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09400SB1943sam002

LRB094 11226 RLC 44347 a

1 AMENDMENT TO SENATE BILL 1943

2 AMENDMENT NO. _____. Amend Senate Bill 1943, AS AMENDED,
3 by replacing everything after the enacting clause with the
4 following:

5 "Section 5. The Criminal Code of 1961 is amended by
6 changing Section 33-3 as follows:

7 (720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

8 Sec. 33-3. Official Misconduct.) A public officer or
9 employee commits misconduct when, in his official capacity, he
10 commits any of the following acts:

11 (a) Intentionally or recklessly fails to perform any
12 mandatory duty as required by law; or

13 (b) Knowingly performs an act which he knows he is
14 forbidden by law to perform; or

15 (c) With intent to obtain a personal advantage for himself
16 or another, he performs an act in excess of his lawful
17 authority; or

18 (d) Solicits or knowingly accepts for the performance of
19 any act a fee or reward which he knows is not authorized by
20 law; ~~or~~

21 (e) Commits an act of sexual penetration as defined in
22 Section 12-12 of this Code with a victim who was under 19 years
23 of age and who is enrolled in high school when the act was
24 committed and the public officer or employee was 17 years of

1 age or older and held a position of trust, authority, or
2 supervision in relation to the victim at the same high school.

3 A public officer or employee convicted of violating any
4 provision of this Section forfeits his office or employment. In
5 addition, he commits a Class 3 felony, except that a violation
6 of paragraph (e) of this Section is a Class 2 felony.

7 (Source: P.A. 82-790.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.".