



101ST GENERAL ASSEMBLY

State of Illinois

2019 and 2020

HB5630

by Rep. Anne Stava-Murray

SYNOPSIS AS INTRODUCED:

720 ILCS 5/33-9 new

Amends the Criminal Code of 2012. Creates the offense of peace officer misconduct. Provides that a peace officer commits the offense when he or she intentionally: (1) retaliates against a person solely because the person makes a disrespectful statement about the peace officer, law enforcement, or other public officers; or (2) harasses a person solely because of the person's actual or perceived age, gender, gender identity, sex, sexual orientation, race, ethnicity, skin color, religion, mental health, or any other medical conditions, country of origin, or immigration status. Establishes penalties. Defines "harass" and "retaliate". Effective immediately.

LRB101 19451 RLC 68923 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 2012 is amended by adding
5 Section 33-9 as follows:

6 (720 ILCS 5/33-9 new)

7 Sec. 33-9. Peace officer misconduct.

8 (a) In this Section:

9 "Harass" means without cause to surveil, issue a ticket to,
10 or arrest a person.

11 "Retaliate" means to defame, falsely arrest or imprison,
12 file false claims or charges against a person, or cause the
13 person to lose a professional or occupational license or
14 business profits or opportunity, or to be discharged or
15 disciplined in the person's employment.

16 (b) A peace officer commits peace officer misconduct when
17 he or she intentionally:

18 (1) retaliates against a person solely because the
19 person makes a disrespectful statement about the peace
20 officer, law enforcement, or other public officers; or

21 (2) harasses a person solely because of the person's
22 actual or perceived age, gender, gender identity, sex,
23 sexual orientation, race, ethnicity, skin color, religion,

1 mental health, or any other medical conditions, country of
2 origin, or immigration status.

3 (c) Peace officer misconduct is a Class 3 felony for which
4 the person shall be sentenced to a minimum term of imprisonment
5 of 2 years.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.