

SB3431



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

SB3431

Introduced 2/10/2010, by Sen. Dave Syverson

SYNOPSIS AS INTRODUCED:

720 ILCS 5/33-3

from Ch. 38, par. 33-3

Amends the Criminal Code of 1961. Makes a technical change in a Section concerning official misconduct.

LRB096 20526 RLC 36211 b

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 33-3 as follows:

6 (720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

7 Sec. 33-3. Official Misconduct.) A public officer or
8 employee or special government agent commits misconduct when
9 ~~when~~, in his official capacity or capacity as a special
10 government agent, he commits any of the following acts:

11 (a) Intentionally or recklessly fails to perform any
12 mandatory duty as required by law; or

13 (b) Knowingly performs an act which he knows he is
14 forbidden by law to perform; or

15 (c) With intent to obtain a personal advantage for
16 himself or another, he performs an act in excess of his
17 lawful authority; or

18 (d) Solicits or knowingly accepts for the performance
19 of any act a fee or reward which he knows is not authorized
20 by law.

21 A public officer or employee or special government agent
22 convicted of violating any provision of this Section forfeits
23 his office or employment or position as a special government

1 agent. In addition, he commits a Class 3 felony.

2 For purposes of this Section, "special government agent"
3 has the meaning ascribed to it in subsection (1) of Section
4 4A-101 of the Illinois Governmental Ethics Act.

5 (Source: P.A. 94-338, eff. 1-1-06.)