

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 1961 is amended by changing
5 Section 33-3 as follows:

6 (720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

7 Sec. 33-3. Official Misconduct.) A public officer or
8 employee commits misconduct when, in his official capacity, he
9 commits any of the following acts:

10 (a) Intentionally or recklessly fails to perform any
11 mandatory duty as required by law; or

12 (b) Knowingly performs an act which he knows he is
13 forbidden by law to perform; or

14 (c) With intent to obtain a personal advantage for himself
15 or another, he performs an act in excess of his lawful
16 authority; or

17 (d) Solicits or knowingly accepts for the performance of
18 any act a fee or reward which he knows is not authorized by
19 law; ~~or~~

20 (e) Commits an act of sexual penetration as defined in
21 Section 12-12 of this Code with a victim who was under 19 years
22 of age and who is enrolled in high school when the act was
23 committed and the public officer or employee was 17 years of
24 age or older and held a position of trust, authority, or
25 supervision in relation to the victim at the same high school.

26 A public officer or employee convicted of violating any
27 provision of this Section forfeits his office or employment. In
28 addition, he commits a Class 3 felony, except that a violation
29 of paragraph (e) of this Section is a Class 2 felony.

30 (Source: P.A. 82-790.)

31 Section 99. Effective date. This Act takes effect upon
32 becoming law.