

LAWS

for Youth



Illinois General Assembly

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Introduction

This booklet tells about major laws that affect young residents of Illinois. It is arranged by subject under “Contents” and written in a question-and-answer format to make it easy to read. All laws that it mentions are cited in the endnotes on pages 40 to 46.

The topics addressed were chosen because they affect young people more than adults. But most other laws apply to young people, too. Although there are some different procedures for enforcing laws for persons under 17 (or in some cases 18 or 21), laws generally apply to everyone regardless of age.

The law exists to protect everyone. We all need to know what it says so we can act as responsible members of society. If you need more information on laws or other topics addressed in this booklet, see the suggestions under “For More Information” on page 37. The back cover lists major Web sites that offer more information on the laws and related topics.

Patrick D. O’Grady
Executive Director

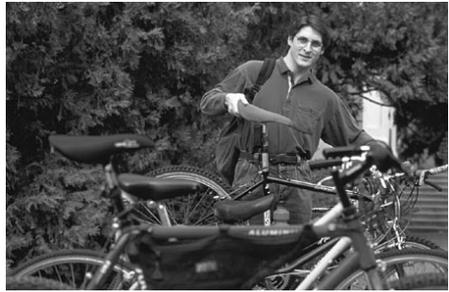
Contents

Bicycling, Hitchhiking, Driving, Motorcycling	1
General Criminal Law	6
Drugs (including alcohol and nicotine)	14
Sexual behavior and abuse.....	28
School	32
Employment.....	33
Marriage.....	34
Parental responsibilities	34
Licensing requirements.....	35
For more information.....	37
How Illinois laws are enacted.....	38
Notes	40

BICYCLING

What are the laws about bicycling?

Among the most important is that a bicycle rider is treated as operating a vehicle, not as a pedestrian.¹ Thus on a bicycle you must ride on the **RIGHT** side of any two-way street or road.² Riding on the left is not only illegal, but also dangerous.



Why?

If you ride on the left side, you are riding toward the cars in your lane. Drivers have much less time to see you, and any crash would be much harder. To see why, suppose you are riding at 15 miles per hour in the right lane and a car is coming up behind you at 25 m.p.h., a common speed on city streets. The car is going only 10 m.p.h. faster than you, and the driver will have several seconds to see and go around you. But if you rode on the left side, at the same speeds the car would be approaching you at 40 m.p.h.—four times as fast. The driver might have only a fraction of a second to see you if other cars blocked the view, and any crash probably would kill you or leave you seriously injured.

What else?

The law requires bicyclists, like drivers, to stop at red lights³ and give signals before turning.⁴ Giving a signal is especially important before you change lanes. A car may be just behind you in the other lane and about to move forward as you are about to move over.

It is illegal to carry on a bicycle more people than it was designed for (except for adults using child packs).⁵ It is also illegal to carry anything that prevents you from being able to use both hands to control the bicycle.⁶

How about night riding?

If you ride at night, the law requires your bicycle to have a headlight on the front and at least a reflector on the back. A red lamp may be used on the back along with the reflector.⁷

But it is much harder for drivers to see your bicycle at night than it is for you to see their cars. Car windows reduce visibility, and the glare of headlights and brake lights make bicycle lights and reflectors hard to see. Some cars have tinted windshields, further blocking drivers' night vision. And even if drivers do see you, it is hard for them to judge how far away you are. Thus riding a bicycle at night is dangerous.

Can I ride on the sidewalk?

There is no statewide law against riding on sidewalks. However, it is banned by local ordinance in some places—including Chicago's business district and, for persons 12 or older, everywhere in Chicago except marked bike routes.⁸ Remember that sidewalks are primarily for pedestrians. But if riding on them is legal where you are, and they are not crowded, they are a safer place to ride at night than the street. Even on a sidewalk, you must have a headlight and back reflector if riding at night. The light is important so pedestrians can see you coming. Also, day or night, the law requires you to yield the right of way to pedestrians and give them a warning sound (such as a bell) before passing.⁹ But a loud warning could make a pedestrian jump into your path; so it's best to slow down, give a repeated gentle warning sound, and pass as far to the side of any pedestrian as possible.

You may have seen a booklet called "Bicycle Rules of the Road" listing other laws and suggestions for safe bike riding. Copies are available at libraries, schools, fairs, and other public places; it can also be downloaded from the Secretary of State's Web site.¹⁰ Everyone should read it before riding on the streets. The Illinois Department of Transportation offers maps showing which roads are suitable for bike riding and offering bicycle safety rules and tips.¹¹

Parents should know that it is against the law for them to authorize, or knowingly permit, their children to violate the laws on bicycling.¹²

For your safety, always wear a helmet when bicycling. Remember: Smart riders use helmets, and helmet users stay smart! You can find many other safety tips in two publications from the Illinois Department of Transportation. “Kids on Bikes in Illinois” is for persons under 12, and “Safe Bicycling in Illinois” is for older riders. Both can be downloaded from the Department’s Web site¹³ or requested in printed form.¹⁴

HITCHHIKING

Is hitchhiking legal?

Illinois law prohibits hitchhiking on controlled-access highways such as Interstate and toll highways.¹⁵ The law also prohibits standing on the pavement of any street, road, or highway to hitch rides, since you could be hit or make drivers swerve to avoid you.¹⁶

More important, some drivers consider hitchhikers fair game for robbery, sexual attack, or even murder. They may disable the inside handle on the passenger’s door so a victim can’t jump out.

Some drivers also carry knives or guns, making escape impossible. Every year, after grim searches, police find the bodies of some Illinois young people who took rides with strangers. Don’t let yourself become one of them.

While on the subject of hitchhiking: If you are driving, the best advice about hitchhikers is not to pick them up unless you know them well. Hitchhikers can be dangerous to drivers, as well as the other way around.

DRIVING

How soon can I drive?

You can apply for a regular adult driver's license at age 18.¹⁷ Limited licensing is allowed earlier. A licensing system called "Graduated Licensing" has stages that new drivers must pass to receive licenses. The stages go from getting an instruction permit after turning 15 to full licensing a few years later.¹⁸



What is an instruction permit?

A permit lets you drive a car while a licensed driver sits beside you. You can get an instruction permit if you are at least 15; have the consent of at least one parent; are taking an approved driver education course; and have passed vision and knowledge tests.¹⁹ The permit allows you to drive only when accompanied by your instructor, or accompanied on a front seat by a parent or other adult with responsibility for you who is licensed, has at least 1 year's driving experience, and is at least 21.²⁰ An instruction permit can also be issued to a person who is at least 15½ and in school, but unable to take a driver's education course before turning 16. (For you to get a permit for that reason, the school must send in forms to start the process for obtaining a permit, and you must meet requirements that include passing vision and written exams required by the Secretary of State.) A permit may also be issued to a person who is 17¾ but has not taken an approved driver education course.²¹

You apply for an instruction permit at the local driver licensing station (locations are available on the Secretary of State's Web site²² and in local phone directories, typically under "Illinois," subheading "Secretary of State"). The station, or a driver education teacher, should have copies of "Illinois Rules of the Road," a booklet on the laws applying to driving and parking cars.

Anyone who is found guilty, in either juvenile or adult court, of any of a long list of crimes involving motor vehicles, which include “joy-riding” and unauthorized possession of a vehicle or its parts, cannot get a driver’s license before at least age 18.²³

How do I get a “graduated” license?

If you are at least 16; have had a valid instruction permit for at least 3 months; have passed an approved driver education course; have at least 25 hours of driving practice; and a parent’s consent, you can get a “graduated” driver’s license.²⁴ While you use such a license, any passengers under age 18 must wear seat belts; and for the first six months that you use such a license or until you turn 18 (whichever comes first) you may not have more than one passenger under age 20 except a family member.²⁵ Until you are 18, the car may have only one passenger in the front seat, and no more in the back seat than its available seat belts.²⁶

What are the restrictions on vehicle equipment?

Vehicles used on Illinois roadways may not have window tinting or objects that significantly restrict the driver’s front view, except tinting in the top 6 inches of the windshield. The law allows some tinting or other treatment of side and rear windows, but only in vehicles with dual side mirrors.²⁷

Use of “vanity” lights such as neon underbody lights or off-road driving lamps appears to be prohibited while driving on any roadway.²⁸

Secret compartments in vehicles (typically used to hide drugs or guns) are illegal. Using such a compartment can bring 1-3 years in prison and a fine up to \$25,000, and the vehicle can be forfeited to the local or state government.²⁹

MOTORCYCLING

May I operate a motorcycle with a driver's license?

If you are under 18, before being allowed to operate a motorcycle you must meet all requirements for a driver's license; complete a motorcycle training course approved by the Illinois Department of Transportation; and pass the Secretary of State's motorcycle driver's examination.³⁰

Information on motorcycle safety courses is available on the Illinois Department of Transportation's Web site.³¹ Motorcycle licenses can be obtained from local driver's licensing facilities.

GENERAL CRIMINAL LAW

Do adult criminal laws apply to me?

Yes. The same acts are illegal if done by a minor as if they were done by an adult—although the method of imposing punishment may be different. Most criminal acts by persons under 17 are prosecuted in juvenile court³² as described under the next few questions. But a person under 17 can be tried in an adult criminal court in several kinds of situations:

- (1) The crime charged is a traffic, boating, fish and game, or municipal or county ordinance violation.³³
- (2) The person was at least 13 and is charged with first-degree murder committed in the course of an aggravated criminal sexual assault, criminal sexual assault, or aggravated kidnapping.³⁴



- (3) The person was at least 15 and is charged with (a) first-degree murder; (b) aggravated criminal sexual assault; (c) aggravated battery with a firearm at a school or college; on or within 1,000 feet of its grounds; on a school bus or van; or at a school-related activity; (d) armed robbery with a firearm; (e) aggravated vehicular hijacking with a firearm; (f) possession on school grounds of a dangerous weapon (including sprays for personal defense carried by a person under 18); or (g) delivering, or possessing with intent to deliver, an illegal drug on school or public housing grounds, on a street within 1,000 feet of them, or on any school bus or van.³⁵
- (4) The person is charged with a felony and escapes from custody, or violates a bail bond by willfully failing to surrender at the required time after posting bail.³⁶

There is also a hybrid kind of trial called an “extended jurisdiction juvenile prosecution.” It is used if a minor was at least 13 at the time of an alleged offense and is charged with a felony, and the judge finds probable cause to believe the allegations are true. (The judge has the option to keep the case in juvenile court, based on clear and convincing evidence that criminal prosecution is not appropriate.) Proceedings in an extended jurisdiction juvenile prosecution are similar to those of a criminal trial (including the right to a jury), but with looser rules of evidence.³⁷

What is the juvenile court?

It is a branch of the trial court that deals with persons under 17 who are charged with crime; persons under 18 who are alleged to be abused or neglected; and persons under 21 who are alleged to be addicts. In some situations a juvenile court can keep control over persons up to age 21.

What happens if I have to go to juvenile court?

If you must go to juvenile court because you are accused of committing a crime (that is, charged with being a “delinquent minor”), it is a serious event that can affect you for years to come. Your parent(s)

should go with you. The law allows you to be represented by a lawyer at such a hearing. If your parent(s) cannot pay for a lawyer, the public defender or another lawyer can be appointed for you.³⁸

Juvenile court hearings for minors charged with crimes are now described as “trials” and resemble adult criminal trials—with pleas, hearing of evidence, and the same standard of proof as in adult trials.³⁹

What can the juvenile judge do to me?

If the evidence shows that you committed a crime, the judge can order any one or more of several actions, including:

- sending you to the Illinois Department of Corrections for confinement in a youth correctional center, or putting you in a so-called “boot camp” for juveniles (in each case for as long as you could have been sentenced to prison if an adult, up to age 21).
- putting you in a juvenile detention center.
- sending you to a treatment facility for drug addiction.
- requiring psychological or psychiatric treatment if you committed animal cruelty, or sex offender evaluation and treatment if you committed a sex offense.
- placing you in the custody or guardianship of someone other than your parents, including a probation officer.⁴⁰

Some of these orders can last until you reach age 21.

In addition to such immediate consequences, a person who is found in juvenile court to have committed a serious felony, and before being out of confinement for 10 years commits any felony as an adult, can be sentenced to a term for the later crime approximately twice as long as it otherwise would be.⁴¹

If you are found to be a “minor requiring authoritative intervention” (basically a persistent runaway) or an addicted minor, the court may send you to the Department of Children and Family Services, put you under supervision of a relative or probation officer, or make other orders.⁴² Although a juvenile judge does not have to do any of these things to you, the judge has authority to do them if you come within these categories in the Act.

Can I appeal the judge’s decision?

Yes. There is a right of appeal to the next higher court (the Illinois Appellate Court) in juvenile as in other cases.⁴³ But an appeal is expensive—typically costing thousands of dollars for legal fees. Also, the Appellate Court will not reverse a decision by a juvenile judge merely because the Appellate Court judges might have decided the case differently. To win an appeal, you must show that the juvenile judge’s decision was legally wrong.

What are some of the criminal laws I should know about?

You no doubt know about the most serious crimes, such as murder, arson, robbery, and burglary. Some less well-known crimes that you should also know about are listed below, along with their maximum penalties.⁴⁴

- Theft of property other than a firearm (without breaking into a residence or taking something from anyone’s immediate possession): If the property is worth up to \$300, for a first offense 364 days and/or a \$2,500 fine; for a second theft or related offense, or a theft in a school or place of worship, 3 years and/or a \$25,000 fine. If the property is worth over \$300, 5 years and/or a \$25,000 fine (if committed in a school or place of worship, 7 years and/or a \$25,000 fine).⁴⁵
- Intentionally damaging property without the owner’s consent: 364 days in jail and/or a \$2,500 fine. If the damage is to property of a school or place of worship, or to someone’s domestic animal, or if the amount of damage exceeds \$300, 3 years and/or a \$25,000

fine. If the damage is to property of a school or place of worship and is between \$301 and \$10,000: 5 years and/or a \$25,000 fine. Still heavier penalties are authorized for greater damage.⁴⁶

- Criminal defacement of property using paint, a writing instrument, or a similar device: 364 days in jail and/or a \$2,500 fine if it is a first offense and the damage does not exceed \$300. If the damage is to a school or place of worship, or it exceeds \$300, 3 years and/or a \$25,000 fine. If the damage is to a school or place of worship and exceeds \$300, 5 years and/or a \$25,000 fine. Higher fines and longer terms are authorized for damage exceeding \$10,000 or \$100,000. In addition to any other sentence, a violator may be ordered to do 30-120 hours of community service, including cleaning up the damage.⁴⁷
- Carrying a dangerous weapon (other than a firearm) for illegal use: 364 days and/or a \$2,500 fine. Carrying a concealed weapon such as a handgun, or transporting in a vehicle a firearm that is accessible to occupants: 364 days and/or a \$2,500 fine. Taking a firearm into a public gathering where admission is charged (such as a stadium or theater), or a place where alcohol is served: 3 years and/or a \$25,000 fine. (A repeat offense is punishable by up to 5 years and/or a \$25,000 fine.)⁴⁸
- Making an object fall from an overpass and hit a moving vehicle: 7 years and/or a \$25,000 fine; if it kills anyone, 15 years and/or a \$25,000 fine.⁴⁹
- Entering a computer system or network without the owner's consent: 6 months and/or a \$1,500 fine. Obtaining data or use of a computer system or network without the owner's consent: 364 days and/or a \$2,500 fine for a first offense; 3 years and/or a \$25,000 fine for a repeat offense. Altering, damaging, or destroying a computer system or network without the owner's consent: 3 years and/or a \$25,000 fine for a first offense; 5 years and/or a



\$25,000 fine for a repeat offense.⁵⁰ (Such actions are also likely to violate federal law.)

- Unauthorized use of (or helping anyone else engage in unauthorized use of) cable TV, cell phone, Internet, or another electronic communications service: 364 days and/or a \$2,500 fine; 3 years and/or a \$25,000 fine if a second offense or if 10 to 50 unlawful communication or access devices are involved; or 5 years and/or a \$25,000 fine if over 50 devices are involved. Violators must also make restitution to the communications provider, and the unauthorized devices can be seized.⁵¹
- Breaking into or damaging a coin-operated machine: 364 days and/or a \$2,500 fine; if earlier convicted of a theft, robbery, burglary, or home invasion, 3 years and/or \$25,000.⁵²
- Library theft: A fine up to \$500 and a requirement to reimburse the library for replacement costs. Intentional damage of library materials: 364 days and/or a \$2,500 fine; if the amount of loss or damage exceeds \$300, 5 years and/or a \$25,000 fine.⁵³
- Entering or staying on the land of a person who has given notice, either by clearly visible sign or orally just before or during the trespass, that entry is forbidden: 30 days and/or a \$1,500 fine.⁵⁴
- Throwing litter on land without permission from the landowner: 6 months and/or a \$1,500 fine for a first offense; 364 days and/or a \$2,500 fine for a second offense; 3 years and/or a \$25,000 fine for each additional offense.⁵⁵
- Knowingly aiming an operating laser pointer at a police officer: 364 days and/or a \$2,500 fine.⁵⁶
- E-mail or telephone harassment of anyone under age 13 by a person who is at least 16: 6 months and/or a \$1,500 fine for a first offense; 364 days in jail and/or a \$2,500 fine for a repeat offense.⁵⁷
- Cyberstalking (sending electronic communications that threaten a person with bodily harm, sexual assault, confinement, or restraint): 3 years and/or a \$25,000 fine for a first offense; 5 years and/or a \$25,000 fine for a repeat offense.⁵⁸

Many other crimes are listed in Illinois and federal laws. Any action, whether intentional or reckless, that causes harm to other persons or to property that is not yours is likely to be a crime. Your local police department probably can tell you if something not listed here is prohibited.

Weapons such as guns and knives in schools are becoming a serious problem in some places. Illinois law authorizes public schools to inspect school property (including lockers, desks, and parking lots) for illegal drugs, weapons, and other contraband.⁵⁹ Possession of a dangerous weapon on school grounds is a felony; a person carrying such a weapon can be tried in regular criminal court and imprisoned if convicted.⁶⁰ Shooting a firearm into an occupied school building is a Class X felony, punishable by 6 to 30 years in prison and a fine up to \$25,000.⁶¹

Can I get in trouble for helping someone else break a law?

Yes. In fact, inducing or helping someone else to commit a crime is punishable as if you had committed the crime yourself.⁶²

What are the consequences of joining a gang?

We all want others to accept us and include us in their activities. This need can be met in many ways, such as joining scouting or other youth organizations, and participating in school sports, musical, drama, and other activities. An extremely dangerous way to meet this need is to join a street gang. Under Illinois law, such a gang is defined basically as a group of people with a leadership structure who show a pattern of committing crimes.⁶³ Illinois now has laws to fight gang crime that can be violated by a single act, such as painting gang symbols on public or private property.⁶⁴ Under these laws, gang members may:

- (1) have to post higher bail if charged with a crime related to gang activity;⁶⁵

- (2) have to serve longer sentences for a crime if it was related to gang activity;⁶⁶
- (3) be sentenced to do additional community service work as part of a sentence for crimes related to gangs;⁶⁷
- (4) get their names and records into a statewide police database listing gang members;⁶⁸ and
- (5) be sued by local governments for damage caused by their gang activities, or have any real estate they own, if it is used for gang activities, seized by a local government.⁶⁹

Using or threatening to use force to coerce a person to join any organization is a felony punishable by 3-7 years in prison and a fine up to \$25,000. If the violator is over 18 and the victim is under 18, the crime is punishable by 4-15 years in prison and a fine up to \$25,000.⁷⁰

Besides legal costs, joining a gang can have very harmful effects on your life generally. In a study of Denver street gangs for the National Institute of Justice, researchers found that the average time from joining a gang until first arrest was only 6 months.⁷¹

What does Illinois law say about hazing?

Hazing is a crime in Illinois. It is defined basically as requiring any person in an educational institution to do any act to be inducted or admitted into any organization or society connected with that educational institution, if the act is not authorized by the institution and results in bodily harm to anyone.⁷² Hazing is normally a Class A misdemeanor (punishable by up to 364 days in jail and a fine up to \$2,500); but if great bodily harm or death results, it is a Class 4 felony (punishable by 1-3 years in prison and a fine up to \$25,000).⁷³

DRUGS (INCLUDING ALCOHOL AND NICOTINE)

Why is nicotine included in this section?

Because it is a drug, and has been shown to be highly addictive. Researchers in the mid-1980s began to think that nicotine is as addictive as the so-called “hard drugs.” A 1987 article on research into this topic reported:



Interdisciplinary research in pharmacology, psychology, physiology and neurobiology is just beginning to shed light on the incredible hold that tobacco has on people. Scientists have found, for instance, that nicotine is as addictive as heroin, cocaine or amphetamines, and for most people more addictive than alcohol. Its hooks go deep⁷⁴

Researchers are still identifying the changes that occur in the brains of people who become addicted to nicotine.⁷⁵ But its effects on behavior are well-established. The American Psychiatric Association’s Diagnostic and Statistical Manual, 4th edition (DSM-IV) says the symptoms of nicotine withdrawal include “irritability, anger, impatience, restlessness, difficulty concentrating, insomnia, increased appetite, anxiety, and depressed mood.”⁷⁶ A Web site for physicians warns: “A teenager who smokes as few as 4 cigarettes might develop a lifelong addiction to nicotine.”⁷⁷

In 2004 the British Medical Journal published a study covering over 34,000 subjects for over 50 years. It found that (depending on the decade in which they were born) at least half, and for some groups as many as two-thirds, of those who began smoking cigarettes and continued doing so were killed by smoking.⁷⁸

The message of this and much other research on tobacco is: Unless you want to keep using tobacco all your life, suffer debilitating diseases due to it, and eventually die from it, don't start. It will be very hard to stop using it.

What are the laws on tobacco?

To protect young people from starting on the road to heart disease, cancer, emphysema, and many other deadly effects of tobacco, Illinois prohibits anyone under 18 from buying it in any form. It is also a crime for anyone to sell or give tobacco to, or buy it for, a person under 18.⁷⁹ These prohibitions apply to smoking and chewing tobacco, cigarette paper, and all other materials used for smoking.⁸⁰

Smoking is prohibited on all school property while in use for school purposes (including athletic events).⁸¹ The Illinois Clean Indoor Air Act prohibits smoking in all "public places" except areas where the proprietor has posted signs allowing smoking. "Public place" is defined in the Act as any enclosed indoor area used by the public or serving as a place of work, including but not limited to retail stores, other commercial establishments, restaurants, meeting rooms, auditoriums, indoor theaters, arenas, concert halls, art museums, educational facilities, libraries, offices, hospitals, and nursing homes.⁸²

The only places specifically excepted are bowling alleys; bars; hotel rooms; and private enclosed offices occupied only by smokers. Smoking in any "public place," except in an area posted for smoking, is punishable by a fine up to \$1,000.⁸³ Persons affected by such illegal smoking can call the police to enforce the law. They can also sue to stop violations.⁸⁴

Ordinances of some cities, including Chicago and Rockford, are even stronger.⁸⁵ Federal and state laws, and local ordinances, increasingly protect the right to smoke-free air in public buildings, offices, buses, trains, and airplanes. Thus if you start smoking, you may have to break the law to keep doing so.

What about alcohol?

Illinois⁸⁶ and all other states prohibit sale of alcoholic beverages to anyone under 21. It is also a crime for a person under 21 to use false evidence of age, such as a fraudulent ID card, to buy alcoholic drinks;⁸⁷ or for anyone to buy an alcoholic beverage to give to a person under 21.⁸⁸ The Secretary of State can revoke the driver's license of anyone violating those prohibitions.⁸⁹ Any delivery of alcoholic beverages to a residence in Illinois must be signed for by a person who is at least 21.⁹⁰

Why can't I drink if I'm responsible about it?

Unfortunately, it's impossible to tell beforehand who will be responsible with alcohol and who won't. Thousands of deaths are caused on U.S. highways each year by adult drinkers who would be kept off the road if law-enforcement agencies could catch them. Alcohol abuse is a very serious problem among young people. The Illinois Secretary of State reports that one-third of all deaths among persons aged 15 to 20 result from motor vehicle crashes; and among such fatalities, an estimated 36% are alcohol-related.⁹¹ So the state is trying to fight the problem when it begins.

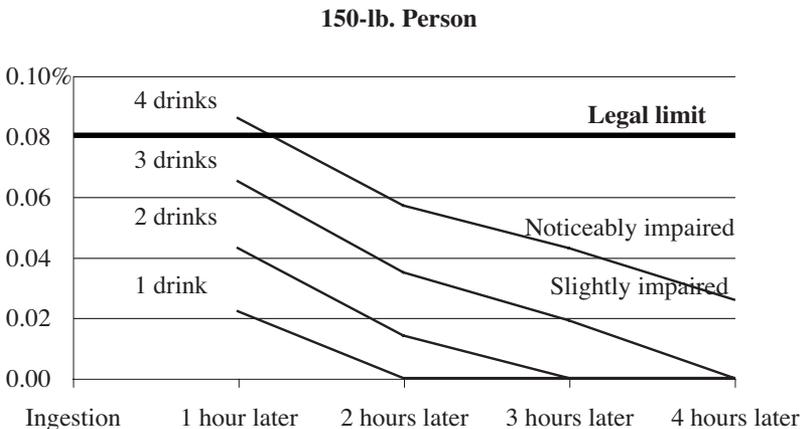
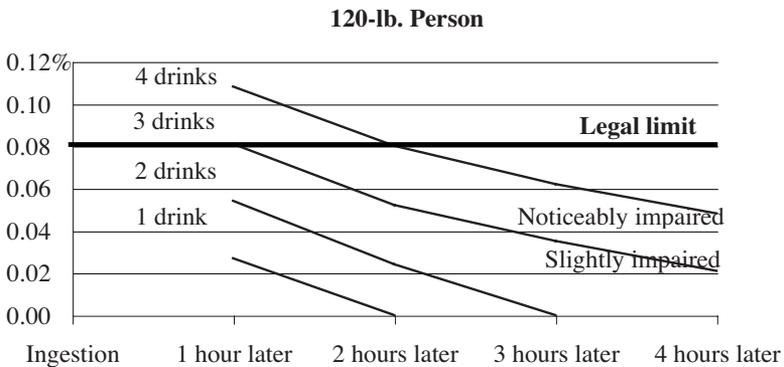
The graphs on the next page, and the table on p. 18, show estimated effects of drinking various amounts of alcohol in persons of three body weights, at several times starting one hour after the last drink. The graphs are based on average drinks—typically one 12-ounce can of beer, a small serving of wine, or about 1 ounce of liquor. Many hand-poured drinks contain more than 1 ounce of alcohol. A person who gets more alcohol per drink; drinks faster; weighs less; or has impaired liver function will have greater effects than these estimates.

Remember, too, that the graphs show only estimated blood alcohol levels starting one hour after the last drink (by then your liver will have metabolized some of the alcohol into other substances). There is no guarantee that your level won't go higher. Also, most research on the effects of alcohol on driving and other activities has used male subjects. There is growing evidence that drinking the same amount

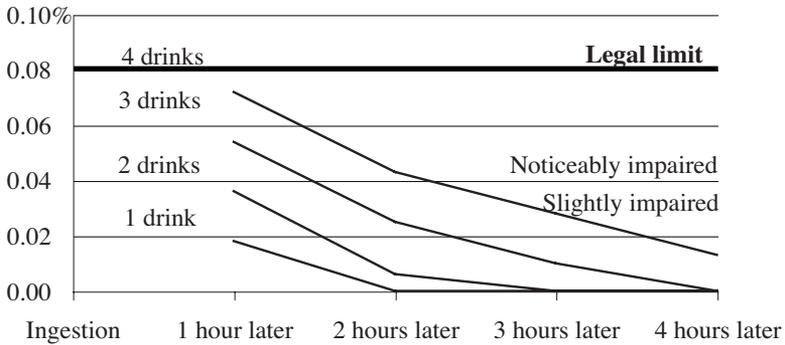
of alcohol typically causes a higher blood alcohol level in a woman than in a man, even of the same weight.⁹² Thus women especially should keep in mind that they may exceed the legal limit with fewer drinks than the graphs show.

Finally, you can be convicted of driving under the influence even with a blood alcohol level under the legal limit—if the evidence shows that you were driving under the influence of alcohol and/or other drugs.⁹³ Notice that your likelihood of having a traffic accident is four times as high by the time blood alcohol level is at the .08% legal limit.

Estimated Blood Alcohol Levels 1 to 4 Hours After Taking 1 to 4 Drinks



180-lb. Person



Typical Effects of Blood Alcohol Levels on Driving Ability

.02% Mild elation.

.03% Judgment and reactions slightly impaired.

.05% Inhibitions begin disappearing; judgment becomes noticeably impaired.

.08% Abilities to steer, brake, control speed, and judge distance are impaired. Risk of accident is 4 times normal. Driving at this level or above is always illegal.

.10% Judgment seriously affected; coordination impaired.

.15% Aggressive tendencies, slurred speech, and loss of self-control. Chance of accident is 25 times normal.

Sources: The American Medical Association Family Medical Guide (Random House, Inc., 1982), p. 36 (copyright 1982 Dorling Kindersley Limited; reprinted by permission); Illinois Department of Transportation, "Blood Alcohol Content Estimator" (slide calculator, February 1998).

What exactly is the law on carrying alcohol in a car?

It is illegal for either a driver or passenger to have any alcoholic beverage in the passenger area of a car or truck while it is on the road, unless it is “in the original container and with the seal unbroken.”⁹⁴ Violation, in addition to criminal penalties, can result in revocation of your driver’s license if you are under 21.⁹⁵ This law is intended to prevent drinking while driving, and applies to persons of any age. Thus even after you are old enough to drink, the only legal place for an opened container of alcohol in a car would be its trunk.

What are the penalties for drunk or drugged driving?

Driving under the influence (DUI) of alcohol and/or any other drug(s) or intoxicating compound(s) that endanger safe driving results in mandatory revocation of your driver’s license, plus up to 364 days in jail and a fine up to \$2,500.⁹⁶ (There is also a mandatory fine of \$100 in addition to any other fine, which goes to the arresting police agency to buy equipment to enforce DUI laws.⁹⁷) If you drive under the influence before age 21, you cannot get another license for 1 year. (After 1 year, if you meet conditions set by the Secretary of State, you can get a restricted driving permit lasting 1 year, that generally allows you to drive only between 5 a.m. and 9 p.m. Then, 2 years after the license suspension, you can apply for—but are not guaranteed to get—a driver’s license.⁹⁸)

Those are the penalties for a first offense. For a second offense within 20 years, the same criminal penalties apply; your license will be revoked; you cannot apply for another license for 5 years; and if you do get a restricted driving permit, your vehicle must be equipped with an ignition interlock to test your breath for alcohol.⁹⁹ For a third offense in your lifetime, you can be imprisoned up to 3 years and fined up to \$25,000; your license will be revoked; and you cannot apply for another one for 10 years.¹⁰⁰ For a fourth offense, you can be imprisoned up to 3 years, fined up to \$25,000, and can NEVER AGAIN legally drive.¹⁰¹

Anyone found guilty, in either juvenile or adult court, of possessing marijuana or any other illegal drug while driving a motor vehicle cannot get a driver's license, or will lose an existing license, for 1 year (or if under 17, until age 18).¹⁰² Anyone convicted of using an intoxicating compound while driving will lose an existing license or permit for 1 year.¹⁰³ ("Intoxicating compounds" include substances that can be sniffed or otherwise used to get a "high" or otherwise confused feeling.¹⁰⁴)

In addition to the criminal penalties described above, the law requires automatic pretrial license suspensions in some situations. Your license will be automatically suspended for 3 months if (a) while driving, you are found to have in your blood ANY amount of a drug or intoxicating compound due to illegal use, or (b) while driving before age 21, you are found to have any amount of alcohol in your blood, unless it was taken in a religious ceremony or as part of a proper dose of medicine.¹⁰⁵

By driving on any street, road, or highway, you give consent for testing of your breath, blood, or urine if police believe you are driving under the influence of alcohol, another drug, and/or another intoxicating compound.¹⁰⁶ If you refuse to be tested, your driver's license will be automatically suspended for 6 months the first time,¹⁰⁷ and 3 years for a repeat refusal.¹⁰⁸ If you cause an accident while driving under the influence, and emergency vehicles respond, you will be liable for costs of the response.¹⁰⁹ And you will be both morally and criminally responsible if you injure or kill anyone. (Killing a person by drunk or drugged driving brings a mandatory prison term of 3-14 years along with other penalties¹¹⁰.)

How serious a crime is marijuana use?

Marijuana can have serious effects on users' health and wellbeing, which may become irreversible if it is used repeatedly. The National Institute on Drug Abuse (NIDA) reports that short-term marijuana

use can cause problems with memory and learning, distort perception, and interfere with thinking and problem-solving. The long-term consequences are even more serious.

A 1997 article in a scientific journal reported that two recent medical studies found “disturbing similarities between marijuana’s effects on the brain and those produced by highly addictive drugs such as cocaine, heroin, alcohol, and nicotine.” The studies showed that marijuana acts on the brain in the same basic way as those other drugs—although perhaps less directly—and can cause withdrawal symptoms if its use is stopped, potentially leading users deprived of it to switch to other drugs.¹¹¹

A number of studies also report that marijuana contains higher concentrations of cancer-causing chemicals than even tobacco. It thus can cause cancer and respiratory problems, as well as damage to the immune system. Marijuana use may also cause changes in the brain similar to those observed with the use of “hard” drugs such as heroin.¹¹²

Because of such dangers from marijuana use, Illinois law prohibits possession of any amount of marijuana.¹¹³ However, Illinois lawmakers recognize that distributors and sellers of marijuana (and other illegal drugs) should be punished more severely than people who buy it for their own use. Therefore the penalties for possession go up with amount possessed, and are highest for those who grow, distribute, or sell it. The first table on the next page shows the maximum penalties for simply possessing marijuana (or any substance containing THC, its main active ingredient). The “Additional assessment” column shows amounts that must be imposed on top of any other fine; they go to the state’s Drug Treatment Fund.

Penalties for Possessing Marijuana

<i>Amount in grams*</i>	<i>Jail or prison</i>	<i>Fine</i>	<i>Additional assessment</i>
Up to 2.5	30 days	\$ 1,500	\$ 200
2.5 to 10	6 months	1,500	200
10 to 30†	364 days	2,500	300
30 to 500†	3 years	25,000	500
500 to 2,000	5 years	25,000	500
2,000 to 5,000	7 years	25,000	1,000
Over 5,000	15 years	25,000	2,000

* There are about 28 grams in an ounce.

† Penalty is higher for a repeat offense.

Sources: 720 ILCS 550/4; penalties by class of crime stated in 730 ILCS 5/5-8-1, 5/5-8-3, and 5/5-9-1; assessments required by 720 ILCS 550/10.3(a).

The next table shows maximum penalties for making; possessing with intent to deliver (transfer to anyone else); or delivering marijuana or its products. For amounts up to 2,000 grams, the rows labeled “At school” show penalties if the crime is committed either on school grounds or in a school vehicle such as a bus. As in the preceding table, the “Additional assessment” column shows a mandatory charge in addition to any fine.

Penalties for Making or Transferring Marijuana

<i>Amount in grams</i>	<i>Jail or prison</i>	<i>Fine</i>	<i>Additional assessment</i>
Up to 2.5	6 months	\$ 1,500	\$ 200
At school	364 days	2,500	300
2.5 to 10	364 days	2,500	300
At school	3 years	25,000	500
10 to 30	3 years	25,000	500
At school	5 years	50,000	500
30 to 500	5 years	50,000	500
At school	7 years	100,000	1,000
500 to 2,000	7 years	100,000	1,000
At school	15 years	200,000	2,000
2,000 to 5,000	15 years	150,000	2,000
Over 5,000	30 years	200,000	3,000

Source: 720 ILCS 550/5, 550/5.2, and 550/10.3.

A person who makes or possesses marijuana in an enterprise with other persons, and directs, finances, or receives over \$500 from the conspiracy, can be imprisoned up to 5 years for a first violation (15 years for a repeat violation); fined up to \$200,000; and required to forfeit everything obtained from the criminal enterprise.¹¹⁴

In summary, Illinois law punishes most severely those who deal in marijuana, but does not treat personal use lightly.

What are the effects of taking other drugs?

Virtually all illegal drugs bring serious risks to young people. Effects of using them may range from temporary loss of judgment and control, to sometimes serious and permanent disability. Adolescent brains are still “under construction,” so drug use during those years can have lifelong harmful effects.

New drugs are constantly being developed and used, both in legitimate medical practice and for illegal purposes. It takes years, or even decades, for medical researchers to learn most of their effects. In the meantime, persons who use them without medical supervision are making themselves into guinea pigs in dangerous ‘experiments.’ The following are brief summaries of research available into some drugs or other substances commonly abused at the time this booklet was written. There is no reason to think that the next abused substance will be less dangerous.

Ecstasy (MDMA) and similar “club drugs” are in the amphetamine family and can act as both stimulants and hallucinogens. The National Institute on Drug Abuse is concerned that young people regard them as harmless sources of a “pleasant high.”¹¹⁵ Both animal and human studies have found that users of these drugs can experience psychiatric disorders including depression, anxiety, paranoia, and disturbed sleep. Also, MDMA tablets are often mixed with other substances such as methamphetamines, dextromethorphan (described later), ephedrine, and cocaine,¹¹⁶ which could increase the risks from taking them.

GHB (nickname “liquid g”) is often taken to parties, where it may be slipped into drinks of young women to reduce their resistance to sexual assault. It has euphoric and sedative effects, and is often mixed with alcohol and other drugs. The National Institute on Drug Abuse says withdrawal from it can cause insomnia, anxiety, tremors, and sweating; and that high doses can cause coma, seizures, and even death.¹¹⁷

Rohypnol (nickname “roofies”) is sometimes used to increase the effect of alcohol to cause a more dramatic high. Like other date-rape drugs, it has sedative effects that result in impaired judgment and motor skills. It can also be addictive, with serious withdrawal effects including convulsions and hallucinations. The Office on Women’s Health of the National Women’s Health Information Center recommends that women avoid being victimized by taking drinks only from people they know well enough to trust; accepting only drinks in unopened containers; and avoiding leaving a drink unattended.¹¹⁸

Inhaling (“huffing”) consists of intentionally breathing vapors or gases from any of various products to get a quick “high.” In addition to being a crime in Illinois,¹¹⁹ it is also very dangerous. The National Institute on Drug Abuse reports that repeated huffing can cause “serious and sometimes irreversible damage to the user’s heart, liver, kidneys, lungs, and brain,” and that withdrawal symptoms can include hand tremors, insomnia, nausea or vomiting, hallucinations, and—in severe cases—even seizures.¹²⁰ But some huffers never become chronic users; they die suddenly from irregular heart rhythms, asphyxiation, or other medical effects of breathing dangerous chemicals.¹²¹ “Huffing” is a dumb thing to do.

What are the penalties for illegal drug possession?

The table on the next page gives examples of maximum penalties for possessing, without making or selling, some major illegal drugs. (Making, distributing, or selling such drugs is always a more serious crime.) Each column heading shows the number of years in prison that can be imposed for possessing the amounts listed in that column. In addition to going to prison, a violator can be assessed from \$200 to \$3,000 (based on amount possessed) to help fund drug treatment.¹²² State law allows similar penalties for other illegal drugs that pose similar risks to users and the general public.

***Examples of Prison Sentences for Possessing Major Drugs
(amounts listed are grams, except for LSD pieces)***

	3 years	15 years	30 years	40 years	50 years
Amphetamines	up to 199	200+			
Barbiturates	up to 199	200+			
Cocaine	up to 14	15-99*	100-399*	400-899*	900+*
Heroin	up to 14	15-99*	100-399*	400-899*	900+*
LSD					
grams	up to 14	15-99*	100-399*	400-899*	900+*
pieces	up to 14	15-199*	200-599	600-1499	1500+
Methamphetamine	up to 14	15-99*	100-399*	400-899*	900+*
Methaqualone	up to 29	30+			
Morphine	up to 14	15-99*	100-399*	400-899*	900+*
Peyote	up to 199	200+			
PCP	up to 29	30+			

* A violator may also be fined the full street value of these drugs if over \$200,000.
Source: 720 ILCS 570/402.

The superintendent or person responsible for a public or private school must immediately report to local police any verified incident involving illegal drugs in school buildings, property used by schools, and school buses.¹²³

Beside legal risks, there is absolutely no way to know what drug (or mixture of drugs) you will get if you buy something that is not legally regulated and labeled. Many amateur chemists now make methamphetamines, hallucinogens, or other drugs in crude “laboratories” where anything could happen. In some cases, a single dose of an illegal drug—especially a hallucinogen—can cause lifelong mental

problems. Illegal drugs occasionally even kill users due to accidental or intentional contamination.

Dextromethorphan. A legal drug that is sometimes abused is dextromethorphan (nicknamed DM, DXM, Robo, Velvet, or Rojo). It is not at present a controlled substance, and is in many cough and cold preparations as well as being sold through illegal channels.¹²⁴ The Justice Department reports that the major abusers of it are teenagers. Effects of taking substantially more than the dose recommended on the label include a heightened sense of awareness, a distorted sense of time, and hallucinations. Larger doses can cause death. Research also suggests a possible causal relationship between dextromethorphan abuse and developing Type I diabetes,¹²⁵ which requires insulin injections for the rest of the patient's life.

What are the rules on drug testing of athletes?

Schools can require testing of student athletes for drugs. The U.S. Supreme Court in 1995¹²⁶ and 2002¹²⁷ cases upheld such school policies, primarily on the grounds that (1) participation in extracurricular sports is voluntary and (2) the privacy interests of students are outweighed by the need to keep illegal drugs out of school sports.



Anabolic steroids are sometimes abused by adolescents—mostly athletes hoping to improve their performance. These drugs are synthetic substances related to male hormones, and are often smuggled in from other countries.¹²⁸

These steroids have many adverse effects. Some make users unattractive; others threaten their health. In males, steroids can lead to male pattern baldness, acne, and increased breast size. In females

they can cause reduced breast size, male pattern baldness, increased body hair, coarsening of skin, and acne. Because they disrupt hormone production, they can also cause an early end to growth. Animal studies and the experience of some athletes suggest that steroid use can even lead to cardiovascular disease and early death.¹²⁹

Illinois law prohibits possession of anabolic steroids without a prescription. Violation is punishable by a fine up to \$1,500 and up to 30 days in jail (6 months for a repeat offense within 2 years).¹³⁰ If you are an athlete, it is never a good idea to introduce illegal drugs into your body.

SEXUAL BEHAVIOR AND ABUSE

What does “sexual abuse” mean?

This term refers primarily to adults engaging in any sexual behavior with children. This is a very harmful kind of child abuse because it can cause victims to have guilt feelings and difficulty in social or marital adjustment for many years—sometimes even decades. The offender may be a stranger, or may be an acquaintance, uncle, stepparent, or other relative.



Sexual abuse is a serious crime.¹³¹ The state of Illinois is committed to stopping it whenever and wherever it occurs in the state. The state has a toll-free child abuse hotline available 24 hours a day, 7 days a week to receive reports of child abuse, including sexual abuse. It is 1-800-25ABUSE (in numbers, 1-800-252-2873). If you or anyone you know is a victim of sexual abuse, you should call this number and give the names and address(es) of the persons involved. The

Department of Children and Family Services (DCFS) is required to start investigating immediately if necessary, and in any case within 24 hours, including interviewing the child for details.¹³² DCFS investigators have authority to remove a child to a safe place if they believe the child's life or health is in danger.¹³³

Can I get in trouble with the law for sexual behavior?

Yes. You will be criminally liable for sexual conduct (including sexual touching) in any of several kinds of situations, regardless of your or the other person's gender:

- (1) You are under 17 and the other person is between 9 and 16; or you are less than 5 years older than the other person, who is aged 13 to 16. This is a Class A misdemeanor, punishable by up to 364 days and/or a fine up to \$2,500.¹³⁴
- (2) You are at least 17 and the other person is under 13; or you are under 17 and the other person is under 9. This is a Class 2 felony, punishable by 3 to 7 years and a fine up to \$25,000.¹³⁵
- (3) You are at least 17 and the other person is under 13, and the conduct involves any contact between sex organs, or intrusion of any part of either person's body or any object into any part of the other person's body in the pelvic area. This is a Class X felony, punishable by 6 to 30 years and a fine up to \$25,000.¹³⁶
- (4) The conditions described in (3) apply when you use any drug in connection with the act. This is a Class X felony with a minimum prison term of 50 years.¹³⁷

It is important to keep in mind that the other person's consent is not a defense to any of these crimes. These prohibitions are designed to protect very young people from sexual activity before they are old enough to understand fully its effects. Of course, any sexual act done by force or threat of force is a very serious felony—Class 1 (4 to 15 years and up to a \$25,000 fine) or Class X;¹³⁸ or if done with a firearm, a Class X felony to which 15 to 25 years must be added to the Class X term.¹³⁹

Are there any other legal dangers from sexual activities?

Yes. If you become a parent, you can be required to support your child until at least age 18—or until age 19 if the child is still in high school.¹⁴⁰ In that case, part of every paycheck you earn for 18 or more years can be taken by court order to pay support.¹⁴¹ DNA testing is now required in Illinois paternity cases,¹⁴² and is highly accurate in determining who is the father. Mothers are required to support their children just like fathers.¹⁴³

There can also be legal liability for sexual transmission of disease. (Engaging in behavior likely to transmit HIV is a Class 2 felony, and could result in a large civil damage award.) But this is one area in which the legal risks may not be as worrisome as the health risks. Sexual activity with numerous persons has a high risk of infecting you with a virus that would stay with you for the rest of your life. These such viruses are of concern today:

- HIV, the cause of AIDS. Many people with HIV infection are being kept alive by modern drug therapies. But those therapies may require taking many pills each day; can cost of thousands of dollars per year; have serious side effects; and may eventually fail if the virus mutates into resistant versions. Public health authorities are worried about the high rate of new infections with this virus, which appears to be due to complacency caused by the availability of those drug therapies.
- Herpes simplex 2 virus, which becomes an active infection repeatedly throughout an infected person's lifetime and can have effects as serious as sterility.
- Hepatitis C virus, which causes gradual liver damage and sometimes requires a liver transplant, may on occasion be sexually transmitted (although transmission by illegal injection of drugs is more common).

If you contract any of these viruses and later get married, you will need to take careful precautions to avoid transmitting it to your

spouse and to any children you may have. Even with such precautions, there will always be a risk of transmitting HIV or herpes simplex 2 to your spouse.

Another major threat is the bacterial infection chlamydia—one of the most common sexually transmitted diseases today. Unlike the viral infections just listed, it can be treated with antibiotics. If it is not properly treated, it can cause painful reproductive disorders, some of which may be permanent. Women infected with chlamydia appear to be at higher risk of being infected with HIV if exposed to it.

The following was the latest information from the U.S. Centers for Disease Control and Prevention on the prevalence of these diseases when this booklet was revised:

- An estimated 850,000 to 950,000 Americans were living with HIV at the beginning of this century.¹⁴⁴ An estimated 18,017 died of AIDS in 2003, and cumulative U.S. AIDS deaths by the end of 2003 were 524,060.¹⁴⁵
- An estimated 45 million Americans are infected with herpes simplex 2 virus.¹⁴⁶
- An estimated 2.7 million Americans have chronic hepatitis C virus infection. Many of them got it from transfusions before testing of blood donors for the virus began in 1992, and may not know that they have it. It is now most often spread by intravenous drug use or other skin piercing by objects exposed to infected blood; it may occasionally be spread by risky sexual behavior. About 70% of infected persons will eventually develop chronic liver disease, and some of those will die unless they get liver transplants.¹⁴⁷
- An estimated 2.8 million Americans are infected with chlamydia each year.¹⁴⁸

Some other sexually transmitted diseases are becoming harder to treat, as the bacteria or other organisms that cause them increase their

resistance to antibiotics. Those diseases also can sometimes cause irreversible harm.

Ask yourself whether any benefits of promiscuity are worth taking such serious risks.

SCHOOL

How long must I go to school?

Everyone aged 7 to 17 who is not yet a high school graduate is required to attend either a public or an acceptable private school.¹⁴⁹ Students who repeatedly fail to attend can be dealt with by truant officers, and if necessary by the courts.

Of course, this is merely the minimum legal education requirement. The realities of work and life in a complex society require more education for most people.

What powers do teachers and principals have?

This is a complex question, about which courts often have to make decisions. School personnel have a legal duty to maintain reasonable order in schools and at all activities connected with schools, including all athletic and extracurricular programs.¹⁵⁰ This includes taking measures to protect students and employees against physical attack,



drug distribution, and other harm. Because a school combines many people in a single building, who constantly mingle with one another, there is much more need for protection against contraband and health or security dangers than there is outside. For these reasons, Illinois law authorizes public schools to inspect school property, including lockers, desks, and parking lots, for illegal drugs, weapons, and similar contraband.¹⁵¹

However, the actions of school personnel must be reasonable, and courts can hold them liable if they go too far. The courts usually try to balance the need for order and safety in schools against the expectations of students for privacy and reasonable freedom to control their own lives (with guidance from parents). Few specific principles on the subject can be stated absolutely.

EMPLOYMENT

When will I be old enough to get a job?

For ordinary kinds of employment the minimum legal age is 16. This Illinois law applies to places such as restaurants, stores, offices, and factories.¹⁵²

But federal law effectively excludes persons under 18 from kinds of work the U.S. Secretary of Labor has determined to be dangerous or unhealthful for them, which applies to many kinds of factory and other work involving dangerous equipment or substances.¹⁵³



If you are between 14 and 16 and want to work in a nondangerous job, you may be able to do so by getting an “employment certificate” from your city or county superintendent of schools. Such a certificate will be issued if the superintendent’s staff determine that the kind of work involved will not harm your health and will be done outside of school hours or during school vacations.¹⁵⁴

There are some exceptions to the work restrictions described above. Persons 10 or older may do agricultural work outside school hours or during school vacations.¹⁵⁵ Those 13 or older may work as caddies at golf courses.¹⁵⁶ And those 14 or 15 may be allowed to work in federally funded work training programs supervised by the State Board of Education.¹⁵⁷

Working during your teen years may help prepare you for adult duties. On the other hand, many teens who work during the school year find it hard to do their schoolwork as well as they should. The money you earn now will likely be spent soon; but knowledge and mental skills developed through study will last your whole life.

MARRIAGE

At what age can I get married?

Anyone may get married at age 18. Or a person may get married at 16 or 17 with either the consent of both parents, or a court order.¹⁵⁸ The court will give such an order only if convinced that the person under 18 “is capable of assuming the responsibilities of marriage and the marriage will serve his [or her] best interest.”¹⁵⁹

Just because the law will allow marriage at an early age doesn’t mean it is usually a good idea. Many people who marry in their teens later feel “trapped.” Divorce rates from teenage marriages are high; both partners can be burdened with supporting children, and find their own educations interrupted (or ended). With average life expectancy nearing 80 years, it may not be a good idea to pick a lifetime partner during your first 20.

PARENTAL RESPONSIBILITIES

What responsibilities does the law impose on parents?

Parents are required to support their children until at least age 18 (19 if still in high school).¹⁶⁰ This requirement applies regardless of whether the parents were married when the child was born, and regardless of whether they become, or stay, married afterward.¹⁶¹ Being a minor does not relieve a parent of the obligation to support

a child.¹⁶² If the father of a child born to an unmarried woman is not known, the mother (or the Illinois Department of Public Aid if it provides aid to the child) can bring a paternity suit to prove who is the father and require him to provide support. (See the discussion of this subject on page 30.)



Parents also have a duty to provide necessary care, guidance, and education for their children. Of course, different parents raise children in quite different ways. But if parents' care falls below a minimum level considered essential by the law, the child(ren) can be taken away as neglected or abused under the Juvenile Court Act.¹⁶³

Note: As an alternative to abandonment of a newborn, state law allows a parent of a child up to 72 hours old to give away all parental rights by surrendering the child to personnel at a hospital, emergency medical facility, fire station, or police station.¹⁶⁴

Finally, parents can be required to pay any expenses, up to \$2,500 per victim, of any person or organization whose property is intentionally damaged by their child.¹⁶⁵ This law is designed to encourage parents to exercise enough supervision so their children will not commit vandalism or other harm to persons or property.

LICENSING REQUIREMENTS

What activities require licenses?

Major activities (in addition to driving or operating a motorcycle, which are addressed earlier in this booklet) for which you may need a license, or must be above or below a particular age, are listed below.

Boating. No person under 10 may operate a motorboat. A person who is 10 or 11 may operate a motorboat only when accompanied by a parent, guardian, or designee who is at least 18, and under that person's direct control while operating it.¹⁶⁶ These provisions apply equally to personal craft propelled by water jets.¹⁶⁷ A person 10 or older can take a course to earn a Boating Safety Certificate. With such a certificate, a person aged 12 through 17 need not be accompanied while operating a motorboat.¹⁶⁸ But it is illegal for a rental business to rent a personal watercraft (a powered device with no sides, on which a user typically sits or kneels, such as a Jet Ski®) to anyone under 16.¹⁶⁹

Firearms. A person of any age must have a Firearm Owner's Identification Card to buy a firearm or ammunition. To obtain a so-called "FOID" card, a person must not (among other things) have been convicted of any felony; have been convicted in the past 5 years of a violent crime using a firearm; have been convicted of a domestic battery committed after 1997 (or have been convicted in the past 5 years of a domestic battery committed before 1998); be addicted to narcotics; be an illegal alien; or have been a patient in a mental institution in the last 5 years. An applicant under 21 must also have the written consent of a parent or legal guardian, and must never have been convicted of a misdemeanor (except a traffic offense) or adjudicated delinquent.¹⁷⁰ Each person applying to buy a firearm from a licensed firearms dealer is given a background check during the waiting period for that firearm.¹⁷¹ No one under 18 may buy or possess a concealable firearm.¹⁷²

Fishing and hunting. Persons under 16 need not have fishing licenses to fish with "sport fishing" devices such as a pole and line.¹⁷³ Illinois residents 16 or older may buy "sport fishing" licenses at many stores for \$13 (including a 50¢ fee to the seller).¹⁷⁴ Other kinds of licenses are sold for various kinds of fishing.



A hunting license is required before starting to hunt any protected species. Anyone born after 1979, and not already licensed, can get a license to hunt only after taking a course on weapons and hunting safety to earn a certificate of competency.¹⁷⁵ The charge for a license for an Illinois resident is \$7.50 (including a 50¢ seller's fee), plus a habitat fee of \$5.50 (including a 50¢ seller's fee), totaling \$13.¹⁷⁶ Persons hunting various types of animals must also buy permits or stamps for those types.

Snowmobiles. No person under 10 may operate a snowmobile. A person who is 10 or 11 may operate one only if accompanied on it by a parent, guardian, or designee who is at least 18. With a certificate authorizing snowmobile operation, an operator aged 12 to 16 need not be so accompanied unless traveling on a public roadway.¹⁷⁷

Information on courses and licenses to boat, fish, hunt, and operate snowmobiles is available from the Illinois Department of Natural Resources' Web site (www.dnr.state.il.us/).

FOR MORE INFORMATION

If you need details on laws described in this booklet, you may be able to look them up at a library or on-line. They are available in book or CD-ROM form in many public libraries, and on the General Assembly's Web site (www.ilga.gov/). You can look up the Illinois laws using the notes that start on page 40.

Although reading the laws can be helpful, keep in mind a couple of cautions. The first is that any law may have been amended since the version you are reading was issued or last updated. The second is that in some situations other laws may affect the same activity. For these reasons you may want to ask someone familiar with the area of law in which you are interested. Your school counselor, a police officer, or a state legislator's office may be able to help.

HOW ILLINOIS LAWS ARE ENACTED

When your legislators go to Springfield, they have many ideas for changing Illinois laws or enacting new ones. Each idea must be proposed in a “bill” to be introduced in either the Senate or House of Representatives.

The Illinois Constitution requires that each bill have three “readings” by number and title in each legislative house. This helps legislators and the public learn about it before it is voted on. After First Reading, a bill is assigned to the committee that deals with its subject. The committee may amend the bill then. If the committee reports it favorably to the full house, it gets a Second Reading, when further amendment is allowed subject to restrictions. On Third Reading the bill is debated, and either approved or disapproved by that house.

If the bill is passed by the house into which it was introduced, it goes to the other house. There it goes through the same process, including a committee hearing and possible amendments. If the second house passes it in the same version as the first, it goes to the Governor. (If the two houses pass it in different versions, they must work out the differences before the bill can go to the Governor.)

The Illinois Constitution gives the Governor four possible responses to a bill: approval; total veto; amendatory veto; or an item or reduction veto. A total veto disapproves a bill in its entirety. An amendatory veto approves of the general intent of a bill but proposes specific changes that the Governor thinks would improve it. Item and reduction vetoes propose cuts in amounts the legislature has voted to appropriate for state spending.

If the Governor puts any kind of veto on a bill, it goes back to the legislature. Legislators may vote to accept the Governor’s action; or they may vote to restore the bill to its original form. Doing the latter,

called “overriding” the veto, requires a three-fifths majority in each house.

If the Governor approves a bill, or the legislature overrides the Governor’s veto of it, it becomes a law. The Secretary of State then gives it a Public Act number and prints it in the Laws of Illinois, and legal publishers add it at the proper place in printed and computer versions of the Illinois Compiled Statutes.

Notes

The citations below to “ILCS” refer to the Illinois Compiled Statutes, the state’s official code of laws. It is available in many libraries in book and/or CD-ROM form, and at <http://www.ilga.gov>. As an example of a citation, “125 ILCS 20/1” would mean chapter 125 of the Illinois Compiled Statutes, act 20, section 1. There is also a citation below to the U.S. Code (the federal code of laws), which is available in some libraries and Internet sites (including <http://thomas.loc.gov>). If you use a printed version of statutes, be sure to check its latest “supplement” (which may be in the form of one or more separate booklets, or a “pocket part” in the back of a bound volume).

BICYCLING, HITCHHIKING, DRIVING, MOTORCYCLING

1. 625 ILCS 5/11-1502.
2. 625 ILCS 5/11-1505.
3. 625 ILCS 5/11-1502 and 5/11-306.
4. 625 ILCS 5/11-1511.
5. 625 ILCS 5/11-1503(b).
6. 625 ILCS 5/11-1506.
7. 625 ILCS 5/11-1507(a).
8. Chicago Municipal Code, sec. 9-52-020.
9. 625 ILCS 5/11-1512.
10. To download that booklet as a PDF file, go to <http://www.sos.state.il.us/publications/kidspub.html> and click on the “Bicycle Rules of the Road” link.
11. You can get a free copy of the map for your region by writing to Illinois Department of Transportation, Map Sales, Room 121, 2300 S. Dirksen Parkway, Springfield, Illinois 62764, or by calling (217) 782-0834. You can view a zoomable map for your region by going to <http://www.dot.state.il.us/bikemap/bikehome.htm> and clicking on the “Bicycle Maps” link. (The zoomable maps may not work on some old versions of Internet browsers.)
12. 625 ILCS 5/11-1501(b).
13. To do so, go to the Department of Transportation’s Web site (<http://www.dot.il.gov>). On the left side of its home page, click on “Traveling Public”; when its page opens, under the “Transportation” heading click on “Bicycling in Illinois”; when the “Illinois Bicycling Information” page opens, click on “Bicycle Safety Education Resource Page”; and when the “Bicycle Safety Education Resource Guide” page opens, click on “List of Safety Education Literature” and scroll down to “Department of Transportation”. Below it are links to both booklets. To download a booklet, click on the “Single file version” link under the paragraph describing it.
14. To request copies of either or both booklets, go to <http://www.dot.il.gov/pieform.html> and click on its “Public Information & Education Materials Order Form” link. The PDF document that opens will say “Policy on Distribution of School Bus Materials” on its cover; but its third page is a request form, and later pages list publications you can request by writing the number needed in the blank to the left of the publication number and title. This form must be faxed or mailed to the place shown at the top of its third page.

15. Use of these highways by persons on foot has been prohibited under 625 ILCS 5/11-711(b).
16. 625 ILCS 5/11-1006.
17. 625 ILCS 5/6-103, subd. 1.
18. 625 ILCS 5/6-107 to 6-107.3.
19. 625 ILCS 5/6-103, subd. 1; 5/6-107(b); and 5/6-107.1.
20. 625 ILCS 5/6-107.1(a)(1).
21. 625 ILCS 5/6-103, subd. 1.
22. To find driver licensing stations near you, go to <http://www.sos.state.il.us> and click on the miniature state map in the lower-left part of the home page. It is a link to a page with a larger state map, on which you can click on your area of the state to see lists of driver facilities by locality.
23. 625 ILCS 5/6-107(c), referring to crimes listed in 625 ILCS 5/6-205 among other crimes.
24. 625 ILCS 5/6-107(b) as amended Public Act 93-788 (2004), setting a minimum age of 16 for a graduated driver's license starting January 1, 2005.
25. 625 ILCS 5/6-107(f) and (g).
26. 625 ILCS 5/6-107(e).
27. 625 ILCS 5/12-503(a).
28. 625 ILCS 5/12-201 to 5/12-212 (especially 5/12-212(c)).
29. 625 ILCS 5/12-612; 720 ILCS 5/36-1 and 5/36-2.
30. 625 ILCS 5/6-103, subd. 2.
31. Go to <http://www.dot.state.il.us>; on the left side of the home page, click on "Traveling Public"; and when its page opens, near the upper left under "Transportation" click on the "Motorcycle Training" link to get to the Department's Cycle Rider Safety Training Program page.

GENERAL CRIMINAL LAW

32. See 705 ILCS 405/5-120.
33. See 705 ILCS 405/5-125.
34. 705 ILCS 405/5-130(4)(a).
35. 705 ILCS 405/5-130(1)(a), (2)(a), and (3)(a).
36. 705 ILCS 405/5-130(5)(a).
37. 705 ILCS 405/5-810(1) to (4).
38. 705 ILCS 405/1-5(1).
39. See 705 ILCS 405/5-601 ff., esp. 405/5-605.
40. 705 ILCS 405/5-701, 405/5-710, and 405/5-715.
41. 730 ILCS 5/5-5-3.2(b)(11).
42. 705 ILCS 405/3-24 and 4-21.
43. Ill. Const., art. 6, sec. 6; Ill. Sup. Ct. Rules 301 and 660.
44. The penalties for each class of crime are set out in 730 ILCS 5/5-8-1, 5-8-2, 5-8-3, and 5-9-1.
45. 720 ILCS 5/16-1.
46. 720 ILCS 5/21-1.
47. 720 ILCS 5/21-1.3.

48. 720 ILCS 5/24-1(a)(2) and (4), and (b).
49. 720 ILCS 5/12-2.5.
50. 720 ILCS 5/16D-3.
51. 720 ILCS 5/16-18 to 16-21.
52. 720 ILCS 5/16-5.
53. 720 ILCS 5/16B-5.
54. 720 ILCS 5/21-3.
55. 415 ILCS 105/4 and 105/8.
56. 720 ILCS 5/24.6-20.
57. 720 ILCS 135/1-1, 135/1-2, and 135/2.
58. 720 ILCS 5/12-7.5.
59. 105 ILCS 5/10-22.6(e).
60. 705 ILCS 405/5-130(3)(a), referring to 720 ILCS 5/24-1(a)(1), (3), (4), and (10).
61. 720 ILCS 5/24-1.2(a)(1) and (b).
62. 720 ILCS 5/5-1 and 5/5-2.
63. See 740 ILCS 147/10.
64. 740 ILCS 147/10, definition of "Course or pattern of criminal activity."
65. 725 ILCS 5/110-5(a).
66. 730 ILCS 5/5-5-3.2(a)(15) and (b)(8).
67. 705 ILCS 405/5-710(10).
68. 20 ILCS 2640/10 and 705 ILCS 405/1-7(A)(1).
69. 740 ILCS 147/15 to 147/45.
70. 720 ILCS 5/12-6.1.
71. Professor C. Ronald Huff, Ohio State University, "The Criminal Behavior of Gang Members" (final report to National Institute of Justice under grant 91-IJ-CXK013), Tables 33 and 38.
72. 720 ILCS 120/5.
73. 720 ILCS 120/10.
74. Blakeslee, "Nicotine: Harder to Kick Than Heroin," N.Y. Times Magazine, March 29, 1987, p. 22.
75. "The Science Behind Drug Abuse: Nicotine" (downloaded March 2004 from National Institute on Drug Abuse Internet site).
76. American Psychiatric Association, Diagnostic and Statistical Manual (4th ed. 1994), quoted in Rigotti, "Treatment of Tobacco Use and Dependence," New England Journal of Medicine, February 14, 2002, p. 506.
77. Sharma and Lertzman, "Nicotine Addiction" (downloaded April 2004 from eMedicine Internet site).
78. Doll et al., "Mortality in relation to smoking: 50 years' observations on male British doctors," British Medical Journal, June 22, 2004.
79. 720 ILCS 675/1.
80. 720 ILCS 675/1 and 685/4.
81. 105 ILCS 5/10-20.5b and 5/34-18.11.
82. 410 ILCS 80/3.
83. 410 ILCS 80/4 and 80/7. The maximum fine is set in 730 ILCS 5/5-9-1(a)(4).
84. 410 ILCS 80/8.

85. The Illinois Clean Indoor Air Act specifically authorizes such ordinances that were passed before October 1989 (410 ILCS 80/11).
86. 235 ILCS 5/6-16(a), first paragraph, item (i).
87. 235 ILCS 5/6-16(a), next-to-last paragraph.
88. 235 ILCS 5/6-16(a), first paragraph, item (iii).
89. 625 ILCS 5/6-206(a), subd. 27.
90. 235 ILCS 5/6-16(a), first paragraph, item (ii).
91. Secretary of State, "DUI Fact Book" (2004), p. 21.
92. See, for example, Schenker and Speeg, "The Risk of Alcohol Intake in Men and Women: All May Not Be Equal" (editorial), *New England Journal of Medicine*, January 11, 1990, p. 127.
93. 625 ILCS 5/11-501(a)(2) to (5).
94. 625 ILCS 5/11-502(a) and (b). See also the definition in 625 ILCS 5/1-126.
95. 625 ILCS 5/11-502(f) and 6-206(a), subd. 33.
96. 625 ILCS 5/11-501(c) and (g), and 5/6-208.
97. 625 ILCS 5/11-501(j).
98. 625 ILCS 5/6-205(d).
99. 625 ILCS 5/11-501(c); 5/6-208(b), subd. 2; and 5/6-205(c).
100. 625 ILCS 5/11-501(d) and 5/6-208(b), subd. 3.
101. 625 ILCS 5/11-501(d) and 5/6-208(b), subd. 4.
102. 625 ILCS 5/6-103, subd. 12; 5/6-107(c); 5/6-108(b); and 5/6-201(a), subd. 7.
103. 625 ILCS 5/6-201(a), subd. 7.
104. See 720 ILCS 690/1 (referred to in the provision cited above on intoxicating compounds).
105. 625 ILCS 5/11-501.1(c) to (e) and 5/6-208.1(a), subd. 2; 5/11-501.8; and 5/6-208.2.
106. 625 ILCS 5/11-501.1(a). See also 625 ILCS 5/1-126.
107. 625 ILCS 11-501.1(d) and (e), and 5/6-208.1(a), subd. 1.
108. 625 ILCS 11-501.1(d) and (e), and 5/6-208.1(a), subd. 3.
109. 625 ILCS 5/11-501(f) and 730 ILCS 5/5-5-3(b), third unnumbered paragraph.
110. See 625 ILCS 5/11-501(d)(1)(F) and (2).
111. Wickelgren, "Marijuana: Harder Than Thought?" *Science* (journal of the American Association for the Advancement of Science), June 27, 1997, p. 1967.
112. "Marijuana Facts for Teens" (downloaded February 24, 2004 from National Institute on Drug Abuse Internet site).
113. 720 ILCS 550/4.
114. 720 ILCS 550/9.
115. "MDMA/Ecstasy Research: Advances, Challenges, Future Directions" (scientific conference proceedings, downloaded March 2004 from National Institute on Drug Abuse Internet site).
116. "MDMA/Ecstasy Research: Advances, Challenges, Future Directions."
117. "NIDA InfoFacts: Club Drugs" (rev. March 2005, downloaded from National Institute on Drug Abuse Internet site).

118. “‘Date Rape’ Drug (Rohypnol)” (downloaded March 2004 from U.S. Department of Health and Human Services, Office on Women’s Health, National Women’s Health Information Center Internet site).
119. 720 ILCS 690/1.
120. U.S. Department of Justice, National Drug Intelligence Center, “Intelligence Brief: Huffing” (Doc. 2002-J0403-001, Nov. 2001), “What are the effects?” section (downloaded from U.S. Department of Justice, National Drug Intelligence Center Internet site).
121. “Intelligence Brief: Huffing,” “What are the effects?” section.
122. 720 ILCS 570/411.2.
123. 105 ILCS 5/10-27.1B.
124. Schafer, “Cold Medicine Abuse on Rise by Teens” (downloaded March 2004 from National Clearinghouse on Alcohol and Drug Abuse Information).
125. “Drugs and Chemicals of Concern” (downloaded March 2004 from U.S. Department of Justice Internet site).
126. *Vernonia School Dist. 47J v. Acton*, 515 U.S. 646, 115 S. Ct. 2386 (1995).
127. *Board of Education v. Earls*, 536 U.S. 822, 122 S. Ct. 559 (2002).
128. “Anabolic Steroid Abuse” (downloaded March 2004 from National Institute on Drug Abuse Internet site).
129. “Anabolic Steroid Abuse” (downloaded March 2004 from National Institute on Drug Abuse Internet site).
130. 720 ILCS 570/402(d).

SEXUAL BEHAVIOR AND ABUSE

131. See the provisions on sexual activity with minors in 720 ILCS 5/12-13 to 5/12-16.
132. 325 ILCS 5/7.4.
133. 325 ILCS 5/5.
134. 720 ILCS 5/12-15(b) and (c). See also 720 ILCS 5/12-12 for definitions that apply to these prohibitions and to those cited in the next five endnotes.
135. 720 ILCS 5/12-16(c).
136. 720 ILCS 5/12-14.1(a)(1).
137. 720 ILCS 5/12-14.1(a)(3) and (b)(1.1).
138. 720 ILCS 5/12-13(a)(1) and 5/12-14(a).
139. 720 ILCS 5/12-14(a)(8) to (10) and (d)(1).
140. 750 ILCS 16/15(a)(1) and (f), adopting the definition of “child” in 750 ILCS 5/505(a), first paragraph.
141. 750 ILCS 16/15 and 16/20.
142. 750 ILCS 45/11.
143. 750 ILCS 16/15.
144. Centers for Disease Control and Prevention, National Center for HIV, STD and TB Prevention, Divisions of HIV/AIDS Prevention, “Basic Statistics,” “HIV Estimate” section (updated Dec. 2004, downloaded from CDC Internet site).
145. Centers for Disease Control and Prevention, “Basic Statistics,” “AIDS Cases” section.

146. Centers for Disease Control and Prevention, National Center for HIV, STD and TB Prevention, Division of Sexually Transmitted Diseases, "STD Prevention: Genital Herpes: Fact Sheet" (rev. May 2004, downloaded from CDC Web site).
147. Centers for Disease Control and Prevention, National Center for Infectious Diseases, "Viral Hepatitis C: Fact Sheet" (rev. May 2005, downloaded from CDC Internet site).
148. Centers for Disease Control and Prevention, National Center for HIV, STD and TB Prevention, Division of Sexually Transmitted Diseases, "STD Prevention: Chlamydia: Fact Sheet" (rev. May 2004, downloaded from CDC Internet site).

SCHOOL

149. 105 ILCS 5/26-1. Public Act 93-858 (2004) raised the upper age for mandatory school attendance to 17.
150. 105 ILCS 5/24-24.
151. 105 ILCS 5/10-22.6(e).

EMPLOYMENT

152. 820 ILCS 205/1.
153. Title 29 U.S. Code, sec. 212 and subsec. 203(l); 29 Code of Federal Regulations secs. 570.51 to 570.68.
154. 820 ILCS 205/9 to 205/12.
155. 820 ILCS 205/1.
156. 820 ILCS 205/2, second paragraph.
157. 820 ILCS 205/1.

MARRIAGE

158. 750 ILCS 5/203.
159. 750 ILCS 5/208.

PARENTAL RESPONSIBILITIES

160. 750 ILCS 16/15(a) and (f) (referring to the definition of "child" in 750 ILCS 5/505(a)).
161. 750 ILCS 45/3.
162. 750 ILCS 45/3.1.
163. 705 ILCS 405/2-27.
164. 325 ILCS 2/1 ff. as amended by P.A. 93-820 (2004).
165. 740 ILCS 115/1 ff.

LICENSING REQUIREMENTS

166. 625 ILCS 45/5-18, first paragraph.
167. 625 ILCS 45/1-2.
168. 625 ILCS 45/5-18, first and fourth paragraphs.
169. 625 ILCS 45/7-10.
170. 430 ILCS 65/4.
171. 430 ILCS 65/3.1.

- 172. 720 ILCS 5/24-3(A)(a) and 5/24-3.1.
- 173. 515 ILCS 5/20-5(a).
- 174. 515 ILCS 5/20-45(a) and 5/20-120(b).
- 175. 520 ILCS 5/3.1(a) and 5/3.2, second and third paragraphs.
- 176. 520 ILCS 5/3.1(a), third paragraph; 5/3.2, fifth and ninth paragraphs; and 5/3.37.
- 177. 625 ILCS 40/5-3. See also the other restrictions on operating snowmobiles on public roadways in 625 ILCS 40/5-2.

Useful Internet sites

Illinois State home page

<http://www.illinois.gov/>

General Assembly home page

<http://www.ilga.gov/>

Legislative Research Unit

http://www.ilga.gov/commission/lru/lru_home.html

Bicycling and Driving

Secretary of State

<http://www.sos.state.il.us/>

Illinois Department of Transportation

<http://www.dot.state.il.us/>

Health

Federal Centers for Disease Control and Prevention

<http://www.cdc.gov/>

National Institutes of Health

<http://health.nih.gov/>

National Institute on Drug Abuse

<http://www.drugabuse.gov/>

Recreation

Illinois Department of Natural Resources

<http://www.dnr.state.il.us/>