



102ND GENERAL ASSEMBLY

State of Illinois

2021 and 2022

HB3362

Introduced 2/22/2021, 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).

LRB102 13545 KMF 18892 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
5 changing 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
12 bail 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
21 bail 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
8 Criminal 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
15 the victim is a family or household member as defined in
16 Article 112A of the Code of Criminal Procedure of 1963 while on
17 this release, must appear before the court before bail is
18 statutorily set.

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

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