



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB5351

by Rep. Kathleen Willis

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-6.4

Amends the Criminal Code of 2012. In the statute creating the offense of criminal street gang recruitment on school grounds, defines "school grounds" to mean the property, including buildings and grounds, of a public or private elementary, secondary, or post-secondary school, or a public or private 2-year or 4-year institution of higher education; public property or property open to public use within 1,000 feet of school property; a school bus; a designated school bus stop; and public property or property open to public use which is within 1,000 feet of the school bus stop, during the time when school children are waiting to be picked up and transported to or are being dropped off from school or a school-sponsored activity. Expands the offense to include the commission of the crime in a public park. Defines "public park".

LRB098 17946 RLC 53070 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 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 in a
9 public park and criminal street gang recruitment of a minor.

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

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

1 (b) Sentence.

2 Criminal street gang recruitment on school grounds, ~~or~~
3 public property adjacent to school grounds, or in a public
4 park is a Class 1 felony and criminal street gang
5 recruitment of a minor is a Class 1 felony.

6 (c) In this Section:

7 "Public park" includes a park, forest preserve, or
8 conservation area under the jurisdiction of the State or a
9 unit of local government.

10 "School bus" has the meaning ascribed to the term in
11 Section 1-182 of the Illinois Vehicle Code.

12 "School grounds" means the property, including
13 buildings and grounds, of a public or private elementary,
14 secondary, or post-secondary school, or a public or private
15 2-year or 4-year institution of higher education; public
16 property or property open to public use within 1,000 feet
17 of school property; a school bus; a designated school bus
18 stop; and public property or property open to public use
19 which is within 1,000 feet of the school bus stop, during
20 the time when school children are waiting to be picked up
21 and transported to or are being dropped off from school or
22 a school-sponsored activity ~~the building or buildings or~~
23 ~~real property comprising a public or private elementary or~~
24 ~~secondary school, community college, college, or~~
25 ~~university and includes a school yard, school playing~~
26 ~~field, or school playground.~~

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

2 "Internet" means an interactive computer service or
3 system or an information service, system, or access
4 software provider that provides or enables computer access
5 by multiple users to a computer server, and includes, but
6 is not limited to, an information service, system, or
7 access software provider that provides access to a network
8 system commonly known as the Internet, or any comparable
9 system or service and also includes, but is not limited to,
10 a World Wide Web page, newsgroup, message board, mailing
11 list, or chat area on any interactive computer service or
12 system or other online service.

13 "Telecommunications device" means a device that is
14 capable of receiving or transmitting speech, data,
15 signals, text, images, sounds, codes, or other information
16 including, but not limited to, paging devices, telephones,
17 and cellular and mobile telephones.

18 (Source: P.A. 96-199, eff. 1-1-10; 96-1551, eff. 7-1-11.)