



Judiciary II - Criminal Law Committee

Filed: 2/11/2009

09600HB0224ham001

LRB096 04539 RLC 19347 a

1 AMENDMENT TO HOUSE BILL 224

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 224 on page 1, line  
3 5, by inserting ", 11-11," after "3-6"; and

4 on page 2, by replacing lines 13 through 19 with the following:

5 "(c) (Blank). ~~Except as otherwise provided in subsection~~  
6 ~~(a) of Section 3-5 of this Code and subdivision (i) or (j) of~~  
7 ~~this Section, a prosecution for any offense involving sexual~~  
8 ~~conduct or sexual penetration, as defined in Section 12-12 of~~  
9 ~~this Code, where the victim and defendant are family members,~~  
10 ~~as defined in Section 12-12 of this Code, may be commenced~~  
11 ~~within one year of the victim attaining the age of 18 years.";~~  
12 and

13 on page 4, by replacing line 12 with the following:

14 "assault of a child, ~~or~~ aggravated criminal sexual abuse, or  
15 felony criminal sexual abuse, or a"; and

1 on page 4, line 17, by inserting after the period the  
2 following:

3 "When the victim is under 18 years of age at the time of the  
4 offense, a prosecution for misdemeanor criminal sexual abuse  
5 may be commenced within 10 years after the child victim attains  
6 18 years of age."; and

7 on page 5, by inserting immediately below line 2 the following:

8 "(720 ILCS 5/11-11) (from Ch. 38, par. 11-11)

9 Sec. 11-11. Sexual Relations Within Families.

10 (a) A person commits sexual relations within families if he  
11 or she:

12 (1) Commits an act of sexual penetration as defined in  
13 Section 12-12 of this Code; and

14 (2) The person knows that he or she is related to the  
15 other person as follows: (i) Brother or sister, either of  
16 the whole blood or the half blood; or (ii) Father or  
17 mother, when the child, regardless of legitimacy and  
18 regardless of whether the child was of the whole blood or  
19 half-blood or was adopted, was 18 years of age or over when  
20 the act was committed; or (iii) Stepfather or stepmother,  
21 when the stepchild was 18 years of age or over when the act  
22 was committed; or (iv) Aunt or uncle, when the niece or  
23 nephew was 18 years of age or over when the act was  
24 committed; or (v) Great-aunt or great-uncle, when the

1       grand-niece or grand-nephew was 18 years of age or over  
2       when the act was committed; or (vi) Grandparent or  
3       step-grandparent, when the grandchild or step-grandchild  
4       was 18 years of age or over when the act was committed.

5       (b) Sentence. Sexual relations within families is a Class 3  
6       felony.

7       (Source: P.A. 84-1280.)"; and

8       on page 5, by replacing lines 14 through 18 with the following:

9       "(c) "Family member" means a parent, grandparent, ~~or~~ child,  
10       aunt, uncle, great-aunt, or great-uncle, whether by whole  
11       blood, half-blood or adoption, and includes a  
12       step-grandparent, step-parent, or step-child."