

1 AN ACT in relation to 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 1961 is amended by  
5 changing Section 5-2 as follows:

6 (720 ILCS 5/5-2) (from Ch. 38, par. 5-2)

7 Sec. 5-2. When accountability exists.

8 A person is legally accountable for the conduct of  
9 another when:

10 (a) Having a mental state described by the statute  
11 defining the offense, he causes another to perform the  
12 conduct, and the other person in fact or by reason of legal  
13 incapacity lacks such a mental state; or

14 (b) The statute defining the offense makes him so  
15 accountable; or

16 (b-5) He or she knowingly sells, gives, or delivers a  
17 firearm to another person and the other person uses that  
18 firearm in the commission of an offense; or

19 (c) Either before or during the commission of an  
20 offense, and with the intent to promote or facilitate such  
21 commission, he solicits, aids, abets, agrees or attempts to  
22 aid, such other person in the planning or commission of the  
23 offense. However, a person is not so accountable, unless the  
24 statute defining the offense provides otherwise, if:

25 (1) He is a victim of the offense committed; or

26 (2) The offense is so defined that his conduct was  
27 inevitably incident to its commission; or

28 (3) Before the commission of the offense, he  
29 terminates his effort to promote or facilitate such  
30 commission, and does one of the following: wholly deprives  
31 his prior efforts of effectiveness in such commission, or

1 gives timely warning to the proper law enforcement  
2 authorities, or otherwise makes proper effort to prevent the  
3 commission of the offense.

4 (Source: Laws 1961, p. 1983.)