

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 31-4 and adding Section 10-10 as follows:

6 (720 ILCS 5/10-10 new)

7 Sec. 10-10. Failure to report the death or disappearance of
8 a child under 13 years of age.

9 (a) A parent, legal guardian, or caretaker of a child under
10 13 years of age commits failure to report the death or
11 disappearance of a child under 13 years of age when he or she
12 knows or should know and fails to report the child as missing
13 or deceased to a law enforcement agency within 24 hours if the
14 parent, legal guardian, or caretaker reasonably believes that
15 the child is missing or deceased. In the case of a child under
16 the age of 2 years, the reporting requirement is reduced to no
17 more than one hour.

18 (b) A parent, legal guardian, or caretaker of a child under
19 13 years of age must report the death of the child to the law
20 enforcement agency of the county where the child's corpse was
21 found if the parent, legal guardian, or caretaker reasonably
22 believes that the death of the child was caused by a homicide,
23 accident, or other suspicious circumstance.

1 (c) A parent, legal guardian, or caretaker does not commit
2 the offense of failure to report the death or disappearance of
3 a child under 13 years of age when:

4 (1) the failure to report is due to an act of God, act
5 of war, or inability of a law enforcement agency to receive
6 a report of the disappearance of a child;

7 (2) the parent, legal guardian, or caretaker calls 911
8 to report the disappearance of the child;

9 (3) the parent, legal guardian, or caretaker knows that
10 the child is under the care of another parent, family
11 member, relative, friend, or baby sitter; or

12 (4) the parent, legal guardian, or caretaker is
13 hospitalized, in a coma, or is otherwise seriously
14 physically or mentally impaired as to prevent the person
15 from reporting the death or disappearance.

16 (d) Sentence. A violation of this Section is a Class 4
17 felony.

18 (720 ILCS 5/31-4) (from Ch. 38, par. 31-4)

19 Sec. 31-4. Obstructing justice.

20 (a) A person obstructs justice when, with intent to prevent
21 the apprehension or obstruct the prosecution or defense of any
22 person, he or she knowingly commits any of the following acts:

23 (1) ~~(a)~~ Destroys, alters, conceals or disguises
24 physical evidence, plants false evidence, furnishes false
25 information; or

1 (2) ~~(b)~~ Induces a witness having knowledge material to
2 the subject at issue to leave the State or conceal himself
3 or herself; or

4 (3) ~~(e)~~ Possessing knowledge material to the subject at
5 issue, he or she leaves the State or conceals himself; or

6 (4) If a parent, legal guardian, or caretaker of a
7 child under 13 years of age reports materially false
8 information to a law enforcement agency, medical examiner,
9 coroner, State's Attorney, or other governmental agency
10 during an investigation of the disappearance or death of a
11 child under circumstances described in subsection (a) or
12 (b) of Section 10-10 of this Code.

13 (b) ~~(d)~~ Sentence.

14 (1) Obstructing justice is a Class 4 felony, except as
15 provided in paragraph (2) of this subsection (b) ~~(d)~~.

16 (2) Obstructing justice in furtherance of streetgang
17 related or gang-related activity, as defined in Section 10
18 of the Illinois Streetgang Terrorism Omnibus Prevention
19 Act, is a Class 3 felony.

20 (Source: P.A. 90-363, eff. 1-1-98.)