

# HB1561



## 98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB1561

by Rep. Tom Demmer

### SYNOPSIS AS INTRODUCED:

720 ILCS 5/17-3

from Ch. 38, par. 17-3

Amends the Criminal Code of 2012. Provides that forgery is a Class 2 felony when a document purporting to be an invoice or receipt issued by any unit of government is forged. Defines "unit of government".

LRB098 10397 MRW 40588 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 2012 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; or

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

15 (3) possesses, with intent to issue or deliver, any  
16 such document knowing it to have been thus made or altered;  
17 or

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

21 (5) unlawfully uses the signature device of another to  
22 create an electronic signature of that other person, as  
23 those terms are defined in the Electronic Commerce Security

1 Act.

2 (b) (Blank).

3 (c) A document apparently capable of defrauding another  
4 includes, but is not limited to, one by which any right,  
5 obligation or power with reference to any person or property  
6 may be created, transferred, altered or terminated. A document  
7 includes any record or electronic record as those terms are  
8 defined in the Electronic Commerce Security Act. For purposes  
9 of this Section, a document also includes a Universal Price  
10 Code Label or coin.

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

17 (d) Sentence.

18 (1) Except as provided in paragraphs (2), ~~and~~ (3), and  
19 (4), forgery is a Class 3 felony.

20 (2) Forgery is a Class 4 felony when only one Universal  
21 Price Code Label is forged.

22 (3) Forgery is a Class A misdemeanor when an academic  
23 degree or coin is forged.

24 (4) Forgery is a Class 2 felony when a document  
25 purporting to be an invoice or receipt issued by any unit  
26 of government is forged. For the purposes of this paragraph

1       (4) only, the term "unit of government" means the federal  
2       government, the State, a unit of local government, a school  
3       district, or any agency or instrumentality, office,  
4       officer, department, division, bureau, commission,  
5       college, or university thereof.

6       (e) It is not a violation of this Section if a false  
7       academic degree explicitly states "for novelty purposes only".

8       (Source: P.A. 96-1551, eff. 7-1-11; 97-231, eff. 1-1-12;  
9       97-1109, eff. 1-1-13.)