

SB2193



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

SB2193

Introduced 2/26/2021, by Sen. Elgie R. Sims, Jr.

SYNOPSIS AS INTRODUCED:

720 ILCS 5/19-1

from Ch. 38, par. 19-1

Amends the Criminal Code of 2012. Provides that a person commits burglary when without authority he or she knowingly enters or without authority remains within a freight container with intent to commit therein a felony or theft. Provides that burglary committed in, and without causing damage to a freight container or any part thereof is a Class 3 felony. Provides that a burglary committed while causing damage to a freight container or any part thereof is a Class 2 felony.

LRB102 13315 KMF 18659 b

CORRECTIONAL
BUDGET AND
IMPACT NOTE ACT
MAY APPLY

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 19-1 as follows:

6 (720 ILCS 5/19-1) (from Ch. 38, par. 19-1)

7 Sec. 19-1. Burglary.

8 (a) A person commits burglary when without authority he or
9 she knowingly enters or without authority remains within a
10 building, housetrailer, watercraft, aircraft, motor vehicle,
11 railroad car, freight container, or any part thereof, with
12 intent to commit therein a felony or theft. This offense shall
13 not include the offenses set out in Section 4-102 of the
14 Illinois Vehicle Code.

15 (b) Sentence.

16 Burglary committed in, and without causing damage to, a
17 watercraft, aircraft, motor vehicle, railroad car, freight
18 container, or any part thereof is a Class 3 felony. Burglary
19 committed in a building, housetrailer, or any part thereof or
20 while causing damage to a watercraft, aircraft, motor vehicle,
21 railroad car, freight container, or any part thereof is a
22 Class 2 felony. A burglary committed in a school, day care
23 center, day care home, group day care home, or part day child

1 care facility, or place of worship is a Class 1 felony, except
2 that this provision does not apply to a day care center, day
3 care home, group day care home, or part day child care facility
4 operated in a private residence used as a dwelling.

5 (c) Regarding penalties prescribed in subsection (b) for
6 violations committed in a day care center, day care home,
7 group day care home, or part day child care facility, the time
8 of day, time of year, and whether children under 18 years of
9 age were present in the day care center, day care home, group
10 day care home, or part day child care facility are irrelevant.
11 (Source: P.A. 100-3, eff. 1-1-18.)