

# SB3172



## 104TH GENERAL ASSEMBLY

State of Illinois

2025 and 2026

SB3172

Introduced 2/2/2026, by Sen. Jil Tracy

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/16-3

from Ch. 38, par. 16-3

Amends the Criminal Code of 2012. Provides that when compensation for labor or services is ordinarily paid immediately upon the rendering of the labor or services, the trier of fact may infer that the labor or services were obtained by deception if the person refuses to pay or absconds without payment or without an offer to pay for the labor or services. Effective immediately.

LRB104 16883 RLC 30293 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 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. When compensation for labor or services is ordinarily  
15 paid immediately upon the rendering of the labor or services,  
16 the trier of fact may infer that the labor or services were  
17 obtained by deception if the person refuses to pay or absconds  
18 without payment or without an offer to pay for the labor or  
19 services.

20 (b) A person commits theft when after (1) renting or  
21 leasing a motor vehicle, (2) obtaining a motor vehicle through  
22 a "driveaway" service mode of transportation, (3) renting or  
23 leasing equipment exceeding \$500 in value including tools,

1 construction or industry equipment, and such items as linens,  
2 tableware, tents, tables, chairs and other equipment specially  
3 rented for a party or special event, or (4) renting or leasing  
4 any other type of personal property exceeding \$500 in value,  
5 under an agreement in writing which provides for the return of  
6 the vehicle, equipment, or other personal property to a  
7 particular place at a particular time, he or she without good  
8 cause knowingly fails to return the vehicle, equipment, or  
9 other personal property to that place within the time  
10 specified, and is thereafter served or sent a written demand  
11 mailed to the last known address, made by certified mail  
12 return receipt requested, to return the vehicle, equipment, or  
13 other personal property within 3 days from the mailing of the  
14 written demand, and who without good cause knowingly fails to  
15 return the vehicle, equipment, or any other personal property  
16 to any place of business of the lessor within the return  
17 period. The trier of fact may infer evidence that the person is  
18 without good cause if the person signs the agreement with a  
19 name or address other than his or her own.

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

1 good cause fails to return such library material within 30  
2 days after receiving written notice by certified mail from the  
3 library facility demanding the return of such library  
4 material.

5 (d) Sentence.

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

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

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

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