

1 AN ACT in relation to 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 1961 is amended by  
5 changing Section 16A-7 as follows:

6 (720 ILCS 5/16A-7) (from Ch. 38, par. 16A-7)

7 Sec. 16A-7. Civil Liability. (a) A person who commits  
8 the offense of retail theft as defined in Section 16A-3  
9 paragraphs (a), (b), ~~or (c)~~, or (h) of this Code, shall be  
10 civilly liable to the merchant of the merchandise in an  
11 amount consisting of:

12 (i) actual damages equal to the full retail value of the  
13 merchandise as defined herein; plus

14 (ii) an amount not less than \$100 nor more than \$1,000;  
15 plus

16 (iii) attorney's fees and court costs.

17 (b) If a minor commits the offense of retail theft, the  
18 parents or guardian of said minor shall be civilly liable as  
19 provided in this Section; provided, however that a guardian  
20 appointed pursuant to the Juvenile Court Act or the Juvenile  
21 Court Act of 1987 shall not be liable under this Section.  
22 Total recovery under this Section shall not exceed the  
23 maximum recovery permitted under Section 5 of the "Parental  
24 Responsibility Law", approved October 6, 1969, as now or  
25 hereafter amended.

26 (c) A conviction or a plea of guilty to the offense of  
27 retail theft is not a prerequisite to the bringing of a civil  
28 suit hereunder.

29 (d) Judgments arising under this Section may be  
30 assigned.

31 (Source: P.A. 85-1209.)

1           Section 99. Effective date. This Act takes effect upon  
2 becoming law.