



98TH GENERAL ASSEMBLY

State of Illinois

2013 and 2014

HB2702

Introduced 2/21/2013, by Rep. Brandon W. Phelps

SYNOPSIS AS INTRODUCED:

720 ILCS 5/33-3

from Ch. 38, par. 33-3

Amends the Criminal Code of 2012. Provides that any public officer or employee or special government agent commits misconduct when, in his official capacity or capacity as a special government agent, intentionally or recklessly influences the decision of any financial institution on whether to make a loan or award a line of credit to any business or person. Effective immediately.

LRB098 08728 OMW 38853 b

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 33-3 as follows:

6 (720 ILCS 5/33-3) (from Ch. 38, par. 33-3)

7 Sec. 33-3. Official Misconduct.) A public officer or
8 employee or special government agent commits misconduct when,
9 in his official capacity or capacity as a special government
10 agent, he commits any of the following acts:

11 (a) Intentionally or recklessly fails to perform any
12 mandatory duty as required by law; or

13 (b) Knowingly performs an act which he knows he is
14 forbidden by law to perform; or

15 (c) With intent to obtain a personal advantage for
16 himself or another, he performs an act in excess of his
17 lawful authority; ~~or~~

18 (d) Solicits or knowingly accepts for the performance
19 of any act a fee or reward which he knows is not authorized
20 by law; or

21 (e) Intentionally or recklessly influences the
22 decision of any financial institution on whether to make a
23 loan or award a line of credit to any business or person.

1 A public officer or employee or special government agent
2 convicted of violating any provision of this Section forfeits
3 his office or employment or position as a special government
4 agent. In addition, he commits a Class 3 felony.

5 For purposes of this Section, "special government agent"
6 has the meaning ascribed to it in subsection (1) of Section
7 4A-101 of the Illinois Governmental Ethics Act.

8 (Source: P.A. 94-338, eff. 1-1-06.)

9 Section 99. Effective date. This Act takes effect upon
10 becoming law.