

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 12-21.6 as follows:

6 (720 ILCS 5/12-21.6)

7 (Text of Section before amendment by P.A. 92-515)

8 Sec. 12-21.6. Endangering the life or health of a child.

9 (a) It is unlawful for a any person to willfully cause  
10 or permit the life or health of a child under the age of 18  
11 to be endangered or to willfully cause or permit a child to  
12 be placed in circumstances that endanger the child's life or  
13 health, except that it is not unlawful for a person to  
14 relinquish a child in accordance with the Abandoned Newborn  
15 Infant Protection Act.

16 (b) A violation of this Section is a Class A  
17 misdemeanor. A second or subsequent violation of this  
18 Section is a Class 3 felony. A violation of this Section  
19 that is a proximate cause of the death of the child is a  
20 Class 3 felony for which a person, if sentenced to a term of  
21 imprisonment, shall be sentenced to a term of not less than 2  
22 years and not more than 10 years.

23 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01.)

24 (Text of Section after amendment by P.A. 92-515)

25 Sec. 12-21.6. Endangering the life or health of a child.

26 (a) It is unlawful for a any person to willfully cause  
27 or permit the life or health of a child under the age of 18  
28 to be endangered or to willfully cause or permit a child to  
29 be placed in circumstances that endanger the child's life or  
30 health, except that it is not unlawful for a person to  
31 relinquish a child in accordance with the Abandoned Newborn

1 Infant Protection Act.

2 (b) There is a rebuttable presumption that a person  
3 committed the offense if he or she left a child 6 years of  
4 age or younger unattended in a motor vehicle for more than 10  
5 minutes.

6 (c) "Unattended" means either: (i) not accompanied by a  
7 person 14 years of age or older; or (ii) if accompanied by a  
8 person 14 years of age or older, out of sight of that person.

9 (d) A violation of this Section is a Class A  
10 misdemeanor. A second or subsequent violation of this  
11 Section is a Class 3 felony. A violation of this Section  
12 that is a proximate cause of the death of the child is a  
13 Class 3 felony for which a person, if sentenced to a term of  
14 imprisonment, shall be sentenced to a term of not less than 2  
15 years and not more than 10 years.

16 (Source: P.A. 92-408, eff. 8-17-01; 92-432, eff. 8-17-01;  
17 92-515, eff. 6-1-02; revised 1-7-02.)