

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 37-1 as follows:

6 (720 ILCS 5/37-1) (from Ch. 38, par. 37-1)

7 Sec. 37-1. Maintaining Public Nuisance. Any building used
8 in the commission of offenses prohibited by Sections 9-1 (first
9 degree murder), 10-1 (kidnapping), 10-2 (aggravated
10 kidnapping), 11-14 (prostitution), 11-15 (soliciting for a
11 prostitute), 11-16 (pandering), 11-17 (keeping a place of
12 prostitution), 11-20 (obscenity), 11-20.1 (child pornography),
13 11-20.3 (aggravated child pornography), 11-21 (harmful
14 material), 11-22 (tie-in sales of obscene publications to
15 distributors), 12-5.1 (criminal housing management), 12-5.15
16 (aggravated criminal housing management), 16-1 (theft), 20-2
17 (possession of explosives or explosive or incendiary devices),
18 ~~23-1, 23-1(a)(1)~~, 24-1(a)(7) (unlawful use of weapons, machine
19 guns, sawed-off rifles and shotguns, grenades, bombs, Molotov
20 cocktails), 24-3 (unlawful sale of firearms), 26-5 (dog
21 fighting), 28-1 (gambling), 28-3 (keeping a gambling place),
22 ~~or~~ 31-5 (concealing or aiding a fugitive) ~~or 39A-1~~ of the
23 Criminal Code of 1961, or prohibited by subsection (a-1), (c),

1 or (d) of Section 6-16 of the Liquor Control Act of 1934, the
2 Humane Care for Animals Act, the Illinois Controlled Substances
3 Act, the Methamphetamine Control and Community Protection Act,
4 or the Cannabis Control Act, or used in the commission of an
5 inchoate offense relative to any of the aforesaid principal
6 offenses, or any real property erected, established,
7 maintained, owned, leased, or used by a streetgang for the
8 purpose of conducting streetgang related activity as defined in
9 Section 10 of the Illinois Streetgang Terrorism Omnibus
10 Prevention Act is a public nuisance.

11 (b) Sentence. A person convicted of knowingly maintaining
12 such a public nuisance commits a Class A misdemeanor. Each
13 subsequent offense under this Section is a Class 4 felony.

14 (Source: P.A. 94-556, eff. 9-11-05.)

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.