



104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

HB1723

Introduced 1/28/2025, by Rep. Amy Elik

SYNOPSIS AS INTRODUCED:

720 ILCS 5/16-3

from Ch. 38, par. 16-3

Amends the Criminal Code of 2012. In the statute concerning theft of labor or services or use of property, provides that the notification to return the vehicle, equipment, or other personal property to a particular place at a particular time specified in the notification may be made by electronic means, including email. Includes in a violation of the provision, placing the vehicle, equipment, or any other personal property for sale during the rental period or thereafter without good cause. Provides that for a violation of the provision, the court may order the person convicted to reimburse the victims or their representatives for court filing costs, attorney's fees, and such other related costs.

LRB104 03608 RLC 13632 b

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 2012 is amended by
5 changing Section 16-3 as follows:

6 (720 ILCS 5/16-3) (from Ch. 38, par. 16-3)

7 Sec. 16-3. Theft of labor or services or use of property.

8 (a) A person commits theft when he or she knowingly
9 obtains the temporary use of property, labor or services of
10 another which are available only for hire, by means of threat
11 or deception or knowing that such use is without the consent of
12 the person providing the property, labor or services. For the
13 purposes of this subsection, library material is available for
14 hire.

15 (b) A person commits theft when after (1) renting or
16 leasing a motor vehicle, (2) obtaining a motor vehicle through
17 a "driveaway" service mode of transportation, (3) renting or
18 leasing equipment exceeding \$500 in value including tools,
19 construction or industry equipment, and such items as linens,
20 tableware, tents, tables, chairs and other equipment specially
21 rented for a party or special event, or (4) renting or leasing
22 any other type of personal property exceeding \$500 in value,
23 under an agreement in writing which provides for the return of

1 the vehicle, equipment, or other personal property to a
2 particular place at a particular time, he or she without good
3 cause knowingly fails to return the vehicle, equipment, or
4 other personal property to that place within the time
5 specified, and is thereafter notified through electronic
6 means, including email, or served or sent a written demand
7 mailed to the last known address, made by certified mail
8 return receipt requested, to return the vehicle, equipment, or
9 other personal property within 3 days from the mailing of the
10 written demand or notification through electronic means, and
11 who without good cause knowingly fails to return the vehicle,
12 equipment, or any other personal property to any place of
13 business of the lessor within the return period or places the
14 vehicle, equipment, or any other personal property for sale
15 during the rental period or thereafter. The trier of fact may
16 infer evidence that the person is without good cause if the
17 person signs the agreement with a name or address other than
18 his or her own.

19 (c) A person commits theft when he or she borrows from a
20 library facility library material which has an aggregate value
21 of \$50 or more pursuant to an agreement with or procedure
22 established by the library facility for the return of such
23 library material, and knowingly without good cause fails to
24 return the library material so borrowed in accordance with
25 such agreement or procedure, and further knowingly without
26 good cause fails to return such library material within 30

1 days after receiving written notice by certified mail from the
2 library facility demanding the return of such library
3 material.

4 (d) Sentence.

5 A person convicted of theft under subsection (a) is guilty
6 of a Class A misdemeanor, except that the theft of library
7 material where the aggregate value exceeds \$300 is a Class 3
8 felony. A person convicted of theft under subsection (b) of
9 this Section is guilty of a Class 4 felony. A person convicted
10 of theft under subsection (c) is guilty of a petty offense for
11 which the offender may be fined an amount not to exceed \$500
12 and shall be ordered to reimburse the library for postage
13 costs, attorney's fees, and actual replacement costs of the
14 materials not returned, except that theft under subsection (c)
15 where the aggregate value exceeds \$300 is a Class 3 felony. In
16 addition to any other penalty imposed, the court may order a
17 person convicted under this Section to reimburse the victims
18 or their representatives for court filing costs, attorney's
19 fees, and such other related costs, or to make restitution to
20 the victim of the offense.

21 For the purpose of sentencing on theft of library
22 material, separate transactions totalling more than \$300
23 within a 90-day period shall constitute a single offense.

24 (Source: P.A. 99-534, eff. 1-1-17.)