

1 exceeding or not exceeding the specified value.

2 (d) Sentence.

3 (1) Financial identity theft of credit, money,
4 goods, services, or other property not exceeding \$300 in
5 value is a Class A misdemeanor. A person who has been
6 previously convicted of financial identity theft of less
7 than \$300 who is convicted of a second or subsequent
8 offense of financial identity theft of less than \$300 is
9 guilty of a Class 4 felony. A person who has been
10 convicted of financial identity theft of less than \$300
11 who has been previously convicted of any type of theft,
12 robbery, armed robbery, burglary, residential burglary,
13 possession of burglary tools, home invasion, home repair
14 fraud, aggravated home repair fraud, or financial
15 exploitation of an elderly or disabled person is guilty
16 of a Class 4 felony. When a person has any such prior
17 conviction, the information or indictment charging that
18 person shall state the prior conviction so as to give
19 notice of the State's intention to treat the charge as a
20 felony. The fact of the prior conviction is not an
21 element of the offense and may not be disclosed to the
22 jury during trial unless otherwise permitted by issues
23 properly raised during the trial.

24 (2) Financial identity theft of credit, money,
25 goods, services, or other property exceeding \$300 and not
26 exceeding \$2,000 in value is a Class 4 felony.

27 (3) Financial identity theft of credit, money,
28 goods, services, or other property exceeding \$2,000 and
29 not exceeding \$10,000 in value is a Class 3 felony.

30 (4) Financial identity theft of credit, money,
31 goods, services, or other property exceeding \$10,000 and
32 not exceeding \$100,000 in value is a Class 2 felony.

33 (5) Financial identity theft of credit, money,
34 goods, services, or other property exceeding \$100,000 in

1 value is a Class 1 felony.

2 (Source: P.A. 91-517, eff. 8-13-99.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".