



Rep. Melissa Conyears-Ervin

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10000SB1759ham001

LRB100 11326 RLC 26971 a

1 AMENDMENT TO SENATE BILL 1759

2 AMENDMENT NO. _____. Amend Senate Bill 1759 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by adding
5 Section 12-6.6 as follows:

6 (720 ILCS 5/12-6.6 new)

7 Sec. 12-6.6. Streetgang member loitering.

8 (a) In this Section:

9 "Loiter" means:

10 (1) standing, sitting idly, whether or not the
11 person is in a vehicle, or remaining in or around a
12 public place including a school or public park
13 property;

14 (2) standing, sitting idly, whether or not the
15 person is in a vehicle, or remaining in or around a
16 public place including a school or public park

1 property; or

2 (3) entering or remaining in a building in or
3 around a public place, other than the person's
4 residence.

5 "Public place" means the public way and any other
6 location open to the public, whether publicly or privately
7 owned, including, but not limited to any street, sidewalk,
8 avenue, highway, road, curb area, alley, park, playground
9 or other public ground or public building, any common area
10 of a school, hospital, apartment house, office building,
11 transport facility, shop, privately owned place of
12 business, to which the public is invited, including any
13 place of amusement, entertainment, or eating place.

14 "Public place" also includes the front yard area, driveway
15 and walkway of any private residence, business, or
16 apartment house.

17 "Streetgang" and "streetgang member" have the meanings
18 ascribed to them in Section 10 of the Illinois Streetgang
19 Terrorism Omnibus Prevention Act.

20 (b) A person commits streetgang member loitering when he or
21 she is a streetgang member or is in the company of or acting in
22 concert with a streetgang member and knowingly loiters in a
23 public place under any of the following circumstances:

24 (1) with the intent to publicize a criminal
25 streetgang's dominance over certain territory in order to
26 intimidate non-members of the streetgang from entering,

1 remaining in, or using the public place or adjacent area;

2 or

3 (2) with the intent to conceal ongoing commerce in
4 illegal drugs or other unlawful activity.

5 (c) Nothing in this Section shall be construed in any way
6 to limit the power or right of a law enforcement officer to
7 make any investigation, detention, or arrest as the law
8 enforcement officer would be permitted to make in absence of
9 this Section.

10 (d) Sentence. A streetgang member or a person in the
11 company of or acting in concert with a streetgang member who
12 violates this Section is guilty of a Class A misdemeanor."