

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 Sections 18-1 and 19-1 and by adding Section 2-5.1 as follows:

6 (720 ILCS 5/2-5.1 new)

7 Sec. 2-5.1. Day care center. "Day care center" has the  
8 meaning ascribed to it in Section 2.09 of the Child Care Act of  
9 1969.

10 (720 ILCS 5/18-1) (from Ch. 38, par. 18-1)

11 Sec. 18-1. Robbery.

12 (a) A person commits robbery when he or she takes property,  
13 except a motor vehicle covered by Section 18-3 or 18-4, from  
14 the person or presence of another by the use of force or by  
15 threatening the imminent use of force.

16 (b) Sentence.

17 Robbery is a Class 2 felony. However, if the victim is 60  
18 years of age or over or is a physically handicapped person, or  
19 if the robbery is committed in a school, day care center, or  
20 place of worship, robbery is a Class 1 felony.

21 (c) Regarding penalties prescribed in subsection (b) for  
22 violations committed in a day care center, the time of day,

1 time of year, and whether children under 18 years of age were  
2 present in the day care center at the time of the offense are  
3 irrelevant.

4 (Source: P.A. 91-360, eff. 7-29-99.)

5 (720 ILCS 5/19-1) (from Ch. 38, par. 19-1)

6 Sec. 19-1. Burglary.

7 (a) A person commits burglary when without authority he  
8 knowingly enters or without authority remains within a  
9 building, housetrailer, watercraft, aircraft, motor vehicle as  
10 defined in the Illinois Vehicle Code, railroad car, or any part  
11 thereof, with intent to commit therein a felony or theft. This  
12 offense shall not include the offenses set out in Section 4-102  
13 of the Illinois Vehicle Code.

14 (b) Sentence.

15 Burglary is a Class 2 felony. A burglary committed in a  
16 school, day care center, or place of worship is a Class 1  
17 felony.

18 (c) Regarding penalties prescribed in subsection (b) for  
19 violations committed in a day care center, the time of day,  
20 time of year, and whether children under 18 years of age were  
21 present in the day care center at the time of the offense are  
22 irrelevant.

23 (Source: P.A. 91-360, eff. 7-29-99; 91-928, eff. 6-1-01.)