



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

HB5122

Introduced 2/8/2012, by Rep. Daniel V. Beiser

SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-20.6 new

Amends the Criminal Code of 1961. Creates the offense of abuse of a corpse. Provides that a person commits the offense if he or she intentionally: (1) engages in sexual conduct with a corpse or involving a corpse; or (2) removes or carries away a corpse and is not authorized by law to do so. Establishes penalties. Provides exemptions from violations for removing or carrying away a corpse. Effective January 1, 2013.

LRB097 18007 RLC 63230 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 adding
5 Section 12-20.6 as follows:

6 (720 ILCS 5/12-20.6 new)

7 Sec. 12-20.6. Abuse of a corpse.

8 (a) In this Section:

9 "Corpse" means the dead body of a human being.

10 "Sexual conduct" has the meaning ascribed to the term
11 in Section 11-0.1 of this Code.

12 (b) A person commits abuse of a corpse if he or she
13 intentionally:

14 (1) engages in sexual conduct with a corpse or
15 involving a corpse; or

16 (2) removes or carries away a corpse and is not
17 authorized by law to do so.

18 (c) Sentence.

19 (1) A person convicted of violating paragraph (1) of
20 subsection (b) of this Section is guilty of a Class 2
21 felony.

22 (2) A person convicted of violating paragraph (2) of
23 subsection (b) of this Section is guilty of a Class 4

1 felony.

2 (d) Paragraph (2) of subsection (b) of this Section does
3 not apply to:

4 (1) persons employed by a county medical examiner's
5 office or coroner's office acting within the scope of their
6 employment while performing an autopsy;

7 (2) the acts of a licensed funeral director or embalmer
8 while performing acts authorized by the Funeral Directors
9 and Embalmers Licensing Code;

10 (3) the acts of emergency medical personnel or
11 physicians performed in good faith and according to the
12 usual and customary standards of medical practice in an
13 attempt to resuscitate a life; or

14 (4) physicians licensed to practice medicine in all of
15 its branches or holding a visiting professor, physician, or
16 resident permit under the Medical Practice Act of 1987,
17 performing acts in accordance with usual and customary
18 standards of medical practice, or a currently enrolled
19 student in an accredited medical school in furtherance of
20 his or her education at the accredited medical school.

21 Section 99. Effective date. This Act takes effect January
22 1, 2013.