

AN ACT concerning criminal law.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Criminal Code of 1961 is amended by changing Section 16H-60 as follows:

(720 ILCS 5/16H-60)

Sec. 16H-60. Sentence.

(a) A financial crime, the full value of which does not exceed \$500, is a Class A misdemeanor.

(b) A person who has been convicted of a financial crime, the full value of which does not exceed \$500, and who has been previously convicted of a financial crime or any type of theft, robbery, armed robbery, burglary, residential burglary, possession of burglary tools, or home invasion, is guilty of a Class 4 felony. When a person has such prior conviction, the information or indictment charging that person shall state such prior conviction so as to give notice of the State's intention to treat the charge as a felony. The fact of such prior conviction is not an element of the offense and may not be disclosed to the jury during trial unless otherwise permitted by issues properly raised during such trial.

(c) A financial crime, the full value of which exceeds \$500 but does not exceed \$10,000, is a Class 3 felony. When a charge

of financial crime, the full value of which exceeds \$500 but does not exceed \$10,000, is brought, the value of the financial crime involved is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding \$500.

(d) A financial crime, the full value of which exceeds \$10,000 but does not exceed \$100,000, is a Class 2 felony. When a charge of financial crime, the full value of which exceeds \$10,000 but does not exceed \$100,000, is brought, the value of the financial crime involved is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding \$10,000.

(e) A financial crime, the full value of which exceeds \$100,000 but does not exceed \$500,000, is a Class 1 felony. When a charge of financial crime, the full value of which exceeds \$100,000 but does not exceed \$500,000, is brought, the value of the financial crime involved is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding \$100,000.

(f) A financial crime which is a financial institution robbery is a Class 1 felony.

(g) A financial crime which is a continuing financial crimes enterprise is a Class 1 felony.

(h) A financial crime which is the offense of being an organizer of a continuing financial crimes enterprise is a Class X felony.

(i) (Blank).

(j) A financial crime, the full value of which exceeds \$500,000 but does not exceed \$1,000,000, is a Class 1 non-probationable felony. When a charge of financial crime, the full value of which exceeds \$500,000 but does not exceed \$1,000,000, is brought, the value of the financial crime involved is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding \$500,000.

(k) A financial crime, the full value of which exceeds \$1,000,000, is a Class X felony. When a charge of financial crime, the full value of which exceeds \$1,000,000, is brought, the value of the financial crime involved is an element of the offense to be resolved by the trier of fact as either exceeding or not exceeding \$1,000,000.

(Source: P.A. 96-534, eff. 8-14-09; 96-1301, eff. 1-1-11.)