

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 Section 17-2 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 (a-6) A person commits a false personation when he or she
26 falsely represents himself or herself to be a recipient of, or
27 wears on his or her person, any of the following medals if that
28 medal was not awarded to that person by the United States
29 government, irrespective of branch of service: the
30 Congressional Medal of Honor, the Distinguished Service Cross,
31 the Navy Cross, the Air Force Cross, the Silver Star, the
32 Bronze Star, or the Purple Heart.

1 It is a defense to a prosecution under this subsection
2 (a-6) that the medal is used, or is intended to be used,
3 exclusively:

4 (1) for a dramatic presentation, such as a theatrical,
5 film, or television production, or a historical
6 re-enactment; or

7 (2) for a costume worn, or intended to be worn, by a
8 person under 18 years of age.

9 (b) No person shall use the words "Chicago Police,"
10 "Chicago Police Department," "Chicago Patrolman," "Chicago
11 Sergeant," "Chicago Lieutenant," "Chicago Peace Officer" or
12 any other words to the same effect in the title of any
13 organization, magazine, or other publication without the
14 express approval of the Chicago Police Board.

15 (b-5) No person shall use the words "Cook County Sheriff's
16 Police" or "Cook County Sheriff" or any other words to the same
17 effect in the title of any organization, magazine, or other
18 publication without the express approval of the office of the
19 Cook County Sheriff's Merit Board. The references to names and
20 titles in this Section may not be construed as authorizing use
21 of the names and titles of other organizations or public safety
22 personnel organizations otherwise prohibited by this Section
23 or the Solicitation for Charity Act.

24 (c) (Blank).

25 (c-1) No person may claim or represent that he or she is
26 acting on behalf of any police department, chief of a police
27 department, fire department, chief of a fire department,
28 sheriff's department, or sheriff when soliciting financial
29 contributions or selling or delivering or offering to sell or
30 deliver any merchandise, goods, services, memberships, or
31 advertisements unless the chief of the police department, fire
32 department, and the corporate or municipal authority thereof,
33 or the sheriff has first entered into a written agreement with
34 the person or with an organization with which the person is
35 affiliated and the agreement permits the activity.

36 (c-2) No person, when soliciting financial contributions

1 or selling or delivering or offering to sell or deliver any
2 merchandise, goods, services, memberships, or advertisements
3 may claim or represent that he or she is representing or acting
4 on behalf of any nongovernmental organization by any name which
5 includes "officer", "peace officer", "police", "law
6 enforcement", "trooper", "sheriff", "deputy", "deputy
7 sheriff", "State police", or any other word or words which
8 would reasonably be understood to imply that the organization
9 is composed of law enforcement personnel unless the person is
10 actually representing or acting on behalf of the
11 nongovernmental organization, and the nongovernmental
12 organization is controlled by and governed by a membership of
13 and represents a group or association of active duty peace
14 officers, retired peace officers, or injured peace officers and
15 before commencing the solicitation or the sale or the offers to
16 sell any merchandise, goods, services, memberships, or
17 advertisements, a written contract between the soliciting or
18 selling person and the nongovernmental organization has been
19 entered into.

20 (c-3) No person may solicit financial contributions or sell
21 or deliver or offer to sell or deliver any merchandise, goods,
22 services, memberships, or advertisements on behalf of a police,
23 sheriff, or other law enforcement department unless that person
24 is actually representing or acting on behalf of the department
25 or governmental organization and has entered into a written
26 contract with the police chief, or head of the law enforcement
27 department, and the corporate or municipal authority thereof,
28 or the sheriff, which specifies and states clearly and fully
29 the purposes for which the proceeds of the solicitation,
30 contribution, or sale will be used.

31 (c-4) No person, when soliciting financial contributions
32 or selling or delivering or offering to sell or deliver any
33 merchandise, goods, services, memberships, or advertisements,
34 may claim or represent that he or she is representing or acting
35 on behalf of any nongovernmental organization by any name which
36 includes the term "fireman", "fire fighter", "paramedic", or

1 any other word or words which would reasonably be understood to
2 imply that the organization is composed of fire fighter or
3 paramedic personnel unless the person is actually representing
4 or acting on behalf of the nongovernmental organization, and
5 the nongovernmental organization is controlled by and governed
6 by a membership of and represents a group or association of
7 active duty, retired, or injured fire fighters (for the
8 purposes of this Section, "fire fighter" has the meaning
9 ascribed to that term in Section 2 of the Illinois Fire
10 Protection Training Act) or active duty, retired, or injured
11 emergency medical technicians - ambulance, emergency medical
12 technicians - intermediate, emergency medical technicians -
13 paramedic, ambulance drivers, or other medical assistance or
14 first aid personnel, and before commencing the solicitation or
15 the sale or delivery or the offers to sell or deliver any
16 merchandise, goods, services, memberships, or advertisements,
17 a written contract between the soliciting or selling person and
18 the nongovernmental organization has been entered into.

19 (c-5) No person may solicit financial contributions or sell
20 or deliver or offer to sell or deliver any merchandise, goods,
21 services, memberships, or advertisements on behalf of a
22 department or departments of fire fighters unless that person
23 is actually representing or acting on behalf of the department
24 or departments and has entered into a written contract with the
25 department chief and corporate or municipal authority thereof
26 which specifies and states clearly and fully the purposes for
27 which the proceeds of the solicitation, contribution, or sale
28 will be used.

29 (c-6) No person may claim or represent that he or she is an
30 airman, airline employee, airport employee, or contractor at an
31 airport in order to obtain the uniform, identification card,
32 license, or other identification paraphernalia of an airman,
33 airline employee, airport employee, or contractor at an
34 airport.

35 (d) Sentence. False personation, unapproved use of a name
36 or title, or solicitation in violation of subsection (a), (b),

1 or (b-5) of this Section is a Class C misdemeanor. False
2 personation in violation of subsections (a-5) and (c-6) is a
3 Class A misdemeanor. False personation in violation of
4 subsection (a-6) of this Section is a petty offense for which
5 the offender shall be fined at least \$100 and not exceeding
6 \$200. Engaging in any activity in violation of subsection
7 (c-1), (c-2), (c-3), (c-4), or (c-5) of this Section is a Class
8 4 felony.

9 (Source: P.A. 94-548, eff. 8-11-05.)