



Rep. Tom Cross

**Filed: 3/29/2007**

09500HB2858ham001

LRB095 06097 RLC 34760 a

1 AMENDMENT TO HOUSE BILL 2858

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 2858 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by  
5 changing Section 11-6 as follows:

6 (720 ILCS 5/11-6) (from Ch. 38, par. 11-6)

7 Sec. 11-6. Indecent solicitation of a child.

8 (a) A person of the age of 17 years and upwards commits the  
9 offense of indecent solicitation of a child if the person, with  
10 the intent that the offense of aggravated criminal sexual  
11 assault, criminal sexual assault, predatory criminal sexual  
12 assault of a child, or aggravated criminal sexual abuse be  
13 committed, knowingly solicits a child or one whom he or she  
14 believes to be a child to perform an act of sexual penetration  
15 or sexual conduct as defined in Section 12-12 of this Code.

16 (a-5) A person of the age of 17 years and upwards commits

1 the offense of indecent solicitation of a child if the person  
2 knowingly discusses an act of sexual conduct or sexual  
3 penetration with a child or with one whom he or she believes to  
4 be a child by means of the Internet with the intent that the  
5 offense of aggravated criminal sexual assault, predatory  
6 criminal sexual assault of a child, or aggravated criminal  
7 sexual abuse be committed.

8 (a-6) It is not a defense to subsection (a-5) that the  
9 person did not solicit the child to perform sexual conduct or  
10 sexual penetration with the person.

11 (b) Definitions. As used in this Section:

12 "Solicit" means to command, authorize, urge, incite,  
13 request, or advise another to perform an act by any means  
14 including, but not limited to, in person, over the phone,  
15 in writing, by computer, or by advertisement of any kind.

16 "Child" means a person under 17 years of age.

17 "Internet" means an interactive computer service or  
18 system or an information service, system, or access  
19 software provider that provides or enables computer access  
20 by multiple users to a computer server, and includes, but  
21 is not limited to, an information service, system, or  
22 access software provider that provides access to a network  
23 system commonly known as the Internet, or any comparable  
24 system or service and also includes, but is not limited to,  
25 a World Wide Web page, newsgroup, message board, mailing  
26 list, or chat area on any interactive computer service or

1        system or other online service.

2        "Sexual penetration" or "sexual conduct" are defined  
3        in Section 12-12 of this Code.

4        (c) Sentence. Indecent solicitation of a child under  
5        subsection (a) is:

6            (1) a Class 1 felony when the act, if done, would be  
7        predatory criminal sexual assault of a child or aggravated  
8        criminal sexual assault;

9            (2) a Class 2 felony when the act, if done, would be  
10       criminal sexual assault;

11           (3) a Class 3 felony when the act, if done, would be  
12       aggravated criminal sexual abuse.

13        Indecent solicitation of a child under subsection (a-5) is  
14       a Class 4 felony.

15       (Source: P.A. 91-226, eff. 7-22-99.)".