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09300HB4650ham001

LRB093 18964 RLC 46969 a

1 AMENDMENT TO HOUSE BILL 4650

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4650 as follows:

3 by replacing the title with the following:

4 "AN ACT in relation to criminal law."; and

5 by replacing everything after the enacting clause with the  
6 following:

7 "Section 5. The Criminal Code of 1961 is amended by  
8 changing Section 12-5.1 as follows:

9 (720 ILCS 5/12-5.1) (from Ch. 38, par. 12-5.1)

10 Sec. 12-5.1. Criminal housing management.

11 (a) A person commits the offense of criminal housing  
12 management when, having personal management or control of  
13 residential real estate, whether as a legal or equitable owner  
14 or as a managing agent or otherwise, he recklessly permits the  
15 physical condition or facilities of the residential real estate  
16 to become or remain in any condition which endangers the health  
17 or safety of any person.

18 (a-5) Whenever, under any agreement, either written or  
19 verbal, a landlord or his or her agent charges a tenant for any  
20 water, gas, or electrical service and the tenant pays the  
21 landlord for the utility service and the landlord or his or her  
22 agent does not pay the utility company for the service and the

1 utility company terminates service and as a result of the  
2 termination of utility service, the landlord knows or  
3 reasonably should know that the health or safety of the tenant  
4 is endangered, the landlord is guilty of the offense of  
5 criminal housing management.

6 (a-6) In this Section:

7 "Agreement" includes leases, oral agreements, and any  
8 other understandings or contracts reached between a landlord  
9 and a tenant.

10 "Landlord" includes the owner of a building, the owner's  
11 agent, and the lessor of a building.

12 "Tenant" includes occupants of a building or mobile home,  
13 whether under a lease or periodic tenancy.

14 "Utility company" includes all suppliers of utility  
15 service, including municipalities.

16 "Utility service" includes electric, gas, water, or  
17 sanitary utility service rendered by a utility company to a  
18 tenant at a specific location.

19 (b) Sentence.

20 Criminal housing management is a Class A misdemeanor. A  
21 subsequent conviction for a violation of subsection (a) or  
22 (a-5) is a Class 4 felony.

23 (Source: P.A. 85-341.)".