



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB2100

Introduced 2/22/2011, by Rep. Emily McAsey

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-6.4

Amends the Criminal Code of 1961. Changes the name of the offenses of criminal street gang recruitment on school grounds or public property adjacent to school grounds to criminal street gang recruitment on school grounds, public property adjacent to school grounds, or park district property. Includes in the offense criminal street gang recruitment on park district property.

LRB097 10537 RLC 50870 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 1961 is amended by changing
5 Section 12-6.4 as follows:

6 (720 ILCS 5/12-6.4)

7 Sec. 12-6.4. Criminal street gang recruitment on school
8 grounds, ~~or~~ public property adjacent to school grounds, or park
9 district property and criminal street gang recruitment of a
10 minor.

11 (a) A person commits the offense of criminal street gang
12 recruitment on school grounds, ~~or~~ public property adjacent to
13 school grounds, or park district property, when on school
14 grounds, ~~or~~ public property adjacent to school grounds, or park
15 district property, he or she threatens the use of physical
16 force to coerce, solicit, recruit, or induce another person to
17 join or remain a member of a criminal street gang, or conspires
18 to do so.

19 (a-5) A person commits the offense of criminal street gang
20 recruitment of a minor when he or she threatens the use of
21 physical force to coerce, solicit, recruit, or induce another
22 person to join or remain a member of a criminal street gang, or
23 conspires to do so, whether or not such threat is communicated

1 in person, by means of the Internet, or by means of a
2 telecommunications device.

3 (b) Sentence. Criminal street gang recruitment on school
4 grounds, ~~or~~ public property adjacent to school grounds, or park
5 district property is a Class 1 felony and criminal street gang
6 recruitment of a minor is a Class 1 felony.

7 (c) In this Section:

8 "Criminal street gang" has the meaning ascribed to it
9 in Section 10 of the Illinois Streetgang Terrorism Omnibus
10 Prevention Act.

11 "School grounds" means the building or buildings or
12 real property comprising a public or private elementary or
13 secondary school, community college, college, or
14 university and includes a school yard, school playing
15 field, or school playground.

16 "Minor" means any person under 18 years of age.

17 "Internet" means an interactive computer service or
18 system or an information service, system, or access
19 software provider that provides or enables computer access
20 by multiple users to a computer server, and includes, but
21 is not limited to, an information service, system, or
22 access software provider that provides access to a network
23 system commonly known as the Internet, or any comparable
24 system or service and also includes, but is not limited to,
25 a World Wide Web page, newsgroup, message board, mailing
26 list, or chat area on any interactive computer service or

1 system or other online service.

2 "Telecommunications device" means a device that is
3 capable of receiving or transmitting speech, data,
4 signals, text, images, sounds, codes, or other information
5 including, but not limited to, paging devices, telephones,
6 and cellular and mobile telephones.

7 (Source: P.A. 96-199, eff. 1-1-10.)