

AN ACT in relation to criminal law.

Be it enacted by the People of the State of Illinois,  
represented in the General Assembly:

Section 5. The Criminal Code of 1961 is amended by  
changing Section 16A-7 as follows:

(720 ILCS 5/16A-7) (from Ch. 38, par. 16A-7)

Sec. 16A-7. Civil Liability. (a) A person who commits  
the offense of retail theft as defined in Section 16A-3  
paragraphs (a), (b), ~~or~~ (c), or (h) of this Code, shall be  
civilly liable to the merchant of the merchandise in an  
amount consisting of:

(i) actual damages equal to the full retail value of the  
merchandise as defined herein; plus

(ii) an amount not less than \$100 nor more than \$1,000;  
plus

(iii) attorney's fees and court costs.

(b) If a minor commits the offense of retail theft, the  
parents or guardian of said minor shall be civilly liable as  
provided in this Section; provided, however that a guardian  
appointed pursuant to the Juvenile Court Act or the Juvenile  
Court Act of 1987 shall not be liable under this Section.  
Total recovery under this Section shall not exceed the  
maximum recovery permitted under Section 5 of the "Parental  
Responsibility Law", approved October 6, 1969, as now or  
hereafter amended.

(c) A conviction or a plea of guilty to the offense of  
retail theft is not a prerequisite to the bringing of a civil  
suit hereunder.

(d) Judgments arising under this Section may be  
assigned.

(Source: P.A. 85-1209.)

Public Act 093-0329  
HB0405 Enrolled

LRB093 03337 RLC 03355 b

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