

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 17-2 and 32-5 as follows:

6 (720 ILCS 5/17-2) (from Ch. 38, par. 17-2)

7 Sec. 17-2. False personation; use of title; solicitation;
8 certain entities.

9 (a) A person commits a false personation when he or she
10 falsely represents himself or herself to be a member or
11 representative of any veterans' or public safety personnel
12 organization or a representative of any charitable
13 organization, or when any person exhibits or uses in any manner
14 any decal, badge or insignia of any charitable, public safety
15 personnel, or veterans' organization when not authorized to do
16 so by the charitable, public safety personnel, or veterans'
17 organization. "Public safety personnel organization" has the
18 meaning ascribed to that term in Section 1 of the Solicitation
19 for Charity Act.

20 (a-5) A person commits a false personation when he or she
21 falsely represents himself or herself to be a veteran in
22 seeking employment or public office. In this subsection,
23 "veteran" means a person who has served in the Armed Services

1 or Reserve Forces of the United States.

2 (a-6) A person commits a false personation when he or she
3 falsely represents himself or herself to be a recipient of, or
4 wears on his or her person, any of the following medals if that
5 medal was not awarded to that person by the United States
6 government, irrespective of branch of service: the
7 Congressional Medal of Honor, the Distinguished Service Cross,
8 the Navy Cross, the Air Force Cross, the Silver Star, the
9 Bronze Star, or the Purple Heart.

10 It is a defense to a prosecution under this subsection
11 (a-6) that the medal is used, or is intended to be used,
12 exclusively:

13 (1) for a dramatic presentation, such as a theatrical,
14 film, or television production, or a historical
15 re-enactment; or

16 (2) for a costume worn, or intended to be worn, by a
17 person under 18 years of age.

18 (a-7) A person commits a false personation when he or she
19 knowingly and falsely represents himself or herself to be:

20 (1) another actual person and does an act in such
21 assumed character with intent to intimidate, threaten,
22 injure, defraud, or to obtain a benefit from another; or

23 (2) a representative of an actual person or
24 organization and does an act in such false capacity with
25 intent to obtain a benefit or to injure or defraud another.

26 (b) No person shall use the words "Chicago Police,"

1 "Chicago Police Department," "Chicago Patrolman," "Chicago
2 Sergeant," "Chicago Lieutenant," "Chicago Peace Officer" or
3 any other words to the same effect in the title of any
4 organization, magazine, or other publication without the
5 express approval of the Chicago Police Board.

6 (b-5) No person shall use the words "Cook County Sheriff's
7 Police" or "Cook County Sheriff" or any other words to the same
8 effect in the title of any organization, magazine, or other
9 publication without the express approval of the office of the
10 Cook County Sheriff's Merit Board. The references to names and
11 titles in this Section may not be construed as authorizing use
12 of the names and titles of other organizations or public safety
13 personnel organizations otherwise prohibited by this Section
14 or the Solicitation for Charity Act.

15 (b-10) No person may use, in the title of any organization,
16 magazine, or other publication, the words "officer", "peace
17 officer", "police", "law enforcement", "trooper", "sheriff",
18 "deputy", "deputy sheriff", or "state police" in combination
19 with the name of any state, state agency, public university, or
20 unit of local government without the express written
21 authorization of that state, state agency, or unit of local
22 government.

23 (c) (Blank).

24 (c-1) No person may claim or represent that he or she is
25 acting on behalf of any police department, chief of a police
26 department, fire department, chief of a fire department,

1 sheriff's department, or sheriff when soliciting financial
2 contributions or selling or delivering or offering to sell or
3 deliver any merchandise, goods, services, memberships, or
4 advertisements unless the chief of the police department, fire
5 department, and the corporate or municipal authority thereof,
6 or the sheriff has first entered into a written agreement with
7 the person or with an organization with which the person is
8 affiliated and the agreement permits the activity.

9 (c-2) No person, when soliciting financial contributions
10 or selling or delivering or offering to sell or deliver any
11 merchandise, goods, services, memberships, or advertisements
12 may claim or represent that he or she is representing or acting
13 on behalf of any nongovernmental organization by any name which
14 includes "officer", "peace officer", "police", "law
15 enforcement", "trooper", "sheriff", "deputy", "deputy
16 sheriff", "State police", or any other word or words which
17 would reasonably be understood to imply that the organization
18 is composed of law enforcement personnel unless the person is
19 actually representing or acting on behalf of the
20 nongovernmental organization, and the nongovernmental
21 organization is controlled by and governed by a membership of
22 and represents a group or association of active duty peace
23 officers, retired peace officers, or injured peace officers and
24 before commencing the solicitation or the sale or the offers to
25 sell any merchandise, goods, services, memberships, or
26 advertisements, a written contract between the soliciting or

1 selling person and the nongovernmental organization has been
2 entered into.

3 (c-3) No person may solicit financial contributions or sell
4 or deliver or offer to sell or deliver any merchandise, goods,
5 services, memberships, or advertisements on behalf of a police,
6 sheriff, or other law enforcement department unless that person
7 is actually representing or acting on behalf of the department
8 or governmental organization and has entered into a written
9 contract with the police chief, or head of the law enforcement
10 department, and the corporate or municipal authority thereof,
11 or the sheriff, which specifies and states clearly and fully
12 the purposes for which the proceeds of the solicitation,
13 contribution, or sale will be used.

14 (c-4) No person, when soliciting financial contributions
15 or selling or delivering or offering to sell or deliver any
16 merchandise, goods, services, memberships, or advertisements,
17 may claim or represent that he or she is representing or acting
18 on behalf of any nongovernmental organization by any name which
19 includes the term "fireman", "fire fighter", "paramedic", or
20 any other word or words which would reasonably be understood to
21 imply that the organization is composed of fire fighter or
22 paramedic personnel unless the person is actually representing
23 or acting on behalf of the nongovernmental organization, and
24 the nongovernmental organization is controlled by and governed
25 by a membership of and represents a group or association of
26 active duty, retired, or injured fire fighters (for the

1 purposes of this Section, "fire fighter" has the meaning
2 ascribed to that term in Section 2 of the Illinois Fire
3 Protection Training Act) or active duty, retired, or injured
4 emergency medical technicians - ambulance, emergency medical
5 technicians - intermediate, emergency medical technicians -
6 paramedic, ambulance drivers, or other medical assistance or
7 first aid personnel, and before commencing the solicitation or
8 the sale or delivery or the offers to sell or deliver any
9 merchandise, goods, services, memberships, or advertisements,
10 a written contract between the soliciting or selling person and
11 the nongovernmental organization has been entered into.

12 (c-5) No person may solicit financial contributions or sell
13 or deliver or offer to sell or deliver any merchandise, goods,
14 services, memberships, or advertisements on behalf of a
15 department or departments of fire fighters unless that person
16 is actually representing or acting on behalf of the department
17 or departments and has entered into a written contract with the
18 department chief and corporate or municipal authority thereof
19 which specifies and states clearly and fully the purposes for
20 which the proceeds of the solicitation, contribution, or sale
21 will be used.

22 (c-6) No person may claim or represent that he or she is an
23 airman, airline employee, airport employee, or contractor at an
24 airport in order to obtain the uniform, identification card,
25 license, or other identification paraphernalia of an airman,
26 airline employee, airport employee, or contractor at an

1 airport.

2 (d) Sentence. False personation, unapproved use of a name
3 or title, or solicitation in violation of subsection (a), (b),
4 (b-5), or (b-10) of this Section is a Class C misdemeanor.
5 False personation in violation of subsections (a-5), (a-7), and
6 (c-6) is a Class A misdemeanor. False personation in violation
7 of subsection (a-6) of this Section is a petty offense for
8 which the offender shall be fined at least \$100 and not
9 exceeding \$200. Engaging in any activity in violation of
10 subsection (c-1), (c-2), (c-3), (c-4), or (c-5) of this Section
11 is a Class 4 felony.

12 (e) A violation of this Section may be accomplished in
13 person or by any means of communication, including but not
14 limited to the use of an Internet website or any form of
15 electronic communication.

16 (Source: P.A. 95-331, eff. 8-21-07; 96-328, eff. 8-11-09.)

17 (720 ILCS 5/32-5) (from Ch. 38, par. 32-5)

18 Sec. 32-5. False personation of attorney, judicial, or
19 governmental officials.

20 (a) A person who falsely represents himself or herself to
21 be an attorney authorized to practice law for purposes of
22 compensation or consideration commits a Class 4 felony. This
23 subsection (a) does not apply to a person who unintentionally
24 fails to pay attorney registration fees established by Supreme
25 Court Rule.

1 (b) A person who falsely represents himself or herself to
2 be a public officer or a public employee or an official or
3 employee of the federal government commits a Class A
4 misdemeanor. If the false representation is made in furtherance
5 of the commission of a felony, the penalty for a violation of
6 this subsection (b) is a Class 4 felony.

7 (b-5) The trier of fact may infer that a person falsely
8 represents himself or herself to be a public officer or a
9 public employee or an official or employee of the federal
10 government if the person:

11 (1) wears or displays without authority any uniform,
12 badge, insignia, or facsimile thereof by which a public
13 officer or public employee or official or employee of the
14 federal government is lawfully distinguished; or

15 (2) falsely expresses by word or action that he or she
16 is a public officer or public employee or official or
17 employee of the federal government and is acting with
18 approval or authority of a public agency or department.

19 (c) A person who falsely represents himself or herself to
20 be a public officer or a public employee commits a Class 4
21 felony if that false representation was for the purpose of
22 effectuating identity theft as defined in Section 16G-15 of
23 this Code.

24 (Source: P.A. 94-985, eff. 1-1-07; 95-324, eff. 1-1-08; 95-625,
25 eff. 6-1-08; 95-876, eff. 8-21-08.)