

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 adding  
5 Section 11-14.2 as follows:

6 (720 ILCS 5/11-14.2 new)

7 Sec. 11-14.2. First offender; felony prostitution.

8 (a) Whenever any person who has not previously been  
9 convicted of or placed on probation for felony prostitution or  
10 any law of the United States or of any other state relating to  
11 felony prostitution pleads guilty to or is found guilty of  
12 felony prostitution, the court, without entering a judgment and  
13 with the consent of such person, may sentence the person to  
14 probation.

15 (b) When a person is placed on probation, the court shall  
16 enter an order specifying a period of probation of 24 months  
17 and shall defer further proceedings in the case until the  
18 conclusion of the period or until the filing of a petition  
19 alleging violation of a term or condition of probation.

20 (c) The conditions of probation shall be that the person:  
21 (1) not violate any criminal statute of any jurisdiction; (2)  
22 refrain from possessing a firearm or other dangerous weapon;  
23 (3) submit to periodic drug testing at a time and in a manner

1 as ordered by the court, but no less than 3 times during the  
2 period of the probation, with the cost of the testing to be  
3 paid by the probationer; and (4) perform no less than 30 hours  
4 of community service, provided community service is available  
5 in the jurisdiction and is funded and approved by the county  
6 board.

7 (d) The court may, in addition to other conditions, require  
8 that the person:

9 (1) make a report to and appear in person before or  
10 participate with the court or such courts, person, or  
11 social service agency as directed by the court in the order  
12 of probation;

13 (2) pay a fine and costs;

14 (3) work or pursue a course of study or vocational  
15 training;

16 (4) undergo medical or psychiatric treatment; or  
17 treatment or rehabilitation by a provider approved by the  
18 Illinois Department of Human Services;

19 (5) attend or reside in a facility established for the  
20 instruction or residence of defendants on probation;

21 (6) support his or her dependents;

22 (7) refrain from having in his or her body the presence  
23 of any illicit drug prohibited by the Cannabis Control Act  
24 or the Illinois Controlled Substances Act, unless  
25 prescribed by a physician, and submit samples of his or her  
26 blood or urine or both for tests to determine the presence

1 of any illicit drug;

2 (8) and in addition, if a minor:

3 (i) reside with his or her parents or in a foster  
4 home;

5 (ii) attend school;

6 (iii) attend a non-residential program for youth;

7 (iv) contribute to his or her own support at home  
8 or in a foster home.

9 (e) Upon violation of a term or condition of probation, the  
10 court may enter a judgment on its original finding of guilt and  
11 proceed as otherwise provided.

12 (f) Upon fulfillment of the terms and conditions of  
13 probation, the court shall discharge the person and dismiss the  
14 proceedings against him or her.

15 (g) A disposition of probation is considered to be a  
16 conviction for the purposes of imposing the conditions of  
17 probation and for appeal, however, discharge and dismissal  
18 under this Section is not a conviction for purposes of this Act  
19 or for purposes of disqualifications or disabilities imposed by  
20 law upon conviction of a crime.

21 (h) There may be only one discharge and dismissal under  
22 this Section.

23 (i) If a person is convicted of prostitution within 5 years  
24 subsequent to a discharge and dismissal under this Section, the  
25 discharge and dismissal under this Section shall be admissible  
26 in the sentencing proceeding for that conviction as evidence in

1 aggravation.

2 Section 99. Effective date. This Act takes effect upon  
3 becoming law.