

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 any of the following conditions are present:

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.~~;-er~~

14 (b) The statute defining the offense makes him so  
15 accountable.~~;-er~~

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

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

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

25 (3) Before the commission of the offense, he  
26 terminates his effort to promote or facilitate such  
27 commission, and does one of the following: wholly deprives  
28 his prior efforts of effectiveness in such commission, or  
29 gives timely warning to the proper law enforcement  
30 authorities, or otherwise makes proper effort to prevent the  
31 commission of the offense.

1       (d) He or she delivers a firearm, firearm ammunition, or  
2       any other dangerous weapon, explosive, device, or substance  
3       to a person the deliverer knows intends to use the firearm,  
4       firearm ammunition, weapon, explosive, device, or substance  
5       in the commission of an offense.

6       (Source: Laws 1961, p. 1983.)