



Sen. Neil Anderson

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LRB099 05301 RLC 48117 a

1 AMENDMENT TO SENATE BILL 1120

2 AMENDMENT NO. \_\_\_\_\_. Amend Senate Bill 1120 by replacing  
3 everything after the enacting clause with the following:

4 "Section 5. The Criminal Code of 2012 is amended by  
5 changing Section 16-3 as follows:

6 (720 ILCS 5/16-3) (from Ch. 38, par. 16-3)

7 Sec. 16-3. Theft of labor or services or use of property.

8 (a) A person commits theft when he or she knowingly obtains  
9 the temporary use of property, labor or services of another  
10 which are available only for hire, by means of threat or  
11 deception or knowing that such use is without the consent of  
12 the person providing the property, labor or services. For the  
13 purposes of this subsection, library material is available for  
14 hire.

15 (b) A person commits theft when after (1) renting or  
16 leasing a motor vehicle, (2) obtaining a motor vehicle through

1 a "driveaway" service mode of transportation, (3) renting or  
2 leasing equipment including tools, construction or industry  
3 equipment, and such items as linens, tableware, tents, tables,  
4 chairs and other equipment specially rented for a party or  
5 special event, or (4) renting or leasing any other type of  
6 personal property, exceeding \$500 in value, under an agreement  
7 in writing which provides for the return of the vehicle,  
8 equipment, or other personal property to a particular place at  
9 a particular time, he or she without good cause knowingly fails  
10 to return the vehicle, equipment, or other personal property to  
11 that place within the time specified, and is thereafter served  
12 or sent a written demand mailed to the last known address, made  
13 by certified mail return receipt requested, to return the ~~such~~  
14 vehicle, equipment, or other personal property within 3 days  
15 from the mailing of the written demand, and who without good  
16 cause knowingly fails to return the vehicle, equipment, or any  
17 other personal property to any place of business of the lessor  
18 within the return ~~such~~ period. The trier of fact may infer  
19 evidence that the person is without good cause if the person  
20 signs the agreement with a name or address other than his or  
21 her own.

22 (c) A person commits theft when he or she borrows from a  
23 library facility library material which has an aggregate value  
24 of \$50 or more pursuant to an agreement with or procedure  
25 established by the library facility for the return of such  
26 library material, and knowingly without good cause fails to

1 return the library material so borrowed in accordance with such  
2 agreement or procedure, and further knowingly without good  
3 cause fails to return such library material within 30 days  
4 after receiving written notice by certified mail from the  
5 library facility demanding the return of such library material.

6 (d) Sentence.

7 A person convicted of theft under subsection (a) is guilty  
8 of a Class A misdemeanor, except that the theft of library  
9 material where the aggregate value exceeds \$300 is a Class 3  
10 felony. A person convicted of theft under subsection (b) of  
11 this Section is guilty of a Class 4 felony. A person convicted  
12 of theft under subsection (c) is guilty of a petty offense for  
13 which the offender may be fined an amount not to exceed \$500  
14 and shall be ordered to reimburse the library for postage  
15 costs, attorney's fees, and actual replacement costs of the  
16 materials not returned, except that theft under subsection (c)  
17 where the aggregate value exceeds \$300 is a Class 3 felony. In  
18 addition to any other penalty imposed, the court may order a  
19 person convicted under this Section to make restitution to the  
20 victim of the offense.

21 For the purpose of sentencing on theft of library material,  
22 separate transactions totalling more than \$300 within a 90-day  
23 period shall constitute a single offense.

24 (Source: P.A. 97-597, eff. 1-1-12.)".