



Adopted in House Comm. on May 15, 2008

09500SB2135ham001

LRB095 19482 RLC 50668 a

1 AMENDMENT TO SENATE BILL 2135

2 AMENDMENT NO. _____. Amend Senate Bill 2135 on page 1, by
3 replacing line 5 with the following:

4 "Sections 31-6 and 31-7 as follows:"; and

5 on page 3, by inserting immediately below line 16 the
6 following:

7 "(720 ILCS 5/31-7) (from Ch. 38, par. 31-7)

8 Sec. 31-7. Aiding escape.

9 (a) Whoever, with intent to aid any prisoner in escaping
10 from any penal institution, conveys into the institution or
11 transfers to the prisoner anything for use in escaping commits
12 a Class A misdemeanor.

13 (b) Whoever knowingly aids a person convicted of a felony,
14 or charged with the commission of a felony, or charged with or
15 adjudicated delinquent for an act which, if committed by an
16 adult, would constitute a felony, in escaping from any penal

1 institution or from the custody of any employee of that
2 institution commits a Class 2 felony; however, whoever
3 knowingly aids a person convicted of a felony or charged with
4 the commission of a felony, or charged with or adjudicated
5 delinquent for an act which, if committed by an adult, would
6 constitute a felony, in failing to return from furlough or from
7 work and day release is guilty of a Class 3 felony.

8 (c) Whoever knowingly aids a person convicted of a
9 misdemeanor or charged with the commission of a misdemeanor, or
10 charged with or adjudicated delinquent for an act which, if
11 committed by an adult, would constitute a misdemeanor, in
12 escaping from any penal institution or from the custody of an
13 employee of that institution commits a Class A misdemeanor;
14 however, whoever knowingly aids a person convicted of a
15 misdemeanor or charged with the commission of a misdemeanor, or
16 charged with or adjudicated delinquent for an act which, if
17 committed by an adult, would constitute a misdemeanor, in
18 failing to return from furlough or from work and day release is
19 guilty of a Class B misdemeanor.

20 (d) Whoever knowingly aids a person in escaping from any
21 public institution, other than a penal institution, in which he
22 is lawfully detained, or from the custody of an employee of
23 that institution, commits a Class A misdemeanor.

24 (e) Whoever knowingly aids a person in the lawful custody
25 of a peace officer for the alleged commission of a felony
26 offense or an act which, if committed by an adult, would

1 constitute a felony, in escaping from custody commits a Class 2
2 felony; however, whoever knowingly aids a person in the lawful
3 custody of a peace officer for the alleged commission of a
4 misdemeanor offense or an act which, if committed by an adult,
5 would constitute a misdemeanor, in escaping from custody
6 commits a Class A misdemeanor.

7 (f) An officer or employee of any penal institution who
8 recklessly permits any prisoner in his custody to escape
9 commits a Class A misdemeanor.

10 (f-5) With respect to a person in the lawful custody of a
11 peace officer for an alleged violation of a term or condition
12 of probation, conditional discharge, parole, or mandatory
13 supervised release for a felony, whoever intentionally aids
14 that person to escape from that custody is guilty of a Class 2
15 felony.

16 (f-6) With respect to a person who is in the lawful custody
17 of a peace officer for an alleged violation of a term or
18 condition of supervision, probation, or conditional discharge
19 for a misdemeanor, whoever intentionally aids that person to
20 escape from that custody is guilty of a Class A misdemeanor.

21 (g) A person who violates this Section while armed with a
22 dangerous weapon commits a Class 2 felony.

23 (Source: P.A. 89-656, eff. 1-1-97; 89-689, eff. 12-31-96.)".