



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
SB1491

Introduced 2/23/2005, by Sen. Adeline Jay Geo-Karis

SYNOPSIS AS INTRODUCED:

720 ILCS 5/17-6

from Ch. 38, par. 17-6

Amends the Criminal Code of 1961. Provides that State benefits fraud is a Class 3 felony if \$300 or less is obtained and a Class 2 felony if more than \$300 is obtained (rather than a Class 4 felony if the amount of benefits obtained is \$300 or less and a Class 3 felony if more than \$300 is obtained) if a person knowingly misrepresents oneself as a veteran or as a dependent of a veteran with the intent of obtaining benefits or privileges provided by the State or its political subdivisions to veterans or their dependents.

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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 Section 17-6 as follows:

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

7 Sec. 17-6. State Benefits Fraud. (a) Any person who obtains
8 or attempts to obtain money or benefits from the State of
9 Illinois, from any political subdivision thereof, or from any
10 program funded or administered in whole or in part by the State
11 of Illinois or any political subdivision thereof through the
12 knowing use of false identification documents or through the
13 knowing misrepresentation of his age, place of residence,
14 number of dependents, marital or family status, employment
15 status, financial status, or any other material fact upon which
16 his eligibility for or degree of participation in any benefit
17 program might be based, is guilty of State benefits fraud.

18 (b) Notwithstanding any provision of State law to the
19 contrary, every application or other document submitted to an
20 agency or department of the State of Illinois or any political
21 subdivision thereof to establish or determine eligibility for
22 money or benefits from the State of Illinois or from any
23 political subdivision thereof, or from any program funded or
24 administered in whole or in part by the State of Illinois or
25 any political subdivision thereof, shall be made available upon
26 request to any law enforcement agency for use in the
27 investigation or prosecution of State benefits fraud or for use
28 in the investigation or prosecution of any other crime arising
29 out of the same transaction or occurrence. Except as otherwise
30 permitted by law, information disclosed pursuant to this
31 subsection shall be used and disclosed only for the purposes
32 provided herein. The provisions of this Section shall be

1 operative only to the extent that they do not conflict with any
2 federal law or regulation governing federal grants to this
3 State.

4 (c) Any employee of the State of Illinois or any agency or
5 political subdivision thereof may seize as evidence any false
6 or fraudulent document presented to him in connection with an
7 application for or receipt of money or benefits from the State
8 of Illinois, from any political subdivision thereof, or from
9 any program funded or administered in whole or in part by the
10 State of Illinois or any political subdivision thereof.

11 (d) (1) State benefits fraud is a Class 4 felony except
12 when more than \$300 is obtained, in which case State benefits
13 fraud is a Class 3 felony.

14 (2) State benefits fraud is a Class 3 felony when \$300 or
15 less is obtained and a Class 2 felony when more than \$300 is
16 obtained if a person knowingly misrepresents oneself as a
17 veteran or as a dependent of a veteran with the intent of
18 obtaining benefits or privileges provided by the State or its
19 political subdivisions to veterans or their dependents. For the
20 purposes of this paragraph (2), benefits and privileges
21 include, but are not limited to, those benefits and privileges
22 available under the Veterans' Employment Act, the Viet Nam
23 Veterans Compensation Act, the Prisoner of War Bonus Act, the
24 War Bonus Extension Act, the Military Veterans Assistance Act,
25 the Veterans' Employment Representative Act, the Veterans
26 Preference Act, the Service Member's Employment Tenure Act, the
27 Disabled Veterans Housing Act, the Under Age Veterans Benefits
28 Act, the Survivors Compensation Act, the Children of Deceased
29 Veterans Act, the Veterans Burial Places Act, the Higher
30 Education Student Assistance Act, or any other loans,
31 assistance in employment, monetary payments, or tax exemptions
32 offered by the State or its political subdivisions for veterans
33 or their dependents.

34 (Source: P.A. 82-999.)