



## 94TH GENERAL ASSEMBLY

### State of Illinois

2005 and 2006

HB1559

Introduced 2/14/2005, by Rep. Tom Cross

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/17-2  
720 ILCS 5/21-7

from Ch. 38, par. 17-2  
from Ch. 38, par. 21-7

Amends the Criminal Code of 1961. Provides that no person may claim or represent that he or she is an airman, airline employee, airport employee, or contractor at an airport in order to obtain the uniform, identification card, license, or other identification paraphernalia of an airman, airline employee, airport employee, or contractor at an airport. Provides that whoever enters upon, or remains in, any restricted area or restricted landing area while dressed in the uniform of, improperly wearing the identification of, presenting false credentials of, or otherwise physically impersonating an airman, employee of an airline, employee of an airport, or contractor at an airport commits a Class 4 felony. Effective immediately.

LRB094 09669 RXD 39924 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

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 1961 is amended by changing  
5 Sections 17-2 and 21-7 as follows:

6 (720 ILCS 5/17-2) (from Ch. 38, par. 17-2)

7 Sec. 17-2. False personation; use of title; solicitation;  
8 certain entities.

9 (a) A person commits a false personation when he or she  
10 falsely represents himself or herself to be a member or  
11 representative of any veterans' or public safety personnel  
12 organization or a representative of any charitable  
13 organization, or when any person exhibits or uses in any manner  
14 any decal, badge or insignia of any charitable, public safety  
15 personnel, or veterans' organization when not authorized to do  
16 so by the charitable, public safety personnel, or veterans'  
17 organization. "Public safety personnel organization" has the  
18 meaning ascribed to that term in Section 1 of the Solicitation  
19 for Charity Act.

20 (a-5) A person commits a false personation when he or she  
21 falsely represents himself or herself to be a veteran in  
22 seeking employment or public office. In this subsection,  
23 "veteran" means a person who has served in the Armed Services  
24 or Reserved Forces of the United States.

25 (b) No person shall use the words "Chicago Police,"  
26 "Chicago Police Department," "Chicago Patrolman," "Chicago  
27 Sergeant," "Chicago Lieutenant," "Chicago Peace Officer" or  
28 any other words to the same effect in the title of any  
29 organization, magazine, or other publication without the  
30 express approval of the Chicago Police Board.

31 (b-5) No person shall use the words "Cook County Sheriff's  
32 Police" or "Cook County Sheriff" or any other words to the same

1 effect in the title of any organization, magazine, or other  
2 publication without the express approval of the office of the  
3 Cook County Sheriff's Merit Board. The references to names and  
4 titles in this Section may not be construed as authorizing use  
5 of the names and titles of other organizations or public safety  
6 personnel organizations otherwise prohibited by this Section  
7 or the Solicitation for Charity Act.

8 (c) (Blank).

9 (c-1) No person may claim or represent that he or she is  
10 acting on behalf of any police department, chief of a police  
11 department, fire department, chief of a fire department,  
12 sheriff's department, or sheriff when soliciting financial  
13 contributions or selling or delivering or offering to sell or  
14 deliver any merchandise, goods, services, memberships, or  
15 advertisements unless the chief of the police department, fire  
16 department, and the corporate or municipal authority thereof,  
17 or the sheriff has first entered into a written agreement with  
18 the person or with an organization with which the person is  
19 affiliated and the agreement permits the activity.

20 (c-2) No person, when soliciting financial contributions  
21 or selling or delivering or offering to sell or deliver any  
22 merchandise, goods, services, memberships, or advertisements  
23 may claim or represent that he or she is representing or acting  
24 on behalf of any nongovernmental organization by any name which  
25 includes "officer", "peace officer", "police", "law  
26 enforcement", "trooper", "sheriff", "deputy", "deputy  
27 sheriff", "State police", or any other word or words which  
28 would reasonably be understood to imply that the organization  
29 is composed of law enforcement personnel unless the person is  
30 actually representing or acting on behalf of the  
31 nongovernmental organization, and the nongovernmental  
32 organization is controlled by and governed by a membership of  
33 and represents a group or association of active duty peace  
34 officers, retired peace officers, or injured peace officers and  
35 before commencing the solicitation or the sale or the offers to  
36 sell any merchandise, goods, services, memberships, or

1 advertisements, a written contract between the soliciting or  
2 selling person and the nongovernmental organization has been  
3 entered into.

4 (c-3) No person may solicit financial contributions or sell  
5 or deliver or offer to sell or deliver any merchandise, goods,  
6 services, memberships, or advertisements on behalf of a police,  
7 sheriff, or other law enforcement department unless that person  
8 is actually representing or acting on behalf of the department  
9 or governmental organization and has entered into a written  
10 contract with the police chief, or head of the law enforcement  
11 department, and the corporate or municipal authority thereof,  
12 or the sheriff, which specifies and states clearly and fully  
13 the purposes for which the proceeds of the solicitation,  
14 contribution, or sale will be used.

15 (c-4) No person, when soliciting financial contributions  
16 or selling or delivering or offering to sell or deliver any  
17 merchandise, goods, services, memberships, or advertisements,  
18 may claim or represent that he or she is representing or acting  
19 on behalf of any nongovernmental organization by any name which  
20 includes the term "fireman", "fire fighter", "paramedic", or  
21 any other word or words which would reasonably be understood to  
22 imply that the organization is composed of fire fighter or  
23 paramedic personnel unless the person is actually representing  
24 or acting on behalf of the nongovernmental organization, and  
25 the nongovernmental organization is controlled by and governed  
26 by a membership of and represents a group or association of  
27 active duty, retired, or injured fire fighters (for the  
28 purposes of this Section, "fire fighter" has the meaning  
29 ascribed to that term in Section 2 of the Illinois Fire  
30 Protection Training Act) or active duty, retired, or injured  
31 emergency medical technicians - ambulance, emergency medical  
32 technicians - intermediate, emergency medical technicians -  
33 paramedic, ambulance drivers, or other medical assistance or  
34 first aid personnel, and before commencing the solicitation or  
35 the sale or delivery or the offers to sell or deliver any  
36 merchandise, goods, services, memberships, or advertisements,

1 a written contract between the soliciting or selling person and  
2 the nongovernmental organization has been entered into.

3 (c-5) No person may solicit financial contributions or sell  
4 or deliver or offer to sell or deliver any merchandise, goods,  
5 services, memberships, or advertisements on behalf of a  
6 department or departments of fire fighters unless that person  
7 is actually representing or acting on behalf of the department  
8 or departments and has entered into a written contract with the  
9 department chief and corporate or municipal authority thereof  
10 which specifies and states clearly and fully the purposes for  
11 which the proceeds of the solicitation, contribution, or sale  
12 will be used.

13 (c-6) No person may claim or represent that he or she is an  
14 airman, airline employee, airport employee, or contractor at an  
15 airport in order to obtain the uniform, identification card,  
16 license, or other identification paraphernalia of an airman,  
17 airline employee, airport employee, or contractor at an  
18 airport.

19 (d) Sentence. False personation, unapproved use of a name  
20 or title, or solicitation in violation of subsection (a), (b),  
21 or (b-5) of this Section is a Class C misdemeanor. False  
22 personation in violation of subsections ~~subsection~~ (a-5) and  
23 (c-6) is a Class A misdemeanor. Engaging in any activity in  
24 violation of subsection (c-1), (c-2), (c-3), (c-4), or (c-5) of  
25 this Section is a Class 4 felony.

26 (Source: P.A. 91-301, eff. 7-29-99; 91-302, eff. 7-29-99;  
27 92-16, eff. 6-28-01.)

28 (720 ILCS 5/21-7) (from Ch. 38, par. 21-7)

29 Sec. 21-7. Criminal trespass to restricted areas and  
30 restricted landing areas at airports; aggravated criminal  
31 trespass to restricted areas and restricted landing areas at  
32 airports.

33 (a) Criminal trespass to Restricted areas and restricted  
34 landing areas at airports.) Whoever enters upon, or remains in,  
35 any restricted area or restricted landing area used in

1 connection with an airport facility, or part thereof, in this  
2 State, after such person has received notice from the airport  
3 authority that such entry is forbidden commits a Class A  
4 misdemeanor. Notice that the area is "restricted" and entry  
5 thereto "forbidden", for purposes of this Section, means that  
6 the person or persons have been notified personally, either  
7 orally or in writing, or by a printed or written notice  
8 forbidding such entry to him or a group or an organization of  
9 which he is a member, which has been conspicuously posted or  
10 exhibited at every usable entrance to such area or the  
11 forbidden part thereof.

12 (b) Whoever enters upon, or remains in, any restricted area  
13 or restricted landing area as prohibited in subsection (a) of  
14 this Section, while dressed in the uniform of, improperly  
15 wearing the identification of, presenting false credentials  
16 of, or otherwise physically impersonating an airman, employee  
17 of an airline, employee of an airport, or contractor at an  
18 airport commits a Class 4 felony.

19 The terms "Restricted area" or "Restricted landing area" in  
20 this Section are defined to incorporate the meaning ascribed to  
21 those terms in Section 8 of the "Illinois Aeronautics Act",  
22 approved July 24, 1945, as amended, and also include any other  
23 area of the airport that has been designated such by the  
24 airport authority.

25 The terms "airman" and "airport" in this Section are  
26 defined to incorporate the meaning ascribed to those terms in  
27 Section 6 and 12 of the Illinois Aeronautics Act.

28 (Source: P.A. 81-564.)

29 Section 99. Effective date. This Act takes effect upon  
30 becoming law.