

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 2012 is amended by adding
5 Section 12C-50.1 as follows:

6 (720 ILCS 5/12C-50.1 new)

7 Sec. 12C-50.1. Failure to report hazing.

8 (a) For purposes of this Section, "school official"
9 includes any and all paid school administrators, teachers,
10 counselors, support staff, and coaches and any and all
11 volunteer coaches employed by a school, college, university, or
12 other educational institution of this State.

13 (b) A school official commits failure to report hazing
14 when:

15 (1) while fulfilling his or her official
16 responsibilities as a school official, he or she personally
17 observes an act which is not sanctioned or authorized by
18 that educational institution;

19 (2) the act results in bodily harm to any person; and

20 (3) the school official knowingly fails to report the
21 act to supervising educational authorities or, in the event
22 of death or great bodily harm, to law enforcement.

23 (c) Sentence. Failure to report hazing is a Class B

1 misdemeanor. If the act which the person failed to report
2 resulted in death or great bodily harm, the offense is a Class
3 A misdemeanor.

4 (d) It is an affirmative defense to a charge of failure to
5 report hazing under this Section that the person who personally
6 observed the act had a reasonable apprehension that timely
7 action to stop the act would result in the imminent infliction
8 of death, great bodily harm, permanent disfigurement, or
9 permanent disability to that person or another in retaliation
10 for reporting.

11 (e) Nothing in this Section shall be construed to allow
12 prosecution of a person who personally observes the act of
13 hazing and assists with an investigation and any subsequent
14 prosecution of the offender.

15 Section 99. Effective date. This Act takes effect upon
16 becoming law.