



## 97TH GENERAL ASSEMBLY

### State of Illinois

2011 and 2012

SB2537

Introduced 11/29/2011, by Sen. Ira I. Silverstein

#### SYNOPSIS AS INTRODUCED:

720 ILCS 5/12-21.6-1 new

Amends the Criminal Code of 1961. Provides that a parent, legal guardian, or caretaker of a child in his or her care who is 12 years of age or younger commits a Class 3 felony when he or she fails to notify a law enforcement agency in a timely manner of the child's disappearance and: (1) knows that the child is missing; and (2) knows or reasonably should know that the child is potentially in danger of death or serious injury. Provides that it is the duty of a parent, legal guardian, or caretaker of a minor child who becomes aware of the death of the minor child occurring under specified circumstances to report such death and circumstances forthwith to the county medical examiner or county coroner in the county where the parent, caretaker, or guardian believes the death of the minor child is most likely to have occurred. Provides that any such parent, legal guardian, or caretaker who knowingly fails or refuses to report such death and circumstances, who refuses to make available prior medical or other information pertinent to the death investigation, or who, without an order from the office of the county medical examiner or county coroner, willfully touches, removes, or disturbs the body, clothing, or any other thing on or near the body with the intent to alter the evidence or circumstances surrounding the death commits a Class 3 felony. Effective immediately.

LRB097 14538 RLC 59393 b

CORRECTIONAL  
BUDGET AND  
IMPACT NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning criminal law, which may be referred to as  
2 Caylee's law.

3 **Be it enacted by the People of the State of Illinois,**  
4 **represented in the General Assembly:**

5 Section 5. The Criminal Code of 1961 is amended by adding  
6 Section 12-21.6-1 as follows:

7 (720 ILCS 5/12-21.6-1 new)

8 Sec. 12-21.6-1. Death or disappearance of child; report to  
9 law enforcement and medical examiner or coroner.

10 (a) A parent, legal guardian, or caretaker of a child in  
11 his or her care who is 12 years of age or younger commits a  
12 Class 3 felony when he or she fails to notify a law enforcement  
13 agency in a timely manner of the child's disappearance and:

14 (1) knows that the child is missing; and

15 (2) knows or reasonably should know that the child is  
16 potentially in danger of death or serious injury.

17 (b) It is the duty of a parent, legal guardian, or  
18 caretaker of a minor child who becomes aware of the death of  
19 the minor child occurring under the circumstances described in  
20 Section 3-3013 of the Counties Code to report such death and  
21 circumstances forthwith to the county medical examiner or  
22 county coroner in the county where the parent, caretaker, or  
23 guardian believes the death of the minor child is most likely

1 to have occurred. Any such parent, legal guardian, or caretaker  
2 who knowingly fails or refuses to report such death and  
3 circumstances, who refuses to make available prior medical or  
4 other information pertinent to the death investigation, or who,  
5 without an order from the office of the county medical examiner  
6 or county coroner, willfully touches, removes, or disturbs the  
7 body, clothing, or any other thing on or near the body with the  
8 intent to alter the evidence or circumstances surrounding the  
9 death commits a Class 3 felony.

10 (c) A parent, legal guardian, or caretaker of a minor child  
11 who provides intentionally false or misleading information to  
12 authorities during the investigation of the missing,  
13 potentially missing, or minor child found to be missing whose  
14 false or misleading information misdirects or prolongs the  
15 investigation commits a Class 3 felony. In addition to any such  
16 punishment, a person convicted of a violation of this  
17 subsection (c) shall provide restitution for all costs of the  
18 missing child investigation and prosecution for offenses  
19 committed related thereto regardless of whether the person who  
20 violated this subsection is convicted of any additional  
21 offenses related to the missing child or the investigation.

22 Section 99. Effective date. This Act takes effect upon  
23 becoming law.