

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 11-1.40 as follows:

6 (720 ILCS 5/11-1.40) (was 720 ILCS 5/12-14.1)

7 Sec. 11-1.40. Predatory criminal sexual assault of a child.

8 (a) A person commits predatory criminal sexual assault of a
9 child if that person is 17 years of age or older, and commits
10 ~~an act of sexual penetration or~~ an act of contact, however
11 slight, between the sex organ or anus of one person and the
12 part of the body of another for the purpose of sexual
13 gratification or arousal of the victim or the accused, or an
14 act of sexual penetration, and the accused is 17 years of age
15 ~~or older,~~ and:

16 (1) the victim is under 13 years of age; or

17 (2) the victim is under 13 years of age and that
18 person:

19 (A) is armed with a firearm;

20 (B) personally discharges a firearm during the
21 commission of the offense;

22 (C) causes great bodily harm to the victim that:

23 (i) results in permanent disability; or

1 (ii) is life threatening; or

2 (D) delivers (by injection, inhalation, ingestion,
3 transfer of possession, or any other means) any
4 controlled substance to the victim without the
5 victim's consent or by threat or deception, for other
6 than medical purposes.

7 (b) Sentence.

8 (1) A person convicted of a violation of subsection
9 (a) (1) commits a Class X felony, for which the person shall
10 be sentenced to a term of imprisonment of not less than 6
11 years and not more than 60 years. A person convicted of a
12 violation of subsection (a) (2) (A) commits a Class X felony
13 for which 15 years shall be added to the term of
14 imprisonment imposed by the court. A person convicted of a
15 violation of subsection (a) (2) (B) commits a Class X felony
16 for which 20 years shall be added to the term of
17 imprisonment imposed by the court. A person convicted of a
18 violation of subsection (a) (2) (C) commits a Class X felony
19 for which the person shall be sentenced to a term of
20 imprisonment of not less than 50 years or up to a term of
21 natural life imprisonment.

22 (1.1) A person convicted of a violation of subsection
23 (a) (2) (D) commits a Class X felony for which the person
24 shall be sentenced to a term of imprisonment of not less
25 than 50 years and not more than 60 years.

26 (1.2) A person convicted of predatory criminal sexual

1 assault of a child committed against 2 or more persons
2 regardless of whether the offenses occurred as the result
3 of the same act or of several related or unrelated acts
4 shall be sentenced to a term of natural life imprisonment.

5 (2) A person who is convicted of a second or subsequent
6 offense of predatory criminal sexual assault of a child, or
7 who is convicted of the offense of predatory criminal
8 sexual assault of a child after having previously been
9 convicted of the offense of criminal sexual assault or the
10 offense of aggravated criminal sexual assault, or who is
11 convicted of the offense of predatory criminal sexual
12 assault of a child after having previously been convicted
13 under the laws of this State or any other state of an
14 offense that is substantially equivalent to the offense of
15 predatory criminal sexual assault of a child, the offense
16 of aggravated criminal sexual assault or the offense of
17 criminal sexual assault, shall be sentenced to a term of
18 natural life imprisonment. The commission of the second or
19 subsequent offense is required to have been after the
20 initial conviction for this paragraph (2) to apply.

21 (Source: P.A. 98-370, eff. 1-1-14; revised 11-12-13.)

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