



Sen. John J. Millner

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09500SB2135sam001

LRB095 19482 RLC 47373 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.)".