

HB3803



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB3803

by Rep. Kelly M. Cassidy

SYNOPSIS AS INTRODUCED:

720 ILCS 5/25-5

was 720 ILCS 5/25-1.1

Amends the Criminal Code of 2012. Changes the offense of unlawful contact with streetgang members to unlawful participation in streetgang related activity. Provides that a person commits the offense when he or she knowingly commits any act in furtherance of streetgang related activity (rather than has direct or indirect contact with a streetgang member). Provides that a violation is a Class A misdemeanor.

LRB100 11469 SLF 21909 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 25-5 as follows:

6 (720 ILCS 5/25-5) (was 720 ILCS 5/25-1.1)

7 Sec. 25-5. Unlawful participation in streetgang related
8 activity ~~contact with streetgang members.~~

9 (a) A person commits unlawful participation in streetgang
10 related activity ~~contact with streetgang members~~ when he or she
11 knowingly commits any act in furtherance of streetgang related
12 activity ~~has direct or indirect contact with a streetgang~~
13 ~~member~~ as defined in Section 10 of the Illinois Streetgang
14 Terrorism Omnibus Prevention Act after having been:

15 (1) sentenced to probation, conditional discharge, or
16 supervision for a criminal offense with a condition of that
17 sentence being to refrain from direct or indirect contact
18 with a streetgang member or members;

19 (2) released on bond for any criminal offense with a
20 condition of that bond being to refrain from direct or
21 indirect contact with a streetgang member or members;

22 (3) ordered by a judge in any non-criminal proceeding
23 to refrain from direct or indirect contact with a

1 streetgang member or members; or

2 (4) released from the Illinois Department of
3 Corrections on a condition of parole or mandatory
4 supervised release that he or she refrain from direct or
5 indirect contact with a streetgang member or members.

6 (b) Unlawful participation in streetgang related activity
7 ~~contact with streetgang members~~ is a Class A misdemeanor.

8 (c) (Blank). ~~This Section does not apply to a person when~~
9 ~~the only streetgang member or members he or she is with is a~~
10 ~~family or household member or members as defined in paragraph~~
11 ~~(3) of Section 112A-3 of the Code of Criminal Procedure of 1963~~
12 ~~and the streetgang members are not engaged in any~~
13 ~~streetgang related activity.~~

14 (Source: P.A. 96-710, eff. 1-1-10; 96-1000, eff. 7-2-10;
15 97-1108, eff. 1-1-13.)