



Rep. Emily McAsey

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09800HB4516ham001

LRB098 15813 RLC 56874 a

1 AMENDMENT TO HOUSE BILL 4516

2 AMENDMENT NO. _____. Amend House Bill 4516 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by
5 changing Section 11-1.40 as follows:

6 (720 ILCS 5/11-1.40) (was 720 ILCS 5/12-14.1)

7 Sec. 11-1.40. Predatory criminal sexual assault of a child.

8 (a) A person commits predatory criminal sexual assault of a
9 child if that person is 17 years of age or older, and commits
10 ~~an act of sexual penetration or~~ an act of contact, however
11 slight, between the sex organ or anus of one person and the
12 part of the body of another for the purpose of sexual
13 gratification or arousal of the victim or the accused, or an
14 act of sexual penetration, and the accused is 17 years of age
15 ~~or older,~~ and:

16 (1) the victim is under 13 years of age; or

1 (2) the victim is under 13 years of age and that
2 person:

3 (A) is armed with a firearm;

4 (B) personally discharges a firearm during the
5 commission of the offense;

6 (C) causes great bodily harm to the victim that:

7 (i) results in permanent disability; or

8 (ii) is life threatening; or

9 (D) delivers (by injection, inhalation, ingestion,
10 transfer of possession, or any other means) any
11 controlled substance to the victim without the
12 victim's consent or by threat or deception, for other
13 than medical purposes.

14 (b) Sentence.

15 (1) A person convicted of a violation of subsection
16 (a) (1) commits a Class X felony, for which the person shall
17 be sentenced to a term of imprisonment of not less than 6
18 years and not more than 60 years. A person convicted of a
19 violation of subsection (a) (2) (A) commits a Class X felony
20 for which 15 years shall be added to the term of
21 imprisonment imposed by the court. A person convicted of a
22 violation of subsection (a) (2) (B) commits a Class X felony
23 for which 20 years shall be added to the term of
24 imprisonment imposed by the court. A person convicted of a
25 violation of subsection (a) (2) (C) commits a Class X felony
26 for which the person shall be sentenced to a term of

1 imprisonment of not less than 50 years or up to a term of
2 natural life imprisonment.

3 (1.1) A person convicted of a violation of subsection
4 (a)(2)(D) commits a Class X felony for which the person
5 shall be sentenced to a term of imprisonment of not less
6 than 50 years and not more than 60 years.

7 (1.2) A person convicted of predatory criminal sexual
8 assault of a child committed against 2 or more persons
9 regardless of whether the offenses occurred as the result
10 of the same act or of several related or unrelated acts
11 shall be sentenced to a term of natural life imprisonment.

12 (2) A person who is convicted of a second or subsequent
13 offense of predatory criminal sexual assault of a child, or
14 who is convicted of the offense of predatory criminal
15 sexual assault of a child after having previously been
16 convicted of the offense of criminal sexual assault or the
17 offense of aggravated criminal sexual assault, or who is
18 convicted of the offense of predatory criminal sexual
19 assault of a child after having previously been convicted
20 under the laws of this State or any other state of an
21 offense that is substantially equivalent to the offense of
22 predatory criminal sexual assault of a child, the offense
23 of aggravated criminal sexual assault or the offense of
24 criminal sexual assault, shall be sentenced to a term of
25 natural life imprisonment. The commission of the second or
26 subsequent offense is required to have been after the

1 initial conviction for this paragraph (2) to apply.

2 (Source: P.A. 98-370, eff. 1-1-14; revised 11-12-13.)

3 Section 99. Effective date. This Act takes effect upon
4 becoming law.".