

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;

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) cemeteries and cemetery personnel while performing
11 acts pursuant to a bona fide request from the involved
12 cemetery consumer or his or her heirs, or pursuant to an
13 interment or disinterment permit or a court order, or as
14 authorized under Section 14.5 of the Cemetery Protection
15 Act, or any other actions legally authorized for cemetery
16 employees;

17 (4) the acts of emergency medical personnel or
18 physicians performed in good faith and according to the
19 usual and customary standards of medical practice in an
20 attempt to resuscitate a life;

21 (5) physicians licensed to practice medicine in all of
22 its branches or holding a visiting professor, physician, or
23 resident permit under the Medical Practice Act of 1987,
24 performing acts in accordance with usual and customary
25 standards of medical practice, or a currently enrolled
26 student in an accredited medical school in furtherance of

1 his or her education at the accredited medical school; or
2 (6) removing or carrying away a corpse by the
3 employees, independent contractors, or other persons
4 designated by the federally designated organ procurement
5 agency engaged in the organ and tissue procurement process.

6 Section 99. Effective date. This Act takes effect upon
7 becoming law.