

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 changing
5 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 any person to willfully cause or
9 permit the life or health of a child under the age of 18 to be
10 endangered or to willfully cause or permit a child to be placed
11 in circumstances that endanger the child's life or health,
12 except that it is not unlawful for a person to relinquish a
13 child in accordance with the Abandoned Newborn Infant
14 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 age
17 or younger unattended in a motor vehicle for more than 10
18 minutes.

19 (b-5) There is a rebuttable presumption that a person
20 committed the offense if he or she permits a child of which
21 that person is the parent or legal guardian, or a child that he
22 or she is caring for with the permission of the parent or legal
23 guardian of that child, to be present or remain at a location
24 where any act takes place that is chargeable as a Class 2
25 felony or greater under the Illinois Controlled Substances Act
26 or the Cannabis Control Act.

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

30 (d) A violation of this Section is a Class A misdemeanor,
31 except that a violation of this Section is a Class 4 felony if
32 the conditions described in subsection (b-5) are present. A

1 second or subsequent violation of this Section is a Class 3
2 felony. A violation of this Section that is a proximate cause
3 of the death of the child is a Class 3 felony for which a
4 person, if sentenced to a term of imprisonment, shall be
5 sentenced to a term of not less than 2 years and not more than
6 10 years.

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