



100TH GENERAL ASSEMBLY

State of Illinois

2017 and 2018

HB4092

by Rep. John M. Cabello

SYNOPSIS AS INTRODUCED:

720 ILCS 5/25-1.5 new

Amends the Criminal Code of 2012. Creates the offense of unlawful wearing of a mask, hood, or device to conceal the identity of the wearer from a peace officer. Provides that the offense is committed when a person, with the intent to conceal his or her identity from a peace officer, wears a mask, hood, or device in which any portion of the person's face is hidden, concealed, or covered on any public way, public place, or property, or on any private property, without first having obtained the written permission from the owner or occupier of the property. Provides exemptions. Provides that a violation is a Class C misdemeanor.

LRB100 14341 RLC 29118 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 adding
5 Section 25-1.5 as follows:

6 (720 ILCS 5/25-1.5 new)

7 Sec. 25-1.5. Unlawful wearing of a mask, hood, or device to
8 conceal the identity of the wearer from a peace officer.

9 (a) A person commits unlawful wearing of a mask, hood, or
10 device to conceal the identity of the wearer from a peace
11 officer when he or she, with the intent to conceal his or her
12 identity from a peace officer, wears a mask, hood, or device in
13 which any portion of the person's face is hidden, concealed, or
14 covered on any public way, public place, or property, or on any
15 private property, without first having obtained the written
16 permission from the owner or occupier of the property.

17 (b) Subsection (a) of this Section does not apply to:

18 (1) a person wearing a traditional holiday costume on
19 the occasion of the holiday;

20 (2) a person lawfully engaged in trade, employment, or
21 a sporting activity in which a mask is worn for the purpose
22 of ensuring the physical safety of the wearer, or because
23 of the nature of the occupation, trade, profession, or

1 sporting activity;

2 (3) a person using a mask in a theatrical production or
3 masquerade ball;

4 (4) a person wearing a gas mask prescribed in emergency
5 management drills, exercises, or emergencies; or

6 (5) a person wearing a mask, hood, or other device for
7 bona fide medical reasons.

8 (c) Sentence. Unlawful wearing of a mask, hood, or device
9 that conceals identity from a peace officer is a Class C
10 misdemeanor.