

**SB0289**



**104TH GENERAL ASSEMBLY**

**State of Illinois**

**2025 and 2026**

**SB0289**

Introduced 1/24/2025, by Sen. Steve McClure

**SYNOPSIS AS INTRODUCED:**

720 ILCS 5/26-1

from Ch. 38, par. 26-1

Amends the Criminal Code of 2012. Provides that a person commits disorderly conduct when he or she knowingly transmits or causes to be transmitted in any manner a threat of destruction of a child care institution or day care center building or property, or a threat of violence, death, or bodily harm directed against persons at a child care institution or day care center, a child care institution or day care center function, or a child care institution or day care center event, whether or not the child care institution or day care center is in session. Provides that a violation is a Class 4 felony. Effective immediately.

LRB104 03884 RLC 13908 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 2012 is amended by  
5 changing Section 26-1 as follows:

6 (720 ILCS 5/26-1) (from Ch. 38, par. 26-1)

7 Sec. 26-1. Disorderly conduct.

8 (a) A person commits disorderly conduct when he or she  
9 knowingly:

10 (1) Does any act in such unreasonable manner as to  
11 alarm or disturb another and to provoke a breach of the  
12 peace;

13 (2) Transmits or causes to be transmitted in any  
14 manner to the fire department of any city, town, village  
15 or fire protection district a false alarm of fire, knowing  
16 at the time of the transmission that there is no  
17 reasonable ground for believing that the fire exists;

18 (3) Transmits or causes to be transmitted in any  
19 manner to another a false alarm to the effect that a bomb  
20 or other explosive of any nature or a container holding  
21 poison gas, a deadly biological or chemical contaminant,  
22 or radioactive substance is concealed in a place where its  
23 explosion or release would endanger human life, knowing at

1 the time of the transmission that there is no reasonable  
2 ground for believing that the bomb, explosive or a  
3 container holding poison gas, a deadly biological or  
4 chemical contaminant, or radioactive substance is  
5 concealed in the place;

6 (3.5) Transmits or causes to be transmitted in any  
7 manner a threat of destruction of a school building or  
8 school property, or a threat of violence, death, or bodily  
9 harm directed against persons at a school, school  
10 function, or school event, whether or not school is in  
11 session;

12 (3.6) Transmits or causes to be transmitted in any  
13 manner a threat of destruction of a child care institution  
14 or day care center building or property, or a threat of  
15 violence, death, or bodily harm directed against persons  
16 at a child care institution or day care center, a child  
17 care institution or day care center function, or a child  
18 care institution or day care center event, whether or not  
19 the child care institution or day care center is in  
20 session;

21 (4) Transmits or causes to be transmitted in any  
22 manner to any peace officer, public officer or public  
23 employee a report to the effect that an offense will be  
24 committed, is being committed, or has been committed,  
25 knowing at the time of the transmission that there is no  
26 reasonable ground for believing that the offense will be

1 committed, is being committed, or has been committed;

2 (5) Transmits or causes to be transmitted in any  
3 manner a false report to any public safety agency without  
4 the reasonable grounds necessary to believe that  
5 transmitting the report is necessary for the safety and  
6 welfare of the public;

7 (6) Calls or texts the number "911" or transmits or  
8 causes to be transmitted in any manner to a public safety  
9 agency or public safety answering point for the purpose of  
10 making or transmitting a false alarm or complaint and  
11 reporting information when, at the time the call, text, or  
12 transmission is made, the person knows there is no  
13 reasonable ground for making the call, text, or  
14 transmission and further knows that the call, text, or  
15 transmission could result in the emergency response of any  
16 public safety agency;

17 (7) Transmits or causes to be transmitted in any  
18 manner a false report to the Department of Children and  
19 Family Services under Section 4 of the Abused and  
20 Neglected Child Reporting Act;

21 (8) Transmits or causes to be transmitted in any  
22 manner a false report to the Department of Public Health  
23 under the Nursing Home Care Act, the Specialized Mental  
24 Health Rehabilitation Act of 2013, the ID/DD Community  
25 Care Act, or the MC/DD Act;

26 (9) Transmits or causes to be transmitted in any

1 manner to the police department or fire department of any  
2 municipality or fire protection district, or any privately  
3 owned and operated ambulance service, a false request for  
4 an ambulance, emergency medical technician-ambulance or  
5 emergency medical technician-paramedic knowing at the time  
6 there is no reasonable ground for believing that the  
7 assistance is required;

8 (10) Transmits or causes to be transmitted in any  
9 manner a false report under Article II of Public Act  
10 83-1432;

11 (11) Enters upon the property of another and for a  
12 lewd or unlawful purpose deliberately looks into a  
13 dwelling on the property through any window or other  
14 opening in it; or

15 (12) While acting as a collection agency as defined in  
16 the Collection Agency Act or as an employee of the  
17 collection agency, and while attempting to collect an  
18 alleged debt, makes a telephone call to the alleged debtor  
19 which is designed to harass, annoy or intimidate the  
20 alleged debtor.

21 (b) Sentence. A violation of subsection (a)(1) of this  
22 Section is a Class C misdemeanor. A violation of subsection  
23 (a)(5) or (a)(11) of this Section is a Class A misdemeanor. A  
24 violation of subsection (a)(8) or (a)(10) of this Section is a  
25 Class B misdemeanor. A violation of subsection (a)(2),  
26 (a)(3.5), (a)(3.6), (a)(4), (a)(6), (a)(7), or (a)(9) of this

1 Section is a Class 4 felony. A violation of subsection (a) (3)  
2 of this Section is a Class 3 felony, for which a fine of not  
3 less than \$3,000 and no more than \$10,000 shall be assessed in  
4 addition to any other penalty imposed.

5 A violation of subsection (a) (12) of this Section is a  
6 Business Offense and shall be punished by a fine not to exceed  
7 \$3,000. A second or subsequent violation of subsection (a) (7)  
8 or (a) (5) of this Section is a Class 4 felony. A third or  
9 subsequent violation of subsection (a) (11) of this Section is  
10 a Class 4 felony.

11 (c) In addition to any other sentence that may be imposed,  
12 a court shall order any person convicted of disorderly conduct  
13 to perform community service for not less than 30 and not more  
14 than 120 hours, if community service is available in the  
15 jurisdiction and is funded and approved by the county board of  
16 the county where the offense was committed. In addition,  
17 whenever any person is placed on supervision for an alleged  
18 offense under this Section, the supervision shall be  
19 conditioned upon the performance of the community service.

20 This subsection does not apply when the court imposes a  
21 sentence of incarceration.

22 (d) In addition to any other sentence that may be imposed,  
23 the court shall order any person convicted of disorderly  
24 conduct under paragraph (3) of subsection (a) involving a  
25 false alarm of a threat that a bomb or explosive device has  
26 been placed in a school that requires an emergency response to

1 reimburse the unit of government that employs the emergency  
2 response officer or officers that were dispatched to the  
3 school for the cost of the response. If the court determines  
4 that the person convicted of disorderly conduct that requires  
5 an emergency response to a school is indigent, the provisions  
6 of this subsection (d) do not apply.

7 (e) In addition to any other sentence that may be imposed,  
8 the court shall order any person convicted of disorderly  
9 conduct under paragraph (3.5) or (6) of subsection (a) to  
10 reimburse the public agency for the reasonable costs of the  
11 emergency response by the public agency up to \$10,000. If the  
12 court determines that the person convicted of disorderly  
13 conduct under paragraph (3.5) or (6) of subsection (a) is  
14 indigent, the provisions of this subsection (e) do not apply.

15 (f) For the purposes of this Section, "emergency response"  
16 means any condition that results in, or could result in, the  
17 response of a public official in an authorized emergency  
18 vehicle, any condition that jeopardizes or could jeopardize  
19 public safety and results in, or could result in, the  
20 evacuation of any area, building, structure, vehicle, or of  
21 any other place that any person may enter, or any incident  
22 requiring a response by a police officer, a firefighter, a  
23 State Fire Marshal employee, or an ambulance.

24 (Source: P.A. 103-366, eff. 1-1-24.)

25 Section 99. Effective date. This Act takes effect upon  
26 becoming law.