

SB2049



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB2049

Introduced 2/20/2009, by Sen. Michael Noland

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-21.6

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning endangering the life or health of a child.

LRB096 11424 RLC 21893 b

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 1961 is amended by changing
5 Section 12-21.6 as follows:

6 (720 ILCS 5/12-21.6)

7 Sec. 12-21.6. Endangering the life or health of a child.

8 (a) It is unlawful for any person to willfully cause or
9 permit the ~~the~~ life or health of a child under the age of 18 to
10 be endangered or to willfully cause or permit a child to be
11 placed in circumstances that endanger the child's life or
12 health, except that it is not unlawful for a person to
13 relinquish a child in accordance with the Abandoned Newborn
14 Infant Protection Act.

15 (b) There is a rebuttable presumption that a person
16 committed the offense if he or she left a child 6 years of age
17 or younger unattended in a motor vehicle for more than 10
18 minutes.

19 (c) "Unattended" means either: (i) not accompanied by a
20 person 14 years of age or older; or (ii) if accompanied by a
21 person 14 years of age or older, out of sight of that person.

22 (d) A violation of this Section is a Class A misdemeanor. A
23 second or subsequent violation of this Section is a Class 3

1 felony. A violation of this Section that is a proximate cause
2 of the death of the child is a Class 3 felony for which a
3 person, if sentenced to a term of imprisonment, shall be
4 sentenced to a term of not less than 2 years and not more than
5 10 years.

6 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;
7 92-515, eff. 6-1-02; 92-651, eff. 7-11-02.)