



## 101ST GENERAL ASSEMBLY

### State of Illinois

2019 and 2020

**HB4385**

Introduced 1/29/2020, by Rep. Deanne M. Mazzochi

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/32-10

from Ch. 38, par. 32-10

Amends the Criminal Code of 2012. Provides that whoever, having been admitted to bail for appearance before any court of the State, incurs a forfeiture of the bail and knowingly fails to surrender himself or herself within 30 days following the date of the forfeiture, commits, if the bail was given in connection with a charge of felony or pending appeal or certiorari after conviction of any offense, a felony of the same Class (rather than next lower Class or a Class A misdemeanor if the underlying offense was a Class 4 felony); or, if the bail was given in connection with a charge of committing a misdemeanor, or for appearance as a witness, commits a misdemeanor of the same (rather than next lower Class, but not less than a Class C misdemeanor).

LRB101 17652 RLC 67079 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 32-10 as follows:

6 (720 ILCS 5/32-10) (from Ch. 38, par. 32-10)

7 Sec. 32-10. Violation of bail bond.

8 (a) Whoever, having been admitted to bail for appearance  
9 before any court of this State, incurs a forfeiture of the bail  
10 and knowingly fails to surrender himself or herself within 30  
11 days following the date of the forfeiture, commits, if the bail  
12 was given in connection with a charge of felony or pending  
13 appeal or certiorari after conviction of any offense, a felony  
14 of the same Class ~~next lower Class or a Class A misdemeanor if~~  
15 ~~the underlying offense was a Class 4 felony;~~ or, if the bail  
16 was given in connection with a charge of committing a  
17 misdemeanor, or for appearance as a witness, commits a  
18 misdemeanor of the same ~~next lower Class, but not less than a~~  
19 ~~Class C misdemeanor.~~

20 (a-5) Any person who knowingly violates a condition of bail  
21 bond by possessing a firearm in violation of his or her  
22 conditions of bail commits a Class 4 felony for a first  
23 violation and a Class 3 felony for a second or subsequent

1 violation.

2 (b) Whoever, having been admitted to bail for appearance  
3 before any court of this State, while charged with a criminal  
4 offense in which the victim is a family or household member as  
5 defined in Article 112A of the Code of Criminal Procedure of  
6 1963, knowingly violates a condition of that release as set  
7 forth in Section 110-10, subsection (d) of the Code of Criminal  
8 Procedure of 1963, commits a Class A misdemeanor.

9 (c) Whoever, having been admitted to bail for appearance  
10 before any court of this State for a felony, Class A  
11 misdemeanor or a criminal offense in which the victim is a  
12 family or household member as defined in Article 112A of the  
13 Code of Criminal Procedure of 1963, is charged with any other  
14 felony, Class A misdemeanor, or a criminal offense in which the  
15 victim is a family or household member as defined in Article  
16 112A of the Code of Criminal Procedure of 1963 while on this  
17 release, must appear before the court before bail is  
18 statutorily set.

19 (d) Nothing in this Section shall interfere with or prevent  
20 the exercise by any court of its power to punishment for  
21 contempt. Any sentence imposed for violation of this Section  
22 shall be served consecutive to the sentence imposed for the  
23 charge for which bail had been granted and with respect to  
24 which the defendant has been convicted.

25 (Source: P.A. 97-1108, eff. 1-1-13.)