act would result in the imminent infliction
16 of death, great bodily harm, permanent disfigurement, or
17 permanent disability to that person or another in retaliation
18 for reporting.

19 (e) Nothing in this Section shall be construed to allow
20 prosecution of a person who personally observes the act of
21 hazing and assists with an investigation and any subsequent
22 prosecution of the offender.

23 Section 99. Effective date. This Act takes effect upon
24 becoming law."