

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 12-21.6 as follows:

6 (720 ILCS 5/12-21.6)

7 Sec. 12-21.6. Endangering the life or health of a child.

8 (a) It is unlawful for a any person to willfully cause  
9 or permit the life or health of a child under the age of 18  
10 to be endangered or to willfully cause or permit a child to  
11 be placed in circumstances that endanger the child's life or  
12 health, except that it is not unlawful for a person to  
13 relinquish a child in accordance with the Abandoned Newborn  
14 Infant Protection Act.

15 (b) There is a rebuttable presumption that a person  
16 committed the offense if he or she left a child 6 years of  
17 age or younger unattended in a motor vehicle for more than 10  
18 minutes.

19 (c) "Unattended" means either: (i) not accompanied by a  
20 person 14 years of age or older; or (ii) if accompanied by a  
21 person 14 years of age or older, out of sight of that person.

22 (d) A violation of this Section is a Class A  
23 misdemeanor. A second or subsequent violation of this  
24 Section is a Class 3 felony. A violation of this Section  
25 that is a proximate cause of the death of the child is a  
26 Class 3 felony for which a person, if sentenced to a term of  
27 imprisonment, shall be sentenced to a term of not less than 2  
28 years and not more than 10 years.

29 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;  
30 92-515, eff. 6-1-02; 92-651, eff. 7-11-02.)