



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3804

Introduced 10/5/2011, by Rep. Jack D. Franks - Keith Farnham - Carol A. Sente

SYNOPSIS AS INTRODUCED:

720 ILCS 5/10-10 new

Amends the Criminal Code of 1961. Provides that it is a Class 4 felony for a parent, legal guardian, or caretaker of a child under 13 years of age to knowingly or recklessly fail to report the child as missing to a law enforcement agency in a timely manner if the parent, legal guardian, or caretaker reasonably should have known that the child is in danger. Provides that a parent, legal guardian, or caretaker of a child under 13 years of age must report the death of the child to the medical examiner or coroner of the county where the child's corpse was found if the parent, legal guardian, or caretaker reasonably believes that the death of the child was caused by a homicide, accident, or other suspicious circumstance. Provides that it is a Class 4 felony for a parent, legal guardian, or caretaker of a child under 13 years of age to report false information to a law enforcement agency, medical examiner, coroner, State's Attorney, or other governmental agency during an investigation of the disappearance or death of such child.

LRB097 12822 RLC 57318 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 adding
5 Section 10-10 as follows:

6 (720 ILCS 5/10-10 new)

7 Sec. 10-10. Failure to report the death or disappearance of
8 a child under 13 years of age; giving false information.

9 (a) It is unlawful for a parent, legal guardian, or
10 caretaker of a child under 13 years of age to knowingly or
11 recklessly fail to report the child as missing to a law
12 enforcement agency in a timely manner if the parent, legal
13 guardian, or caretaker reasonably should have known that the
14 child is in danger.

15 (b) A parent, legal guardian, or caretaker of a child under
16 13 years of age must report the death of the child to the
17 medical examiner or coroner of the county where the child's
18 corpse was found if the parent, legal guardian, or caretaker
19 reasonably believes that the death of the child was caused by a
20 homicide, accident, or other suspicious circumstance.

21 (c) It is unlawful for a parent, legal guardian, or
22 caretaker of a child under 13 years of age to report false
23 information to a law enforcement agency, medical examiner,

1 coroner, State's Attorney, or other governmental agency during
2 an investigation of the disappearance or death of a child under
3 circumstances described in subsection (a) or (b).

4 (d) Sentence. A violation of this Section is a Class 4
5 felony.