

SB2027



97TH GENERAL ASSEMBLY

State of Illinois

2011 and 2012

SB2027

Introduced 2/10/2011, by Sen. Dan Kotowski

SYNOPSIS AS INTRODUCED:

720 ILCS 5/17-3

from Ch. 38, par. 17-3

Amends the Criminal Code of 1961. Provides that a person commits forgery when, with intent to defraud, he or she knowingly makes a false document or alters any document to make it false and that document is apparently capable of defrauding another (rather than knowingly makes or alters a document apparently capable of defrauding another in such manner that it purports to have been made by another or at another time, or with different provisions, or by authority of one who did not give such authority). Defines "false document" or "document that is false" to include a document whose contents are false in some material way, or that purports to have been made by another or at another time, or with different provisions, or by authority of one who did not give such authority.

LRB097 05774 RLC 45841 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 changing
5 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 or she knowingly:

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

16 (2) issues or delivers such document knowing it to have
17 been thus made or altered; or

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

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

1 (5) unlawfully uses the signature device of another to
2 create an electronic signature of that other person, as
3 those terms are defined in the Electronic Commerce Security
4 Act.

5 (b) An intent to defraud means an intention to cause
6 another to assume, create, transfer, alter or terminate any
7 right, obligation or power with reference to any person or
8 property. As used in this Section, "document" includes, but is
9 not limited to, any document, representation, or image produced
10 manually, electronically, or by computer.

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

17 (c-5) For purposes of this Section, "false document" or
18 "document that is false" includes, but is not limited to, a
19 document whose contents are false in some material way, or that
20 purports to have been made by another or at another time, or
21 with different provisions, or by authority of one who did not
22 give such authority.

23 (d) Sentence.

24 Forgery is a Class 3 felony.

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