

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 1-6 as follows:

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

7 Sec. 1-6. Place of trial.

8 (a) Generally.

9 Criminal actions shall be tried in the county where the
10 offense was committed, except as otherwise provided by law. The
11 State is not required to prove during trial that the alleged
12 offense occurred in any particular county in this State. When a
13 defendant contests the place of trial under this Section, all
14 proceedings regarding this issue shall be conducted under
15 Section 114-1 of the Code of Criminal Procedure of 1963. All
16 objections of improper place of trial are waived by a defendant
17 unless made before trial.

18 (b) Assailant and Victim in Different Counties.

19 If a person committing an offense upon the person of
20 another is located in one county and his victim is located in
21 another county at the time of the commission of the offense,
22 trial may be had in either of said counties.

23 (c) Death and Cause of Death in Different Places or
24 Undetermined.

25 If cause of death is inflicted in one county and death
26 ensues in another county, the offender may be tried in either
27 county. If neither the county in which the cause of death was
28 inflicted nor the county in which death ensued are known before
29 trial, the offender may be tried in the county where the body
30 was found.

31 (d) Offense Commenced Outside the State.

32 If the commission of an offense commenced outside the State

1 is consummated within this State, the offender shall be tried
2 in the county where the offense is consummated.

3 (e) Offenses Committed in Bordering Navigable Waters.

4 If an offense is committed on any of the navigable waters
5 bordering on this State, the offender may be tried in any
6 county adjacent to such navigable water.

7 (f) Offenses Committed while in Transit.

8 If an offense is committed upon any railroad car, vehicle,
9 watercraft or aircraft passing within this State, and it cannot
10 readily be determined in which county the offense was
11 committed, the offender may be tried in any county through
12 which such railroad car, vehicle, watercraft or aircraft has
13 passed.

14 (g) Theft.

15 A person who commits theft of property may be tried in any
16 county in which he exerted control over such property.

17 (h) Bigamy.

18 A person who commits the offense of bigamy may be tried in
19 any county where the bigamous marriage or bigamous cohabitation
20 has occurred.

21 (i) Kidnaping.

22 A person who commits the offense of kidnaping may be tried
23 in any county in which his victim has traveled or has been
24 confined during the course of the offense.

25 (j) Pandering.

26 A person who commits the offense of pandering may be tried
27 in any county in which the prostitution was practiced or in any
28 county in which any act in furtherance of the offense shall
29 have been committed.

30 (k) Treason.

31 A person who commits the offense of treason may be tried in
32 any county.

33 (l) Criminal Defamation.

34 If criminal defamation is spoken, printed or written in one
35 county and is received or circulated in another or other
36 counties, the offender shall be tried in the county where the

1 defamation is spoken, printed or written. If the defamation is
2 spoken, printed or written outside this state, or the offender
3 resides outside this state, the offender may be tried in any
4 county in this state in which the defamation was circulated or
5 received.

6 (m) Inchoate Offenses.

7 A person who commits an inchoate offense may be tried in
8 any county in which any act which is an element of the offense,
9 including the agreement in conspiracy, is committed.

10 (n) Accountability for Conduct of Another.

11 Where a person in one county solicits, aids, abets, agrees,
12 or attempts to aid another in the planning or commission of an
13 offense in another county, he may be tried for the offense in
14 either county.

15 (o) Child Abduction.

16 A person who commits the offense of child abduction may be
17 tried in any county in which his victim has traveled, been
18 detained, concealed or removed to during the course of the
19 offense. Notwithstanding the foregoing, unless for good cause
20 shown, the preferred place of trial shall be the county of the
21 residence of the lawful custodian.

22 (p) A person who commits the offense of narcotics
23 racketeering may be tried in any county where cannabis or a
24 controlled substance which is the basis for the charge of
25 narcotics racketeering was used; acquired; transferred or
26 distributed to, from or through; or any county where any act
27 was performed to further the use; acquisition, transfer or
28 distribution of said cannabis or controlled substance; any
29 money, property, property interest, or any other asset
30 generated by narcotics activities was acquired, used, sold,
31 transferred or distributed to, from or through; or, any
32 enterprise interest obtained as a result of narcotics
33 racketeering was acquired, used, transferred or distributed
34 to, from or through, or where any activity was conducted by the
35 enterprise or any conduct to further the interests of such an
36 enterprise.

1 (q) A person who commits the offense of money laundering
2 may be tried in any county where any part of a financial
3 transaction in criminally derived property took place or in any
4 county where any money or monetary instrument which is the
5 basis for the offense was acquired, used, sold, transferred or
6 distributed to, from or through.

7 (r) A person who commits the offense of cannabis
8 trafficking or controlled substance trafficking may be tried in
9 any county.

10 (s) A person who commits the offense of identity theft or
11 aggravated identity theft may be tried in any one of the
12 following counties in which: (1) the offense occurred; (2) the
13 information used to commit the offense was illegally used; or
14 (3) the victim resides.

15 If a person is charged with more than one violation of
16 identity theft or aggravated identity theft and those
17 violations may be tried in more than one county, any of those
18 counties is a proper venue for all of the violations.

19 (Source: P.A. 89-288, eff. 8-11-95.)