



Judiciary II - Criminal Law Committee

Filed: 3/11/2010

09600HB5749ham001

LRB096 18684 RLC 38392 a

1 AMENDMENT TO HOUSE BILL 5749

2 AMENDMENT NO. _____. Amend House Bill 5749 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 1961 is amended by
5 changing Section 17-3 as follows:

6 (720 ILCS 5/17-3) (from Ch. 38, par. 17-3)

7 Sec. 17-3. Forgery.

8 (a) A person commits forgery when, with intent to defraud,
9 he knowingly:

10 (1) makes or alters any document apparently capable of
11 defrauding another in such manner that it: (A) purports to
12 have been made by another or at another time, or with
13 different provisions, or by authority of one who did not
14 give such authority, or (B) contains materially false
15 information; or

16 (2) issues or delivers such document knowing it to have

1 been thus made or altered; or

2 (3) possesses, with intent to issue or deliver, any
3 such document knowing it to have been thus made or altered;
4 or

5 (4) unlawfully uses the digital signature, as defined
6 in the Financial Institutions Electronic Documents and
7 Digital Signature Act, of another; or

8 (5) unlawfully uses the signature device of another to
9 create an electronic signature of that other person, as
10 those terms are defined in the Electronic Commerce Security
11 Act.

12 (b) An intent to defraud means an intention to cause
13 another to assume, create, transfer, alter or terminate any
14 right, obligation or power with reference to any person or
15 property. As used in this Section, "document" includes, but is
16 not limited to, any document, representation, or image produced
17 manually, electronically, or by computer.

18 (c) A document apparently capable of defrauding another
19 includes, but is not limited to, one by which any right,
20 obligation or power with reference to any person or property
21 may be created, transferred, altered or terminated. A document
22 includes any record or electronic record as those terms are
23 defined in the Electronic Commerce Security Act.

24 (d) Sentence.

25 Forgery is a Class 3 felony.

26 (Source: P.A. 94-458, eff. 8-4-05.).