



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB3408

Introduced 2/24/2011, by Rep. Marlow H. Colvin

SYNOPSIS AS INTRODUCED:

720 ILCS 5/32-15 new

Amends the Criminal Code of 1961. Creates the offense of providing false information to a law enforcement officer attempting to serve a protective order. Provides that a person commits the offense when he or she makes a false or misleading statement to a law enforcement officer attempting to serve a protective order and the person: (1) knows that the statement is false or misleading and (2) has the intent to mislead the officer as to the identity of the person, the whereabouts of the person, or the residence of the person the officer is attempting to serve, or to otherwise thwart the service of a protective order. Provides that a violation is a Class B misdemeanor for which the court, in addition to any other penalty, may impose a fine not to exceed \$500. Effective immediately.

LRB097 10576 RLC 50930 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 32-15 as follows:

6 (720 ILCS 5/32-15 new)

7 Sec. 32-15. Providing false information to a law
8 enforcement officer attempting to serve a protective order.

9 (a) For the purposes of this Section:

10 "Law enforcement officer" means any peace officer, and
11 includes a deputy sheriff, municipal police officer,
12 probation officer, or parole agent while acting in his or
13 her official capacity.

14 "Protective order" means a temporary restraining
15 order, protective order, preliminary injunction, permanent
16 injunction, or court-approved consent agreement resulting
17 from actions brought pursuant to a criminal procedure, or
18 as part of a disposition, sentence, or bail, or a condition
19 of a criminal matter when such order is issued for the
20 purpose of preventing violent or threatening acts or
21 harassment against, contact or communication with, or
22 physical proximity to, another person to prevent domestic
23 abuse or dating violence.

1 (b) A person commits providing false information to a law
2 enforcement officer attempting to serve a protective order when
3 he or she makes a false or misleading statement to a law
4 enforcement officer attempting to serve a protective order and
5 the person:

6 (1) knows that the statement is false or misleading;
7 and

8 (2) has the intent to mislead the officer as to the
9 identity of the person, the whereabouts of the person, or
10 the residence of the person the officer is attempting to
11 serve, or to otherwise thwart the service of a protective
12 order.

13 (c) Sentence. A person who commits providing false
14 information to a law enforcement officer attempting to serve a
15 protective order is guilty of a Class B misdemeanor for which
16 the court, in addition to any other penalty, may impose a fine
17 not to exceed \$500.

18 Section 99. Effective date. This Act takes effect upon
19 becoming law.