



Sen. Iris Y. Martinez

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09500HB4879sam002

LRB095 12804 RLC 51524 a

1 AMENDMENT TO HOUSE BILL 4879

2 AMENDMENT NO. _____. Amend House Bill 4879, AS AMENDED, in
3 the introductory clause of Section 5, by inserting after
4 "11-20.3" the following:

5 "and by adding Sections 32-4e and 32-4f"; and

6 in paragraph (1) of subsection (b) of Sec. 11-20.3 of Section
7 5, by inserting after "pornography" the following:

8 "under paragraphs (1) through (7) of subsection (a) of this
9 Section"; and

10 in paragraph (1) of subsection (b) of Sec. 11-20.3 of Section
11 5, by inserting after "prosecution under" the following:

12 "paragraphs (1) through (7) of subsection (a) of"; and

13 after the last line of paragraph (1) of subsection (b) of Sec.
14 11-20.3 of Section 5, by inserting the following:

15 "(1.5) It shall be an affirmative defense to a charge of

1 aggravated child pornography under paragraph (8) or (9) of
2 subsection (a) of this Section that the defendant reasonably
3 believed, under all of the circumstances, that the child was 18
4 years of age or older or that the person was not a severely or
5 profoundly mentally retarded person but only where, prior to
6 the act or acts giving rise to a prosecution under paragraph
7 (8) or (9) of subsection (a) of this Section, he or she took
8 some affirmative action or made a bonafide inquiry designed to
9 ascertain whether the child was 18 years of age or older or
10 that the person was not a severely or profoundly mentally
11 retarded person and his reliance upon the information so
12 obtained was clearly reasonable."; and

13 by inserting after the last line of Sec. 11-20.3 of Section 5
14 the following:

15 "(720 ILCS 5/32-4e new)

16 Sec. 32-4e. Interfering with the duties of a judicial
17 officer.

18 (a) A person may not give or offer to give benefits,
19 promises, pecuniary compensation, or any other form of
20 compensation, either directly or indirectly, to a judicial
21 officer or a member of the judicial officer's immediate family
22 with the intent to:

23 (1) induce such judicial officer to do, or fail to do,
24 any act in violation of the lawful execution of his or her

1 official duties; or

2 (2) induce such judicial officer to commit or aid in
3 the commission of any fraud, or to collude in, allow, or
4 make available the opportunity for the commission of any
5 fraud on the State of Illinois.

6 (b) A person may not give or offer to give benefits,
7 promises, pecuniary compensation, or any other form of
8 compensation, either directly or indirectly, to court
9 employees and staff with the intent to interfere with the
10 administration of the judicial process.

11 (c) Sentence. A person who violates this Section commits a
12 Class 2 felony.

13 (d) Definitions. For purposes of this Section:

14 "Judicial officer" means a justice, judge, associate
15 judge, or magistrate of a court of the United States of America
16 or the State of Illinois.

17 "Immediate family" means a judicial officer's spouse or
18 children.

19 (720 ILCS 5/32-4f new)

20 Sec. 32-4f. Retaliating against a Judge by false claim,
21 slander of title, or malicious recording of fictitious liens. A
22 person who files or causes to be filed, in any public record or
23 in any private record that is generally available to the
24 public, any false lien or encumbrance against the real or
25 personal property of a Supreme, Appellate, Circuit, or

1 Associate Judge of the State of Illinois with knowledge that
2 such lien or encumbrance is false or contains any materially
3 false, fictitious, or fraudulent statement or representation,
4 and with the intent of retaliating against that Judge for the
5 performance or non-performance of an official judicial duty, is
6 guilty of a violation of this Section. A person is guilty of a
7 Class A misdemeanor for a first offense and a Class 4 felony
8 for a second or subsequent offense."