

**SB2577**



**95TH GENERAL ASSEMBLY**

**State of Illinois**

**2007 and 2008**

**SB2577**

Introduced 2/15/2008, by Sen. John J. Millner

**SYNOPSIS AS INTRODUCED:**

720 ILCS 5/16-3

from Ch. 38, par. 16-3

Amends the Criminal Code of 1961. Eliminates provision relating to theft of a motor vehicle or other personal property exceeding \$500 in value by a lessee that requires that the lessee be served or sent a written demand mailed to the lessee's last known address, made by certified mail return receipt requested, to return such vehicle or other personal property within 3 days from the mailing of the written demand. Provides that the lessee is liable for theft if the lessee willfully fails to return the property to the place specified in the lease agreement within 7 days of the time of return specified in the lease agreement.

LRB095 17425 RLC 43497 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

**A BILL FOR**

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 changing  
5 Section 16-3 as follows:

6 (720 ILCS 5/16-3) (from Ch. 38, par. 16-3)

7 Sec. 16-3. (a) A person commits theft when he obtains the  
8 temporary use of property, labor or services of another which  
9 are available only for hire, by means of threat or deception or  
10 knowing that such use is without the consent of the person  
11 providing the property, labor or services.

12 (b) A person commits theft when after renting or leasing a  
13 motor vehicle, obtaining a motor vehicle through a "driveaway"  
14 service mode of transportation or renting or leasing any other  
15 type of personal property exceeding \$500 in value, under an  
16 agreement in writing which provides for the return of the  
17 vehicle or other personal property to a particular place at a  
18 particular time, he without good cause willfully ~~wilfully~~ fails  
19 to return the vehicle or other personal property to that place  
20 within 7 days of the time specified, ~~and is thereafter served~~  
21 ~~or sent a written demand mailed to the last known address, made~~  
22 ~~by certified mail return receipt requested, to return such~~  
23 ~~vehicle or other personal property within 3 days from the~~

1 ~~mailing of the written demand, and who without good cause~~  
2 ~~wilfully fails to return the vehicle or any other personal~~  
3 ~~property to any place of business of the lessor within such~~  
4 ~~period.~~

5 (c) Sentence.

6 A person convicted of theft under subsection (a) of this  
7 Section is guilty of a Class A misdemeanor. A person convicted  
8 of theft under subsection (b) of this Section is guilty of a  
9 Class 4 felony.

10 (Source: P.A. 84-800.)