



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

HB3402

by Rep. Silvana Tabares

SYNOPSIS AS INTRODUCED:

105 ILCS 5/26-10

from Ch. 122, par. 26-10

Amends the Compulsory Attendance Article of the School Code. In provisions concerning the penalty for knowingly and willfully permitting a child to persist in his or her truancy, provides that any person having custody or control of a child who is receiving special education services is guilty of a Class B misdemeanor and is subject to not more than 6 months' imprisonment or a fine of up to \$1,000 or both upon conviction for knowingly and willfully persisting in the child's truancy.

LRB099 08381 NHT 28533 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section
5 26-10 as follows:

6 (105 ILCS 5/26-10) (from Ch. 122, par. 26-10)

7 Sec. 26-10. Fine for noncompliance.† Any person having
8 custody or control of a child subject to the provisions of this
9 Article to whom notice has been given of the child's truancy
10 and who knowingly and wilfully permits such a child to persist
11 in his or her truancy within that school year, upon conviction
12 thereof shall be guilty of a Class C misdemeanor and shall be
13 subject to not more than 30 days imprisonment and/or a fine of
14 up to \$500. However, if the child is receiving special
15 education services under Article 14 of this Code, any person
16 having custody or control of that child is guilty of a Class B
17 misdemeanor and is subject to not more than 6 months'
18 imprisonment or a fine of up to \$1,000 or both upon conviction
19 for knowingly and willfully persisting in the child's truancy.

20 (Source: P.A. 80-908.)