

1 AN ACT concerning State government.

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

4 Section 5. The Illinois Code of Military Justice is amended
5 by changing Sections 79, 81, 82, 83, 84, 87, 89, 90, 95, 96,
6 98, 103, 104, 105, 106, 106a, 107, 110, 112, 113, 115, 123,
7 124, 132, and 133 and by adding Sections 87a, 87b, 93a, 95a,
8 103a, 103b, 104a, 104b, 105a, 107a, 108a, 109a, 119a, 119b,
9 120a, 120b, 120c, 121a, 122a, 124a, 124b, 128a, 131a, 131b,
10 131c, 131d, 131e, 131f, and 131g as follows:

11 (20 ILCS 1807/79)

12 Sec. 79. Article 79. Conviction of ~~lesser included~~ offense
13 charged, lesser included offenses, and attempts.

14 (a) An accused may be found guilty of any of the following:
15 ~~an offense necessarily included in the offense charged or of an~~
16 ~~attempt to commit either the offense charged or an offense~~
17 ~~necessarily included therein.~~

18 (1) The offense charged.

19 (2) A lesser included offense.

20 (3) An attempt to commit the offense charged.

21 (4) An attempt to commit a lesser included offense, if
22 the attempt is an offense in its own right.

23 (b) In this Article, "lesser included offense" means:

1 (1) an offense that is necessarily included in the
2 offense charged; and

3 (2) any lesser included offense so designated by
4 regulation prescribed by the Governor.

5 (c) Any designation of a lesser included offense in a
6 regulation referred to in subsection (b) shall be reasonably
7 included in the greater offense.

8 (Source: P.A. 99-796, eff. 1-1-17.)

9 (20 ILCS 1807/81)

10 Sec. 81. Article 81. Conspiracy.

11 (a) Any person subject to this Code who conspires with any
12 other person to commit an offense under this Code shall, if one
13 or more of the conspirators does an act to effect the object of
14 the conspiracy, be punished as a court-martial may direct.

15 (b) Any person subject to this Code who conspires with any
16 other person to commit an offense under the law of war, and who
17 knowingly does an overt act to affect the object of the
18 conspiracy, shall be punished as a court-martial may direct.

19 (Source: P.A. 99-796, eff. 1-1-17.)

20 (20 ILCS 1807/82)

21 Sec. 82. Article 82. Soliciting commission of offenses
22 Solicitation.

23 (a) Any person subject to this Code who solicits or advises
24 another to commit an offense under this Code (other than an

1 offense specified in subsection (b)) shall be punished as a
2 court-martial may direct. ~~Any person subject to this Code who~~
3 ~~solicits or advises another or others to desert in violation of~~
4 ~~Article 85 of this Code or mutiny in violation of Article 94 of~~
5 ~~this Code shall, if the offense solicited or advised is~~
6 ~~attempted or committed, be punished with the punishment~~
7 ~~provided for the commission of the offense, but, if the offense~~
8 ~~solicited or advised is not committed or attempted, the person~~
9 ~~shall be punished as a court martial may direct.~~

10 (b) Any person subject to this Code who solicits or advises
11 another to violate Article 85 of this Code, Article 94 of this
12 title, or Article 99 of this Code: ~~Any person subject to this~~
13 ~~Code who solicits or advises another or others to commit an act~~
14 ~~of misbehavior before the enemy in violation of Article 99 of~~
15 ~~this Code or sedition in violation of Article 94 of this Code~~
16 ~~shall, if the offense solicited or advised is committed, be~~
17 ~~punished with the punishment provided for the commission of the~~
18 ~~offense, but, if the offense solicited or advised is not~~
19 ~~committed, the person shall be punished as a court martial may~~
20 ~~direct.~~

21 (1) if the offense solicited or advised is attempted or
22 is committed, shall be punished with the punishment
23 provided for the commission of the offense; and

24 (2) if the offense solicited or advised is not
25 attempted or committed, shall be punished as a
26 court-martial may direct.

1 (Source: P.A. 99-796, eff. 1-1-17.)

2 (20 ILCS 1807/83)

3 Sec. 83. Article 83. Malingering ~~Fraudulent enlistment,~~
4 ~~appointment, or separation.~~ Any person subject to this Code
5 who, with the intent to avoid work, duty, or service ~~who:~~

6 (1) feigns illness, physical disablement, mental
7 lapse, or mental derangement ~~procures his own enlistment or~~
8 ~~appointment in the State military forces by knowingly false~~
9 ~~representation or deliberate concealment as to his~~
10 ~~qualifications for that enlistment or appointment and~~
11 ~~receives pay or allowances thereunder; or~~

12 (2) intentionally inflicts self-injury ~~procures his~~
13 ~~own separation from the State military forces by knowingly~~
14 ~~false representation or deliberate concealment as to his~~
15 ~~eligibility for that separation;~~

16 shall be punished as a court-martial may direct.

17 (Source: P.A. 99-796, eff. 1-1-17.)

18 (20 ILCS 1807/84)

19 Sec. 84. Article 84. Breach of medical quarantine ~~Unlawful~~
20 ~~enlistment, appointment, or separation.~~ Any person subject to
21 this Code: who effects an enlistment or appointment in or a
22 ~~separation from the State military forces of any person who is~~
23 ~~known to him to be ineligible for that enlistment, appointment,~~
24 ~~or separation because it is prohibited by law, regulation, or~~

1 ~~order~~

2 (1) who is ordered into medical quarantine by a person
3 authorized to issue such order; and

4 (2) who, with knowledge of the quarantine and the
5 limits of the quarantine, goes beyond those limits before
6 being released from the quarantine by proper authority;

7 shall be punished as a court-martial may direct.

8 (Source: P.A. 99-796, eff. 1-1-17.)

9 (20 ILCS 1807/87)

10 Sec. 87. Article 87. Missing movement; jumping from vessel.

11 (a) Any person subject to this Code who through neglect or
12 design misses the movement of a ship, aircraft, or unit with
13 which he is required in the course of duty to move shall be
14 punished as a court-martial may direct.

15 (b) Any person subject to this Code who wrongfully and
16 intentionally jumps into the water from a vessel in use by the
17 State military forces shall be punished as a court-martial may
18 direct.

19 (Source: P.A. 99-796, eff. 1-1-17.)

20 (20 ILCS 1807/87a new)

21 Sec. 87a. Article 87a. Resistance, flight, breach of
22 arrest, and escape. Any person subject to this Code who:

23 (1) resists apprehension;

24 (2) flees from apprehension;

1 (3) breaks arrest; or
2 (4) escapes from custody or confinement;
3 shall be punished as a court-martial may direct.

4 (20 ILCS 1807/87b new)
5 Sec. 87b. Article 87b. (Reserved).

6 (20 ILCS 1807/89)
7 Sec. 89. Article 89. Disrespect toward superior
8 commissioned officer; assault of superior commissioned
9 officer.

10 (a) Any person subject to this Code who behaves with
11 disrespect toward his superior commissioned officer shall be
12 punished as a court-martial may direct.

13 (b) Any person subject to this Code who strikes that
14 person's superior commissioned officer or draws or lifts up any
15 weapon or offers any violence against that officer while the
16 officer is in the execution of the officer's office shall be
17 punished as a court-martial may direct.

18 (Source: P.A. 99-796, eff. 1-1-17.)

19 (20 ILCS 1807/90)
20 Sec. 90. Article 90. Willfully Assaulting ~~or willfully~~
21 disobeying superior commissioned officer. Any person subject
22 to this Code who willfully disobeys a lawful command of that
23 person's superior commissioned officer shall be punished as a

1 court-martial may direct.

2 ~~(1) strikes his superior commissioned officer or draws~~
3 ~~or lifts up any weapon or offers any violence against him~~
4 ~~while he is in the execution of his office; or~~

5 ~~(2) willfully disobeys a lawful command of his superior~~
6 ~~commissioned officer;~~

7 ~~shall be punished, if the offense is committed in time of war,~~
8 ~~by confinement of not more than 10 years or such other~~
9 ~~punishment as a court martial may direct, and if the offense is~~
10 ~~committed at any other time, by such punishment as a~~
11 ~~court martial may direct.~~

12 (Source: P.A. 99-796, eff. 1-1-17.)

13 (20 ILCS 1807/93a new)

14 Sec. 93a. Article 93a. Prohibited activities with military
15 recruit or trainee by person in position of special trust.

16 (a) Any person subject to this Code:

17 (1) who is an officer, a noncommissioned officer, or a
18 petty officer;

19 (2) who is in a training leadership position with
20 respect to a specially protected junior member of the State
21 military forces; and

22 (3) who engages in prohibited sexual activity with such
23 specially protected junior member of the State military
24 forces;

25 shall be punished as a court-martial may direct.

1 (b) Any person subject to this Code:

2 (1) who is a military recruiter and engages in
3 prohibited sexual activity with an applicant for military
4 service; or

5 (2) who is a military recruiter and engages in
6 prohibited sexual activity with a specially protected
7 junior member of the State military forces who is enlisted
8 under a delayed entry program;

9 shall be punished as a court-martial may direct.

10 (c) Consent is not a defense for any conduct at issue in a
11 prosecution under this Article.

12 (d) In this Article:

13 (1) "Specially protected junior member of the State
14 military forces" means:

15 (A) a member of the State military forces who is
16 assigned to, or is awaiting assignment to, basic
17 training or other initial active duty for training,
18 including a member who is enlisted under a delayed
19 entry program;

20 (B) a member of the State military forces who is a
21 cadet, a midshipman, an officer candidate, or a student
22 in any other officer qualification program; and

23 (C) a member of the State military forces in any
24 program that, by regulation prescribed by the
25 Secretary of the Army or the Air Force, is identified
26 as a training program for initial career

1 qualification.

2 (2) "Training leadership position" means, with respect
3 to a specially protected junior member of the State
4 military forces, any of the following:

5 (A) Any drill instructor position or other
6 leadership position in a basic training program, an
7 officer candidate school, a reserve officers' training
8 corps unit, a training program for entry into the State
9 military forces, or any program that, by regulation
10 prescribed by the Secretary of the Army or the Air
11 Force, is identified as a training program for initial
12 career qualification.

13 (B) Faculty and staff of a State military academy,
14 a regional training institute, or any other formal
15 military education program.

16 (3) "Applicant for military service" means a person
17 who, under regulations prescribed by the Secretary of the
18 Army or the Air Force, is an applicant for original
19 enlistment or appointment in the State military forces.

20 (4) "Military recruiter" means a person who, under
21 regulations prescribed by the Secretary of the Army or the
22 Air Force, has the primary duty to recruit persons for
23 military service.

24 (5) "Prohibited sexual activity" means, as specified
25 in regulations prescribed by the Secretary of the Army or
26 the Air Force, inappropriate physical intimacy under

1 circumstances described in such regulations.

2 (20 ILCS 1807/95)

3 Sec. 95. Article 95. Offenses by sentinel or lookout
4 ~~Resistance, flight, breach of arrest, and escape.~~

5 (a) Any sentinel or lookout who is drunk on post, who
6 sleeps on post, or who leaves post before being regularly
7 relieved shall be punished as a court-martial may direct.

8 (b) Any sentinel or lookout who loiters or wrongfully sits
9 down on post shall be punished as a court-martial may direct.

10 ~~Any person subject to this Code who:~~

11 ~~(1) resists apprehension;~~

12 ~~(2) flees from apprehension;~~

13 ~~(3) breaks arrest; or~~

14 ~~(4) escapes from custody or confinement;~~

15 ~~shall be punished as a court martial may direct.~~

16 (Source: P.A. 99-796, eff. 1-1-17.)

17 (20 ILCS 1807/95a new)

18 Sec. 95a. Article 95a. Disrespect toward sentinel or
19 lookout.

20 (a) Any person subject to this Code who, knowing that
21 another person is a sentinel or lookout, uses wrongful and
22 disrespectful language that is directed toward and within the
23 hearing of the sentinel or lookout, who is in the execution of
24 duties as a sentinel or lookout, shall be punished as a

1 court-martial may direct.

2 (b) Any person subject to this Code who, knowing that
3 another person is a sentinel or lookout, behaves in a wrongful
4 and disrespectful manner that is directed toward and within the
5 sight of the sentinel or lookout, who is in the execution of
6 duties as a sentinel or lookout, shall be punished as a
7 court-martial may direct.

8 (20 ILCS 1807/96)

9 Sec. 96. Article 96. Release of ~~Releasing~~ prisoner without
10 ~~proper~~ authority; drinking with prisoner.

11 (a) Any person subject to this Code: ~~Any person subject to~~
12 ~~this Code who, without proper authority, releases any prisoner~~
13 ~~committed to his charge, or who through neglect or design~~
14 ~~suffers any such prisoner to escape, shall be punished as a~~
15 ~~court martial may direct, whether or not the prisoner was~~
16 ~~committed in strict compliance with law.~~

17 (1) who, without authority to do so, releases a
18 prisoner; or

19 (2) who, through neglect or design, allows a prisoner
20 to escape;

21 shall be punished as a court-martial may direct, whether or not
22 the prisoner was committed in strict compliance with the law.

23 (b) Any person subject to this Code who unlawfully drinks
24 any alcoholic beverage with a prisoner shall be punished as a
25 court-martial may direct.

1 (Source: P.A. 99-796, eff. 1-1-17.)

2 (20 ILCS 1807/98)

3 Sec. 98. Article 98. Misconduct as prisoner ~~Noncompliance~~
4 ~~with procedural rules~~. Any person subject to this Code who, while in the hand of the enemy in time of war:

6 (1) for the purpose of securing favorable treatment by
7 his captors acts without proper authority in a manner
8 contrary to law, custom, or regulation, to the detriment of
9 others of whatever nationality held by the enemy as
10 civilian or military prisoners ~~is responsible for~~
11 ~~unnecessary delay in the disposition of any case of a~~
12 ~~person accused of an offense under this Code; or~~

13 (2) while in a position of authority over such persons
14 maltreats them without justifiable cause ~~knowingly and~~
15 ~~intentionally fails to enforce or comply with any provision~~
16 ~~of this Code regulating the proceedings before, during, or~~
17 ~~after trial of an accused;~~

18 shall be punished as a court-martial may direct.

19 (Source: P.A. 99-796, eff. 1-1-17.)

20 (20 ILCS 1807/103)

21 Sec. 103. Article 103. (Reserved). ~~Captured or abandoned~~
22 ~~property.~~

23 ~~(a) All persons subject to this Code shall secure all~~
24 ~~public property taken for the service of the United States or~~

1 ~~this State, and shall give notice and turn over to the proper~~
2 ~~authority without delay all captured or abandoned property in~~
3 ~~their possession, custody, or control.~~

4 ~~(b) Any person subject to this Code who:~~

5 ~~(1) fails to carry out the duties prescribed in~~
6 ~~subsection (a);~~

7 ~~(2) buys, sells, trades, or in any way deals in or~~
8 ~~disposes of taken, captured, or abandoned property,~~
9 ~~whereby he receives or expects any profit, benefit, or~~
10 ~~advantage to himself or another directly or indirectly~~
11 ~~connected with himself; or~~

12 ~~(3) engages in looting or pillaging;~~
13 ~~shall be punished as a court-martial may direct.~~

14 (Source: P.A. 99-796, eff. 1-1-17.)

15 (20 ILCS 1807/103a new)

16 Sec. 103a. Article 103a. (Reserved).

17 (20 ILCS 1807/103b new)

18 Sec. 103b. Article 103b. Aiding the enemy. Any person who:

19 (1) aids, or attempts to aid, the enemy with arms,
20 ammunition, supplies, money, or other things; or

21 (2) without proper authority, knowingly harbors or
22 protects or gives intelligence to, or communicates or
23 corresponds with or holds any intercourse with the enemy,
24 either directly or indirectly;

1 shall be punished as a court-martial may direct.

2 (20 ILCS 1807/104)

3 Sec. 104. Article 104. (Reserved). ~~Aiding the enemy. Any~~
4 ~~person subject to this Code who:~~

5 ~~(1) aids, or attempts to aid, the enemy with arms,~~
6 ~~ammunition, supplies, money, or other things; or~~

7 ~~(2) without proper authority, knowingly harbors or~~
8 ~~protects or gives intelligence to, or communicates or~~
9 ~~corresponds with or holds any intercourse with the enemy,~~
10 ~~either directly or indirectly;~~

11 ~~shall be punished as a court-martial may direct.~~

12 (Source: P.A. 99-796, eff. 1-1-17.)

13 (20 ILCS 1807/104a new)

14 Sec. 104a. Article 104a. Fraudulent enlistment,
15 appointment, or separation. Any person who:

16 (1) procures his or her own enlistment or appointment
17 in the State military forces by knowingly false
18 representation or deliberate concealment as to his or her
19 qualifications for that enlistment or appointment and
20 receives pay or allowances thereunder; or

21 (2) procures his or her own separation from the State
22 military forces by knowingly false representation or
23 deliberate concealment as to his or her eligibility for
24 that separation;

1 shall be punished as a court-martial may direct.

2 (20 ILCS 1807/104b new)

3 Sec. 104b. Article 104b. Unlawful enlistment, appointment,
4 or separation. Any person subject to this Code who affects an
5 enlistment or appointment in or a separation from the State
6 military forces of any person who is known to him to be
7 ineligible for that enlistment, appointment, or separation
8 because it is prohibited by law, regulation, or order shall be
9 punished as a court-martial may direct.

10 (20 ILCS 1807/105)

11 Sec. 105. Article 105. (Reserved). ~~Misconduct as prisoner.~~
12 ~~Any person subject to this Code who, while in the hands of the~~
13 ~~enemy in time of war:~~

14 ~~(1) for the purpose of securing favorable treatment by~~
15 ~~his captors acts without proper authority in a manner~~
16 ~~contrary to law, custom, or regulation, to the detriment of~~
17 ~~others of whatever nationality held by the enemy as~~
18 ~~civilian or military prisoners; or~~

19 ~~(2) while in a position of authority over such persons~~
20 ~~maltreats them without justifiable cause;~~
21 ~~shall be punished as a court-martial may direct.~~

22 (Source: P.A. 99-796, eff. 1-1-17.)

23 (20 ILCS 1807/105a new)

1 Sec. 105a. Article 105a. False or unauthorized pass
2 offenses.

3 (a) Any person subject to this Code who, wrongfully and
4 falsely, makes, alters, counterfeits, or tampers with a
5 military or official pass, permit, discharge certificate, or
6 identification card shall be punished as a court-martial may
7 direct.

8 (b) Any person subject to this Code who wrongfully sells,
9 gives, lends, or disposes of a false or unauthorized military
10 or official pass, permit, discharge certificate, or
11 identification card, knowing that the pass, permit, discharge
12 certificate, or identification card is false or unauthorized,
13 shall be punished as a court-martial may direct.

14 (c) Any person subject to this Code who wrongfully uses or
15 possesses a false or unauthorized military or official pass,
16 permit, discharge certificate, or identification card, knowing
17 that the pass, permit, discharge certificate, or
18 identification card is false or unauthorized, shall be punished
19 as a court-martial may direct.

20 (20 ILCS 1807/106)

21 Sec. 106. Article 106. Impersonation of officer,
22 noncommissioned or petty officer, or agent or official
23 (Reserved).

24 (a) Any person subject to this Code who, wrongfully and
25 willfully, impersonates:

1 (1) an officer, a noncommissioned officer, or a petty
2 officer;

3 (2) an agent of superior authority of one of the armed
4 forces; or

5 (3) an official of a government;

6 shall be punished as a court-martial may direct.

7 (b) Any person subject to this Code who, wrongfully,
8 willfully, and with intent to defraud, impersonates any person
9 referred to in paragraph (1), (2), or (3) of subsection (a)
10 shall be punished as a court-martial may direct.

11 (c) Any person subject to this Code who, wrongfully,
12 willfully, and without intent to defraud, impersonates an
13 official of a government by committing an act that exercises or
14 asserts the authority of the office that the person claims to
15 have shall be punished as a court-martial may direct.

16 (Source: P.A. 99-796, eff. 1-1-17.)

17 (20 ILCS 1807/106a)

18 Sec. 106a. Article 106a. Wearing unauthorized insignia,
19 decoration, badge, ribbon, device, or lapel button ~~(Reserved)~~.

20 Any person subject to this Code:

21 (1) who is not authorized to wear an insignia,
22 decoration, badge, ribbon, device, or lapel button; and

23 (2) who wrongfully wears such insignia, decoration,
24 badge, ribbon, device, or lapel button upon the person's
25 uniform or civilian clothing;

1 shall be punished as a court-martial may direct.

2 (Source: P.A. 99-796, eff. 1-1-17.)

3 (20 ILCS 1807/107)

4 Sec. 107. Article 107. False official statements; false
5 swearing.

6 (a) Any person subject to this Code who, with intent to
7 deceive; τ

8 (1) signs any false record, return, regulation, order,
9 or other official document ~~made in the line of duty,~~
10 knowing it to be false; τ or

11 (2) makes any other false official statement ~~made in~~
12 ~~the line of duty,~~ knowing it to be false; τ

13 shall be punished as a court-martial may direct.

14 (b) Any person subject to this Code:

15 (1) who takes an oath that:

16 (A) is administered in a matter in which such oath
17 is required or authorized by law; and

18 (B) is administered by a person with authority to
19 do so; and

20 (2) who, upon such oath, makes or subscribes to a
21 statement; if the statement is false and at the time of
22 taking the oath, the person does not believe the statement
23 to be true,

24 shall be punished as a court-martial may direct.

25 (Source: P.A. 99-796, eff. 1-1-17.)

1 (20 ILCS 1807/107a new)

2 Sec. 107a. Article 107a. Parole violation. Any person
3 subject to this Code:

4 (1) who, having been a prisoner as the result of a
5 court-martial conviction or other criminal proceeding, is
6 on parole with conditions; and

7 (2) who violates the conditions of parole;
8 shall be punished as a court-martial may direct.

9 (20 ILCS 1807/108a new)

10 Sec. 108a. Article 108a. Captured or abandoned property.

11 (a) All persons subject to this Code shall secure all
12 public property taken from the enemy for the service of the
13 United States, and shall give notice and turn over to the
14 proper authority without delay all captured or abandoned
15 property in their possession, custody, or control.

16 (b) Any person subject to this Code who:

17 (1) fails to carry out the duties prescribed in
18 subsection (a);

19 (2) buys, sells, trades, or in any way deals in or
20 disposes of captured or abandoned property, whereby he
21 receives or expects any profit, benefit, or advantage to
22 himself or another directly or indirectly connected with
23 himself; or

24 (3) engages in looting or pillaging; shall be punished

1 as a court-martial may direct.

2 (20 ILCS 1807/109a new)

3 Sec. 109a. Article 109a. (Reserved).

4 (20 ILCS 1807/110)

5 Sec. 110. Article 110. Improper hazarding of vessel or
6 aircraft.

7 (a) Any person subject to this Code who willfully and
8 wrongfully hazards or suffers to be hazarded any vessel or
9 aircraft of the armed forces of the United States or any state
10 military forces shall be punished ~~suffer such punishment~~ as a
11 court-martial may direct.

12 (b) Any person subject to this Code who negligently hazards
13 or suffers to be hazarded any vessel or aircraft of the armed
14 forces of the United States or any state military forces shall
15 be punished as a court-martial may direct.

16 (Source: P.A. 99-796, eff. 1-1-17.)

17 (20 ILCS 1807/112)

18 Sec. 112. Article 112. Drunkenness and other
19 incapacitation offenses ~~Drunk on duty.~~

20 (a) Any person subject to this Code ~~other than a sentinel~~
21 ~~or look-out,~~ who is found drunk on duty, shall be punished as a
22 court-martial may direct.

23 (b) Any person subject to this Code who, as a result of

1 indulgence in any alcoholic beverage or any drug, is
2 incapacitated for the proper performance of duty shall be
3 punished as a court-martial may direct.

4 (c) Any person subject to this Code who is a prisoner and,
5 while in such status, is drunk shall be punished as a
6 court-martial may direct.

7 (Source: P.A. 99-796, eff. 1-1-17.)

8 (20 ILCS 1807/113)

9 Sec. 113. Article 113. (Reserved). ~~Misbehavior of~~
10 ~~sentinel. Any sentinel or look-out who is found drunk or~~
11 ~~sleeping upon his post or leaves it before being regularly~~
12 ~~relieved shall be punished, if the offense is committed in time~~
13 ~~of war, by confinement of not more than 10 years or other~~
14 ~~punishment as a court-martial may direct, but if the offense is~~
15 ~~committed at any other time, by such punishment as a~~
16 ~~court martial may direct.~~

17 (Source: P.A. 99-796, eff. 1-1-17.)

18 (20 ILCS 1807/115)

19 Sec. 115. Article 115. Communicating threats ~~Malingering~~.

20 (a) Any person subject to this Code who wrongfully
21 communicates a threat to injure the person, property, or
22 reputation of another shall be punished as a court-martial may
23 direct.

24 (b) Any person subject to this Code who wrongfully

1 communicates a threat to injure the person or property of
2 another by use of (1) an explosive, (2) a weapon of mass
3 destruction, (3) a biological or chemical agent, substance, or
4 weapon, or (4) a hazardous material, shall be punished as a
5 court-martial may direct.

6 (c) Any person subject to this Code who maliciously
7 communicates a false threat concerning injury to the person or
8 property of another by use of (1) an explosive, (2) a weapon of
9 mass destruction, (3) a biological or chemical agent,
10 substance, or weapon, or (4) a hazardous material, shall be
11 punished as a court-martial may direct. As used in this
12 subsection, "false threat" means a threat that, at the time the
13 threat is communicated, is known to be false by the person
14 communicating the threat.

15 ~~Any person subject to this Code who for the purpose of avoiding~~
16 ~~work, duty, or service:~~

17 ~~(1) feigns illness, physical disablement, mental~~
18 ~~lapse, or derangement; or~~

19 ~~(2) intentionally inflicts self injury;~~
20 ~~shall be punished as a court-martial may direct.~~

21 (Source: P.A. 99-796, eff. 1-1-17.)

22 (20 ILCS 1807/119a new)

23 Sec. 119a. Article 119a. (Reserved).

24 (20 ILCS 1807/119b new)

1 Sec. 119b. Article 119b. (Reserved).

2 (20 ILCS 1807/120a new)

3 Sec. 120a. Article 120a. (Reserved).

4 (20 ILCS 1807/120b new)

5 Sec. 120b. Article 120b. (Reserved).

6 (20 ILCS 1807/120c new)

7 Sec. 120c. Article 120c. (Reserved).

8 (20 ILCS 1807/121a new)

9 Sec. 121a. Article 121a. (Reserved).

10 (20 ILCS 1807/122a new)

11 Sec. 122a. Article 122a. (Reserved).

12 (20 ILCS 1807/123)

13 Sec. 123. Article 123. Offenses concerning Government
14 computers ~~(Reserved).~~

15 (a) Any person subject to this Code who:

16 (1) knowingly accesses a Government computer, with an
17 unauthorized purpose, and by doing so obtains classified
18 information, with reason to believe such information could
19 be used to the injury of the United States, or to the
20 advantage of any foreign nation, and intentionally

1 communicates, delivers, transmits, or causes to be
2 communicated, delivered, or transmitted such information
3 to any person not entitled to receive it;

4 (2) intentionally accesses a Government computer, with
5 an unauthorized purpose, and thereby obtains classified or
6 other protected information from any such Government
7 computer; or

8 (3) knowingly causes the transmission of a program,
9 information, code, or command, and as a result of such
10 conduct, intentionally causes damage without authorization
11 to a Government computer;

12 shall be punished as a court-martial may direct.

13 (b) In this Article:

14 (1) "Computer" has the meaning given that term in
15 Section 1030 of Title 18 of the United States Code.

16 (2) "Government computer" means a computer owned or
17 operated by or on behalf of the United States Government or
18 State government.

19 (3) "Damage" has the meaning given that term in Section
20 1030 of Title 18 of the United States Code.

21 (Source: P.A. 99-796, eff. 1-1-17.)

22 (20 ILCS 1807/124)

23 Sec. 124. Article 124. Frauds against the government. Any
24 person subject to this Code: ~~(Reserved).~~

25 (1) who, knowing it to be false or fraudulent:

1 (A) makes any claim against the United States, this
2 State, or any officer thereof; or

3 (B) presents to any person in the civil or military
4 service thereof, for approval or payment, any claim against
5 the United States, this State, or any officer thereof;

6 (2) who, for the purpose of obtaining the approval,
7 allowance, or payment of any claim against the United States,
8 this State, or any officer thereof:

9 (A) makes or uses any writing or other paper knowing it
10 to contain any false or fraudulent statements;

11 (B) makes any oath, affirmation, or certification to
12 any fact or to any writing or other paper knowing the oath,
13 affirmation, or certification to be false; or

14 (C) forges or counterfeits any signature upon any
15 writing or other paper, or uses any such signature knowing
16 it to be forged or counterfeited;

17 (3) who, having charge, possession, custody, or control of
18 any money, or other property of the United States or this
19 State, furnished or intended for the armed forces of the United
20 States or the State military forces, knowingly delivers to any
21 person having authority to receive it, any amount thereof less
22 than that for which he receives a certificate or receipt; or

23 (4) who, being authorized to make or deliver any paper
24 certifying the receipt of any property of the United States or
25 this State, furnished or intended for the armed forces of the
26 United States or the State military forces, makes or delivers

1 to any person such writing without having full knowledge of the
2 truth of the statements therein contained and with intent to
3 defraud the United States or this State;
4 shall, upon conviction, be punished as a court-martial may
5 direct.

6 (Source: P.A. 99-796, eff. 1-1-17.)

7 (20 ILCS 1807/124a new)

8 Sec. 124a. Article 124a. (Reserved).

9 (20 ILCS 1807/124b new)

10 Sec. 124b. Article 124b. (Reserved).

11 (20 ILCS 1807/128a new)

12 Sec. 128a. Article 128a. (Reserved).

13 (20 ILCS 1807/131a new)

14 Sec. 131a. Article 131a. (Reserved).

15 (20 ILCS 1807/131b new)

16 Sec. 131b. Article 131b. (Reserved).

17 (20 ILCS 1807/131c new)

18 Sec. 131c. Article 131c. (Reserved).

19 (20 ILCS 1807/131d new)

1 Sec. 131d. Article 131d. (Reserved).

2 (20 ILCS 1807/131e new)

3 Sec. 131e. Article 131e. (Reserved).

4 (20 ILCS 1807/131f new)

5 Sec. 131f. Article 131f. Noncompliance with procedural
6 rules. Any person subject to this Code who:

7 (1) is responsible for unnecessary delay in the
8 disposition of any case of a person accused of an offense
9 under this Code; or

10 (2) knowingly and intentionally fails to enforce or
11 comply with any provision of this Code regulating the
12 proceedings before, during, or after trial of an accused;
13 shall be punished as a court-martial may direct.

14 (20 ILCS 1807/131g new)

15 Sec. 131g. Article 131g. Wrongful interference with
16 adverse administrative proceeding. Any person subject to this
17 Code who, having reason to believe that an adverse
18 administrative proceeding is pending against any person
19 subject to this Code, wrongfully acts with the intent:

20 (1) to influence, impede, or obstruct the conduct of
21 the proceeding; or

22 (2) otherwise to obstruct the due administration of
23 justice;

1 shall be punished as a court-martial may direct.

2 (20 ILCS 1807/132)

3 Sec. 132. Article 132. Retaliation ~~Frauds against the~~
4 ~~government.~~

5 (a) Any person subject to this Code who, with the intent to
6 retaliate against any person for reporting or planning to
7 report a criminal offense, or making or planning to make a
8 protected communication, or with the intent to discourage any
9 person from reporting a criminal offense or making or planning
10 to make a protected communication:

11 (1) wrongfully takes or threatens to take an adverse
12 personnel action against any person; or

13 (2) wrongfully withholds or threatens to withhold a
14 favorable personnel action with respect to any person;

15 shall be punished as a court-martial may direct.

16 (b) In this Article:

17 (1) "Protected communication" means the following:

18 (A) A lawful communication to a Member of Congress
19 or an Inspector General.

20 (B) A communication to a covered individual or
21 organization in which a member of the State military
22 forces complains of, or discloses information that the
23 member reasonably believes constitutes evidence of,
24 any of the following:

25 (i) A violation of law or regulation,

1 including a law or regulation prohibiting sexual
2 harassment or unlawful discrimination.

3 (ii) Gross mismanagement, a gross waste of
4 funds, an abuse of authority, or a substantial and
5 specific danger to public health or safety.

6 (2) "Inspector General" has the meaning given that term
7 in Section 1034(j) of Title 10 of the United States Code.

8 (3) "Covered individual or organization" means any
9 recipient of a communication specified in clauses (i)
10 through (v) of Section 1034(b)(1)(B) of Title 10 of this
11 Code.

12 (4) "Unlawful discrimination" means discrimination on
13 the basis of race, color, religion, sex, or national
14 origin.

15 ~~Any person subject to this Code:~~

16 ~~(1) who, knowing it to be false or fraudulent:~~

17 ~~(A) makes any claim against the United States, this~~
18 ~~State, or any officer thereof; or~~

19 ~~(B) presents to any person in the civil or military~~
20 ~~service thereof, for approval or payment, any claim~~
21 ~~against the United States, this State, or any officer~~
22 ~~thereof;~~

23 ~~(2) who, for the purpose of obtaining the approval,~~
24 ~~allowance, or payment of any claim against the United~~
25 ~~States, this State, or any officer thereof:~~

26 ~~(A) makes or uses any writing or other paper~~

1 ~~knowing it to contain any false or fraudulent~~
2 ~~statements;~~

3 ~~(B) makes any oath, affirmation, or certification~~
4 ~~to any fact or to any writing or other paper knowing~~
5 ~~the oath, affirmation, or certification to be false; or~~

6 ~~(C) forges or counterfeits any signature upon any~~
7 ~~writing or other paper, or uses any such signature~~
8 ~~knowing it to be forged or counterfeited;~~

9 ~~(3) who, having charge, possession, custody, or~~
10 ~~control of any money, or other property of the United~~
11 ~~States or this State, furnished or intended for the armed~~
12 ~~forces of the United States or the State military forces,~~
13 ~~knowingly delivers to any person having authority to~~
14 ~~receive it, any amount thereof less than that for which he~~
15 ~~receives a certificate or receipt; or~~

16 ~~(4) who, being authorized to make or deliver any paper~~
17 ~~certifying the receipt of any property of the United States~~
18 ~~or this State, furnished or intended for the armed forces~~
19 ~~of the United States or the State military forces, makes or~~
20 ~~delivers to any person such writing without having full~~
21 ~~knowledge of the truth of the statements therein contained~~
22 ~~and with intent to defraud the United States or this State;~~
23 ~~shall, upon conviction, be punished as a court-martial may~~
24 ~~direct.~~

25 (Source: P.A. 99-796, eff. 1-1-17.)

1 (20 ILCS 1807/133)

2 Sec. 133. Article 133. Conduct unbecoming an officer and a
3 gentleman. Any commissioned officer, cadet, ~~candidate~~, or
4 midshipman who is convicted of conduct unbecoming an officer
5 and a gentleman shall be punished as a court-martial may
6 direct.

7 (Source: P.A. 99-796, eff. 1-1-17.)

8 Section 99. Effective date. This Act takes effect upon
9 becoming law.