



103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB3252

Introduced 2/17/2023, by Rep. Robert "Bob" Rita

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12C-30

was 720 ILCS 5/33D-1

Amends the Criminal Code of 2012 concerning the offense of contributing to the criminal delinquency of a minor. Changes the definition of "delinquent minor" to be consistent with the Juvenile Court Act of 1987. Provides that the penalty for contributing to the criminal delinquency of a minor, if the offense committed is vehicular hijacking, is a Class X felony for which the person shall be sentenced to not less than 12 years imprisonment and not more than 60 years imprisonment. Provides that if the offense committed is aggravated vehicular hijacking, the penalty for contributing to the criminal delinquency of a minor is a Class X felony for which the person shall be sentenced to not less than 30 years imprisonment and not more than 60 years imprisonment.

LRB103 29874 RLC 56284 b

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 12C-30 as follows:

6 (720 ILCS 5/12C-30) (was 720 ILCS 5/33D-1)

7 Sec. 12C-30. Contributing to the delinquency or criminal
8 delinquency of a minor.

9 (a) Contributing to the delinquency of a minor. A person
10 commits contributing to the delinquency of a minor when he or
11 she knowingly: (1) causes, aids, or encourages a minor to be or
12 to become a delinquent minor; or (2) does acts which directly
13 tend to render any minor so delinquent.

14 (b) Contributing to the criminal delinquency of a minor. A
15 person of the age of 21 years and upwards commits contributing
16 to the criminal delinquency of a minor when he or she, with the
17 intent to promote or facilitate the commission of an offense
18 solicits, compels or directs a minor in the commission of the
19 offense ~~that is either: (i) a felony when the minor is under~~
20 ~~the age of 17 years; or (ii) a misdemeanor when the minor is~~
21 under the age of 18 years.

22 (c) "Delinquent minor" has the meaning ascribed to it in
23 Section 5-105 of the Juvenile Court Act of 1987 ~~means any minor~~

1 ~~who prior to his or her 17th birthday has violated or attempted~~
2 ~~to violate, regardless of where the act occurred, any federal~~
3 ~~or State law or county or municipal ordinance, and any minor~~
4 ~~who prior to his or her 18th birthday has violated or attempted~~
5 ~~to violate, regardless of where the act occurred, any federal~~
6 ~~or State law or county or municipal ordinance classified as a~~
7 ~~misdemeanor offense.~~

8 (d) Sentence.

9 (1) A violation of subsection (a) is a Class A
10 misdemeanor.

11 (2) A violation of subsection (b) is:

12 (i) a Class C misdemeanor if the offense committed
13 is a petty offense or a business offense;

14 (ii) a Class B misdemeanor if the offense
15 committed is a Class C misdemeanor;

16 (iii) a Class A misdemeanor if the offense
17 committed is a Class B misdemeanor;

18 (iv) a Class 4 felony if the offense committed is a
19 Class A misdemeanor;

20 (v) a Class 3 felony if the offense committed is a
21 Class 4 felony;

22 (vi) a Class 2 felony if the offense committed is a
23 Class 3 felony;

24 (vii) a Class 1 felony if the offense committed is
25 a Class 2 felony; and

26 (viii) a Class X felony if the offense committed

1 is a Class 1 felony or a Class X felony; except that if
2 the offense committed is vehicular hijacking, the
3 penalty for contributing to the criminal delinquency
4 of a minor is a Class X felony for which the person
5 shall be sentenced to not less than 12 years
6 imprisonment and not more than 60 years imprisonment.
7 If the offense committed is aggravated vehicular
8 hijacking, the penalty for contributing to the
9 criminal delinquency of a minor is a Class X felony for
10 which the person shall be sentenced to not less than 30
11 years imprisonment and not more than 60 years
12 imprisonment.

13 (3) A violation of subsection (b) incurs the same
14 penalty as first degree murder if the committed offense is
15 first degree murder.

16 (e) The husband or wife of the defendant shall be a
17 competent witness to testify in any case under this Section
18 and to all matters relevant thereto.

19 (Source: P.A. 97-1109, eff. 1-1-13.)