



Sen. Doris Turner

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10200SB0768sam001

LRB102 04586 KMF 24484 a

1 AMENDMENT TO SENATE BILL 768

2 AMENDMENT NO. _____. Amend Senate Bill 768 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by
5 changing Section 26-1 as follows:

6 (720 ILCS 5/26-1) (from Ch. 38, par. 26-1)

7 Sec. 26-1. Disorderly conduct.

8 (a) A person commits disorderly conduct when he or she
9 knowingly:

10 (1) Does any act in such unreasonable manner as to
11 alarm or disturb another and to provoke a breach of the
12 peace;

13 (2) Transmits or causes to be transmitted in any
14 manner to the fire department of any city, town, village
15 or fire protection district a false alarm of fire, knowing
16 at the time of the transmission that there is no

1 reasonable ground for believing that the fire exists;

2 (3) Transmits or causes to be transmitted in any
3 manner to another a false alarm to the effect that a bomb
4 or other explosive of any nature or a container holding
5 poison gas, a deadly biological or chemical contaminant,
6 or radioactive substance is concealed in a place where its
7 explosion or release would endanger human life, knowing at
8 the time of the transmission that there is no reasonable
9 ground for believing that the bomb, explosive or a
10 container holding poison gas, a deadly biological or
11 chemical contaminant, or radioactive substance is
12 concealed in the place;

13 (3.5) Transmits or causes to be transmitted in any
14 manner a threat of destruction of a school building or
15 school property, or a threat of violence, death, or bodily
16 harm directed against persons at a school, school
17 function, or school event, whether or not school is in
18 session;

19 (4) Transmits or causes to be transmitted in any
20 manner to any peace officer, public officer or public
21 employee a report to the effect that an offense will be
22 committed, is being committed, or has been committed,
23 knowing at the time of the transmission that there is no
24 reasonable ground for believing that the offense will be
25 committed, is being committed, or has been committed;

26 (5) Transmits or causes to be transmitted in any

1 manner a false report to any public safety agency without
2 the reasonable grounds necessary to believe that
3 transmitting the report is necessary for the safety and
4 welfare of the public; ~~or~~

5 (6) Calls the number "911" or transmits or causes to
6 be transmitted in any manner to a public safety agency for
7 the purpose of making or transmitting a false alarm or
8 complaint and reporting information when, at the time the
9 call or transmission is made, the person knows there is no
10 reasonable ground for making the call or transmission and
11 further knows that the call or transmission could result
12 in the emergency response of any public safety agency. It
13 is not a false alarm or complaint under this paragraph (6)
14 for a person to report his or her honestly perceived
15 belief that the behavior of a police officer is
16 unreasonable under the circumstances and poses an
17 unwarranted physical threat to the person or to another
18 person;

19 (7) Transmits or causes to be transmitted in any
20 manner a false report to the Department of Children and
21 Family Services under Section 4 of the Abused and
22 Neglected Child Reporting Act;

23 (8) Transmits or causes to be transmitted in any
24 manner a false report to the Department of Public Health
25 under the Nursing Home Care Act, the Specialized Mental
26 Health Rehabilitation Act of 2013, the ID/DD Community

1 Care Act, or the MC/DD Act;

2 (9) Transmits or causes to be transmitted in any
3 manner to the police department or fire department of any
4 municipality or fire protection district, or any privately
5 owned and operated ambulance service, a false request for
6 an ambulance, emergency medical technician-ambulance or
7 emergency medical technician-paramedic knowing at the time
8 there is no reasonable ground for believing that the
9 assistance is required;

10 (10) Transmits or causes to be transmitted in any
11 manner a false report under Article II of Public Act
12 83-1432;

13 (11) Enters upon the property of another and for a
14 lewd or unlawful purpose deliberately looks into a
15 dwelling on the property through any window or other
16 opening in it; or

17 (12) While acting as a collection agency as defined in
18 the Collection Agency Act or as an employee of the
19 collection agency, and while attempting to collect an
20 alleged debt, makes a telephone call to the alleged debtor
21 which is designed to harass, annoy or intimidate the
22 alleged debtor.

23 (b) Sentence. A violation of subsection (a)(1) of this
24 Section is a Class C misdemeanor. A violation of subsection
25 (a)(5) or (a)(11) of this Section is a Class A misdemeanor. A
26 violation of subsection (a)(8) or (a)(10) of this Section is a

1 Class B misdemeanor. A violation of subsection (a)(2),
2 (a)(3.5), (a)(4), (a)(6), (a)(7), or (a)(9) of this Section is
3 a Class 4 felony. A violation of subsection (a)(3) of this
4 Section is a Class 3 felony, for which a fine of not less than
5 \$3,000 and no more than \$10,000 shall be assessed in addition
6 to any other penalty imposed.

7 A violation of subsection (a)(12) of this Section is a
8 Business Offense and shall be punished by a fine not to exceed
9 \$3,000. A second or subsequent violation of subsection (a)(7)
10 or (a)(5) of this Section is a Class 4 felony. A third or
11 subsequent violation of subsection (a)(11) of this Section is
12 a Class 4 felony.

13 (c) In addition to any other sentence that may be imposed,
14 a court shall order any person convicted of disorderly conduct
15 to perform community service for not less than 30 and not more
16 than 120 hours, if community service is available in the
17 jurisdiction and is funded and approved by the county board of
18 the county where the offense was committed. In addition,
19 whenever any person is placed on supervision for an alleged
20 offense under this Section, the supervision shall be
21 conditioned upon the performance of the community service.

22 This subsection does not apply when the court imposes a
23 sentence of incarceration.

24 (d) In addition to any other sentence that may be imposed,
25 the court shall order any person convicted of disorderly
26 conduct under paragraph (3) of subsection (a) involving a

1 false alarm of a threat that a bomb or explosive device has
2 been placed in a school that requires an emergency response to
3 reimburse the unit of government that employs the emergency
4 response officer or officers that were dispatched to the
5 school for the cost of the response. If the court determines
6 that the person convicted of disorderly conduct that requires
7 an emergency response to a school is indigent, the provisions
8 of this subsection (d) do not apply.

9 (e) In addition to any other sentence that may be imposed,
10 the court shall order any person convicted of disorderly
11 conduct under paragraph (3.5) or (6) of subsection (a) to
12 reimburse the public agency for the reasonable costs of the
13 emergency response by the public agency up to \$10,000. If the
14 court determines that the person convicted of disorderly
15 conduct under paragraph (3.5) or (6) of subsection (a) is
16 indigent, the provisions of this subsection (e) do not apply.

17 (f) For the purposes of this Section, "emergency response"
18 means any condition that results in, or could result in, the
19 response of a public official in an authorized emergency
20 vehicle, any condition that jeopardizes or could jeopardize
21 public safety and results in, or could result in, the
22 evacuation of any area, building, structure, vehicle, or of
23 any other place that any person may enter, or any incident
24 requiring a response by a police officer, a firefighter, a
25 State Fire Marshal employee, or an ambulance.

26 (Source: P.A. 101-238, eff. 1-1-20.)".